



Amendment C231 – Queens Parade Built Form Review

15-33 Queens Parade, Clifton Hill

Expert Urban Design Evidence

Julia Bell

August 2019

On behalf of

Pabas Mad Property Pty Ltd

Date of site inspections

29 July 2019



**DAVID LOCK
ASSOCIATES**
TOWN PLANNING & URBAN DESIGN

Contents

1.0 Introduction.....	1
2.0 Context	2
2.1 Site	2
2.2 Strategic and Physical Context	3
2.3 Planning Policy Context.....	8
2.4 Summary	10
3.0 Overall Building Height Requirements.....	11
3.1 Exhibited DDO16	11
3.2 Post-Exhibition DDO16.....	12
3.3 Assessment	13
4.0 Street Wall Height Requirements	16
4.1 Exhibited DDO16.....	16
4.2 Post-Exhibition DDO16.....	16
4.3 Assessment	17
5.0 Upper Level Setback Requirements.....	19
5.1 Exhibited DDO16	19
5.2 Post-Exhibition DDO16.....	19
5.3 Assessment	19
6.0 Side and Rear Setback Requirements	22
6.1 Exhibited DDO16.....	22
6.2 Post-Exhibition DDO16.....	23
6.3 Assessment	24
7.0 Conclusion	26
Appendix A: Summary of Experience and Personal Details.....	27
Appendix B – Expert Independence Policy.....	30

1.0 Introduction

- [1] I am an Associate Urban Designer and Planner at David Lock Associates (Australia) Pty Ltd, a town planning and urban design consultancy. I hold qualifications in urban design and planning. I have over 11 years professional experience in planning and urban design. Further details of my qualifications and experience are outlined in Appendix A.
- [2] In July 2019, I was engaged to provide an independent urban design assessment of Amendment C231 (**the Amendment**) as it relates to 15-33 Queens Parade, Clifton Hill (**the Site**).
- [3] In preparing my evidence I have assessed the exhibited Amendment documentation but have also considered the Council recommendations in the Council Meeting Minutes and Report dated 28 May 2019 including the post-exhibition Council changes to proposed Design and Development Overlay – Schedule 16 (**DDO16**).
- [4] My evidence has a particular focus on assessing the Amendment as it relates to the Subject Site.
- [5] My evidence is structured as follows:
- Section 2.0 A summary of the physical and strategic context of the site
- The following chapters assess DDO16 (exhibited and post-exhibition versions) as it relates to:
- Section 3.0 Overall building height requirements
 - Section 4.0 Street wall height requirements
 - Section 5.0 Upper level setback requirements
 - Section 5.0 Side and rear setback requirements
 - Section 6.0 Conclusion

2.0 Context

2.1 Site

- [6] The Site, 15-33 Queens Parade, Clifton Hill and currently contains a 2-storey commercial building (Thrifty Link Hardware Store) built to the front and side boundaries.
- [7] The land is accessible via an existing crossover in the south-west corner off a service lane.
- [8] The Site is zoned Commercial 2 (**C2Z**) and is affected by Heritage Overlay 317 (**HO317**) and Design and Development Overlay – Schedule 20 (**DDO20-2**).

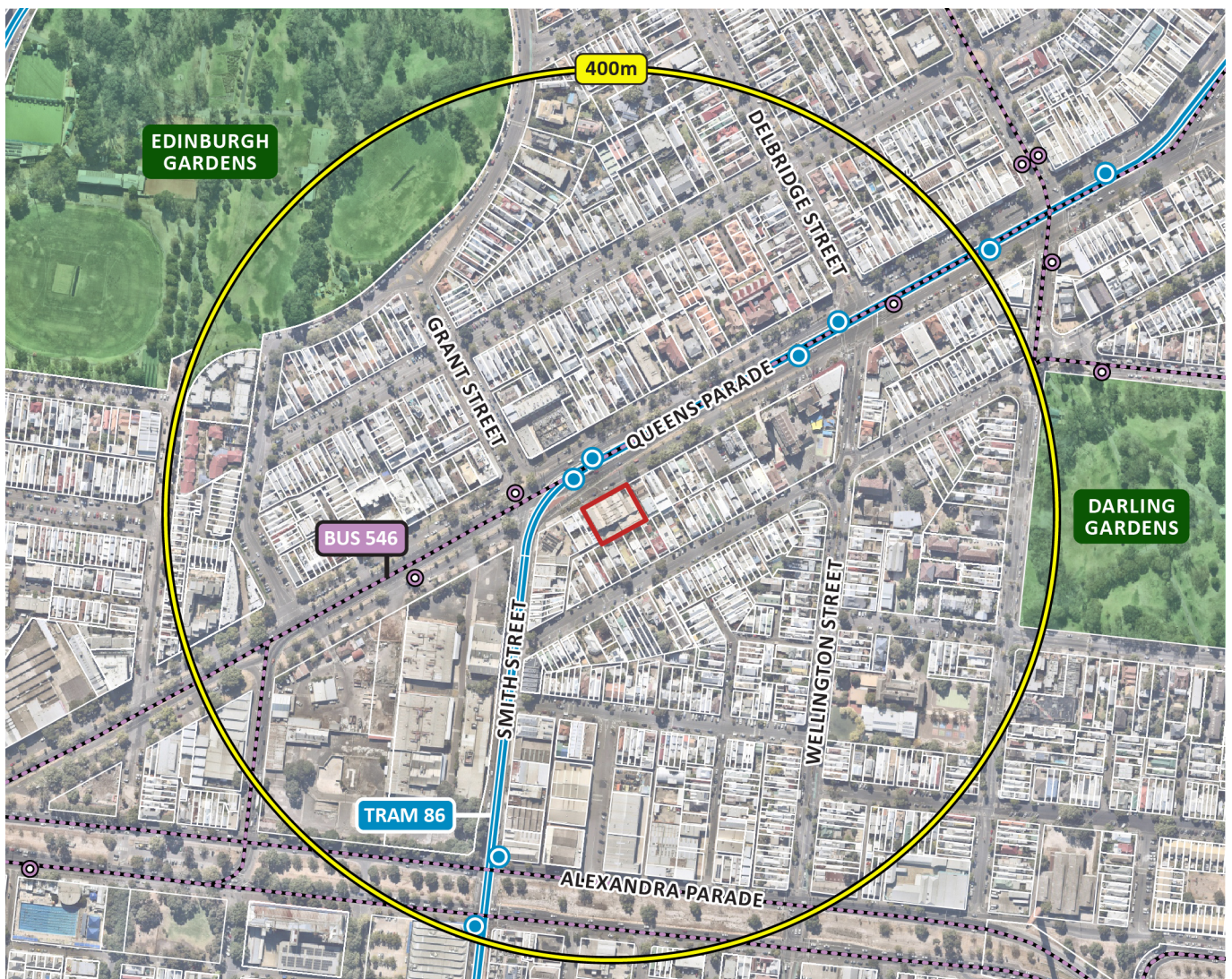


Figure 1 - Site (shown in red)

2.2 Strategic and Physical Context

- ^[9] The Site is located within the Queens Parade Neighbourhood Activity Centre (**NAC**) as identified on the Strategic Framework Plan in Clause 21.03 (Vision) of the Yarra Planning Scheme (**the Planning Scheme**).
- ^[10] The Site (and activity centre) is well served by a range of services and amenities as follows:
- A variety of public transport services such as:
 - *Tram Route 86 traversing through the entirety of activity centre running along Queens Parade;*
 - *Clifton Hill Railway Station located approximately 200m from the north-east corner of the activity centre;*
 - *Bus stops servicing a variety of bus routes along Queens Parade within the activity centre;*
 - It is proximate to a variety of public open spaces including Mayors Park (north east end of the activity centre), Darling Gardens (east of the Queens Parade corridor) and Edinburgh Gardens (generally west of the Queens Parade corridor).

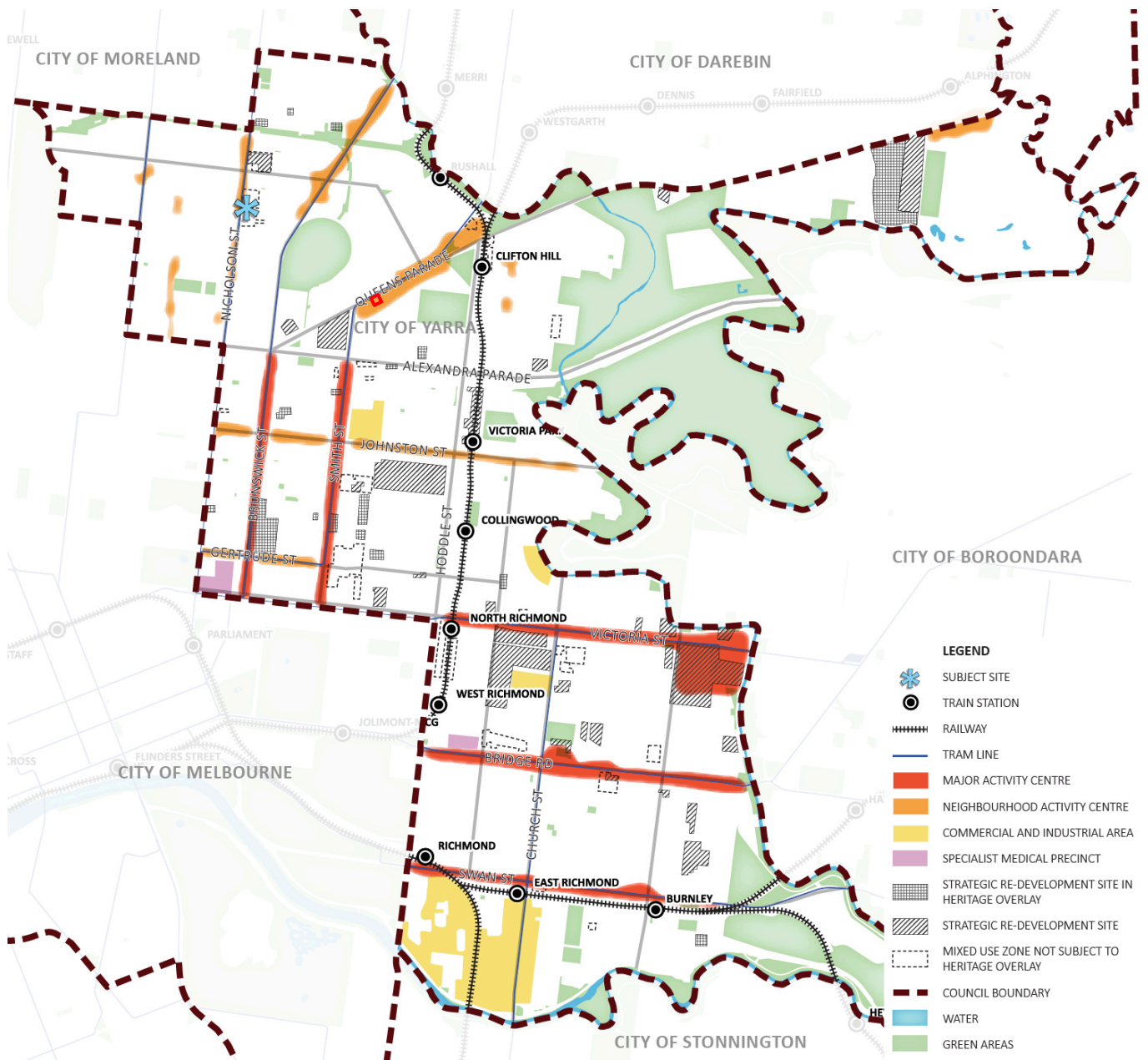


Figure 2 - Strategic Context surrounding the Neighbourhood Activity Centre and Site (in red)

[11] The Site is situated within a 'pocket' of land that is also zoned either Commercial 1 (generally along Smith Street, west of the Site) and Commercial 2 (along this part of Queens Parade) within the NAC.

[12] The Site's interfaces can be generally summarised as follows:

- To the north is Queens Parade, an approximate 60m wide major arterial with service lane on both sides of the road and tram lines in the centre. Further north are dwellings ranging between 1-3 storey, predominantly zoned Neighbourhood Residential Zone – Schedule 1 (**NRZ1**) and affected by Heritage Overlay Schedule 327, generally constructed to front and side boundaries.
- To the east is a laneway that divides the Site and 35 Queens Parade, which it serves. 35 Queens Parade is a single storey building zoned C2Z and affected by HO317 and DDO20-2. Further east is St John’s Church and diversity of built form ranging between 1-2 storey dwellings (zoned NRZ1);
- To the west is 7-11 Queens Parade, a 2-storey building zoned C2Z and affected by HO317 and DDO20-2. Further west is former Gas Works strategic redevelopment site, which identifies future height of new built form between 17m – 30m;
- To the south are the backyards of 14, 16, 20 and 22 Hodgkinson Street which are either single or double storey dwellings, oriented to face Hodgkinson Street. These dwellings are zoned within NRZ1 and affected by HO317, as are the dwellings further south.



Figure 3 - View of the Subject Site, when standing on west side of Queens Parade looking east towards the Site with immediately neighbouring interfaces visible



Figure 4 - View looking at the north side of Queens Parade, directly opposite the Subject Site



Figure 5 - View of the corner of Smith Street and Hodgkinson Street, looking east



Figure 6 - View looking north-east when standing on Hodgkinson Street



Figure 7 - View of Hodgkinson Street dwellings north-east along the Street with St John's Church visible

2.3 Planning Policy Context

- [13] Strategic planning policy for this site is set a State level through Plan Melbourne and the Planning Policy Framework (PPF) and at a level local level through the Municipal Strategic Statement (MSS) of the Planning Scheme, supported by more detailed local planning policies.
- [14] Plan Melbourne 2017-2050 is the current metropolitan strategy for Melbourne and it aims to support growth outside of the central city and *‘development of a network of activity centres linked by transport’* (Policy 1.2.1) as a means *‘to improve access to jobs across Melbourne and closer to where people live’* (Direction 1.2) and to *‘deliver more housing closer to jobs and public transport’* (Direction 2.2).
- [15] Reinforcing these aspirations is also an objective to *“promote urban design excellence in every aspect of the built environment”* (Policy 4.3.1) and *“the need to recognise heritage when managing growth and change”* (Policy 4.4.1). This aims to ensure that future built form can *“achieve and promote design excellence”* (Direction 4.3).
- [16] These policy objectives are also repeated through various clauses of the PPF:
- Clause 11.01-1R (Settlement – Metropolitan Melbourne) and Clause 11.03-1S (Activity Centres) which collectively seek the development of a network of activity centres with mixed use neighbourhoods of varying density and sizes, well-served by public transport so as to offer more choice in housing, create new jobs and improve access to services and facilities;
 - Clause 15 (Built Environment and Heritage), Clause 15.01-1S (Urban Design) and Clause 15.01-2S (Building Design) collectively seek to ensure development minimises detrimental impacts to the context, promotes building design that enhances the context and contributes to improvement of the public realm; and
 - Clause 16.01-2S (Location of Residential Development), Clause 18.02-2S (Public Transport) and Clause 18.02-2R (Principal Public Transport Network) which collectively seek to locate new housing within well-service and connected activity centres via public transport offering good access to jobs, services and public transport, particularly within the Principal Public Transport Network (PPTN) area of which the Site (and whole of activity centre) is located within.
- [17] The MSS and Clause 21.04 identifies the broader objective for built form for Yarra is that it *“will have a distinctive identity as a low-rise urban form,*

with areas of higher development and highly valued landmarks.” Further, Strategy 4.3 under Clause 21.04 also seeks to “support the role of all activity centres, including Neighbourhood Activity Centres, in providing local day-to-day needs of residents of all abilities” such as Queens Parade.

- [18] There are also local planning policies that supports higher density development within activity centres and locating new housing opportunities within well-serviced areas (refer to Clause 21.04 and Clause 21.05). However, these policies need to be considered along other policy which seek to ensure that built form responds to the context and minimises off-site amenity impacts (refer to Clause 21.05, 21.08 and 22.05).
- [19] The Site is currently zoned within a C2Z and affected by DDO20-2 and HO317.
- [20] The relevant purposes of C2Z include:
- *To implement the Municipal Planning Strategy and the Planning Policy Framework;*
 - *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
- [21] In relation to the HO317, it applies to the Clifton Hill Western Precinct which is broad area. Although the Site is affected by HO317, I understand that the building on the Site is identified as ‘non-contributory’ within the heritage precinct.
- [22] In relation to the DDO20, the following is noted:
- The DDO20 applies to the Queens Parade Neighbourhood Activity Centre;
 - It locates the Subject Site within a “Precinct 3 – St John Precinct” and within Sub-Precinct 3A;
 - There is a broader Precinct 3 objective to maintain views to *“Development must maintain views of the belfry and spire of St John’s church and maintain clear sky between the belfry and spire and new development when viewed from the centre of the footpath on the south-east corner of the intersection with Queens Parade and Smith Street.”*
 - It identifies a discretionary maximum building height of 18m;

- A mandatory maximum street wall height of 11m and a requirement for “*development adjoining a heritage building to match the parapet height of adjacent taller heritage building*”;
- A discretionary 0m street wall setback requirement;
- A discretionary rear setback requiring built form to be setback 45 degrees, above 5m from a rear boundary (where there is no laneway);
- A discretionary side setback of 0m, as the Site does not adjoin NRZ on either of its side boundaries; and
- It is an interim control introduced via Amendment C241 to the Yarra Planning Scheme, which is due to expire on 12 January 2020 and has not been independently tested.

[23] I note that the purpose of Amendment C231 is to replace the interim DDO20 with a permanent DDO16.

2.4 Summary

[24] In summary, the Site is located within the Queens Parade NAC, is well serviced by a variety of public transport options, services and amenities and public open space provision throughout the NAC.

[25] State and local planning policies seek to optimise development opportunities within well serviced areas. However, these objectives supporting urban consolidation need to be considered alongside other objectives which encourage new built form to be respectful of character, respond to the heritage streetscape and manage potential off-site amenity impacts.

3.0 Overall Building Height Requirements

^[26] This section provides an assessment of the building height requirements outlined within DDO16 (both exhibited and post exhibition versions) as they relate to the site and recommends any changes or additions where necessary.

3.1 Exhibited DDO16

^[27] The exhibited DDO16 provides a number relevant activity centre wide General Design Objectives at Clause 1.0 that influence **building height** as follows:

- *To ensure development respects the architectural form and qualities of heritage buildings and streetscapes and maintains the visual prominence of the St John the Baptist church belfry and spire, the former ANZ Bank building, the former United Kingdom Hotel and the former Clifton Motors garage.*
- *To ensure new development responds to the grand, tree-lined boulevard character of Queens Parade.*
- *To ensure that the overall scale and form of new buildings provides a suitable transition to low scale residential areas and protects these properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.*

^[28] DDO16 identifies the site within Precinct 3A – St Johns Precinct and provides a number of height-related Precinct-specific objectives, found at Clause 2.4.2, as follows:

- *“Development must maintain views of the belfry and spire of St John’s church and maintain clear sky between the belfry and spire and new development when viewed from the centre of the footpath on the south-east corner of the intersection with Queens Parade and Smith Street...”*
- *“Development must;*
 - *respond to the low scale form of existing development outside Precinct 3 on Hodgkinson Street through an appropriate transition in building height...”*

^[29] At Table 3, it proposes a preferred maximum building height of 18m (5-storeys).

3.2 Post-Exhibition DDO16

^[30] The post-exhibition DDO16 revises the exhibited centre-wide Design Objectives at Clause 1.0, as follows:

- *To support: a new mid rise character behind a consistent street wall in precincts 2, 3 and part of 5 abutting the former Clifton Motors... while ensuring development responds appropriately to heritage character, heritage streetscapes, sensitive interfaces and varying development opportunities;*
- *To protect the integrity of historical streetscapes and clusters of heritage buildings of a similar scale and materiality by limiting new development.*

^[31] It also introduces a precinct-specific preferred character statement and associated design requirements (at Clause 2.9.3), as follows:

Preferred Character Statement:

- *Development will retain the primacy of the St John's Church landmark and view to its belfry and spire.*
- *The precinct will provide for new development at and around the Smith Street junction.*
- *The prominent corner of Queens Parade and Smith Street will be marked by a higher street wall with development set back at the upper level.*
- *Development will provide an effective transition to the residential areas to the south and east.*

^[32] The design requirements are revised to include the following additional requirements in relation to Precinct 3A, as follows:

- *Development in Precinct 3A must also:*
 - *maintain views of the belfry and spire of St John's church and maintain clear sky between the belfry and spire and new development when viewed from the pedestrian refuge on the south-west corner of the intersection with Queens Parade and Smith Street.*
 - *emphasise the corner of Queens Parade and Smith Street with a higher street wall.*

[33] The post-exhibition DDO16 proposes a mandatory maximum building height of 18m found at Table 3 (in lieu of the exhibited discretionary 18m requirement).

3.3 Assessment

[34] Precinct 3 is described within the Queens Parade Built Form Review (Built Form Review) as a “*mixed residential heritage fabric with renewal and infill potential around the Smith Street Junction*”. The post-exhibition DDO16 states that the precinct will provide for new development at and around the Smith Street junction.

[35] Key considerations when assessing appropriate built form height for the Site are as follows:

- It’s location within HO317 and designation as a ‘non-contributory’ building within the heritage precinct;
- The proposed downgrading of the properties adjacent (7, 9 and 11 Queens Parade) from ‘contributory’ to ‘non contributory’;
- The ‘contributory’ building at 35 Queens Parade;
- Retention of the primacy of the St John’s Church landmark and view to the belfry and spire;
- The width of Queens Parade adjacent to the site (60m approx.); and
- The size of the subject site (1,540m² approx.) which allows for increased development to be accommodated; and
- The sensitive low-scale residential interfaces to the south.

[36] Based on the site context and key considerations above, I am supportive of the proposed overall building height of 18m. However, I do not support the application of the building height as a mandatory control as proposed in the post-exhibition DDO16.

[37] Planning Practice Note 59 – The Role of Mandatory Provisions in Planning Schemes (PPN59) describes the criteria used to decide whether mandatory provisions may be appropriate in planning schemes. PPN59 must also be read in conjunction with Planning Practice Note 60 Height and setback controls for activity centres (PPN60).

[38] PPN59 refers to circumstances where a mandatory provision will provide certainty and ensure a preferable and efficient outcome. These may include areas of high heritage value and strong and consistent character themes.

- [39] PPN60 states that mandatory height and setback controls will only be considered where they are supported by robust and comprehensive strategic work or where:
- Exceptional circumstances exist; or
 - Council has undertaken comprehensive strategic work and is able to demonstrate that mandatory controls are appropriate in the context; and
 - They are absolutely necessary to achieve the preferred built form outcomes and it can be demonstrated that exceeding these development parameters would result in unacceptable built form outcomes.
- [40] I assess the built form analysis undertaken to inform the Amendment as comprehensive. The Built Form Guidelines state that Precinct 3A in particular has a varied heritage character and quality and therefore renewal and infill potential.
- [41] The Queens Parade Built Form Heritage Analysis & Recommendations (Heritage Analysis) describes the land at the north east corner of Queens Parade and Smith Street and along Queens Parade itself as consisting of mixed and less intact heritage. The Heritage Analysis also proposes to downgrade the buildings at 7, 9 and 11 Queens Parade to 'not contributory' and suggests that sites at 1-5 Queens Parade and 15-33 Queens Parade as their contribution to HO317 is considered minimal. Overall, Precinct 3 is not identified in the Heritage Analysis as a significant streetscape.
- [42] Based on the built form analysis and its assessment of the heritage and character value within Precinct 3A, I assess that it isn't compelling enough to warrant mandatory building height controls. I note, the exhibited DDO16 proposed a discretionary maximum building height of 18m.
- [43] The 3D modelling below provided by Yarra City Council applies the street wall height, building height and setbacks proposed in Precinct 3A of DDO16. An 6th storey has been added to the 3D view to test its impact.
- [44] Due to the nature of the site and its size, the diagram demonstrates that a height greater than 5 storeys can be achieved whilst responding to heritage, character and ensuring the primacy of St John's Church as a landmark is maintained. Refer to Figure 8.

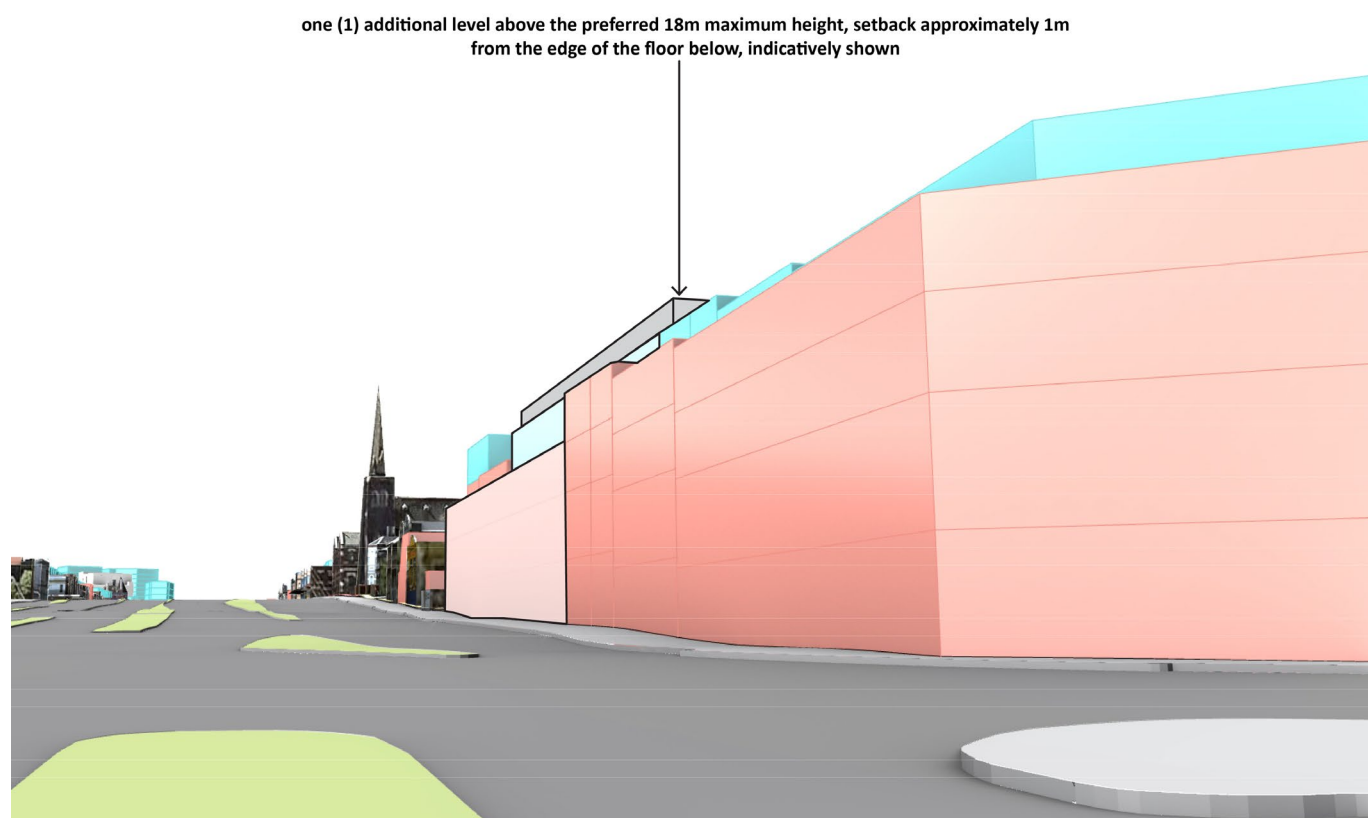


Figure 8 - Council 3D modelling with DLA emphasis on the Site and one additional level setback 1m from the edge of the floor below, above the preferred height indicatively shown

^[45] For the reasons above, I support a preferred building height of 5 storeys as stated in the exhibited DDO16.

4.0 Street Wall Height Requirements

[46] This section provides an assessment of the street wall requirements outlined within DDO16 (both exhibited and post exhibition versions) as they relate to the site and recommends any changes or additions where necessary.

4.1 Exhibited DDO16

[47] The exhibited DDO16 provides a number relevant activity centre wide General Design Objectives at Clause 1.0 that influence **street wall height** as follows:

- *To support a new mid-rise character behind a consistent street wall in precincts 2-5.*
- *To ensure new development responds to the grand, tree-lined boulevard character of Queens Parade.*

[48] It also provides a number of relevant precinct-specific objectives as follows:

- *Development must:*
 - *achieve a consistent street wall height along Queens Parade, extending along Smith Street.*
 - *recognise the fine grain character of heritage streetscapes and minimise the dominance of wide building frontages.*
 - *maintain the prominence of the heritage street wall in the streetscape and the vista along Queens Parade.*
 - *be designed so that side walls are articulated and read as part of the overall building design.*

[49] At Table 3, it proposes a mandatory maximum street wall height of 11m, specific for 15-33 Queens Parade.

4.2 Post-Exhibition DDO16

[50] The post-exhibition DDO16 introduces a precinct-specific preferred character statement and associated design requirements that relate to street wall height, as follows:

Preferred Character Statement:

- *Development along Queens Parade will create a consistent street wall with recessed upper levels;*

→ *Development will retain the primacy of the St John's Church landmark and view to its belfry and spire.*

[51] The design requirements in relation to street wall height remain relatively unchanged and continues to introduce a mandatory maximum street wall height of 11m to 15-33 Queens Parade and 41 Queens Parade. A specific reference is added to retain the height of the existing heritage façade at 35-37 Queens Parade.

4.3 Assessment

[52] I understand the key determinants of the application of a mandatory street wall height to be responding to the existing heritage streetscape character, and maintaining views to the belfry and spire of St John's church with the intent of maintaining clear sky between the belfry and spire and new development when viewed from the pedestrian refuge on the south-west corner of the intersection with Queens Parade and Smith Street.

[53] I support the introduction of a mandatory street wall height as it will ensure future built form responds appropriately to the existing and preferred street wall character. From my assessment of views to the belfry and spire of St John's church, I found that restricting the street wall height particularly effective. The 3D modelling below (Figure 9) provided by Yarra City Council demonstrates the 11m street wall height applied to the subject site and demonstrates its appropriateness.



Figure 9 - Council 3D modelling with emphasis on the Site showing the profile of an 11m high street wall in context, along 15-33 Queens Parade

5.0 Upper Level Setback Requirements

[54] This section provides an assessment of the upper level setback requirements outlined within DDO16 (both exhibited and post exhibition versions) as they relate to the site and recommends any changes or additions where necessary.

5.1 Exhibited DDO16

[55] The exhibited DDO16 provides a number relevant activity centre wide General Design Objectives at Clause 1.0 that refer to support for a mid-rise character behind a consistent street wall and maintaining the visual prominence of St John the Baptist church.

[56] The precinct-specific design requirements seek upper levels that are visually recessive, ensuring they do not detract from the heritage streetscape. The requirements suggest the application of materials at the upper levels that are recessive in finish and colour.

[57] DDO16 proposes a mandatory minimum 6m upper level setback, at 15-41 Queens Parade.

5.2 Post-Exhibition DDO16

[58] The post-exhibition DDO16 revises the Precinct 3 requirements to include a preferred character statement with the additional statement that the prominent corner of Queens Parade and Smith Street will be marked by a higher street wall with development setback at the upper level.

[59] It proposes a mandatory minimum 6m upper level setback for the properties at 15-41 Queens Parade.

5.3 Assessment

[60] I understand the intent of the mandatory upper level setback to be to maintain clear sky between the belfry and spire and new development when viewed from the pedestrian refuge on the south-west corner of the intersection with Queens Parade and Smith Street.

[61] From an assessment of the 3D modelling provided by Yarra City Council, I consider the application of a mandatory 6m upper level setback unnecessary to achieve the above objective in relation to the site.

[62] As shown in Figure 10 and 11 below, there is potential to reduce the upper level setback whilst still maintaining clear sky between the belfry and spire and new development. The visual prominence of the St John the Baptist church belfry and spire is still maintained.



Figure 10 - Indicative upper form of 18m that is setback approximately 4m (in lieu of 5m), above the street wall



Figure 11 - Indicative upper form of 18m that is setback approximately 5m (in lieu of 6m), above the street wall

- [63] In response to the requirement to ensure the upper levels do not detract from the heritage streetscape, I note the Heritage Analysis describes the site and adjacent properties as mixed and less intact than other precincts within the study area. I further note the properties at 7, 9 and 11 Queens Parade are proposed to be downgraded to 'not contributory' as part of the Amendment.
- [64] I assess that a 4m or 5m setback would still ensure the upper levels are visually recessive and the prominence of the heritage streetscape is retained.
- [65] In summary, I recommend the upper level setback requirement is a preferred requirement instead of mandatory, allowing a performance based assessment at the time of preparation of the planning application.

6.0 Side and Rear Setback Requirements

^[66] This section provides an assessment of the side and rear setback requirements outlined within DDO16 (both exhibited and post exhibition versions) as they relate to the site and recommends any changes or additions where necessary.

6.1 Exhibited DDO16

^[67] The exhibited DDO16 provides a number relevant activity centre wide “General Design Objectives” at Clause 1.0 that influence side and rear setback, as follows:

→ *To ensure that the overall scale and form of new buildings provides a suitable transition to low scale residential areas and protects these properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.*

^[68] It also provides a number of relevant precinct-specific objectives as follows:

- *Development must:*
- *ensure that upper level development is visually recessive and does not detract from the heritage streetscape.*
 - *be designed so that side walls are articulated and read as part of the overall building design.*
 - *avoids continuous built form at upper levels.*

^[69] At Table 3, the exhibited DDO16 identifies the following:

Table 3 – Street wall height, building height and setbacks for Precinct 3A

Built Form	Mandatory requirement	Discretionary requirement
Rear setback		45° above 8 metres from rear boundary to a laneway 45° above 5 metres from rear boundary (no laneway)
Side setback		If adjoins NRZ, ResCode B17 0 metres elsewhere

Figure 12 - Extract from the exhibited DDO16

6.2 Post-Exhibition DDO16

^[70] The post-exhibition DDO16 It introduces additional precinct-specific design requirements (at Clause 2.9.3), as follows:

Design Requirements

→ *Developments must:*

- *respond to the low scale form of existing development outside Precinct 3 on Hodgkinson Street through an appropriate transition in building height.*
- *ensure that where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September. If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.*

^[71] At Table 3, it identifies the following:

Built Form	Mandatory requirement	Discretionary requirement
Precinct 3A		
Minimum rear setback	None specified	Where there is a laneway: <ul style="list-style-type: none"> • Modified ResCode Standard B17 (See Figure 1) Where there is no laneway: <ul style="list-style-type: none"> • Modified ResCode Standard B17. (See Figure 2)
Minimum side setback	None specified	If side boundary adjoins NRZ, ResCode Standard B17 0 metres elsewhere

Figure 13 - Extract from post-exhibition DDO16

[72] I note that there is no laneway to the rear of the Site and therefore “Figure 2” is applicable, as extracted below:

Figure 2

REAR SETBACKS WHERE THERE IS NO LANEWAY TO THE REAR

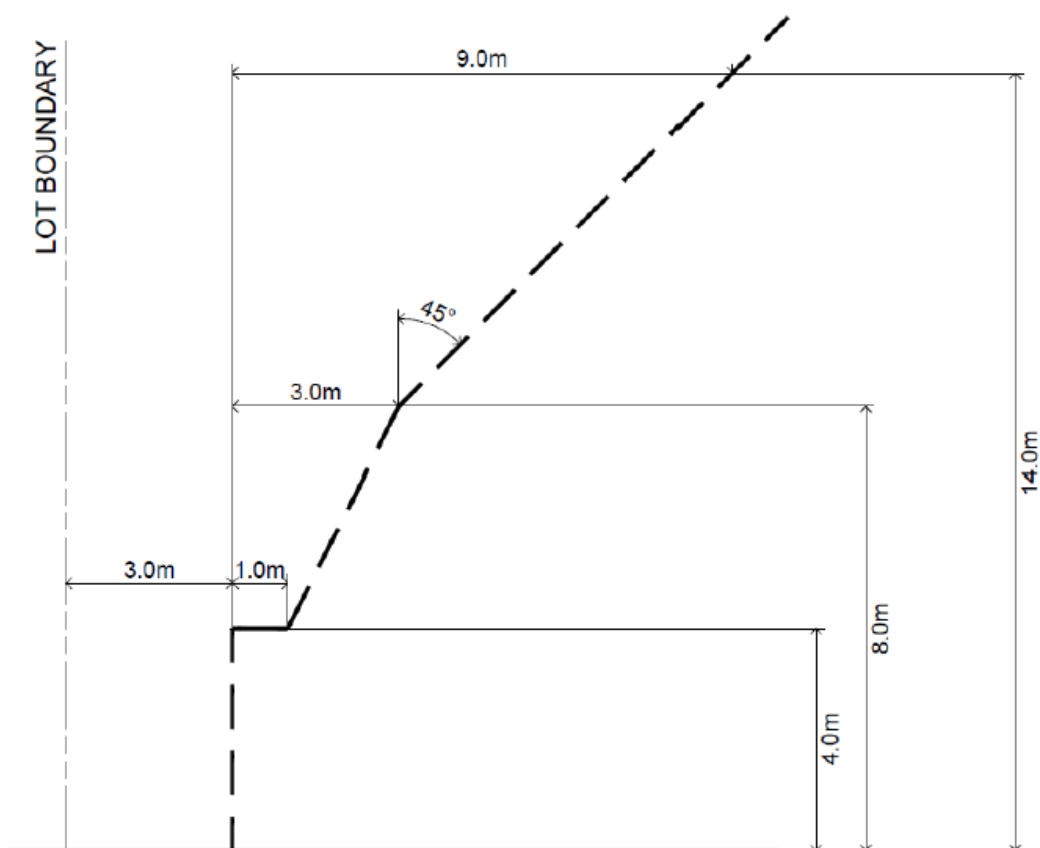


Figure 14 - Extract from post-exhibition DDO16 of the suggested rear setback treatment

6.3 Assessment

[73] In relation to the post-exhibition DDO16, I generally support the introduction of the requirement to respond to the low scale form of the existing development outside Precinct 3 on Hodgkinson Street. I find the introduction of a discretionary Rescode Standard B17 an appropriate control to manage off-site amenity. Although I note the diagram above includes a 3m setback from the lot boundary. This would be more onerous than Standard B17 of Clause 55 and should be deleted. Refer to Figure 15.

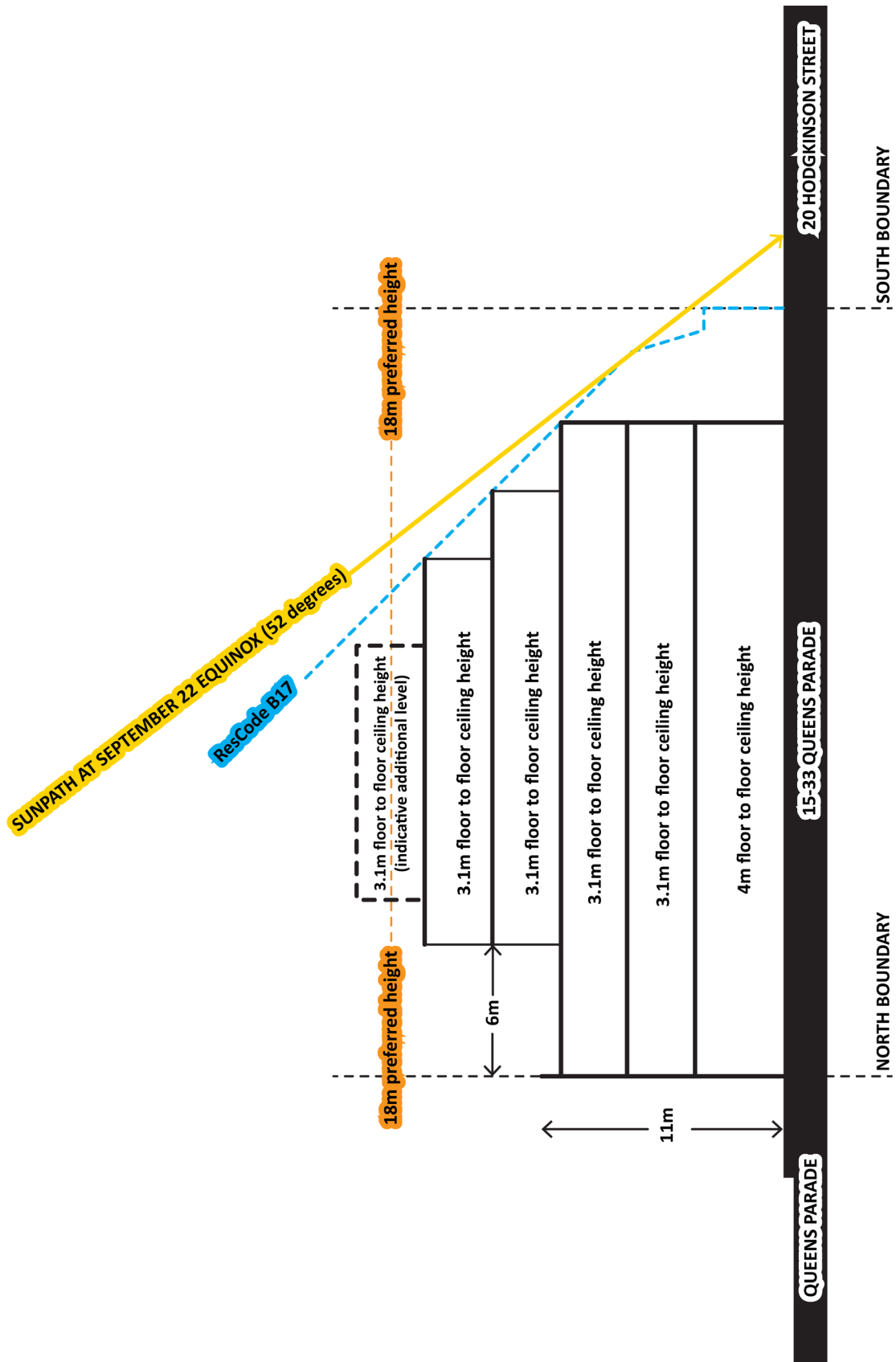


Figure 15 - North-South section through cutting through the Site and 20 Hodgkinson Street testing the extent of built form

7.0 Conclusion

^[74] In conclusion, I support the Exhibited Amendment and the preferred built form outcomes for the Subject Site outlined in DDO16. However, I recommend the following changes:

- The upper level setback requirement is a preferred requirement instead of mandatory;
- A discretionary ResCode Standard B17 is introduced in accordance with Clause 55; and
- Any other changes recommended within this report.

^[75] I understand that there is a drafting workshop in the Panel timetable and I will be happy to review proposed changes to be put forward.

Appendix A: Summary of Experience and Personal Details

Name and Address

Julia Chloe Bell
Associate Urban Designer
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Qualifications

- Member of the Planning Institute of Australia, 2008
- MA Urban Design, Oxford Brookes University, UK, 2013
- Diploma Urban Design, Oxford Brookes University, UK, 2013
- Bachelor of Urban Planning and Development, University of Melbourne, 2007

Professional experience

- Associate Urban Designer and Planner, David Lock Associates (Australia), March 2015 to present
- Senior Strategic Planner, Hume City Council (Australia), 2014 to 2015
- Strategic Planner, Hume City Council (Australia), 2010 to 2014
- Development Planner, GHD (Australia), 2005 to 2010

Area of Expertise

I have over eleven years' experience in private and public practice with various planning and urban design consultancies in Victoria, Queensland and Tasmania.

Expertise to prepare this report

I have been involved in the design and assessment of numerous site-specific development projects and planning scheme amendments in Victoria. These have included:

- Evidence for Amendment GC81 (Port Phillip City Council) Fishermans Bend Urban Renewal Precinct.
- Evidence for Amendment C178 (Moreland City Council) Gronn Place Brunswick West.
- Evidence for Amendment C223 (Stonnington City Council) 110-122 Wattletree Road, Malvern – Malvern Central.

- Evidence for Amendment C194 (Whitehorse City Council) 517-521 Station Street, Box Hill.
- Evidence for Amendment C207 and C208 (Hume City Council) Sunbury South and Lancefield Road PSPs.
- Evidence for Amendment C175 (Whitehorse City Council) as it related to the land at 813 Whitehorse Road, Mont Albert.
- Evidence for Amendment C123 (Port Phillip City Council) for the implementation of the residential zones.
- Evidence for Amendment C161 (Darebin City Council) for Fairfield Village, Fairfield.
- Structure Plans for Hawksburn Activity Centre (Stonnington City Council) and Greensborough Activity Centre (Banyule City Council).
- Policy writing in relation to Activity Centres (Clause 21.07 – Hume Planning Scheme).
- Prepared Hume City Council’s submission to the Reformed Zones.
- Representation of Council as an advocate at Planning Panels Victoria.
- Involved in the independent review of numerous inner urban development projects from an urban design perspective

Other significant contributors

I was assisted by Vincent Pham (Senior Planner) and Krishna Keerthi (Junior Urban Designer) in the preparation of this report.

Instructions which define the scope of this report

I am engaged by Pabas Mad Property Pty Ltd.

I have received verbal and written instructions from Eddie Zagame including various documents relating to the proposal.

Facts, matters and assumptions relied upon

- Inspection of the subject site and surrounding area; and
- Review of planning controls and policies affecting the area.

Documents taken into account

In forming my opinion, I have relied on:

- The Yarra Planning Scheme and reference documents;
- Yarra Planning Scheme Amendment C231 publicly exhibited documentation, including;
 - *Queens Parade, Clifton Hill Built Form Review (Hansen Partnership, 15 December 2017)*
 - *Queens Parade Built Form Heritage Analysis and Recommendations (GJM Heritage, 11 December 2017)*
- Various screenshots of 3D modelling prepared by Yarra City Council;
- Post-Exhibition Amendment C231 Council Documents dated 28 May 2019 and its various attachments relating to submissions; and
- Various correspondences relating to the proposed development.

Summary of opinions

Refer to the conclusion of this statement.

Provisional Opinions

There are no provisional opinions in this report.

Questions outside my area of expertise, incomplete or inaccurate aspects of the report

This report does not address questions outside my area of expertise, and is complete and accurate to the best of my knowledge.

I have made all the inquiries that I believe are desirable and appropriate and confirm that no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.



Julia Bell

Appendix B – Expert Independence Policy

Expert Independence Policy

Introduction

David Lock Associates (DLA) provides expert advice about planning and development to planning authorities, review authorities, government agencies, landowners, developers, development consultants and community members affected by development. Our experts are often called as witnesses to give their opinion as evidence. Expert witnesses furnishing their opinion in a court or tribunal are required to be independent. DLA regards this requirement as fundamental to the services that it provides, and critical to the preservation of its reputation in the sector.

This policy has been developed to assist our clients and potential clients to understand the parameters within which we are prepared to accept commissions in a way that best preserves our independence and serves the interests of the process and our clients.

Policy

We adopt the following practices to ensure that the opinions provided by our experts are genuinely independent:

1. **No free advice in order to win a commission:** We charge a fee to formulate an opinion of the merits of a proposal. This ensures that the opinion is well-considered, and avoids any perception that it can be influenced by a commercial need to earn a commission.
2. **Authority to decline support:** We empower and require our experts to decline support for the client's position if they do not support it professionally, even if it risks the loss of a commission for further or future work.
3. **Consistent advice irrespective of the client type:** We do not restrict our services to a particular type or types of party involved in a development proposal or planning dispute, and require our experts to provide the same advice about a proposal irrespective of which party has requested that advice.
4. **Confined briefing for preliminary opinion:** We request that the instructor only provides material that is in the public domain to inform our expert's preliminary opinion, so that if the client declines to adopt the advice of our expert, they or another of our experts remains potentially free to advise another party if requested. This limits the potential for one of our experts to be engaged purely for the purpose of preventing them from being engaged by another party. Our experts will not be precluded from giving evidence for another party where they have provided a preliminary opinion based on information that is not personal and/or confidential in nature.

We do not accept commissions to give evidence for a second party in the same matter, or for the same party in the same area of expertise. When more than one DLA expert is engaged to give evidence for the same party in the same matter, we employ the following procedures:

1. **No overlap in scope:** We ensure that there is no overlap in the scope of professional opinion sought by the two sets of instructions.
2. **Separate commissions:** We treat each commission as a separate job, with separate instructions, fee agreements, job codes and files.
3. **No discussion between experts:** The experts do not discuss the project in each other's presence, except if requested by and in the presence of an advocate or legal adviser to the client.
4. **Separate support teams:** No DLA team member provides technical support for both experts, and team members supporting different experts are instructed not to talk to each other about the matter.

5. **Project meetings conducted in private:** All meetings and telephone conversations about the project undertaken in our office are held in an enclosed room to avoid any possibility of one expert or assisting team member overhearing the opinion of another.



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