

13 March 2019

Panel Coordinator
Planning Panels Victoria
1 Spring Street
Melbourne VIC 3000

Via Email: planning.panels@delwp.vic.gov.au

Dear Panel Coordinator

Melbourne Planning Scheme Amendment C308 – Urban Design in the Central City and Southbank

The Victorian Division of the Urban Development Institute of Australia (UDIA Victoria) welcomes the opportunity to provide this submission to the Panel in the matter of Melbourne Planning Scheme Amendment C308. This submission to the Panel responds to the City of Melbourne's Part A submission and expert evidence provided by submitters, and should be read in conjunction with our original submission dated 10 August 2018 (attached).

UDIA Victoria notes that several revisions to the amendment have been proposed by the City of Melbourne. Whilst we note that these revisions constitute a substantial improvement to the Amendment, we still hold concerns about the capacity of the proposed amendment, especially the amended DDO1, to achieve the stated outcomes.

For ease of reference, this submission is provided in table form. The summary points raised in our original submission are noted on the left-hand column (noting that rationale for these points is provided in our original submission). UDIA Victoria's response to the proposed revisions to the amendment and panel documentation in the right-hand column.

Requested changes to C308 – Original Submission	Response to Panel documentation
1. That Clause 22.01 be retained and strengthened to provide urban design policies that currently apply to the Central City and Southbank, rather than deleted. (Instead of the application of a DDO)	UDIA Victoria supports the consolidation of the existing DDO1, DDO4 and local policy. However, UDIA Victoria considers that Amendment 308 is fundamentally misguided in its approach of applying the Design and Development Overlay (DDO), and not an updated and improved local policy, as the consolidated control. The City of Melbourne has not adequately responded to this concern. UDIA Victoria maintains that when properly drafted, local policy is a sound tool for guiding planning permit assessments.
2. Amend the provisions to provide discretion to allow for above ground carparking sleeved by active uses in the Central City where appropriate.	The extension of the areas where sleeving is permitted in Table 4 of DDO1 is noted and supported. However, with respect to the Central City area, the City of Melbourne's strategic direction to reduce

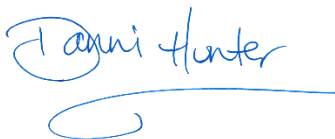
Requested changes to C308 – Original Submission	Response to Panel documentation
	<p>private parking is noted. However, UDIA Victoria requests that the specific mandatory requirement at T4:MR:1 is deleted, and discretion is provided to allow for merits- based assessment of applications in the Central City that provide for sleeved car parking at ground level or parking at upper levels.</p>
<p>3. Amend the provisions to provide discretion to allow for a limited number of carparks for specific uses (such as service vehicles) on the ground level of sites in Southbank.</p>	<p>UDIA Victoria notes the City of Melbourne’s response that “the mandatory provision requiring parking at or above the first floor in Southbank does not limit the use of the ground floor for service or loading vehicles including waste, deliveries etc” (page 17 of Attachment 3 to FMC report), however requests that the Table 4 is revised to provide clarity to this effect.</p>
<p>4. Amend the provisions to provide discretion to allow the requirement that the area of any ground floor of a building occupied by building services, including waste, loading and parking must be less than 40% of the total site area, to be waived or reduced for smaller sites.</p>	<p>Whilst the testing shows the “majority of sites” are able to accommodate this requirement, this still renders some sites – mostly smaller sites – unable to meet this requirement and therefore potentially unviable.</p> <p>UDIA Victoria notes that the majority of case studies reviewing the ability of sites to support this requirement had a inactive floor area greater than 40%. We reiterate that this provision should be waived or reduced for smaller sites, or at the very least discretion should be applied to allow for a merits-based assessment of applications.</p>
<p>5. Amend the provisions to make the requirement for at least 5 metres or 80% (whichever is the greater) of the frontage of a building in special character areas must be entry /display window to be discretionary rather than mandatory, as this may not be possible to achieve for all sites. (DDO1 – Table 5)</p>	<p>The deletion of the 5 metre requirement from Table 5 of the DDO1 (T5A:MR:1.1) is noted and supported.</p> <p>The exemption for existing heritage places in both General Development Areas and Special Character Areas is noted and supported.</p> <p>Matter considered resolved.</p>

<p>6. Amend the provisions to apply the requirement for floor to floor heights of a minimum of 3.5 metres to above ground carparking provision only. (Car parking adaptability – SSO1)</p>	<p>The proposed changes to the DDO1 and Central Melbourne Design Guide specifying that minimum floor to ceiling heights are only ‘at or above ground level’ provisions are noted and considered resolved.</p> <p>However, UDIA Victoria notes that the City of Melbourne report to the Future Melbourne Committee raised question as to whether 3.5 metres was sufficient height to accommodate commercial uses, recommending that discussion to Panel. We note that if height is fixed to greater than 3.5 metres, this will impact on either overall building height, or yield. We therefore request that should through the panel process, a minimum height greater than 3.5 metres is recommended, that discretion is provided for applications with floor to floor heights of over 3.5 metres which may be less than the revised recommended minimum height.</p>
<p>7. Amend the provisions to provide discretion to allow ramped parking structures for above ground car parking on small site or where a stacker system is not feasible.</p>	<p>In response to this submission point, the City of Melbourne, in the report to the Future Melbourne Committee (page 18-19, Attachment 3 to the report) noted:</p> <p><i>“The intent of the control is to prohibit ramped or sloped parking structures in instances where they constitute a majority of the floorplate. These structures are exceptionally costly and difficult to adapt for alternative uses. The intent of the policy is not to preclude small ramped transitions within an otherwise flat floorplate where the floor to ceiling height is adequate for adaptive uses. This clarification will be included in the proposed DDO1 and Central Melbourne Design Guide.”</i></p> <p>The above clarification is noted, however UDIA Victoria is not clear as to what changes have been made to either the DDO1 or Design Guide to clarify this intent. We therefore request that the Panel recommend changes that provide for this clarification.</p>
<p>8. Delete the overly prescriptive design requirements associated with the design outcomes for pedestrian connections to allow discretion to be applied when deciding whether the design outcomes have been met.</p>	<p>Changes to Table 1 of the DDO1 are noted.</p> <p>UDIA Victoria requests confirmation that proposals comprising a full single floor plate at levels above covered arcades (as distinct from two separate buildings either side of the covered laneway). Should this outcome be permitted, matter is considered resolved.</p>

<p>9. Delete the requirements for a competitive design process to be used for the development of large sites with multiple buildings or sites of strategic importance, and for multiple architectural firms to be employed where a development comprises multiple buildings.</p>	<p>The proposed deletion of the requirements for a competitive design process and requirement for multiple architectural firms from Table 6 in the DDO1 (T6:DR:1 & DR:2) is noted and supported.</p> <p>With respect to the Design Guide, the Design Quality objective to <i>Ensure that tall buildings are designed to maintain a diverse and attractive skyline which carefully considers relationships to adjacent tall buildings</i>, is supported. However, UDIA Victoria notes that this objective is able to be achieved by a single practice, and questions the need for the inclusion of guidance at 41 and 42 to encourage both a competitive design process and the use of multiple practices.</p>
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Should you have any queries, please do not hesitate to contact Kate Weatherley, Policy Advisor, by email at kate@udiavic.com.au or by phone on 9832 9600.

Yours sincerely



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