

Government Land Standing Advisory Committee

Tranche 11 Report

87-103 Manningham Street, Parkville

26 March 2018

About this report	2
1 Summary and recommendation	3
1.1 The site	3
1.2 Issues raised in submissions	4
1.3 Committee conclusion	4
1.4 Recommendation	5
2 Process issues for this site	6
2.1 Process summary	6
2.2 Process issues	7
3 Site constraints and opportunities	8
3.1 Zoning context	8
3.2 Physical constraints	8
4 Issues with the proposed changes	10
4.1 What zone is suitable	10
4.2 What overlays are suitable	10
4.3 Built form controls	11
4.4 Affordable housing and building diversity	14
4.5 Detailed changes to the DPO	15
4.6 Responsible Authority	16
Appendix A: About the Government Land Standing Advisory Committee	18
Appendix B: List of Submitters	19
Appendix C: Document list	19
Appendix D: Committee Preferred DPO	20

List of Tables

Table 1: Existing and proposed controls 5
Table 2: Proposal summary 6
Table 3: Proposed planning scheme changes 6
Table 4: Committee process 6

List of Figures

Figure 1: Site location 3
Figure 2: Current zoning 8
Figure 3: Proposed zoning 8
Figure 4: Mr Linardi/Site owner revised Framework Plan 12
Figure 5: Ms Pollock revised Framework Plan 12

List of Abbreviations

DELWP	Department of Environment, Land , Water and Planning
DPO	Development Plan Overlay
DTF	Department of Treasury and Finance
EOI	Expression of Interest
ESD	Environmentally Sustainable Design
FTGLS	Fast Track Government Land Service
GRZ	General Residential Zone
IHP	Inclusionary Housing Pilot
NECMA	North East Catchment Management Authority
RGZ	Residential Growth Zone

About this report

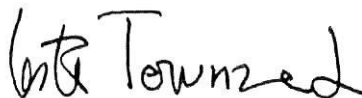
On 19 September 2017, the Minister for Planning referred the following sites to the Government Land Standing Advisory Committee as Tranche 11:

- 2-16 Nicholas Street, Broadmeadows
- 40 Mount View Road, Boronia
- 87-103 Manningham Street, Parkville.

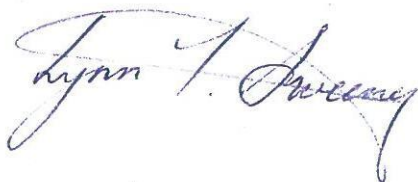
This is the report under Section 151 of the *Planning and Environment Act 1987* of the Government Land Standing Advisory Committee for 87-103 Manningham Street, Parkville.

In his referral letter the Minister asked:

In assessing the future planning provisions for all sites for the purpose of the IHP, please consider the appropriateness of the planning controls to accommodate more intensive residential built form, for the purpose of the IHP, and whether I should act as Responsible Authority for each site.



Lester Townsend, Chair



Lynn Sweeney, Member

26 March 2018

1 Summary and recommendation

1.1 The site



Figure 1: Site location

The land at 87-103 Manningham Street, Parkville comprises the following lots:

- 87 Manningham Street, Parkville (Lot 1 & 2 on SP25390)
- 89 Manningham Street, Parkville (Lot 1 on LP65246)
- 91-93 Manningham Street, Parkville (Lot 1 on RP18434)
- 97-99 Manningham Street, Parkville (Lot 2 on LP79484)
- 101-103 Manningham Street, Parkville (Lot 1 on RP1438).

The site was acquired for the former East West Link Project and is located within West Parkville, an established inner city residential area with the most prominent feature being Royal Park. It is also located proximate to a range of services, recreation facilities and public transport.

It is an irregular shaped lot with an area of approximately 1.2 hectares. The site contains vegetation and a several dwellings up to three storeys.

The surrounding context includes the following:

- Evo Apartments (6-8 storey apartment complex)
- Tullamarine Freeway, including a large noise barrier
- McIntyre Lane, 6 metre wide public laneway
- Park Rose (21 single storey brick townhouses)
- Walk-up style apartments (3-4 storeys)
- ALT Tower (27 storey residential tower).

The site has been declared surplus to the Victorian Government's current and future requirements. The Department of Treasury and Finance (DTF) has requested that the planning provisions for the site be changed to reflect that it is no longer required for public use and the site has been nominated for the Inclusionary Housing Pilot (IHP).

Inclusionary Housing Pilot

The Government's housing strategy *Homes for Victorians* commits to undertaking an IHP to deliver up to 100 new social housing homes, to be facilitated by the Fast Track Government Land Service (FTGLS). Six sites across Victoria have been nominated for the IHP, including the subject site. The IHP seeks to deliver new social housing homes by securing planning certainty through the FTGLS and establishing partnerships with private sector developers. The Government may discount the price it receives for the land, in return for a commitment to deliver a proportion of social housing on site as part of the development. Proposals will be evaluated to make sure they deliver the best outcomes for social housing and value for money.

1.2 Issues raised in submissions

The City of Melbourne was the only submitter to this matter. Council sought to remain the Responsible Authority for the site and that the Development Plan Overlay should be amended to:

- better respond to the precinct character (including the mid-scale residential character, Royal Park and City Gateway contexts) by reducing building heights
- increase the setbacks between buildings and indicate a location for communal open space
- specify the requirement for social housing, housing diversity and a social infrastructure assessment
- support the retention of trees and encourage good landscaping and open space provision.

The Committee considered all written submissions as well as submissions presented to it during the Hearing. In addressing the issues raised in those submissions, the Committee has been assisted by the information provided to it as well as its observations from inspections of the site.

1.3 Committee conclusion

The site owner proposes to rezone the subject land from General Residential Zone (GRZ) – Schedule 1 to the Residential Growth Zone (RGZ). The Committee agrees that this is an appropriate zone if the land is to be sold. It is appropriate to apply the DPO and associated

schedule subject to changes. The planning controls will accommodate more intensive residential built form than the existing development and some adjoining properties, but this is appropriate in the context of the area. The Committee supports the Minister being the responsible authority for this site and all sites within the IHP.

The proposed planning provisions make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the *Ministerial Direction on The Form and Content of Planning Schemes*.

Table 1: Existing and proposed controls

Current planning scheme controls	Proposed planning scheme controls	Advisory Recommendation	Committee
General Residential Zone – Schedule 1	Residential Growth Zone	Residential Growth Zone	
Design and Development Overlay – Schedule 66	Retain	Retain	
	NEW Development Plan Overlay	NEW Development Plan Overlay with recommended changes	
Schedule to Clause 61.01		Make the Minister for Planning the responsible authority	

1.4 Recommendation

The Committee recommends that:

A planning scheme amendment be prepared and approved to:

1. rezone 87-103 Manningham Street, Parkville to the Residential Growth Zone
2. apply a Development Plan Overlay subject to the Committee’s preferred changes at Appendix D with additional updates to Figure 1 Indicative Framework Plan to:
 - a. Reorient the southern access point to clearly indicate the retention of the street tree
 - b. Include a notation to require at least a nine metre balcony to balcony separation and five metre on the northern site boundary
 - c. Show a minimum four metre setback from the southern site boundary
 - d. Show a minimum nine metre spacing between all buildings.
3. List the site in the Schedule to Clause 61.01 to specify the Minister for Planning as the responsible authority for the site.

2 Process issues for this site

2.1 Process summary

The following tables set out the details of the process for this matter.

Table 2: Proposal summary

Proposal summary	
Tranche and site reference	Tranche 11: site reference FT130
Site address	87-103 Manningham Street, Parkville
Previous use	Residential
Site owner	Department of Economic Development, Jobs, Transport and Resources
Council	Melbourne City Council
Exhibition	13 November – 22 December 2017
Submissions	1

Table 3: Proposed planning scheme changes

Existing controls	Proposed changes
General Residential Zone – Schedule 1	Residential Growth Zone
Design and Development Overlay – Schedule 66	Retain NEW Development Plan Overlay

Table 4: Committee process

Committee process	
Members	Lester Townsend (Chair) and Lynn Sweeney
Information session	6 December 2017
Hearing	5 February 2018
Site inspections	6 December 2017 and 1 February 2018, unaccompanied
Appearances	Daniel Soussan of Tract Consulting briefed by the Department of Treasury and Finance and calling evidence from: <ul style="list-style-type: none">- Jesse Linardi of DKO Architects in Architecture Melbourne City Council represented by Juliet Forsyth and calling evidence from: <ul style="list-style-type: none">- Robin Pollock in Urban Design
Date of this Report	26 March 2018

2.2 Process issues

(i) Need for further public notice

The City of Melbourne raised a procedural issue at the outset of the Hearing. Ms Forsyth submitted that it was inappropriate for DTF to advocate for an increase in the height of the central parcel within the site beyond that which was advertised. Ms Forsyth submitted that as the public had no further opportunity to comment on the amended proposal that the Hearing should be adjourned and further notification undertaken.

The Committee noted the issue and determined that the Hearing should not be adjourned but that it would consider and comment on the issue in its deliberations.

The Committee notes that the increased height from 3-4 to 6-7 storeys proposed in the middle of the site (Parcel F) would have impacts both within the site and would change the presentation of the site to Manningham Street and Royal Park opposite.

For the reasons set out in this report the Committee does not support the proposed height increase. If the Committee had supported the height increase it notes that further notification would have been required.

3 Site constraints and opportunities

3.1 Zoning context

Figures 2 and 3 show the current and proposed zonings.

Figure 2: Current zoning

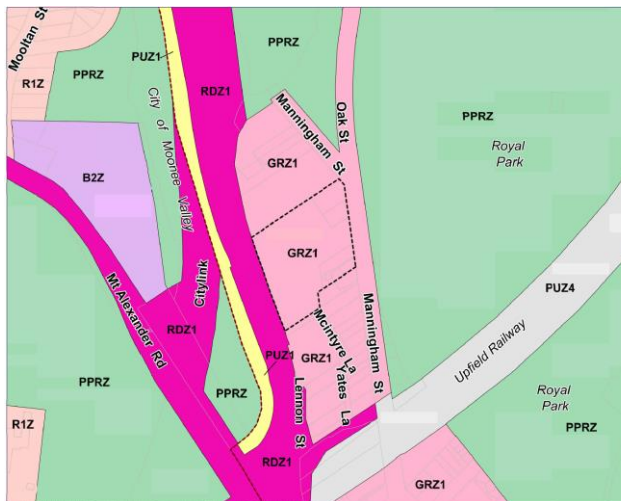
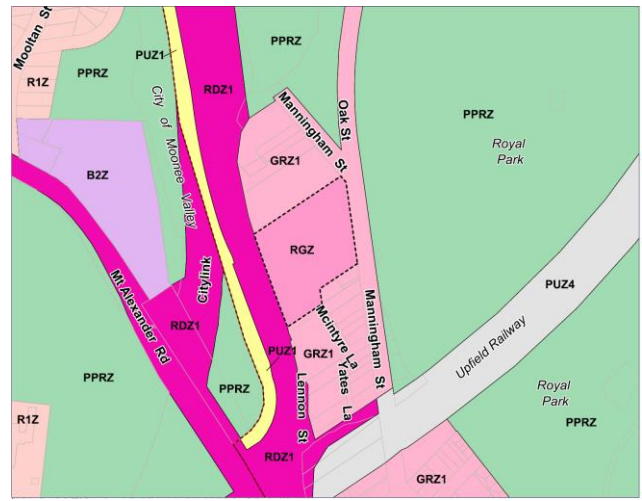


Figure 3: Proposed zoning



3.2 Physical constraints

(i) History of the site

The 1.2 hectare site is a consolidation of a number of titles and contains 46 dwellings in townhouse and detached forms. It was acquired for the construction of the East West Link but is now surplus to Government requirements. As previously introduced, it is nominated as one of the six sites to be part of the IHP.

(ii) Current site conditions

The site comprises a mixture of one, two and three storey forms. The majority of the dwellings comprise a series of attached two storey townhouses that wrap around the periphery. The site is relatively flat with a slight fall from the south-east to the north-west corner.

The site contains a number of mature trees, some of which the Tree Logic arborist report identified as worthy of retention.

(iii) Interface with surrounds

The site shares its northern boundary with the six to eight storey Evo apartment complex. Evo has balconies which directly face towards the site. The Tullamarine Freeway forms the western boundary of the site including a significant noise barrier/ wall and the 'Melbourne International Gateway' freestanding public art. To the east the site faces Manningham Street with Manningham Oval, part of Royal Park, opposite. To the south of the site are largely single and attached dwellings/townhouses.

(iv) Access

The site has a 100 metre frontage to Manningham Street which provides its the main access point. There are a number of crossovers on Manningham Street which have provided access to detached homes – some of which have since been demolished. McIntyre Lane directly abuts the site to the south and it is also currently used for access/circulation.

(v) Broader site context

The West Parkville neighbourhood is an established inner city residential area. While it is physically close to a wide range of recreation, transport and retail services, practical access is hampered by the barriers of the Freeway and Flemington Road. Despite these significant physical barriers and compared to other parts of the metropolis, the neighbourhood has proximity to an extraordinary array of educational, health, employment and range of transport options. The neighbourhood has unparalleled access to the recreational and open space asset of Royal Park.

The precinct is undergoing significant redevelopment with a number of (up to four storeys) apartment sites constructed, approved or subject to planning applications.

The Planning Framework was extensively set out in the planning report prepared for the site. It was relevant to the Hearing to note that Clause 21.04 of the Melbourne Planning Scheme (Growth Area Framework) identifies West Parkville as a ‘stable residential area’ with the notation that:

These residential areas are valued for their existing character and important contribution this makes to the city. In these areas limited change such as in-fill development and alterations and additions, will continue to occur so that new land use or development fits in with the existing valued character.

4 Issues with the proposed changes

4.1 What zone is suitable

It is proposed that the site be rezoned from GRZ to RGZ.

(i) Evidence and submissions

The site owner submitted that GRZ is not an appropriate zone for such a strategically significant site as the three storey/eleven metre height requirement and mandatory garden area of 35% are too restrictive given the 1.2 hectare size of the site and its location. It noted that the City of Melbourne's single schedule to RGZ does not specify a maximum building height. The site owner submitted that this *"would be consistent with the opportunity to tailor a site responsive design control for this significant development site under a DPO"*.

Council did not oppose the rezoning to RGZ provided that commitments to provide affordable housing on the site and development contributions are included. Further requirements were sought by Council, including modifying the urban design response and being retained as the Responsible Authority for the site.

(ii) Discussion

The Committee notes Council's concerns that the community benefit of the 'opportunity' in terms of affordable housing and adequate community infrastructure provision are important but this is not directly linked to the determination of the most appropriate zone for the site. It is clear that the site offers a significant opportunity beyond that supported by the GRZ. The 1.2 hectare scale, complex interfaces (including the freeway and Evo apartments) and strategic location support the application of the RGZ.

(iii) Conclusion

The Committee concludes that the RGZ is a suitable zone.

4.2 What overlays are suitable

(i) Evidence and submissions

The site owner submitted that the application of a DPO to provide siting, built form and related matters to guide future decision making on the site is appropriate and the prepared DPO should be supported subject to some refinement.

Council did not object to the application of a DPO on the site but submitted that the form and intensity of development proposed in the proposed DPO schedule is not supported by the planning scheme in this established residential area.

(ii) Discussion and conclusion

Both parties agree that the site would benefit from masterplanning given its strategic size and location. The application of the DPO will ensure a masterplan is prepared to guide the

development of the site. The Committee concludes that the application of a DPO is appropriate.

4.3 Built form controls

The issue is whether the exhibited schedule to the DPO is sufficient to guide the development of the site in terms of building heights, setbacks, open space, circulation, landscaping and tree protection.

(i) Evidence and submissions

Building heights

In his expert evidence, Mr Linardi recommended a revised Framework Plan which generally supported the original building heights excepting the central parcel (parcel F) on which he recommended at six and seven storeys (Figure 4: Site owner revised Framework Plan). Other recommended changes included a maximum of six storeys at the Manningham Street frontage and seven storey limit for the northern three metres of 10 to 12 metres of 'parcel C'. Mr Linardi considered that the:

... centre of the site can in my view comfortably accommodate built form of up to seven storeys, the key consideration being internal amenity impacts and building separation.

Ms Pollock considered that:

... the intent to moderate heights from ... Evo Apartments to the one-storey homes on the south is appropriate. However, it in my opinion, that the 6-8 storey Evo apartments should be the maximum height for this northern development parcel (this site). (Figure 5: Ms Pollock revised Framework Plan)

Her reasons included that:

- the Melbourne C190 Urban Renewal Areas are proposed to be nine to twelve storeys
- the character of the Commonwealth Games Village and Alt sites are distinctly different to this precinct
- the Melbourne International Gateway views will be further compromised by higher development
- solar access to public space would be improved
- the lower height would allow for a transition from the adjacent one and two storey homes to the south of the site.

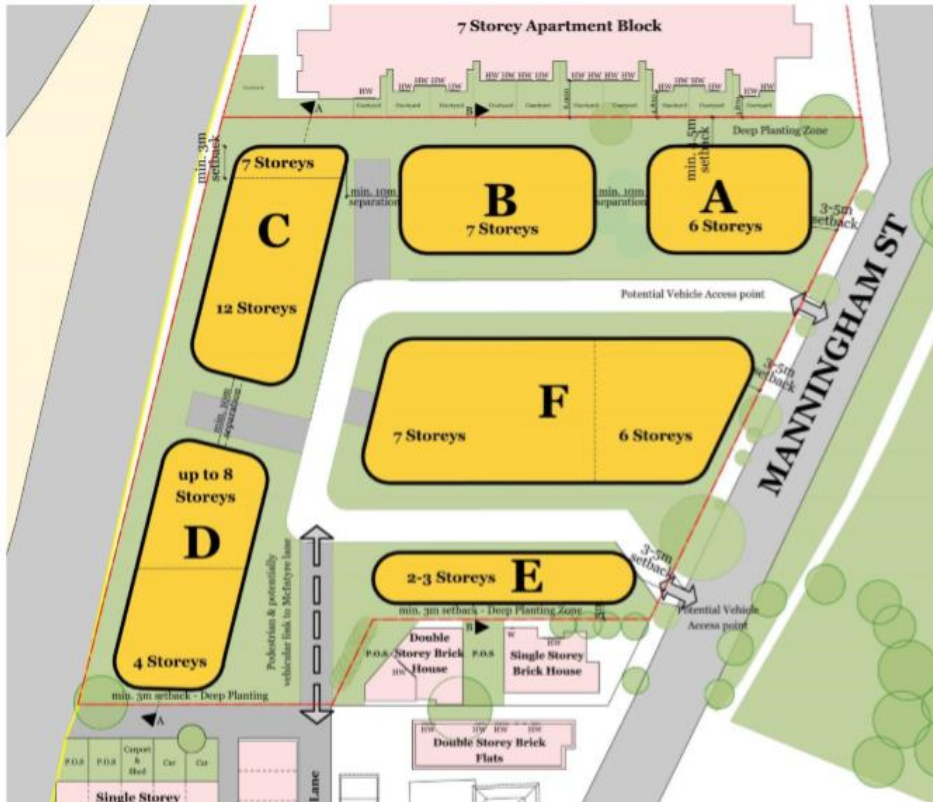


Figure 4: Mr Linardi/Site owner revised Framework Plan

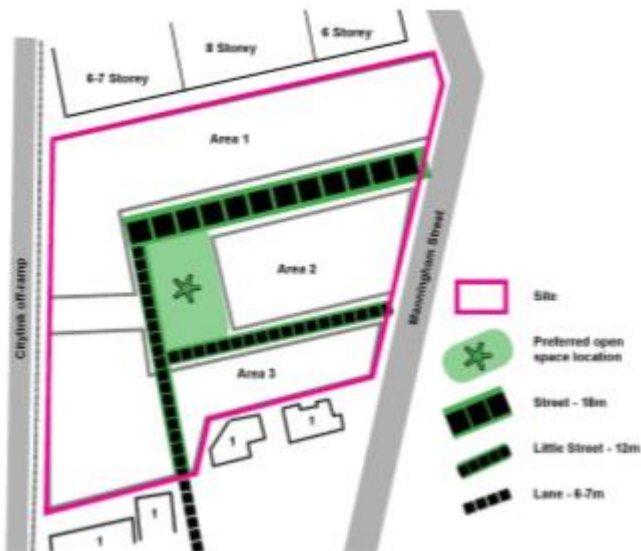


Figure 5: Ms Pollock revised Framework Plan

Ms Pollock considered that the height of each area should be:

- Area 1: 6-8 storeys
- Area 2: 3-4 storeys
- Area 3: 2-4 storeys.

Setbacks, building separation, open space and circulation

Both Mr Linardi and Ms Pollock agreed that the DPO should nominate setbacks from the site boundaries and separation between buildings. Mr Linardi's recommendations are included at Figure 4. Differences between the two experts included Ms Pollock nominating:

- at least nine metres between buildings
- five metres setback from the northern boundary
- a minimum of 12 metres building separation.

Ms Pollock recommended that the northern access road be nominated as an 18 metre street with the southern access being 12 metres and the laneway at McIntyre Lane at six to seven metres. Mr Linardi did not support the inclusion of these requirements in the DPO as he felt this level of detail should be determined through the development plan process.

Similarly, Mr Linardi did not support the inclusion of a preferred location for open space on the site as he believed there would be a number of ways that the site could be planned. Further Ms Pollock recommended that the DPO include requirements for deep soil planting opportunities and soil permeability.

Mr Linardi agreed with Ms Pollock that the southern road access point should be re-oriented to clearly avoid the existing street tree.

Ms Pollock recommended that the DPO should have further detail on the extent of basement car parking and access.

(ii) Discussion

The Committee did not find the evidence of either urban design expert conclusive as their evidence did not explain the decision process which underpinned their respective positions.

Mr Linardi failed to assess the design within the policy environment. He was therefore unable to comment on the design in relation to the policies of the planning scheme. This was unfortunate; the precinct is clearly seeing an amount of redevelopment with a number of properties currently approved or under consideration and others ripe for renewal and so understanding the policy framework is vital.

The potential of compromising the city/Royal Park views from the 'Melbourne International Gateway' was raised as a part justification for reducing the proposed heights of the DPO. The photos and evidence presented on this issue was inconclusive at best, given that a three storey yellow sound barrier exists along this part of the Freeway.

Consideration of the planning policy framework does support moderation of heights in the precinct, particularly along the Manningham Street/Royal Park frontage.

The evidence from Mr Linardi and Ms Pollock was relatively aligned in terms of setbacks and building separation. Areas of disagreement were largely around the level of detail which is appropriate in the DPO including nominating a location for open space and access street widths.

The Committee supports the suggestions made by the City of Melbourne to make some setback requirements mandatory by making them a requirement of future permits, as opposed to a requirement for the development plan. The proposed requirements are

consistent with the standards applied in other situations in the planning controls, such as by ResCode, and the Committee does not see that a permit that did not meet these standards would provide an acceptable outcome.

(iii) Conclusion

The Committee concludes that the building heights shown Indicative Framework Plan exhibited as part of DPO are broadly appropriate. The submission to increase the height of parcel F is not supported.

Refinements including nominating building setbacks and building separation should be added to this plan in accordance with the Committee preferred DPO at Appendix D including notations to:

- require at least a nine metre balcony to balcony separation and five metre on the northern site boundary
- Show a minimum of four metre setback from the southern site boundary
- Show a minimum of nine metres of spacing between all buildings.

The Committee does not support including a preferred location for open space or allocating street widths on the Indicative Framework Plan as these are matters that should be determined through the masterplanning process.

4.4 Affordable housing and building diversity

(i) Evidence and submissions

Council submitted that the requirement for a commitment to provide affordable housing on the site should be given certainty through, for example, an agreement registered on title. Council noted that the redevelopment of the site would result in the removal of the existing (approximately) 50 well located, reasonable sized, 'affordable' dwellings. Council submitted that its policy supported Council submitted that:

The state is the owner, and hence the beneficiary of the windfall is no reason to depart from value capture planning arrangements...and enter into a voluntary section 173 agreement ... requiring the provision of affordable housing on this site.

Of course it is possible, if not likely, that the Government will enter into contracts with the private sector for the delivery of social housing on this site regardless of any section 173 agreement. If that does not happen, however (e.g. through a change in Government or Government policy for the site), then a major opportunity for value capture from the rezoning of this site will have been lost.

Council submitted that the DPO should be amended to align with the Council policy of 15 per cent social housing. Further, Council submitted that further detail should be included around increasing the diversity of housing and buildings on the site.

The site owner submitted that the site will be sold to residential developers and community housing provider partnerships via a competitive Expression of Interest (EOI) process. The

precise number of private and social dwellings on each site is yet to be determined through an EOI process and as such nominating a specific percentage at this stage as part of the DPO would be premature. The site owner submitted that housing diversity is already sufficiently addressed in the DPO objectives.

(ii) Discussion

The Committee notes the IHP project's commitment to the provision of social housing and applauds any initiative that will increase affordable housing stock. The Committee also acknowledges Council's commitment to increasing affordable housing. The Committee notes that the IHP is just that, a pilot, and accepts that in this case a 'leap of faith' is required to properly test new approaches to one of our community's most important problems. The Committee and community will closely follow the delivery of the IHP and evaluate whether such market led mechanisms deliver on their promise.

The requirement for development contributions need to be based on a comprehensive analysis of precinct need and fairness to all parties as well as a nexus between the infrastructure and the additional development. The Committee accepts that the application of a development contribution study and contribution requirement on this site would not be consistent with the requirements placed on other similar developments.

(iii) Conclusion

The Committee acknowledges the 'pilot' nature of the IHP and thus accepts the site owner's submission that the requirement to commit to a 15 per cent affordable housing through a section 173 agreement on title would not be appropriate, in this case. The Committee supports Council in its endeavours to encourage affordable housing and stresses that this case should not be seen as a precedent for other developments avoiding affordable housing commitments.

The requirement for a study and section 173 agreement for development contributions is not supported.

4.5 Detailed changes to the DPO

Development contributions and environmentally sustainable design

Council submitted that the DPO should require a study and section 173 agreement to address new social infrastructure as a result of increased dwellings. It also submitted that an additional objective, *Innovative site-wide environmentally sustainable initiatives*, be added to the DPO.

The site owner noted that the ultimate number of dwellings which will be constructed on the site has not yet been determined. Also, that the development contribution requirement would be unfair as the Evo apartment approval and Council's own controls for sites such as the Queen Victoria market do not have this requirement. The site owner submitted that the ESD requirement is not needed as the requirement is included elsewhere in the planning scheme.

The Committee notes and agrees that there is benefit in addressing ESD at a precinct wide level and thus including the objective in the DPO. The Committee cautions on the need for 'innovative' ESD initiatives and prefers the implementation of tried and tested solutions.

Development plan objectives

A number of changes were suggested to the development plan objectives. The Committee adopted a number of these changes were they clarify the design outcomes to be achieved.

Retention of trees

There are a number of trees on site that would be worth retaining if practicable. This should not be a mandatory requirement. The DPO should include an objective to this effect and requirements to justify any tree removal. The Committee accepts that the removal of some trees may be justified, but this would need to be determined at the masterplan stage.

Royal Park interface

Mr Linardi agreed with Ms Pollock that the interface with Royal Park is important and he recommended the DPO include the requirement for shadow analysis on 21 June.

The addition of shadow analysis at 21 June for any impact on Royal Park is appropriate given the importance of Royal Park to this precinct and as a metropolitan iconic open space.

The Committee supports the inclusion of the requirement of shadow diagrams demonstrating no overshadowing of Royal Park between 11am and 2pm on 22 June rather than September. The requirement for site-wide environmentally sustainable initiatives is also supported.

Acoustic issues

The Committee agrees that an acoustic assessment should form part of the development plan requirements given the proximity of the site to the freeway.

4.6 Responsible Authority

(i) Evidence and submission

The site owner submitted that the schedule to Clause 61.02 should be amended to establish the Minister for Planning as the Responsible Authority for the site to expedite a consistent and efficient approach to the six IHP sites.

Council submitted that it is capable and best positioned to assess development plans and applications including those with a social housing component. Council raised the potential for a lack of transparency and clarity around the separation of roles of landowner and planning authority when financial and contractual matters are negotiated at the same time as planning approval. Council submitted that:

... the objectives of the Planning and Environment act 1987 (especially that of providing for a fair process) are best served by Council remaining as the Responsible Authority for this site.

(ii) Discussion

Ensuring that the relevant local information and considerations are considered as part of the approval process is important in considering who the responsible authority is. Council holds much of the relevant local information that should be considered for this site (for example, drainage, traffic, neighbourhood character).

The Committee notes that the Minister for Planning and the City of Melbourne have established protocols to ensure that the correct referrals and local input is provided as there are numerous sites within the City of Melbourne where the Minister is the responsible authority.

The Committee is of the view that as a general rule, the provision of social housing on a development site should be managed through normal Council processes rather than specifying the Minister for Planning as the responsible authority, and the Committee acknowledges Council's capacity to efficiently assess developments, including those with a social housing component.

However, there is some merit in providing a consistent approval mechanism for all six sites proposed for the IHP, and the Committee sees merit in the Minister for Planning being the responsible authority for all of the projects involved in the pilot project for the sake of consistency across the pilot project sites.

The Committee expects that the process will be thoroughly evaluated, including whether it is desirable for the Minister for Planning to be Responsible Authority in future projects.

(iii) Recommendation

The Advisory Committee recommends:

List the site in the Schedule to Clause 61.01 to specify the Minister for Planning as the responsible authority for the site.

Appendix A: About the Government Land Standing Advisory Committee

The Fast Track Government Land Service is a 2015 initiative to deliver changes to planning provisions or correct planning scheme anomalies for land owned by the Victorian Government. The Government Land Standing Advisory Committee (the Committee) was appointed under Part 7, section 151 of the *Planning and Environment Act 1987* in July 2015.

The Minister for Planning approved revised Terms of Reference for the Committee in July 2017.

The purpose of the Committee is:

... to advise the Minister for Planning on the suitability of changes to planning provisions for land owned, proposed to be owned in the future, or to facilitate the delivery of priority projects by the Victorian Government.

The Committee consists of:

- Chair: Lester Townsend
- Deputy Chairs: Brett Davis and Mandy Elliott
- Members: Gordon Anderson, Alan Chuck, Jenny Fraser, Rachael O’Neill, John Ostroff, Tania Quick, Cazz Redding and Lynn Sweeney.

The Committee is assisted by Ms Emily To, Project Officer with Planning Panels Victoria.

The Committee’s Terms of Reference state:

25. *The Standing Advisory Committee must produce a written report for the Minister for Planning providing:*
- *An assessment of the appropriateness of any changes of planning provisions, in light of the relevant planning scheme and State and Local Planning Policy Frameworks.*
 - *An assessment of whether the proposed planning provisions make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the Ministerial Direction on The Form and Content of Planning Schemes.*
 - *An assessment of whether planning scheme amendments could be prepared and adopted in relation to each of the proposals.*
 - *An assessment of submissions to the Standing Advisory Committee.*
 - *Any other relevant matters raised in the course of the Standing Advisory Committee Hearing.*
 - *A list of persons who made submissions considered by the Standing Advisory Committee.*
 - *A list of persons consulted or heard.*

Appendix B: List of Submitters

No.	Submitter
1	Melbourne City Council

Appendix C: Document list

Documents Presented to Hearing (No.)	Description	Presented By
1	DPO – City of Melbourne marked up copy	Ms Forsyth
2	DTF submission	Mr Soussan
3	Panel Report Melbourne C28	Mr Soussan
4	MoU-State and City of Melbourne on planning cooperation	Mr Soussan
5	Future Melbourne Committee Agenda 9 December 2014	Mr Soussan
6	MPS Clause 22.02 – Sunlight to open space	Mr Soussan
7	Housing for People – Original goals (draft)	Mr Soussan
8	Housing for People – Adopted goals	Mr Soussan
9	Urban Design evidence presentation	Ms Pollock
10	City of Melbourne submission	Ms Forsyth
11	City of Melbourne submission attachments	Ms Forsyth
12	Flemington Hill Advisory Committee report December 2017	Ms Forsyth
13	Standard Development Contribution Plans Advisory Committee 31 May 2013	Ms Forsyth

Appendix D: Committee Preferred DPO

Committee insertions: [blue](#)

Committee deletions: ~~red~~

--/20--

SCHEDULE ~~X~~ TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO~~X~~**.

This schedule applies to land generally known as:

- 87 Manningham Street, Parkville.
- 89 Manningham Street, Parkville.
- 91-93 Manningham Street, Parkville.
- 97-99 Manningham Street, Parkville.
- 101-103 Manningham Street, Parkville.

1.0 Requirement before a permit is granted

--/20--

A permit may be granted to use, subdivide, construct or carry out works, create, vary or remove easements or restrictions on the land before a development plan has been prepared to the satisfaction of the responsible authority.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the preparation of a development plan and future use and development of the land in an integrated manner.

The land may be developed in stages.

2.0 Conditions and requirements for permits

--/20--

Permit Conditions and Requirements

Except for a permit granted before a development plan has been approved in accordance with Clause 1.0 of this Schedule, a permit must contain the following conditions or meet the following requirements, as appropriate:

Permit Conditions

Prior to the commencement of the development a detailed Construction Management Plan must be submitted to and be approved by the Responsible Authority. The Construction Management Plan is to be prepared in accordance with Melbourne City Council – Construction Management Plan Guidelines and is to consider the following:

- public safety, amenity and site security.
- operating hours, noise and vibration control.
- air and dust management.
- stormwater and sediment control.
- waste and materials reuse.
- traffic management.

Built Form Requirements

- A building must meet a mandatory requirement set out in Table 1 to this schedule.
- Unless a permit authorises a development that varies a discretionary requirement set out in Table 1 to this schedule, a building should meet a discretionary requirement set out in Table 1

[to this schedule with the exception of non-habitable architectural features and building services.](#)

3.0 Requirements for development plan

The Development Plan may be prepared for the whole site or in stages.

Development plan objectives

The development plan should demonstrate how the future use and development of the land responds to and achieves the following objectives:

- ~~▪ Provide for a medium to high density residential proposal that has regard to views from the Tullamarine Freeway and Royal Park.~~
- ~~▪ Provide for appropriate setbacks to Manningham Street, and a design response that responds appropriately to the existing lower scale residential area to the south and the higher scale residential development to the north.~~
- ~~▪ A high quality site responsive design that provides adequate separation between building forms and ensures appropriate solar access.~~
- [A high quality urban design response that protects the amenity of neighbouring dwellings, provides high levels of permeability, a public and private street network within the development, a sense of address for each building within the development, separation between building forms and appropriate solar access.](#)
- [A high quality architectural response that reflects the importance of the Melbourne International Gateway and Royal Park.](#)
- Provide for a range of dwelling types, as appropriate, to allow for a diversity of households.
- [The retention of existing canopy trees wherever practicable and a landscape response that reflects the well vegetated character of the neighbourhood.](#)
- A high standard of internal amenity, including provision of private and communal open space.
- [The avoidance of screening mechanisms to mitigate overlooking between private open space and habitable rooms.](#)
- Appropriate vehicle, cycling and pedestrian access to the site and movement within the site [with a preference for basement parking for apartment buildings and avoidance of garage openings to internal streets for townhouse typologies wherever possible.](#)
- No unreasonable overshadowing of the public or private realm.

Development plan [requirements](#) objectives

The development plan should be generally in accordance with the Indicative Framework Plan as shown in (Figures 1, 2 and 3) to the satisfaction of the responsible authority.

The development plan must include the following:

- A site and context analysis plan, showing surrounding land uses and development, access points, adjoining roads, pedestrian and cycling links, public transport routes, noise sources, topography, existing canopy trees, and vegetation.
- Concept plans for the layout of the site which show:
 - The siting and orientation of buildings.
 - Areas and locations of private and public open space.
 - [Existing vegetation to be retained or removed \(including the retention of tree 28 as identified in the Arboricultural Assessment and Report by Treelogic dated 14 August 2017 unless exceptional circumstances warrant its removal\).](#)

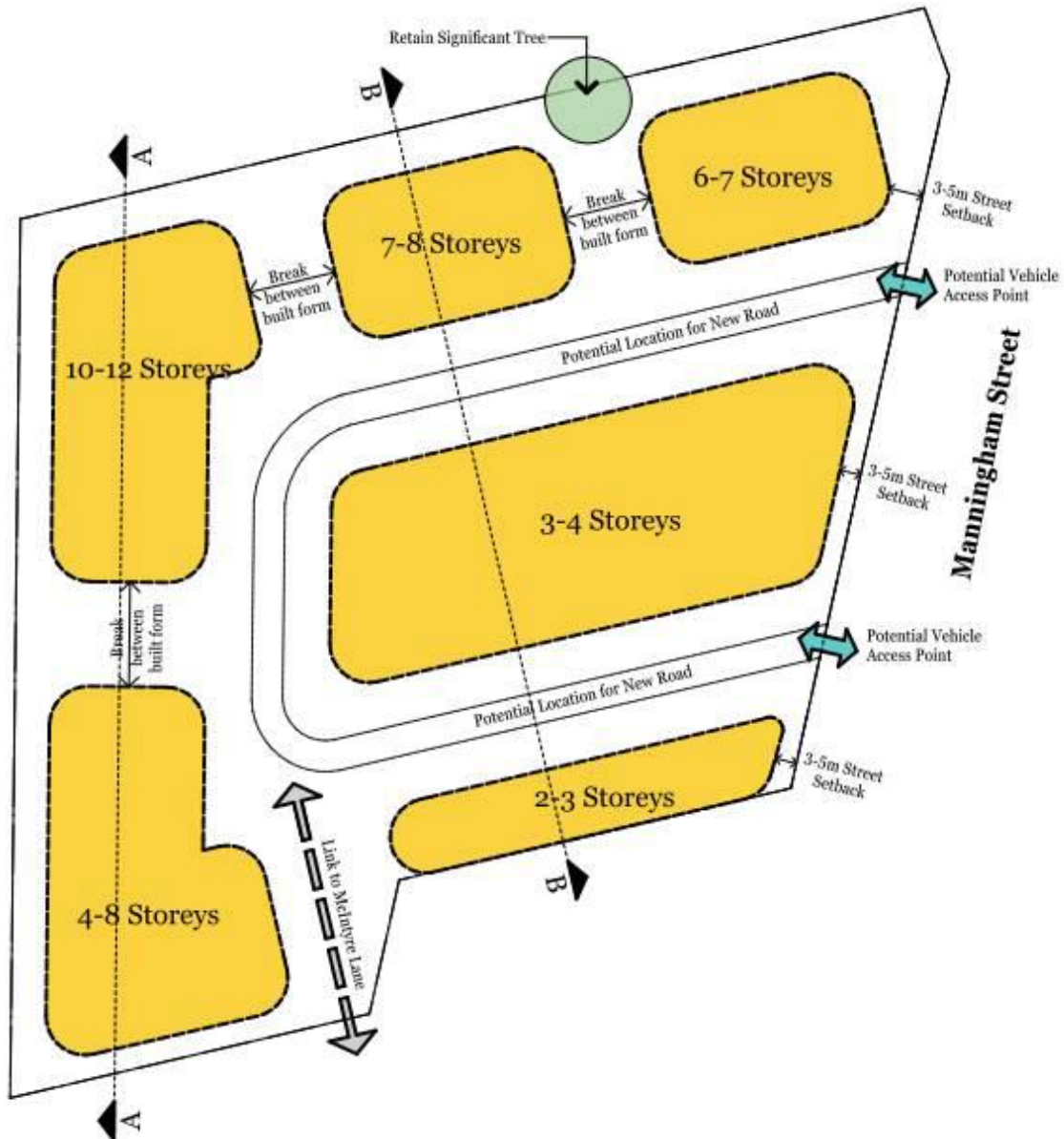
- [A statement outlining why it is not practicable to retain any of the trees rated as moderate in the Arboricultural Assessment and Report by Treelogic dated 14 August 2017 if they are proposed to be removed.](#)
- [Layout options for dual aspect apartments along the freeway interface to limit any single aspect west facing apartments.](#)
- [Indicative use of communal areas, including communal open space](#)
- Proposed lot and road layout.
- Areas set aside for car parking and bicycle parking.
- Vehicle, bicycle and pedestrian access locations.
- Waste storage and collection points, including any areas set aside for loading /unloading.
- Three dimensional building envelopes for new buildings including indicative building heights, the separation distances between buildings, the relationship to surrounding sites and the setback from the street frontage.
- An indicative development schedule, including the number, type and density of dwellings, and the floor area of any proposed non-residential uses.
- Where non-residential uses are proposed, details of the nature of the proposed use.
- Indicative staging / sequence of development.
- Shadow diagrams of the proposed building envelopes demonstrating:
 - No overshadowing of Royal Park between 11am and 2pm on [21 June](#) and ~~22 September~~.
 - [The extent of](#) solar access to primary communal open space areas on the site between 9am and 3pm on 22 September and between 9am and 3pm on 21 June.
 - [The extent of](#) solar access to secluded private open space on the adjoining sites to the south between 9am and 3pm on 22 September.
- View analysis diagrams of the three dimensional building envelopes demonstrating the following:
 - Views from the Tullamarine Freeway looking generally south towards the site through the Melbourne International Gateway.
 - Close range views from within Royal Park looking generally west towards the site.
- A traffic management report outlining:
 - The existing capacity within the surrounding road network.
 - Likely car and bicycle parking demand and traffic generation.
 - Indicative access arrangements for vehicles, cyclists and pedestrians.
 - Recommendations for any traffic management measures.
- An arboricultural assessment ~~of any significant vegetation on the land~~.
- ~~An indicative~~ landscape concept plan for the site [prepared by a suitably qualified person\(s\)](#).
- [An acoustic report prepared by a suitably qualified engineer which addresses:](#)
 - [The likely noise sources to impact the proposed development.](#)
 - [The maximum permissible noise from the nearby noise sources.](#)
 - [The necessary measures to attenuate these noise impacts.](#)

The responsible authority may waive the need to provide any of the information detailed above that is not relevant to a particular Development Plan or part of a Development Plan.

Figure 1 Indicative Framework Plan

The Committee recommends Figure 1 should be further amended to clearly show:

- Reorient the southern access point to clearly indicate the retention of the street tree
- Include a notation to require at least a nine metre balcony to balcony separation and a five metre setback on the northern site boundary
- Show a minimum four metre setback from the southern site boundary
- Show a minimum nine metre spacing between all buildings.



The Committee recommends that Figures 2 and 3 should be included with notations to clearly show the setbacks nominated in above.

Figure 2 Indicative Framework Plan Section AA

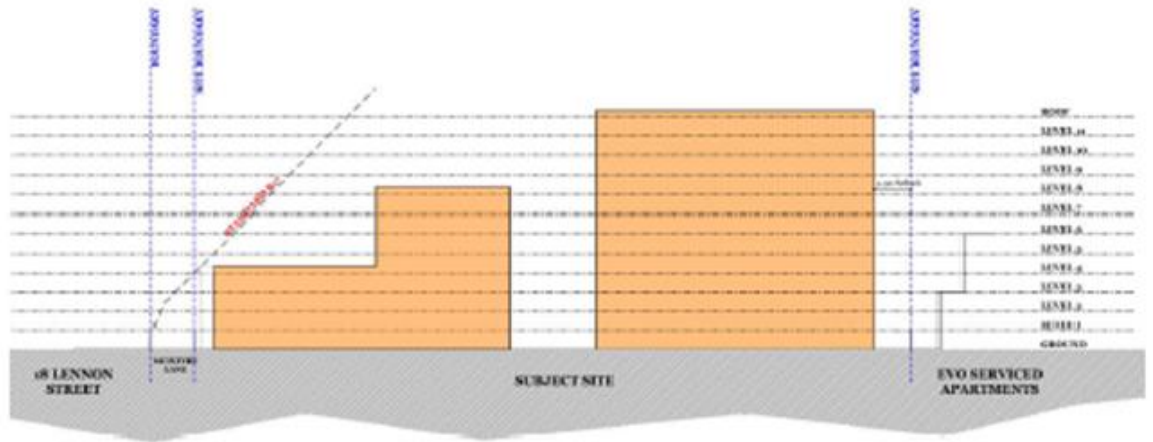


Figure 3 Indicative Framework Plan Section BB

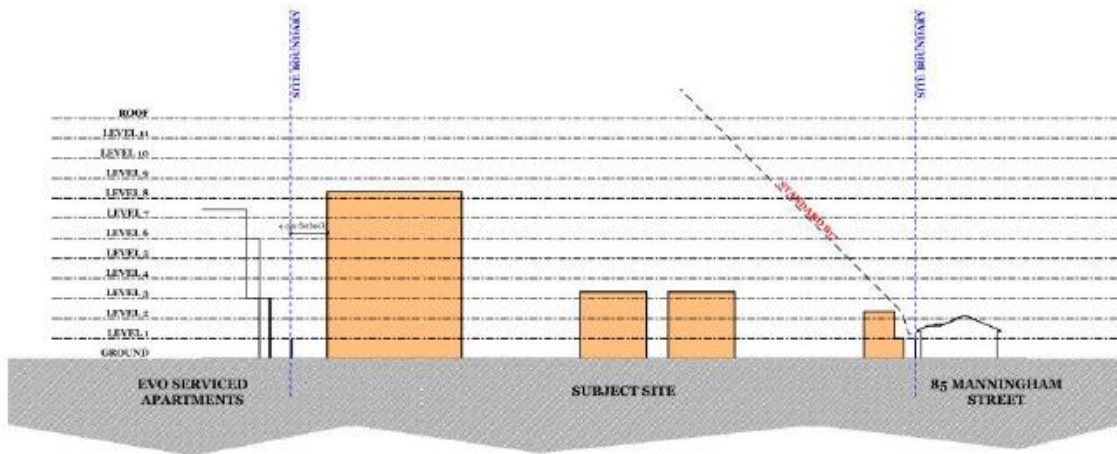


Table 1: Built Form Requirementsp

<u>Built Form Element</u>	<u>Mandatory requirement</u>	<u>Discretionary requirement</u>	<u>Outcome sought</u>
<u>Spacing between buildings</u>	<u>9 metres</u>		
<u>Setback from northern boundary</u>	<u>5 metres</u>		
<u>Setback from southern boundary</u>	<u>Minimum of 4 metre</u> <u>Compliant with Standard B17 of ResCode</u>		<u>Protect the amenity of dwellings to the south</u>
<u>Setbacks from Manningham St</u>	<u>3 metres</u>		
<u>Height of apartment building closest to Manningham St</u>		<u>Maximum of 6 storeys</u>	<u>To complement the character of the residential streetscape</u>
<u>Minimum width of main street reserves</u>		<u>12(minor)-18 metres (main access)</u>	
<u>Minimum width of lane reserve</u>	<u>6 metres</u>		