

Planning and Environment Act 1987

Social Housing Renewal Standing Advisory Committee Abbotsford Street, North Melbourne

Report No. 6

13 December 2017

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Report pursuant to section 151 of the Act

Social Housing Renewal Standing Advisory Committee

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Kathy Mitchell, Chair



Rodger Eade, Member



Peter Edwards, Member



Ann Keddie, Member

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List of Abbreviations

ABS	Australian Bureau of Statistics
Council	City of Melbourne
DDO	Design and Development Overlay
DELWP	Department of Environment, Land, Water and Planning
DHHS	Department of Health and Human Services
DPO11	draft Development Plan Overlay Schedule 11 to the Melbourne Planning Scheme
LPPF	Local Planning Policy Framework
PO12	Parking Overlay Schedule 12
The Committee	Social Housing Renewal Standing Advisory Committee
The Common Issues Report	Social Housing Renewal Standing Advisory Committee Common Issues Report No. 1 dated 10 November 2017
VSBA	Victorian School Building Authority

Executive Summary

Draft Amendment C306 to the Melbourne Planning Scheme seeks to facilitate the redevelopment of the Abbotsford Street Public Housing Estate in North Melbourne (the Estate) for social and private housing, and for education uses.

The indicative dwelling yields are for 330 dwellings (123 social housing and 207 private).

A significant intensification of density is proposed for the Estate site. The redevelopments will result in an influx of people into the Estate and the broader North Melbourne area, with resulting impacts on existing community services and related infrastructure.

The Common Issues Report (10 November 2017) finds that the Social Housing Renewal Program proposals are consistent with key State policy, including *Homes for Victorians* and *Plan Melbourne 2017*. The Abbotsford Street proposal does not enjoy local policy support in the Melbourne Planning Scheme, which the draft Amendment seeks to redress.

The changes envisaged for the site are significant, and the Committee considers that the proposed built form will result in unacceptable visual bulk from many viewpoints. Several changes are recommended to ensure more appropriate outcomes can be achieved.

The Common Issues Report discusses a range of issues common to all sites considered by the Committee, and it makes several recommendations, including:

- significant restructure and re-write of the Development Plan Overlay schedules
- development contributions being considered and required for the private dwelling component of the redevelopments
- applying a differential parking rate for social and private housing
- making the Minister for Planning the Responsible Authority for each site.

These recommendations apply equally to this Estate. Several other matters of detail need to be reconciled which have been dealt with in the Committee's recommended version of the Development Plan Overlay Schedule.

For the reasons expressed in this report, the Committee supports draft Amendment C306 to the Melbourne Planning Scheme and finds:

- the subject land should be rezoned from General Residential Zone 1 to Residential Growth Zone, with a tailored schedule to reflect the mandatory heights proposed for land to be developed as housing, and the Public Use Zone for the land to be used for Education purposes
- Schedule 11 to the Development Plan Overlay is appropriate to be applied to the site, subject to the modifications detailed in Appendix D
- the Minister for Planning should be the Responsible Authority for the site.

Based on the reasons set out in this report, the Committee recommends that:

The Minister for Planning approve draft Amendment C306 to the Melbourne Planning Scheme, subject to the following changes:

- a) Apply the Public Use Zone 2 to the part of the site designated Area 2 in the Concept Plan**

- b) Apply the Residential Growth Zone to the balance of the site, with a tailored Schedule to specify mandatory height limits of five storeys across the whole of the site consistent with those in the Committee's recommended version of Development Plan Overlay Schedule 11**
- c) Delete the proposed changes to Clauses 21.04 and 21.06 of the Municipal Strategic Statement**
- d) Amend the Development Plan Overlay Schedule 11 in accordance with the Committee's recommended version contained in Appendix D of this Report.**
- e) Adopt each of the recommendations from the Common Issues Report in respect of draft Amendment C306 to the Melbourne Planning Scheme.**

This Report should be read in conjunction with the Social Housing Renewal Standing Advisory Committee, Common Issues Report.

1 Background

1.1 The proposal

The process for the proposed redevelopment of the Abbotsford Street Estate, North Melbourne is set out in Tables 1 to 4.

Table 1: Proposal summary

Proposal summary	
Site reference	Abbotsford Street Estate, North Melbourne
Site address	366 - 422 Abbotsford Street and 1-49 Molesworth Street, North Melbourne
Site owner	Director of Housing
Council	Melbourne City Council
Notice	23 August – 16 October 2017
Submissions	80 submissions were received (refer Appendix A)

The redevelopment of the Abbotsford Street Estate will be facilitated by draft Planning Scheme Amendment C306 to the Melbourne Planning Scheme. The existing zoning for the site is shown in Figure 1.

Figure 1: Existing zoning¹



The proposed planning scheme changes are summarised in Table 2.

¹ Town Planning Report, David Lock Associates, page 15

Table 2: Proposed planning scheme changes

Existing controls	Proposed changes
Abbotsford Street Estate, North Melbourne	
General Residential Zone Schedule 1	Mixed Use Zone
Design and Development Overlay Schedule 66	Retain
	Development Plan Overlay – Schedule 11
	Parking Overlay – Schedule 12
Clauses 21.04-1.5, 21.04-2, 21.16-5	Amended to reference the proposed increased density of public housing estates, proposed response to social housing demand and renewal of public housing estates in North and West Melbourne
Melbourne City Council is the Responsible Authority	Minister for Planning is the Responsible Authority

Existing dwelling numbers and indicative dwelling yields are summarised in Table 3. Final dwelling yields will depend on the final design.

Table 3: Existing and indicative dwelling yields²

	Existing (public)	Proposed (social)	Proposed (private)	Total proposed
Abbotsford Street Estate, North Melbourne	112 in walk-ups	123	207	330

The process in which the Committee undertook its assessment is summarised in Table 4.

Table 4: Committee process

Committee process	
Members	Kathy Mitchell (Chair), Rodger Eade, Peter Edwards and Ann Keddie
Briefings	10 April and 14 September 2017
Directions Hearing	19 October 2017
Hearing	13, 15 and 16 November 2017 at Planning Panels Victoria, and 17 November 2017 at DHHS Community Meeting Room, 159 Melrose Street, North Melbourne
Site inspections	3 May, 17 November 2017

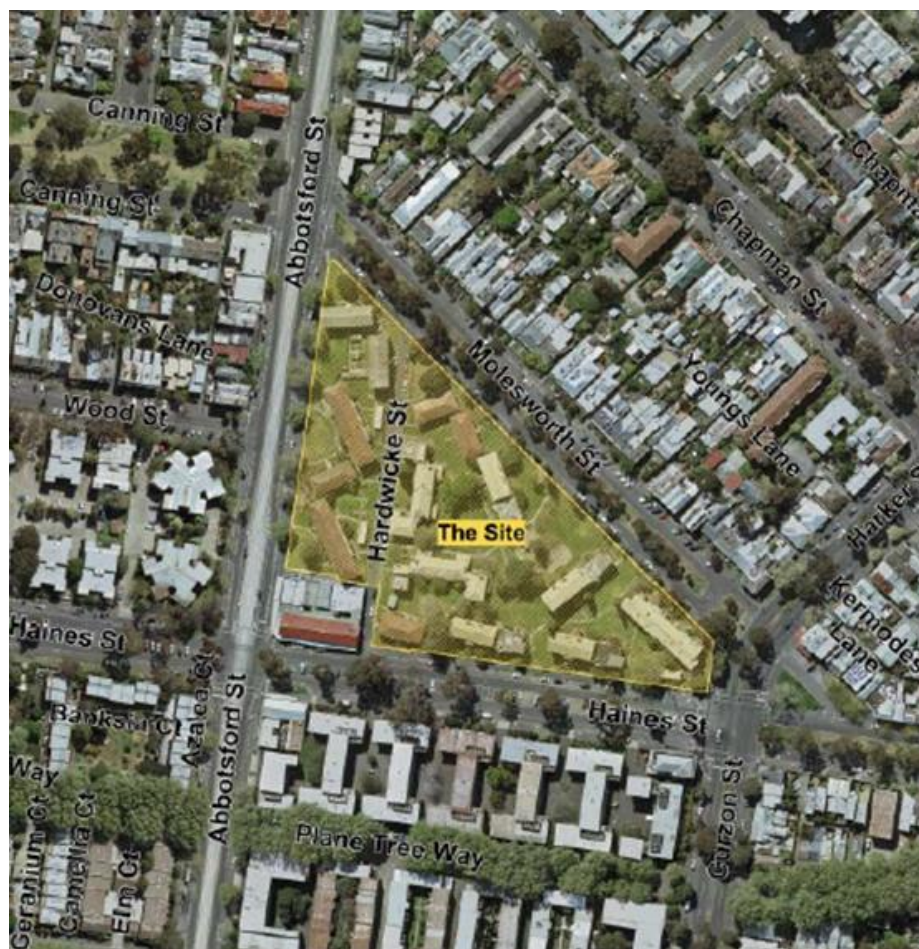
1.2 Site and surrounds

The Abbotsford Street Estate, North Melbourne is located in Melbourne's inner north, approximately 1.4 kilometres from the Central Business District of Melbourne. The site is

² Compiled from *Site Renewal Traffic and Transport Report*, Beveridge Williams Development and Environmental Consultants, page 4

triangular in shape and covers an area of approximately 1.9 hectares. The site slopes from north to south with an approximate fall of six to eight metres. It is bounded by Abbotsford Street, Haines Street, and Molesworth Street and is intersected by Hardwicke Street. Figure 2 illustrates the site and its surrounds.

Figure 2: Site location³



The Estate currently contains 14 double and triple storey walk-up unit blocks comprising 112 dwellings, playground, communal spaces and limited private open spaces. On street parking is available along Hardwicke Street, as well as Abbotsford, Haines and Molesworth Streets. There are numerous mature trees scattered throughout the site.

North east of the site is Molesworth Street and an established residential area of primarily one storey dwellings. The area is affected by Schedule 3 to the Heritage Overlay.

The southern edge of the site is bounded by Haines Street. On the south side of Haines Street there are three and four storey apartment buildings. Similar scale built form exists to the west of the site, on the other side of Abbotsford Street.

³ DELWP Information Sheet, page 1

1.3 Notification

Direct notices were sent by the Department of Environment, Land, Water and Planning (DELWP) in the week commencing 23 August 2017 to:

- 5,706 owners and occupiers within the City of Melbourne
- three known community groups identified by the City of Melbourne
- prescribed Ministers and servicing authorities.

Notices were placed in The Age and Weekly Review Moonee Valley, newspapers in the week of the 23 August 2017.

The public notification resulted in 80 submissions being received.

1.4 Procedural issues

The Department of Health and Human Services (DHHS) acknowledged on 14 September 2017 at the pre-briefing for the proposal that there were a number of inconsistencies between the Design Framework Plans and Development Plan Overlay Schedule 11 (DPO11) as publicly exhibited.

As a result of these inconsistencies, the Committee determined to extend the submissions close date until Monday 16 October 2017 to enable affected parties to address the changes to DPO11. The Committee also determined to defer the Directions Hearing from 28 September to 19 October 2017.

DHHS prepared an amended version of DPO11 to correct the identified errors and DELWP notified all submitters as well as 254 adjacent occupiers and land owners by direct notice on 25 September 2017.

1.5 Planning framework

DHHS and the City of Melbourne (Council) provided separate assessments of the proposal against the Local Planning Policy Framework (LPPF) for the Melbourne Planning Scheme, which the Committee generally adopts. The relevant provisions of the Melbourne LPPF include:

Clause 21.03 – Vision: identifies the role for the City of Melbourne in providing housing to accommodate the expected significant population growth, noting that urban renewal areas will accommodate the majority of the municipality’s growth. It states that development in established areas will be limited to respect existing neighbourhood character and heritage value. The vision notes that achieving a diversity of housing choices, housing affordability, a good standard of design and amenity are key challenges.

Clause 21.07 – Housing: provides that residential growth be managed to ensure a good quality of life and amenity for existing and future residents. It notes that social diversity is an important factor in the social health of the city. The policy seeks to support a range of housing tenures, types and options to meet diverse housing needs, through the provision of well-designed and managed affordable housing, social housing, crisis accommodation and rooming houses.

21.16-5 – North and West Melbourne: promotes the retention and refurbishment of existing public housing estates. It supports limited residential development that maintains the low scale nature of heritage buildings and streetscapes in the residential zones.

The City's Growth Area Framework Plan identifies the site being located centrally within the Stable Residential Area of North Melbourne.

Stable Residential Areas are described in Clause 21.04 as:

These residential areas are valued for their existing character and the 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.

Mr Glossop in his planning evidence for DHHS made reference to Clause 22.17 – Urban Design Outside the Capital City Zone which seeks to ensure that the scale, siting, massing and bulk of development complements adjoining and nearby built form. Further, it seeks to ensure that height of buildings relates to the prevailing heights and scale of existing development in the surrounding area.

2 Planning issues

The key issues include:

- future provision of a school on the site
- integration with the surrounding community
- non residential uses on the site
- application of the Mixed Use Zone on the site
- proposed changes to local policy.

2.1 Planning for a future school on the site

(i) Evidence and submissions

DHHS submitted the future use proposed for Area 2 (5,500 square metres) on the Concept Plan is 'education purposes'. The outcome for this part of the site has significant implications in planning for the whole site.

DHHS tabled a letter from the Victorian School Building Authority (VSBA) dated 10 August 2017 (Document 7) indicating their intention to purchase the site. At the request of the Committee a further letter was obtained from the VSBA, dated 14 November 2017 (Document 16) which stated in part:

I can confirm that the proposal is for the Minister for Education to acquire (through a proposed land swap) a parcel of land of approximately 5,500 square metres located within Precinct 2 as shown on the Development Concept Plan.

The North Melbourne Primary School submitted to the Committee that they understand that Area 2 is for an expansion of its existing primary school.

There is no reference to the possible use of part of the site for education purposes in DPO11. When asked by the Committee, Mr Glossop stated that there should be. In its reply, DHHS submitted it would be premature for the draft Amendment to make reference to the potential education use of the land until it is actually acquired by the Department of Education and Training. It submitted that the primary role of DPO11 was to deal with the site allowing for the possibility that the land is ultimately not required for education purposes.

In its submission in reply, Council stated that without reference to the education facility in the draft Amendment, it has an air of unreality about it. Council does not oppose the use of part of the site for an education facility, but submitted that because it could be developed without further formal planning processes, a revised Amendment including the education facility should be subject to further public consultation before this draft Amendment is approved.

North Melbourne Primary School indicated one of its options would be to use the site as a Junior Primary campus, that is, Prep to Year Two. It submitted that the maximum height of any school developed on the site would likely be two to three storeys. The Committee notes the new six storey primary school being built at Ferrars Street in Fishermans Bend, which includes a kindergarten and child care uses on a site of approximately 3,300 square metres.

(ii) Discussion

The potential future use of part of the site for education purposes is a key input into the future planning for the subject site.

The Committee accepts that until a land sale or swap takes place, there can be no guarantee that a school or some other education use will be developed on site. However, it does not accept that Area 2 should not be designated for education purposes until this occurs. Indeed, it is the purpose of planning to provide for potential changes in land uses. While there can be no guarantee of the purchase proceeding, the Committee considers that it is preferable to plan for the potential future education use rather than ignoring it. Identification of education uses in Area 2 will provide a level of certainty for residents and the community.

The Committee recognises that there is no formal requirement for a planning permit for an education use. However, it does not accept Council's submission that there should be further consultation on the planning for the education use at this stage. In the Common Issues Report, the Committee recommended that Development Plans be available for public inspection. There is a requirement in DPO11 for the Development Plan to be prepared in consultation with the City of Melbourne, which opens the way for further public input. The Committee accepts DHHS's submission that there will be ongoing stakeholder engagement and input into final design. This should allow adequate opportunities to resolve issues associated with the potential school site.

(iii) Findings

The Committee finds:

- the Concept Plan in DPO11 should be amended to note that an education facility will be provided in Area 2.

2.2 Integration with the surrounding community

(i) Evidence and submissions

The site is in a designated Stable Residential Area. Development in such an area must *"fit in with the existing valued character"*. In his planning evidence, Mr Glossop stated the subject site is something of an island and *"... its development will have fewer impacts upon existing residents or the surrounding context"*. His opinion was that because the site is surrounded by three wide streets, it has no direct sensitive residential abutments.

Under cross examination, Ms Pollock for the Council accepted the characterisation of the site as an island. Mr Glossop stated that redevelopment in Stable Residential Areas is provided for in policy so long as it does not undermine Council policy in respect of such areas. He noted the site characteristics (including its island nature) which lead it to be treated differently to other residential infill sites. Mr Glossop acknowledged that a characteristic of the local area was its low density, fine grained urban form. Notwithstanding, he stated the site has the capacity to be successfully integrated with the surrounding area.

Council submitted:

Neither the size of the site nor the width of the three bounding roads would acceptably mitigate the disjunctive impact of development over five storeys in height on the existing character of the area.

Numerous resident submitters and the North and West Melbourne Association contended the proposal was opportunistic and not in keeping with the significant low scale and in part, heritage character of the area.

(ii) Discussion

The Committee does not find the discussion about whether the site should be treated as an 'island' particularly helpful. What is clear to the Committee is that the site is located centrally within an area designated in the Melbourne Planning Scheme as 'stable residential' and that it acquired that designation as a result of considered strategic planning work. These areas have a distinctive neighbourhood character and in some instances, have heritage overlays applied. Local policy does not envisage there be no redevelopment or increase in residential densities in stable residential areas.

The site is bounded by three wide streets. However, those streets are no wider than many others in North Melbourne. It is clear that North Melbourne contains urban renewal areas which are planned for significant increases in density, including residential development over the coming decades. In the opinion of the Committee, this site and the area in which it is located, is not one of them.

The Committee considers that the site can be redeveloped at a significantly increased density in the context of the stable residential area of which it forms part, without compromising the character of the area, but not at the height proposed. The height of the proposed built form must respect that character (discussed further in Chapter 3). The height of the built form will be constrained by the proposed education facility and the interfaces to it.

(iii) Findings

The Committee finds:

- redevelopment of the site can occur in a way that is consistent and integrates with the built form of the surrounding area, but not at the height proposed.

2.3 Application of the Mixed Use Zone

(i) Evidence and submissions

DHHS proposed that the site be rezoned from General Residential Zone 1 to the Mixed Use Zone. This was supported by Mr Glossop who considered this to be appropriate given that some non-residential uses are proposed. Council submitted that the prospective school site should be zoned Public Use Zone, a position supported by Mr Chamberlin of the North and West Melbourne Association and others.

Council did not comment on the appropriate zoning for the balance of the site other than through the evidence of Ms Pollock who considered it inappropriate to rezone the whole

estate to Mixed Use Zone, with Area 2 remaining in the General Residential Zone. Mr Glossop stated that the zoning of the potential school site is not critical.

The Committee questioned Mr Glossop whether the Residential Growth Zone might be more appropriate, but he did not agree, due to the intention to allow non-residential uses on the site.

In its submission in reply, DHHS stated that the Mixed Use Zone was proposed to allow all potential land use options to be considered, hence allowing for both residential or education uses in Area 2.

(ii) Discussion

The Committee notes that the Mixed Use Zone is one of the suite of residential zones in the Planning Scheme. The site is relatively small, particularly if the 5,500 square metre potential school site is excised from it. With the exception of the small strip zoned in Abbotsford Street zoned for commercial purposes external to the south west corner of the site, the surrounding area is in the General Residential Zone 1.

The Committee believes that the level of commitment indicated by the VSBA is sufficient to justify including the proposed education purposes site in the Public Use Zone 2.

The Committee is not persuaded that the Mixed Use Zone is the appropriate zone for the balance of the subject site. Given the now reduced size of the site, its location in the midst of an extensive area in the General Residential Zone and the need for it to integrate with the local built form, the Residential Growth Zone with a tailored schedule is preferred. The Committee notes that the Residential Growth Zone allows small scale community uses, some without a permit - particularly if within 100 metres of a Commercial Zone (which the proposed non-residential uses would be). Others would require a permit. This is further discussed in the Common Issues Report.

The Committee notes that the Residential Growth Zone has a discretionary mandatory height of 13.5 metres, but this can be amended and or made mandatory in a tailored schedule to the zone.

(iii) Findings

The Committee finds:

- the Public Use Zone 2 should be applied to Area 2 in the Concept Plan
- the Residential Growth Zone, with a tailored schedule, should be applied to the balance of the site.

2.4 Other matters

(i) Non residential uses

Through DPO11 it is proposed that the Development Plan make provision for small scale community, retail and commercial uses at the ground floor level in Abbotsford Street and the Wood Street extension. Mr Glossop conceded that in order to manage the spread of such uses along the entire Abbotsford Street frontage, it might be desirable to limit them to the Abbotsford Street frontage south of the Wood Street extension. The Committee concurs and

considers that if such uses are to be provided, the area to the south of the Wood Street extension, as proposed by DHHS, is acceptable.

Additionally, the Committee received some submissions from owners/occupiers of land in the Commercial 1 Zone to the south-west corner of the subject land. Their issues related to whether their property could be included in the subject land, and whether they should receive some form of compensation should their business result in loss of income during the construction stage, as well as post occupancy if there is to be new commercial uses as part of the development. The Committee acknowledges these submissions and issues, but notes these are outside the scope of its Terms of Reference.

The Committee finds:

- non-residential uses should be restricted to the ground floor of the Abbotsford Street frontages in Area 3 and the south side of the Wood Street extension.

(ii) Proposed changes to local policy

DHHS proposes to make some changes to Clauses 21.04, and 21.06, so that local policy more clearly recognises and supports the proposed development. Mr Glossop did not comment on these in his written evidence but in response to questions from the Committee stated that he did not see the changes as necessary. Council submitted that reference to ‘estates’ in 21.04 is problematic, as estates are not identified.

The Committee agrees that the additions to local policy may not be necessary and in fact would be inappropriate if the Committee’s recommendation regarding the future zoning of the site is adopted.

The Committee finds:

- the proposed changes to Clauses 21.04 and 21.06 are not necessary.

(iii) Development Plan Overlay Schedule 11

At the Hearing, DHHS tabled a further version of DPO11 dated 17 November 2017. This reflected the changes proposed by various submitters and expert witnesses which have been accepted by DHHS. Council submitted that they support the changes recommended by Mr Glossop but do not accept the height and setback provisions included in the Schedule.

The Committee’s recommended version of DPO11 is at Appendix D.

2.5 Recommendations

The Committee recommends that:

- 1. The Minister for Planning approve draft Amendment C306 to the Melbourne Planning Scheme, subject to the following changes:**
 - a) Apply the Public Use Zone 2 to the part of the site designated Area 2 in the Concept Plan**
 - b) Apply the Residential Growth Zone to the balance of the site, with a tailored Schedule to specify mandatory height limits of five storeys across the whole of the site consistent with those in the Committee’s recommended version of Development Plan Overlay Schedule 11**

- c) Delete the proposed changes to Clauses 21.04 and 21.06 of the Municipal Strategic Statement**
- d) Amend the Development Plan Overlay Schedule 11 in accordance with the Committee's recommended version contained in Appendix D of this Report.**

3 Urban design and built form

The key issues include:

- site planning and integration
- appropriateness of the proposed heights, setbacks and interface treatments
- adequacy of the proposed circulation and open space.

3.1 Site planning and integration

(i) Evidence and submissions

The Design Framework as prepared by Grimshaw shows the indicative layout of the site extracted in Figure 3.

Figure 3: Indicative built form from Design Framework



The surrounding area is characterised by low-rise apartments between three and four storeys to the south and west and fine-grained terraces within a Heritage Overlay to the north. Both apartments and terraces are typically built to the property line or have a setback of around three metres. Wide streets with mature planting characterise the area.

The draft Amendment was supported by a town planning assessment prepared by David Lock Associates. The report stated that the site is to continue as primarily a residential urban renewal site with apartments being the dominant dwelling type. As indicated in Chapter 2.1,

the VSBA proposes to acquire 5,500 square metres of the site for ‘education purposes’, with the type and form of any development on the land currently unknown.

Non-residential uses are proposed to be permitted along Abbotsford Street and Wood Street. Wood Street is to be extended up to Hardwicke Street, to create improved pedestrian and cycling permeability and legibility.

Council submitted that the proposed built form does not respond to the neighbourhood context. It said that a finer grain of varying block sizes should be introduced to allow greater pedestrian permeability through the site, that basement car parking should be mandated and a strong landscape structure for the site introduced.

Mr Biles who gave urban design evidence for DHHS, noted that the three surrounding streets, by virtue of the median strips and tramway respectively, establish a strong sense of separation, reinforced by the regularity of medium density housing to the south and southwest. In addition, the planting between buildings gives this type of housing a distinctive character in contrast to the finer grain of housing to the northwest and northeast. He said that as a result, the site can absorb an increase in height and density without impacting negatively on the character of the wider neighbourhood.

Ms Pollock emphasised the importance of the breaks between existing nearby buildings, particularly on the south side of Haines Street, and she noted the lanes off Molesworth Street also provide guidance for potential built form envelopes.

Hardwicke Street is to continue as a one-way lane and a new east-west connection is to be introduced to the site. It is proposed to widen Hardwicke Street as well as providing footpaths on at least one, or both sides. Ms Pollock’s evidence was that the footpaths should be three metres wide to provide for street tree planting. Several submitters urged that the existing bluestone paving to the lane should be retained as part of the character of North Melbourne.

(ii) Discussion

Mr Biles confined his evidence to the external impacts of the built form. The Committee considers that the impact of potential built form within the site is of fundamental importance. Hardwicke Street and the new east-west street have the potential to become street addresses for many of the new dwellings and should respond appropriately. The Committee acknowledges that while the form of development likely in Area 2 is unknown in the medium term, it is important to establish parameters for the area. In particular, the Committee identifies a need for a central public open space, discussed further in Chapter 3.3.

The Concept Plan in DPO11 adopts the Design Framework’s extension of Wood Street, but no longer provides vehicular access to Hardwicke Street. This was supported by Mr Biles who said that it could be used as a drop off and short term parking area. He noted that the proposed retail opportunities along either side would activate the space. Ms Pollock expressed concern that the reserve may not be wide enough to receive sufficient sunlight. The Committee considers that as proposed, the Wood Street extension is unlikely to provide useable community open-space, although it would provide a pleasant landscaped introduction to the Estate. On the south side, it could be an appropriate location for a café with external seating.

The potential acquisition of Area 2 by the VSBA imposes substantial constraints on the development of the site. Despite the fact that the future development of this parcel is unclear, the Committee considers it essential that site planning provides adequate permeability and public and communal open space for future residents. It supports Council's suggestion that at grade car parking should not be supported, and that parking should be provided in basements. A consequence of removing the podia car parking is that breaks between buildings can continue to the ground, reflecting the built form condition around the site and providing opportunities to increase the amount of ground level landscaped open space.

The Committee supports the proposal to retain Hardwicke Street and to develop a new east-west street, and agrees with some submitters that it should be maintained as a one-way bluestone carriageway with a 1.5 metre footpath to the west and indented parking and street trees to the east. The Committee notes that this will change the present traffic arrangements for the west end of Molesworth Street. The east-west street is described on the Concept Plan as a service lane. The Committee considers that in view of the increased housing density proposed, its function will be similar to that of public street, as it may provide street addresses as well as entry into car parking. It should therefore be provided with footpaths and appropriate planting.

(iii) Findings

The Committee finds:

- the Wood Street extension is supported, having pedestrian and bicycle connection only to Hardwicke Street
- Hardwicke Street should be maintained as a one-way bluestone carriageway with a 1.5 metre wide footpath to the west and indented parking and street trees to the east
- on-site car parking should be provided underground in basements
- when transferring land to VSBA, public open space should be retained on the south-east corner of Hardwicke Street and the proposed east-west service road extending to the Wood Street extension
- breaks should be provided between built form building envelopes to ground level, reflecting those in the immediate neighbourhood.

3.2 Heights, setbacks and interfaces

(i) Evidence and submissions

The Design Framework proposes building heights ranging from three to nine storeys within the Estate, with the higher forms set back, as shown on the indicative built form diagram prepared by Grimshaw (see Figure 3).

The site is divided into four areas, as yet undefined in size. Areas 1 and 3 face Abbotsford Street, Area 2 is the land proposed to be acquired by the VSBA, taking up the majority of the Molesworth Street frontage and Area 4 faces Haines Street. The preferred heights are proposed as eight storeys in Area 1, nine storeys in Areas 2 and 3 and seven storeys in Area 4.

Mr Biles generally supported the proposed heights, except for the street corners of Abbotsford/Molesworth and Molesworth/Harper. He argued a higher built form with a three-metre landscaped setback would provide better definition to the street edge if it returned around the corner before transitioning to three storeys in Area 2. Mr Biles provided diagrams articulating this proposal. He emphasised the need for the higher built forms to be broken up into separate parts, but he considered that at lower levels, building mass could be successfully broken down by the modulation and articulation proposed.

Mr Biles recommended changes to the DPO. He said that the Wood Street extension should be a minimum of 20 metres wide with no through access to Hardwicke Street, but with non-residential uses on either side and along Abbotsford Street. Along Hardwicke Street his evidence recommended that the DPO should ensure the frontages provide passive surveillance to the laneways and to Area 2 and that all access to parking in Areas 1 and 3 should be from Hardwicke Street. In Areas 2 and 4, building mass above the street walls should be broken up. He considered that all interface requirements should be shown diagrammatically rather than as text.

Council's submission, in contrast, was that the proposed seven and nine storey heights failed to take into account the physical context of the site. It said upper storeys should be recessive through massing rather than through use of an 'articulation zone'.

Ms Pollock strongly rejected the podium/tower morphology proposed for Abbotsford and Haines Street as being out of context with the area at large and drew the Committee's attention to a comparison of the maximum heights proposed in the Arden-Macaulay Urban Renewal Area (nine to 12 storeys), Design and Development Overlay Schedule 32 (DDO32) (14 metres), DDO31 (10.5 metres) and DDO61-A5 (60 metres) along the Flemington Road Medical Precinct. Ms Pollock asserted that for that reason alone, a 36 metres height on this site was inappropriate. However, she did support a five storey street wall along Abbotsford Street, favouring a hard edge with no setback as it turned the corner into Molesworth Street.

Ms Pollock sought a preferred maximum height of five storeys for all areas. She recommended that interface treatments should be shown for internal streets and that Area 2 should include significant open space.

Mr Biles and Ms Pollock agreed about the need to break up building massing but disagreed on how this could be achieved. Mr Biles' evidence was that the articulation and compliance with Clause 58 would inevitably break up the higher forms. Ms Pollock maintained that irrespective of whether this occurred, there should be some breaks between buildings that went through to ground level, reflecting a typical neighbourhood pattern.

A number of resident submissions queried the rationale for any nine storey buildings, when those in the immediate neighbourhood are one to four storeys. Mr Chamberlin submitted that the built form should not be any higher than three to four storeys as it is at present. He was supported in this view by a number of subsequent submitters. Submitter 35 was one of many submitters who considered that the proposed heights and setbacks do not respond to either the immediate context or to the neighbourhood character of two to four storeys. She submitted that generous building spacing makes a strong contribution to the neighbourhood character. She supported a height of four to five storeys, but said the proposed setbacks shown in the interface treatments were insufficient.

Conversely, Submitter 79 spoke in support of the draft Amendment and noted he had no issue with the heights proposed. He advised that he supported an increase in the population density of the area as public transport and general road access was very well provided for in North Melbourne.

(ii) Discussion

In Areas 1 and 3 along Abbotsford Street, the interface treatment proposed in the Design Framework has been amended in the 1 November version of DPO11 from four to five storeys to complement the built form opposite. The Committee supports this height in part. However, it does not support a nine storey built form above it. It accepts that a well-designed building could accommodate well-articulated recessed storeys within this streetscape, and acknowledges that there are many different design solutions possible. However, the depth of the blocks are inadequate to allow the height proposed without resulting in unacceptable visual bulk when viewed from Abbotsford Street and beyond, and in the Committee's view nine storeys, even if recessed, would compromise the amenity of the Wood Street extension, Hardwicke Street and any open space to the east. The Committee notes that delivering underground parking would allow an additional level of accommodation within a lower built form.

The proposed built form controls for Area 4 along Haines Street, provide for a four storey street wall behind a three metre landscaped setback along with a further three storeys above it, set back a further five metres. It was Mr Biles' evidence was that the upper level set back is a satisfactory design response. However, he recommended that above the 150 metres long street wall, higher built form should be broken up, and that the four-storey street wall height should turn the corner into Molesworth Street.

Ms Pollock supported the street wall height and setback as reinforcing the neighbourhood character. She objected to the seven storey component as being out of context and creating an unacceptable shadow over the street. Her recommendation was that the built form should be separated by breaks, responding to the built form opposite. This would allow some sunlight to the north footpath and additional pedestrian links into the site. The shadow diagrams provided are unhelpful in demonstrating the extent of shadow thrown on Haines Street. It is clearly considerable, but the Committee considers that with breaks between buildings a higher form of up to five storeys could be contemplated, if set back and dependent on the ultimate built form of Area 2.

The Committee agrees that built form envelopes proposed in the DPO should incorporate breaks between buildings along all frontages, both to break up the building mass and to better reflect the built form pattern evident in the neighbourhood.

Molesworth Street is a wide street containing a median strip and is closed to traffic from Harker Street. On the north side of the street several lanes break up the built form. The interface treatment for Molesworth Street proposes a three storey built form behind a three metre landscaped setback, with five storeys setback a further six metres and a nine storey component set back 20 metres from the frontage. Mr Biles considered Molesworth Street was the most sensitive interface. However, he said the potential visual impact of increased built form would be tempered by the width of the street and the planting within it. He

contended that the proposed nine storey component, *“located towards the middle of the site and down the slope will appear suitably recessive”*.

Noting that Molesworth Street has additional constraints arising from its Heritage Overlay, Ms Pollock nevertheless supported a three storey height behind a landscaped three metre setback, but considered that the five storey component should be set back a further 10 metres to reduce its impact on street views. She argued that the nine storey component was unacceptable in the neighbourhood context.

The Committee concludes that it is premature to nominate the built form for Area 2. Somewhat higher fine-grained buildings are clearly a response to the housing opposite but may not suit the requirements of an educational institution. It is not persuaded that a nine storey form is appropriate anywhere on the site even though this area has a four to five metre fall to the southwest, potentially providing an opportunity for some further height. The potential to overshadow dwellings on the south side of the east-west street will influence the configuration of built form in this area. In keeping with its view on mandatory heights over the balance of the site, built form in Area 2 should not be taller than five storeys.

The revised DPO has incorporated many of the recommendations of DHHS’s expert witnesses. Having assessed the evidence and heard submissions, the Committee considers that additional requirements in relation to open space, setbacks and interfaces are necessary.

(iii) Findings

The Committee finds:

- heights along Abbotsford Street Areas 1 and 3 should be limited to five storeys and located to minimize overshadowing of the Wood Street extension
- built form interface treatment A should return from Abbotsford Street into Molesworth Street as a four to five storey hard edge corner treatment
- heights in Haines Street should be limited to five storeys, set back six metres from the proposed four storey street wall
- consideration of detailed built form in Area 2 should be deferred until a decision about ownership has been made, and as an interim, a five storey height should be specified
- heights should be mandatory rather than discretionary (see Chapter 3.3 of the Common Issues Report)
- interface treatments for Hardwicke Street and the new east-west street should be included in the DPO
- the Concept Plan should:
 - identify a central public open space area
 - in Areas 1 and 4, continue the respective interface treatments to include the corners of Abbotsford/Molesworth Streets and Harker/Molesworth Streets
 - nominate the widths, including verges, of the Wood Street extension, Hardwicke Street and the new east-west street
 - indicate the size and approximate location of building breaks shown as laneways in all areas
 - provide greater clarity of the interface treatments by using a similar format to the explanatory diagrams in the evidence of Mr Biles (Document 5).

3.3 Circulation and open space

(i) Evidence and submissions

The tree assessment prepared by Galbraith and Associates for DHHS noted a number of trees well suited to retention based on their landscape values and long useful life expectancy. The planning report prepared by David Lock Associates noted that the Design Framework allowed for *“buildings to be interspersed with communal open space and contain numerous mature trees”*, thus contributing to the greenery and visual amenity of the site. It noted that the DPO11 seeks a planting theme which complements these trees and that new trees are proposed, in addition to street planting both within the site and on the streets outside it.

Mr Patrick’s evidence for DHHS was that the surrounding streetscape planting provides much of the valued screening and amenity of the site. He described DHHS’s arboricultural assessment as well considered and accurate, but noted that this is not a site with notable tree cover. In terms of the provision of open space, Mr Patrick saw little evidence in the current plans that the design principle *“to provide landscaping and communal open space that is resilient and enhances the sense of place, sustainability and liveability of the site and local area”* would be realised.

Submitter 73 contended that the site should not be developed at the expense of public amenity and neighbourhood character. Any change should attempt to maintain the current peaceful ambience. She saw the loss of garden space combined with nine storey heights as a failure to achieve this outcome.

(ii) Discussion

The Committee has identified a serious omission in the site planning proposed by DHHS, in that the proposed Concept Plan does not include any usable communal open-space area. Council submitted that as the Estate is to be redeveloped at urban renewal densities, the open space contribution should be 7.06 per cent in accordance with the Schedule to Clause 52.01 of the Melbourne Planning Scheme, provided in a location that maximises amenity for both residents and in the neighbourhood, and contributes to the broader open-space network. The Committee strongly supports this proposal. Both urban design experts agreed that a location aligning with the proposed Wood Street extension would be appropriate to provide usable communal open space. The Committee considers an area on the east side of Hardwicke Street extending between the north side of the Wood Street extension and the east-west street would provide a central and accessible location for the open space on the Estate.

The Committee is cognisant that a cash contribution in lieu of open space provision is an alternative, which it does not support.

Trees 56 to 62 in Abbotsford Street are not mature and their canopies are likely to increase. Mr Patrick noted this may affect setbacks along this interface. The Committee considers that retention and enhancement of the street planting in Abbotsford Street provides the opportunity for breaks within the building envelopes. The Committee considers that from an urban design perspective, this is the preferable outcome rather than necessitating a continuous increased setback to Abbotsford Street. It notes that Trees 59 and 60 could be incorporated into the landscaping of the Wood Street extension.

Mr Patrick observed that although this is not a site where the current tree cover is especially notable, valued trees on the site, in addition to the streets trees, should be afforded appropriate protection as defined in the Australian Standard *AS4970-2009 Protection of Trees on Development Sites*. Trees of lesser quality should be removed. His evidence was that the opportunity should be taken to establish a program by which the long-term quality of the Estate plantings can be guaranteed, a program which reinforces design character, defines space and moderates heat load. The Committee agrees.

It further agrees with Mr Patrick that increased setbacks should be incorporated to accommodate new planting as well as acknowledging the existing trees. He recommended an additional setback at the centre of the Haines street frontage to allow for a large canopy tree. This suggestion aligns with the Committee's recommendation for breaks in building form along street frontages. The Committee notes that a generous break in this north-south location may provide the opportunity to incorporate a community garden, as sought by a number of submitters.

Mr Patrick discussed the potential for shared open-space with the proposed educational facilities. The Committee supports this idea, but was advised that some schools presently are secured to prevent access during the day and vandalism at night, so it has little confidence that shared facilities would eventuate. The Committee was led to understand that community access is a school based decision. It considers that appropriate open space should be provided independent of any future development in Area 2.

(iii) Findings

The Committee finds:

- the retention of trees and open space within and along the streets surrounding the Estate are important to the residential amenity of the site, and contribute to neighbourhood character
- there should be a centrally located communal open space of an area not less than 7.06 per cent of the entire site to be developed for residential purposes
- trees should be planted on the east side of Hardwicke Street and the north side of the east-west lane
- breaks should be included in built form along all interfaces, located to accommodate mature canopies of existing street trees, to allow for planting of new canopy trees on site
- a community garden should be provided for on the site, perhaps in the central Haines Street break
- existing trees, including street trees, should be protected and retained in accordance with *AS4970-2009 Protection of Trees on Development Sites*
- a Tree Management Plan should be prepared prior to commencement of earthworks (including demolition).

4 Traffic and parking

The key issues to be addressed include:

- increase in traffic and its impact on the surrounding road network
- parking rates.

Traffic and parking issues common to the Estates considered by the Committee such as differential parking rates and sustainable transport are discussed in Chapter 4 of the Common Issues Report.

The key access and parking elements of the indicative design exhibited with the draft Amendment consist of:

- Wood Street extension and new east-west street, providing vehicle, pedestrian and bicycle access around the site and connecting to the existing local road and bicycle network
- opportunity to provide off-street parking.

4.1 Increase in traffic generation and impacts

(i) Evidence and submissions

The ability of the surrounding road network to absorb development traffic was an issue for local submitters.

DHHS called Mr Walsh of Traffix Group to give evidence on traffic and parking issues. He concluded that there are no traffic reasons why the development should not proceed and that no remedial traffic management works or intersection upgrades would be required.

The Amendment would generate an additional 562 vehicle movements per day (312 new dwellings x 1.8 vehicles movements per day per dwelling); 56⁴ vehicle movements (10 per cent of daily traffic volume) during the morning and afternoon peak hour periods. Mr Walsh noted that his traffic generation estimates were conservative and took into account that approximately 40 per cent of dwellings would have no vehicle, based on Australian Bureau of Statistics (ABS) data.

Mr Walsh advised traffic would be distributed across the road network and not concentrated at any one location as there are several routes residents may select depending on their destination and off-street car parking location. He advised that any individual intersection would not experience a material change in traffic conditions.

Hardwicke Street has a five metre wide roadway and narrow asphalt verges (practically too narrow to be considered footpaths), Mr Walsh's evidence was this road should be widened. Two cross sections, both including parallel parking and footpath(s) were proposed, depending on whether a school or a mixed use development occurs in Area 2. He noted that the ultimate road cross section could be adequately resolved at the Development Plan stage.

⁴ Mr Walsh had a few minor corrections to his evidence, 65 movements in peak hours was shown in his witness statement.

Mr Walsh acknowledged the congested nature of the surrounding arterial road network in peak periods and that motorists exiting the side streets can experience delays. However, his observations and modelling of the operation of these intersections suggested there is spare capacity to accommodate additional traffic generated by the redevelopment.

Mr Walsh undertook a preliminary traffic and parking analysis to identify Area 2 was suitable for a school, but advised that the type of educational facility and student numbers had not been determined. He noted that the extensive street frontages provide opportunities for students to be dropped off and picked up by car, and introducing a one way traffic flow system in Hardwicke Street (existing southbound) and the proposed east-west street (eastbound) would allow students to enter and exit a vehicle on the kerbside fronting the school. This arrangement would enhance safety as students would not need to walk onto the roadways. He noted that while additional school traffic would be noticeable during drop off and pick up times, it would be generally of short duration. He advised there is sufficient capacity in the road network for school traffic to be absorbed.

Council accepted Mr Walsh's traffic projections but submitted that:

- the Wood Street extension should enhance pedestrian amenity
- Hardwicke Street should be the primary access for car parking and loading facilities
- Abbotsford Street's role as a local street should be enhanced.

Several resident submitters noted the already congested nature of the nearby arterial and local road network, and said it would not be capable of accepting additional development traffic.

(ii) Discussion

The Committee acknowledges that many of Melbourne's arterial roads and major inner city local roads are congested during peak hours and it is appropriate to consider the traffic implications of the development on the immediate road network. The Committee is satisfied that the road network and nearby intersections will continue to perform satisfactorily with an increase in traffic generated by the redevelopment. As such, additional or remedial traffic management works are not required.

The Committee explored the safety and operation of the Wood Street extension. Mr Walsh noted that it was generally unusual from a traffic safety perspective, to provide a cross intersection. In this case he was satisfied however, as there is likely to be very little cross traffic flow on Wood Street which would warrant an alternative intersection arrangement. Mr Walsh considered the Wood Street extension would not be suitable as open space or where children could be playing, as one of its primary functions is to accommodate traffic and on-street parking. The Committee agrees.

The interplay between the current development and a possible future school on the north-east corner of the site is problematic, in that the proposed size and type of school and access locations are unknown. The Committee accepts Mr Walsh's preliminary assessment that a school could be accommodated, however further investigations would be required regarding issues such as the appropriate road cross sections, the location(s) of school crossings, and the location and type(s) of parking restrictions. These and other matters relating to the school

can be resolved once the Department of Education and Training finalises the future use of this site.

(iii) Findings

The Committee finds:

- the existing road network can safely and satisfactorily accommodate the additional traffic likely to be generated by the proposed redevelopment
- remedial traffic management works are not required on the surrounding road network.

4.2 Parking rates

(i) Evidence and submissions

Parking was a significant issue for submitters. Further background material in relation to parking is discussed in Chapter 4 of the Common Issues Report.

Mr Walsh explained that the draft Amendment proposes to extend Parking Overlay 12 (PO12) of the Melbourne Planning Scheme to the site. PO12 currently operates in many areas of North Melbourne, including in areas approximately 240 metres south of the site.

Council supported applying PO12 (maximum of one space per dwelling) to the site but believed this rate could be reduced further:

- justified by the site's proximity to public transport and neighbourhood services
- by the longer-term trend of reducing car ownership identified in the Beveridge Williams Traffic Assessment which formed part of the consultation documents.

Council suggested that car share facilities should be incorporated into the development's off-street car park(s).

In particular, he noted that the report as part of Amendment C133 which introduced maximum car parking rates which was used to formulate PO12 identified, amongst other things, a site had to be near a train station and supermarket.

Mr Walsh said that the Melbourne Metro Rail Tunnel project will create two new railway stations Arden⁵ (750 metre walk from the site) and Parkville (a 850 metre walk) in 2026. In addition, a major supermarket is proposed on Macaulay Road, opposite North Melbourne Recreation Reserve (approximately 450 metre walk) in 2018.

A review of ABS data shows low level of car ownership. On average 52 per cent of public housing and 40 per cent of private dwellings do not own a vehicle which further supports Mr Walsh's premise that PO12 is appropriate.

Mr Walsh informed the Committee about the existing resident parking permit system which operates in this area. Existing residents are entitled to a parking permit which allows them to park beyond the posted time limit on the surrounding streets, which is essential as no off-street parking is currently provided. Once the development is complete, residents (other than for possibly returning tenants) would be ineligible for a permit.

⁵ Subsequently confirmed to be named North Melbourne

Mr Walsh advised that in his experience, while PO12 allows for no or very little off-street parking to be supplied, developers still provide off-street parking to meet market demand.

Submissions from neighbouring residents generally outlined the difficulty in finding on-street parking, and how further development would exacerbate this situation. Inner Melbourne Community Legal highlighted that some public housing clients incurred considerable fines because they have parked illegally and been unable to find a parking space near their home.

(ii) Discussion

DHHS and Council support PO12 (maximum of one space per dwelling) being applied to the site, although Council considered an even a lower rate could be justified.

The Committee acknowledges and supports the rationale of a lower parking supply leading to less traffic. Council's initiatives for shared cars assist in this regard.

Based on ABS average car ownership data, the site could generate a peak parking demand for 290 spaces, shown in Table 5. The Committee estimates that the development could provide around 125 spaces, based on the Design Framework which suggests around 100 off-site spaces and a net increase of around 25 spaces on-street, associated with the proposed internal road network (Wood Street extension and new east-west street).

Table 5: North Melbourne parking demand assessment

Use	No.	ABS	
		Average car ownership	Average parking demand
Public			
1 bedroom	39	0.2	8
2 bedroom	78	0.7	55
3 bedroom	6	1.0	6
Total	123		68
Private			
1 bedroom	92	0.4	37
2 bedroom	103	0.7	72
3 bedroom	12	1.0	12
Total	207		121
Total (Public & Private)	330		189
Visitors Dwellings (All)	330		33
Total	330		290

Notes: For example; Public 1 bedroom parking demand (39×0.2 (ABS av. car ownership) = 8 spaces), visitor spaces are provided at 0.1 space per dwelling

The Committee considers that PO12 should be applied to the private component of the development. However, it may lead to undesirable and inappropriate outcomes for social housing residents, where potentially, the social housing component may not be provided with any off-street parking and new residents would not be entitled to a parking permit. Mr Walsh acknowledged this predicament, and agreed that some off-street parking should be allocated

to social housing, and some residents should receive a parking permit. The Committee agrees that a more robust car parking management solution for the social housing component is required, where off-street parking is allocated, and no reliance is made on providing tenants with a parking permit as in the future permit availability, terms and conditions, and costs may change.

The Committee acknowledges that the Abbotsford Street site, compared to other Estates, is not blessed with large expanses of land on which car parking can be provided. Further, Council's desire to actively reduce reliance of private vehicle necessitates compromise by both social and private residents. The Committee agrees that neither group should be expected to carry the full burden of reduced parking rates.

In this regard, off-street parking should be allocated between the private and social housing based on the number of dwellings. The social housing component should be allocated a proportionate number of off-street parking spaces, leading to a fair and equitable distribution of parking. Alternatively, based on the other Estates, a social housing parking rate of 0.6 spaces per dwelling could be used which would require 74 spaces to be provided for the social housing component.

(iii) Findings

The Committee finds:

- The rates in Parking Overlay 12 (PO12) are satisfactory
- off-street parking should be allocated proportionally between the private and social housing dwellings.

4.3 Public transport

The site is well served with public transport routes, however a number of submissions raised the issue of crowded tram services.

While not specifically raised in this Hearing, in the Flemington Estate Hearing, Transport for Victoria advised that residents will benefit from an additional 50 tram services for the 57 (Abbotsford Street), 58 and 59 (Flemington Road) tram routes to be implemented in mid-2018.

Mr Walsh acknowledged that the additional capacity on these routes should provide some relief to nearby residents.

The completion of the Melbourne Metro project, with new stations at North Melbourne and Parkville, will provide additional public transport services and capacity from about 2026.

Appendix A: List of submitters

No.	Submitter	No.	Submitter
1	Gary Bateman	36	Rosemary John
2	Cultivating Community	37	Meredith Anne Kidby
3	Peter McLaren Hiscock	38	Tahnee Wright
4	Dorothy Waterfield	39	Paul Leitingner
5	Mark and Zoe Cassar	40	Marie-Louise Francken
6	Emily Frain	41	Lai Ngoh Chong
7	Samuel Cowie	42	Steven Stathakis
8	Lesley Skinner	43	Michael John Gregory
9	Stephen Marcus Manders	44	Duncan Rouch
10	Ana-Maria Rivera	45	Jamie Sormann
11	Jennifer Tran	46	Helen Lew Ton
12	Gary Bateman	47	Philip Salom
13	William Brazenor	48	Margaret Jennifer Allan
14	Stuart Fysh	49	Margaret Susan Gaita
15	North Melbourne Supermarket and Wine Gourmet	50	Marlise Brenner
16	Hanh To	51	Valerie Gerrand
17	Jennifer Wood	52	Leanne Yeung
18	Kerstin Kilian	53	Justin Raymond Hamilton
19	Megan Cusack	54	Gwenda Rathjens
20	Jan Lacey	55	Deman Kamil
21	Ann Kingsford	56	Laura Lewis
22	Julia Cianci	57	Kate Shaw
23	Quick 7 Convenience Store	58	Bryony Marks
24	Durelle Hargreaves	59	Owners Committee of 61 and 61a Haines Street
25	The Victorian Public Tenants Association	60	Sam Zanellini
26	Peter Hargreaves	61	Peter Reginald Blackman
27	Dr Susan Greer	62	Rob Oke
28	Kenneth Gohil	63	City of Melbourne
29	Residents About Integrated Development	64	Duncan A Rouch
30	Jane Mavoa	65	Michael Gregory
31	Jim Weatherill	66	North Melbourne Primary School
32	Wing Ho Wallace Wong	67	Kathryn Ritchie
33	Katy Mitra	68	Paul Reiner
34	Peter Nelson	69	Stephen John Nice
35	Angela Williams	70	Marlise Edeltraud Brenner

No.	Submitter	No.	Submitter
71	Kevin Chamberlin	76	Inner Melbourne Community Legal
72	Daniel McDonnell	77	Sophie Hennes
73	Winsome Roberts	78	Janet C. Graham
74	Angela Williams	79	Sam Johnston
75	Sophie Gray	80	Fiona Wood

Appendix B: Appearances at the Hearing

DELWP, represented by Cassie Hannam (Senior Planner) and Darcy Daniher (Planner)

DHHS, represented by Tamara Brezzi of Norton Rose Fulbright, with Jessica Cutting (Principal Project Manager), Emma Dean (Senior Project Manager), and evidence from:

- Tim Biles of Message Consultants on urban design
- John Glossop of Glossop Town Planning on planning
- Jason Walsh of Traffix Group on traffic
- John Patrick of John Patrick Landscape Architects Pty Ltd in landscape

City of Melbourne, represented by Louise Hicks and Ian Munt of Counsel, with Fiona McDougall, Senior Housing Advisor, and evidence from:

- Robyn Pollock of City of Melbourne on urban design

Quick 7 Convenience Store represented by Gurmeet Sidana

North Melbourne Primary School, represented by Paul von Chrismar and Mandy Coulson

Inner Melbourne Community Legal, represented by Dan Stubbs

Residents About Integrated Development, represented by Tess Demediuk

North and West Melbourne Association, represented by Kevin Chamberlin

Ana-Maria Rivera

Lesley Skinner

Jamie Sormann

Rosemary John

Jan Lacey

Sam Johnston

Jane Mavoa

Meredith Ann Kidby

Jennifer Tran

Michael Gregory

Laura Lewis

Peter McLaren Hiscock

Leanne Yeung

Phillip Salom

Janet Graham

Winsome Roberts

Appendix C: Document list

No.	Date	Description	Presented by
1	14/09/17	Submission – Summary of current and proposed controls	Mr O'Connor for DHHS
2	"	Submission – Explanation of changes to be made to the exhibited DPO Schedule 11	"
3	"	Report – Notification slides, North Melbourne Estate	Ms Hannam, DELWP
4	3/11/17	Submission – Expert Witness Statement from Ms Pollock	Ms Baker, City of Melbourne
5	"	Submission – Part A and Expert Witness Statements from Mr Biles on urban design, Ms Glossop on planning, Mr Patrick on arboriculture and Mr Walsh on traffic	Ms Turnbull, for DHHS
6	13/11/17	Submission – Notification report and summary slides	Ms Hannam
7	"	Correspondence – Victorian Schools Building Authority re proposed land acquisition	Ms Brezzi for DHHS
8	"	Expert witness presentation -slides	Mr Biles for DHHS
9	"	Shadow diagrams	Ms Brezzi
10	"	Expert Witness presentation – slides	Ms Pollock for City of Melbourne
11	"	Shadow diagrams at winter solstice	Mr Biles
12	"	Expert Witness presentation – slides showing shadows at winter solstice and equinox	Ms Pollock
13	15/11/2017	Purposes of Residential Growth Zone and Mixed Use Zone	Mr Glossop for DHHS
14	"	Extract from Panel Report Whitehorse C175	"
15	"	Submission - DHHS	Ms Brezzi
16	"	Correspondence from Victorian School Building Authority	"
17	"	Victorian School Building Authority – Tree Vegetation Policy	"
18	"	Extract from Government Gazette – February 1988	"
19	"	Government Media Release concerning the site	"
20	15/11/2017	Affordable housing definitions	Ms Brezzi
21	16/11/2017	Submission - RAID	Dr Demediuk
22	"	Submission – Laura Lewis	Ms Lewis
23	"	Submission - Ana Maria Rivera	Ms Rivera
24	"	Submission - Meredith Kidby	Ms Kidby
25	"	Presentation - Dr Winsome Roberts – slides	Dr Roberts
26	"	Book extract – Dr Winsome Roberts	Dr Roberts
27	17/11/17	Submission	Mr Sormann
28	"	Submission – City of Melbourne closing submission	Mr Munt for City of Melbourne
29	"	Submission – DHHS closing submission	Ms Brezzi
30	"	Extract – Urban Design guidelines	"
31	"	Revised DPO Schedule 11 dated 17 November 2017	"
32	"	DHHS relocation process summary	"

Appendix D: Revised Schedule 11 to Clause 43-04 Development Plan Overlay

SCHEDULE 11 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO11**.

SOCIAL HOUSING RENEWAL - ABBOTSFORD STREET, NORTH MELBOURNE

This Schedule applies to Abbotsford Street, North Melbourne generally bounded by Molesworth Street, Haines Street and Abbotsford Street (referred to in this Schedule as 'the site'). Refer to the boundaries shown on the Concept Plan included in this Schedule.

1.0 Requirement before a permit is granted

--/--/2017
C306

A permit may be granted before a Development Plan has been approved for the following:

- The removal or demolition of any building that is carried out in accordance with a Construction Management Plan (CMP) prepared in accordance with this Schedule
- Earthworks and site preparation works that are carried out in accordance with a CMP and Arboricultural Assessment Report prepared and implemented in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites, in accordance with this Schedule
- The construction of minor buildings or works that are carried out in accordance with a CMP prepared in accordance with this Schedule
- Consolidation or subdivision of land
- Removal, variation or creation of easements or restrictions.

Before granting a permit the Responsible Authority must be satisfied that the permit will not prejudice the future use and integrated and orderly development of the site in accordance with the Development Plan requirements specified in this Schedule.

2.0 Conditions and requirements for permits

--/--/2017
C306

Prior to the commencement of any permitted demolition, buildings or works, a detailed CMP as relevant to that demolition or those buildings or works must be prepared to the satisfaction of the Responsible Authority. The plan must be prepared in accordance with the requirements of Clause 3.0 of this schedule for a CMP.

3.0 Requirements for Development Plan

--/--/2017
C306

Prior to the preparation of a Development Plan, a **Resident/Community Engagement Strategy** must be prepared to the satisfaction of the Responsible Authority which establishes the mechanisms by which the residents and the community will be provided with information and opportunities for feedback during the preparation of the Development Plan. The Strategy must include a requirement that the Development Plan be made available for public inspection for 15 business days prior to its consideration by the Responsible Authority.

A Development Plan must include the following requirements.

General

The Development Plan must be prepared to the satisfaction of the Responsible Authority in consultation with Melbourne City Council.

The Development Plan must demonstrate the following:

- high quality integrated social and private housing that is socially, economically and environmentally sustainable that delivers high levels of residential amenity and liveability
- an increase in the number of social housing dwellings that achieves dwelling diversity across the site with a range of one, two and three or more bedroom dwellings, balancing issues of equity in the delivery of social and private housing that is well integrated and is 'tenure blind'
- integration of Area 2 that is set aside for education purposes with the balance of the site through landscaping, open space and built form
- integration with the surrounding area by responding to existing or preferred neighbourhood character, enhancing the public realm and existing networks and delivering 'good neighbour' outcomes
- opportunities for legible access and address points for the site, buildings and spaces, including defining private, communal and public spaces that foster social connections between residents and the wider community and that prioritise pedestrian and bicycle access within and external to the site
- landscaping and communal open space (including communal parks, playgrounds and other pocket spaces) that is resilient, well connected and enhances the sense of place, sustainability and liveability of the site and local area that meets the needs of both the social and private housing residents
- delivery of adaptable buildings and spaces that are accessible and practical for people of all abilities and respond to the future needs of residents.

Land Use

The Development Plan could show or make provision for:

- community facilities and non-residential uses in Areas 1 and/or 3 fronting either Abbotsford Street or the new publicly accessible shared space as shown on the Concept Plan, at ground level where they will be accessible to all residents of the Estate and the surrounding community. The Development Plan must demonstrate that potential amenity impacts of these uses can be appropriately managed.

Built Form (Heights and Setbacks)

The Development Plan must be generally in accordance with the Concept Plan forming part of this schedule to the satisfaction of the Responsible Authority.

Concept Plan



LEGEND

- Site
- 3 Area (with associated building height)
- Publicly accessible shared space
- Vehicle access
- Pedestrian connection

INTERFACE TREATMENTS

(with associated boundary setbacks)

- 0m Interface Treatment A
- 3m Interface Treatment B
- 3m Interface Treatment C
- 3m Interface Treatment D

COMMITTEE NOTE 1: Amend Concept Plan as follows:

Identify Area 2 as proposed future use for 'educational purposes'

Amend all heights to show a mandatory maximum building height of five storeys in all areas

Replace Interface Treatment 'D' with Interface Treatment 'A'

Identify location of public open space to the east of Hardwicke Street

Show a six metre wide landscaped break mid-block in Haines Street

Show three metre wide laneways dividing Areas 1, 3 and 4 (which has one in each of the blocks either side of the landscaped break)

Nominate the widths of Hardwicke Street and the new east-west street

Add a three metre laneway to legend.

Setback and Interface Treatments

COMMITTEE NOTE 2: The Committee has deleted the interface diagrams and expressed the setback requirements and interface treatments in words. If diagrams are to be used in a revised DPO, then they should be redrawn in a clearer format, for example using that in Mr Biles' evidence.

Interface Treatment 'A' (Abbotsford Street and part Molesworth Street)

- Zero setback at ground level (level 1), increased as required to protect existing street trees
- An additional two metre articulation zone.

Interface Treatment 'B' (Haines Street and part Molesworth Street)

- Minimum three metre landscaped setback at ground level (level 1)
- An additional two metre articulation zone for levels 1, 2, 3 and 4
- A further six metre setback to level 5
- Minimum building setbacks should be increased as required to protect existing trees to be retained or to accommodate replacement/new canopy trees.

Interface Treatment 'C' (Molesworth Street)

- Minimum three metre landscaped setback at the ground level (level 1)
- A further 10 metre setback to levels 4 and 5
- Minimum building setbacks should be increased as required to protect existing trees to be retained or to accommodate replacement/new canopy trees.

General Requirements

- Building envelopes that have regard to the amenity of dwellings within the site, including sunlight access to private open spaces on the September equinox
- Buildings should achieve a grain of development that reflects the characteristics of the area
- Active frontages to Abbotsford Street, Haines Street and Molesworth Street, open space and internal connections through:
 - Avoiding large expanses of blank wall, large service areas, garbage storage areas, car parking and co-located or continuous garage doors along ground floor frontages
 - Provision of individual entry doors to ground floor dwellings that have frontages to a street.
- Passive surveillance of Hardwicke Street and any other new access ways or lanes.
- For any non-residential uses at ground floor level in Area 3 buildings should provide:
 - A minimum four metre floor to floor height
 - An entrance and clear glazed window at the street frontages of each individual non-residential use
 - Weather protection at the street frontages of the non-residential uses.
- Reduced visual bulk of buildings through the placement of balconies and use of discontinuous forms, articulated facades and varied materials.

- Three metre minimum width laneways between buildings in locations shown on the Concept Plan
- The location of car parking spaces within basement levels or suitably concealed within buildings or behind features such as active podium frontages
- Cohesive architectural design, with the use of high quality, durable and low maintenance materials
- Orientation and overshadowing demonstrating how development within the proposed building envelopes can comply with the following requirements:
 - No increased overshadowing of the footpath on the southern side of Haines Street between 10:00am and 2:00pm on 22 September
- Appropriate mitigation measures to minimise the adverse impacts on existing or potential future sensitive uses in proximity of the site.

Landscape and Open Space

The Development Plan must show:

- A new publicly accessible shared space between Abbotsford Street and Hardwicke Street (the Wood Street extension) that:
 - Provides a visual connection across Abbotsford Street from Wood Street
 - Has a minimum width of 20 metres
 - Has vehicle access off Abbotsford Street but no through access to Hardwicke Street
 - Provides short-term parking spaces.
- Replacement of trees assessed in the required Arboricultural Assessment Report as having moderate or high retention value that are required to be removed with trees on a two for one ratio, that provide equivalent amenity value to residents and the public realm
- A new landscaped open space in Haines Street mid-block between Hardwicke Street and Harker Street, providing a pedestrian connection to the new east-west street with a minimum width of six metres and containing at least one large canopy tree along the Haines Street Interface
- New canopy trees within new open space areas.

Circulation

The Development Plan must show:

- A legible vehicle circulation system within the site, generally as shown on the Development Concept Plan and including the following:
 - Maintenance of Hardwicke Street as a north south vehicle laneway through the site
 - A 1.5 metre wide footpath on at least one side of Hardwicke Street
 - Creation of a new east west street between Hardwicke Street and Molesworth Street with intersections and road cross sections to the satisfaction of Melbourne City Council.
- Vehicle access to Areas 1 and 3 provided only from Hardwicke Street or Molesworth Street
- Accessible car parking in each Area for residents, workers (if applicable) and visitors
- Bicycle parking in each Area for residents, workers (if applicable) and visitors, and bicycle servicing facilities
- The provision of a bicycle parking space for each dwelling.

Required documents, plans and reports

The following documents, plans and reports must form part of any Development Plan (as applicable if the Development Plan is approved in stages), and must be prepared to the satisfaction of the Responsible Authority:

1. A **Planning Report** that demonstrates how the recommendations of the others plans required by this Schedule have been incorporated into the proposed development of the land.
2. A **Site Context Analysis** prepared in accordance with Clause 55.01 or Clause 58.01 of the Planning Scheme that includes, but is not limited to:
 - The urban context and existing conditions showing topography, the surrounding and on site land uses, buildings, noise sources, access points, adjoining roads, cycle and pedestrian network and public transport
 - Views to be protected and enhanced, including views of and from the site
 - Key land use and development opportunities and constraints.
3. **Preliminary Architectural Plans** that show the distribution and design of built form on the site generally in accordance with the Concept Plan included in this Schedule and that complies with the heights and setbacks in this Schedule, including, but not limited to:
 - A design response to the Site Context Analysis in accordance with Clause 55.01 or Clause 58.01
 - Demonstration of compliance with the requirements of Clauses 55 and 58 as relevant
 - Demolition works
 - Building envelopes including maximum building heights, building setbacks, and building depths
 - The proposed built form edge and interface treatments to Abbotsford Street, Haines Street and Molesworth Street
 - Conceptual elevations and cross-sections, indicating level changes across the site
 - Shadow diagrams of both existing conditions and proposed shadows to be prepared at the June solstice and September equinox at 9am, 12 noon and 3pm
 - Images which show how the proposed built form will be viewed from Abbotsford Street, Haines Street and Molesworth Street
 - The mix of dwelling types and sizes for each precinct including a mix of social and private housing
 - The mix of land uses, including non-residential uses and the location of these uses to each building or Area
 - Any retail, community or commercial uses restricted to the Abbotsford Street frontage south of the Wood Street extension and on the south side of the Wood Street extension
 - Open space area/s surrounding buildings and the proposed use and access of all spaces
 - The relationship between proposed buildings and works and surrounding land uses and development, including:
 - Existing residential properties on the surrounding residential streets
 - Existing 1-2 storey retail shops on Abbotsford Street.
4. An **Integrated Transport and Traffic Management Plan** that addresses, but is not limited to:
 - The range and scale of uses anticipated on the site
 - The estimated population of residents, visitors and workers (if applicable)

- Estimated vehicle trip generation levels resulting from use and development within the site
 - Vehicle ingress and egress points and estimated levels of usage
 - The likely impacts of the proposed development on the arterial and local roads and any mitigating works required such as off-site traffic management treatments
 - The location of on-site car parking for residents, visitors and workers (if applicable). The location of car parking spaces should be situated at basement level or suitably concealed within buildings.
 - An indicative layout of internal roads that:
 - Complements the form and structure of the surrounding network
 - Recognises the primacy of pedestrian and bicycle access within the site
 - Provides a high level of amenity and connectivity, whilst managing the movement of vehicles travelling through the site
 - Are of sufficient width to accommodate footpaths and street trees as appropriate
 - Hardwicke Street is provided with a 1.5 metre wide footpath path on the west side; three metre wide carriageway for through traffic, and 2.5 metre wide indented parking spaces with street trees on the east side. If the school proceeds, two metre minimum footpaths on both sides with 3.5 metre wide carriageway for through traffic, and 2.5 metre wide indented parking spaces with street trees on the east side.
 - Provision for loading and unloading of vehicles and means of access to them, including waste, delivery and furniture removalist vehicles
 - Provision of a safe and accessible pedestrian and bicycle network within the site and connecting to the external network
 - Green Travel Plan initiatives that can be adopted to reduce private car usage by residents, visitors and workers (if applicable), including a new resident awareness and education program and opportunities for the provision of a car share program
 - Provision for secure bicycle storage for residents and workers (if applicable), end of bicycle trip facilities for workers (if applicable) and short term bicycle parking for visitors
 - The views of Transport for Victoria (VicRoads and Public Transport Victoria) and Melbourne City Council.
5. An **Arboricultural Assessment Report** that addresses, but is not limited to:
- Assessment of trees on or adjacent to the site, including retention value
 - Recommendations for the protection of trees to be retained to conform to *Australian Standard AS 4970-2009 Protection of Trees on Development Sites* to ensure long-term health, including designation of tree protection zones (for roots and canopy) and structural root zones
 - Recommendations for trees to replace the removal of any trees of moderate or high retention value required to be removed where replacement trees provide equivalent amenity value to the residents and the public realm.
6. A **Tree Management Plan** that addresses, but is not limited to:
- Identifying trees to be retained
 - Detailing the methodology for protecting trees identified for retention, including the provision of high visibility tree protection fences at least 1.8 metres tall before construction commences, and measures to protect the trees, including their canopies, during construction.

7. A **Landscape and Open Space Plan** that addresses, but is not limited to:
 - Existing vegetation to be retained as assessed in an Arboricultural Assessment Report prepared in accordance with this Schedule
 - New canopy trees and landscaping within the public realm and communal areas/open space areas
 - Landscaping areas within private open spaces
 - Street trees along Abbotsford, Molesworth and Haines Streets and internal connections
 - A planting theme that:
 - Complements existing trees to be retained on the site, the surrounding neighbourhood character and Abbotsford, Molesworth and Haines Streets
 - Demonstrates water sensitive urban design outcomes.
 - Delineation of communal and private open spaces and the treatment of these interfaces
 - Hard and soft landscaping treatments of the public realm and communal open spaces
 - Integration of sustainability and water sensitive urban design measures
 - Opportunities for communal gardens
 - Maintenance responsibilities.
8. A **Dwelling Diversity** report that must:
 - Demonstrate how the development will achieve an appropriate level of dwelling diversity for both the social and the private components across the site
 - Include the number and extent of one, two and three bedroom plus dwellings for both the social and private housing
 - Provide for additional initiatives that actively encourage affordable housing and co-housing opportunities.
9. An **Ecologically Sustainable Development Plan** that demonstrates how development on the site will achieve best practice standards and incorporate innovative initiatives for the site. The Plan is to address the areas of energy efficiency, water resources, indoor environment quality, stormwater management, transport, waste management, innovation and urban ecology. All buildings must be designed to achieve a minimum 5 star rating against the Green Building Council of Australia's Green Star rating system for design (or achieve an equivalent standard using an equivalent rating tool).
10. A **Services and Infrastructure Plan** that addresses, but is not limited to:
 - An assessment of the existing engineering infrastructure servicing the site and its capacity to service the proposed development
 - A description of the proposed provision of all appropriate utility services to each Area.
11. An **Environmental Site Assessment** that addresses, but is not limited to:
 - Site history and current site uses, including a photographic record of the buildings to be demolished
 - The extent of any filling that has occurred on the site, including area, depth and fill material
 - The presence and depth of groundwater at the site
 - The contamination status of soil on the site
 - If intrusive works are likely to occur during redevelopment works, an acid sulphate soil assessment
 - Advice on the need for a Site Remediation Strategy

- An assessment of risks for the proposed redevelopment of the site and recommendation for any required remediation.
12. Where the development will be undertaken in stages, a **Staging Plan** that addresses, but is not limited to
- The delivery of infrastructure and shared facilities within each stage to ensure the orderly development of the site
 - Site management, such as resident amenity, vehicle access and parking, pedestrian access and protection of existing buildings, infrastructure and vegetation
 - Timeframes for the commencement and completion of each stage and any management of overlap between stages.
13. An **Acoustic Report** that addresses, but is not limited to:
- Whether the proposed use and development of the Estate is likely to be affected by noise from nearby uses or abutting roads
 - The likely effect of non-residential uses on the site on the amenity of nearby residential uses
 - Methods to address the issues identified.
14. A Waste Management Plan that addresses a cohesive approach to waste and recycling collections for the entire development that must:
- Identify and specify the type of bins to be used, location areas, where they will be stored, collection points and times, responsibility for collection and return, and details of screening and ventilation
 - Specify how recycling materials will be managed and collected
 - Show access routes for waste collection vehicles that do not rely on reversing movements.
- The Waste Management Plan should explore:
- A waste management system that diverts organic waste from landfill
 - Centralised and easily accessible areas located within the development where waste compactors could be stationed for all residents of the development to utilise.
15. A **Social Infrastructure Assessment** to inform potential community facilities, programs and services that may be delivered on site.

Decision guidelines

Before deciding on a request to approve or amend a Development Plan, the Responsible Authority must consider as appropriate:

- Relevant written comments received in response to the display of the Development Plan in accordance with Clause 3.0 of this Schedule.
- The views of:
 - Melbourne City Council
 - Office of the Victorian Government Architect
 - Department of Education and Training and the Victorian School Building Authority
 - Transport for Victoria (including Public Transport Victoria and VicRoads)
 - Other relevant agencies as required.