



Global South

Statement of Expert Evidence (Urban Design)

Amendment C155 to the Glen Eira Planning Scheme

Prepared by Simon Joseph McPherson, instructed by Maddocks

22 November 2019

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1.0 Introduction

1.1 Process and involvement

1.1.1 Process of engagement

- (1) This statement has been prepared by Simon Joseph McPherson, Director of Global South Pty Ltd.
- (2) Global South is an independent urban design practice, currently involved in various policy, review and advisory engagements.
- (3) On 30 October 2019, I was asked by Maddocks on behalf of the City of Glen Eira, to provide a preliminary urban design review of Amendment C155. I provided this written review on 7 November 2019.
- (4) On 8 November 2019, I was engaged by Maddocks on behalf of the City of Glen Eira to prepare a Statement of Expert Evidence and appear at the Planning Panels Victoria hearing in December 2019.
- (5) In preparing this Statement I have:
 - o Discussed and met with Maddocks and City of Glen Eira officers;
 - o Visited the Amendment area on 14 November 2019. The photographs in this Statement are my own, except where specified; and
 - o Reviewed Amendment documents and background reports as set out below.

1.1.2 Previous involvement with the Amendment area

- (6) In 2014, as Director at SJB Urban, I performed urban design work, in collaboration with SJB Architects (as I recall), for the Gillon Group, for the East Village (Virginia Park) area. I was actively involved in this work, which was focussed specifically on the southern part of the Amendment area, including concepts for a mixed-use retail/residential development, but made some consideration of the whole site.
- (7) I understand that the Gillon Group opted to discontinue work with SJB Architects and engaged MGS to continue the work, but I do not know the specifics of this occurrence.
- (8) SJB Urban produced the Virginia Park Urban Design Framework (June 2014), a copy of which I requested and received from SJB Urban on 11 November 2019.
- (9) I am aware that the southern portion of the Amendment area was subject to Amendment C75 in June 2011, which rezoned the land and applied the Development Plan Overlay – Schedule 2. This DPO nominates building height ranges and other development parameters. These are also addressed in the Urban Design Report (2017).
- (10) The Urban Design Framework prepared by SJB Urban for the landowners (Gillon Group) responded to the development parameters set out in DPO2.

1.1.3 Amendment documentation reviewed

- (11) I have reviewed the following documentation:
 - o Amendment documents for exhibition:

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- Proposed Schedule 2 to Clause 37.02 Comprehensive Development Zone (CDZ2) (December 2018), and Council's preferred Track Changes version;
- East Village Comprehensive Development Plan (CDP) (December 2018), and Council's preferred Track Changes version;
- East Village Structure Plan 2018-2031 (Glen Eira City Council, October 2018);
- East Village: Analysis of Shadow Controls, Dwelling Capacity and Employment Capacity (Glen Eira City Council, December 2018)
- Background reports to the Amendment:
 - East Village Urban Design Report (MGS) (Draft, November 2017);
 - Peer Review: East Village Urban Design Report (AECOM, July 2018);
 - East Bentleigh Village Employment Assessment (JLL, October 2017);
 - East Village, Bentleigh East: Assessment of retail potential (MacroPlan Dimasi, January 2018).
- Submissions:
 - I have reviewed and had regard to the Submissions to Amendment C155.
- Other relevant documents:
 - Plan Melbourne, Metropolitan Planning Strategy 2017-2050 (DELWP, 2017);
 - Urban Design Guidelines for Victoria (DELWP, 2017);
 - Glen Eira Activity Centre, Housing and Local Economy Strategy (July 2017);
 - Wagner, Andes, Davies, Storrington, Vey, *12 Principles guiding innovation districts*, Brookings, September 8, 2017.



Figure 1: Aerial photo of the East Village / Amendment C155 area (image source: Google).

1.2 Qualifications and experience to prepare this Statement

1.2.1 Qualifications and registrations

(12) My academic qualifications are as follows:

- **Executive Masters (MSc) in Cities** (Distinction), inaugural programme (September 2016 - February 2018), London School of Economics and Political Sciences (LSE Cities), UK;
- **Master of Science (MSc): Built Environment - Urban Design** (Distinction), The Bartlett School, University College London, 2005-06, UK;
- **Bachelor of Architecture (BArch)** (First Class Honours), The University of Melbourne, 1996-97;
- **Bachelor of Planning and Design (BPD) (Architecture)**, The University of Melbourne, 1992-94.

(13) My professional registrations and memberships are as follows:

- **Registered Architect, Architects Registration Board of Victoria:** individual registration number 15838;
- **Australian Institute of Architects:** full member.

(14) I am engaged on the following professional organisations:

- Member, Victorian Design Review Panel;

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- Member, Design Review Panel for South Australia;
- Member, Latrobe University Design Review Panel;
- Global Advisor, United Nations Global Compact – Cities Programme;
- Member, Built Environment Task Force, Smart Cities Council – Australia/New Zealand;
- Member (AIA representative), National Urban Design Protocol Advisory Board.

1.2.2 Entrepreneurial / innovation experience

- (15) Alongside my Urban Design experience set out above and below, I am also the Founder and CEO of an early stage PropTech (property technology) start-up company, Urban Informatics Pty Ltd, trading as Liveable.
- (16) Relevant to the East Village strategic vision, I bring extensive experience of innovation and entrepreneurial working and strategic cross-sector partnerships.
- (17) Liveable has been developed through:
- The Stockland Accelerator, powered by BlueChilli, Australia’s largest technology-based start-up incubator company, in partnership with publicly-listed property developer Stockland (2019);
 - A 3-year research partnership with RMIT University, funded by an Australian Research Council (ARC) Linkage grant;
 - Ongoing in-house R&D activity;
 - Ongoing and regular property/development industry engagement.
- (18) The 6-month intensive and highly competitive Stockland Accelerator has provided extensive exposure to Australia’s entrepreneurial ecosystem, and the mechanics of corporate/start-up partnerships.
- (19) I have worked extensively in co-working offices in central Melbourne (HUB Melbourne, WeWork), suburban Melbourne (The Workery, Elsternwick and Engine House, Balaclava and St Kilda, W-Hub, Elsternwick) and central London (NOMAD, Camden), which work to foster collaboration and interaction between innovative organisations.

1.2.3 Urban Design Experience

Professional experience

- (20) I hold over 15 years of professional experience in urban design, including:
- Urban Designer, Victorian State Government (2002-2007, including study leave);
 - Director, SJB Urban (2007-2016);
 - Director, Global South (2016-present).
- (21) I hold approximately 5 years of prior experience in architectural practice, in Australia and the UK.

Project experience

- (22) My urban design experience includes the following projects:

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- Policy and guidelines:
 - Author/contributor, *Better Placed: Integrated design policy for the built environment of NSW*, Government Architect NSW (2016-17). Benchmark design policy, winner Australia Award for Urban Design 2017;
 - Author/contributor, Good Design Guide (Draft), Government Architect NSW;
 - Author/Contributor, Urban Design Guide for Regional NSW (Draft), Government Architect NSW;
 - Author/Contributor, Better Methods: Implementing Good Design, Government Architect NSW;
 - Author/Contributor, Better Methods: Evaluating Good Design, Government Architect NSW;
 - Contributor (State Government employee), Design Guidelines for Higher Density Residential Development, Activity Centre Design Guidelines;
 - Contributor, Medium-Density Design Guidelines, South Australia;
 - Lead consultant, Urban Design Guidelines review, Bowden, SA (SJB Urban, 2015).
- Urban Design Advice:
 - Eden/Haven/Sanctuary on the River, Abbotsford, for HAMPTON (complete), (SJB Urban, 2010). High-density, mid-rise (9-11 storeys) permeable courtyard development, winner UDIA President's Award, High-Density Housing Award (National, Victoria), Masterplanned Development Award (Victoria);
 - Richmond Plaza redevelopment, for Coles (SJB Urban, 2014);
 - Grocon FCAD redevelopment, Footscray Station Precinct (SJB Urban, 2011).
- Independent reviews: Various independent review of permit applications, for Councils including Yarra, Port Phillip, Brimbank and Casey.
- Strategic plans, structure plans and Urban Design Frameworks:
 - 1160 Sayers Road, Tarneit, Structure Plan for Wyndham City Council (landowner) (SJB Urban 2014-15). Innovative, integrated plan for high-density, walkable precinct in greenfield setting;
 - Footscray Station Precinct Planning and Urban Design Framework (SJB Urban, 2008-09). Winner, PIA Transport Planning Award 2008);
 - Brighton Toyota Site UDF, Elsternwick, for LEFTA Corporation;
 - Frankston Transit Interchange Precinct UDF and Master Plan, for DPCD (SJB Urban 2009-2012);
 - Wise Foundation 'Wellness Village' UDF, Mulgrave, for landowners (SJB Urban, 2015-16).
- Master Plans and Concept Designs:
 - Caulfield Village Master Plan, for Beck Property / Probuild (SJB Urban, 2012);
 - Greensborough Activity Centre Concept Master Plan, for Banyule City Council (2017);
 - 433 Smith Street Master Plan, for Places Victoria (SJB Urban, 2015);
 - Master Plan, Binks Ford Site, Footscray, for Places Victoria (SJB Urban, 2012);

- Caulfield-Dandenong corridor concept/feasibility studies, for VicTrack (SJB Urban, 2015).

Experience preparing expert evidence

(23) I have presented evidence at Planning Panels Victoria and VCAT on numerous occasions.

1.3 Summary of opinions

1.3.1 Strategic positioning

- (24) My opinions on the strategic basis and justification for Amendment C155 are concisely summarised as follows:
- Amendment C155 is highly responsive to the directions of Plan Melbourne.
 - The Amendment is strongly supported by the State Planning Policy Framework, which provides clear strategic support for mixed-use redevelopment in established urban areas, activity centres and locations with good levels of access and public transport service.
 - The distinctive aspects of this Amendment are also strongly supported in State Policy, including the provision of significant commercial/employment space, and the intended support for innovation.
 - I strongly support the precinct vision, which is in line with contemporary approaches to new and emerging modes of work, technology and innovation, and cross-sector partnerships. I commend the initiative to retain and enhance the employment role of the precinct, while supporting innovation in a high amenity urban locality.
 - I recommend a more detailed master plan (or similar), and/or a concerted ‘curation’ or programming process to manage tenancies, building design and activities on an ongoing basis.
 - I would prefer to see a stronger economic foundation to provide confidence that the vision can be achieved within the planning framework proposed.
 - The Comprehensive Development Plan (CDP) reflects an appropriate approach to achieving the types of conditions to support the development of an Innovation Precinct.
 - While East Village may not become a major or nationally significant Innovation Precinct, can become a smaller-scale, more localised form of innovation hub, if supported by an appropriate built environment and governance strategy.
 - East Village may be particularly suited and attractive to ‘productive’ or ‘maker’ businesses/industries occupying larger and more industrial spaces, and this potential is captured in the precinct vision.
 - It is important that the precinct is not allowed to develop as a more typical suburban business park, with low-scale buildings spaced well apart, and at-grade car parking in between. The controls could be strengthened to help prevent more conventional outcomes.

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1.3.2 Controls

(25) My opinions on the Amendment provisions are concisely summarised as follows:

- I support the structure of the controls as set out in the CDP, which comprise:
 - Vision and objectives;
 - Requirements;
 - Guidelines; and
 - Design Guidelines.
- The requirements and guidelines are generally supportable and reflect well established, good urban design principles and practice.
- I support the restriction of residential uses on ground and first floors in the mixed-use area, but consider that more extensive commercial development in the mixed-use area should be encouraged.
- I generally support the framework plan and distribution of land uses and key spaces, but recommend considering increasing the extent of the commercial sub-precinct.
- I support the provisions to require a set proportion of affordable housing.
- The Town Centre Concept Plan in the CDP raises several concerns, in that the layout reflects an internal ‘mall’ configuration, rather than the preferable street-based, ‘traditional’ main street typology.
- The built form framework of moderate mid-rise development, surrounded by lower-scale interface development, is generally appropriate.
- Stringent height controls are appropriate, given that these align to comprehensive analysis of projected floorspace demand and the capacity of the precinct.
- The overshadowing provisions are supported in general, but are somewhat confusing and require clarification.

1.4 Recommendations:

(26) I make numerous recommendations for specific changes to the Amendment provisions, identified and numbered throughout this Statement, and listed in the Appendix.

2.0 Amendment land and urban context

2.1 Amendment area

- (27) Given the extent of background analysis informing this Amendment, I have not carried out an extensive analysis of the subject land and its urban context. However, my key observations of the Amendment area, and the wider context, are as follows, and these have informed my consideration of, and opinions on, the Amendment.
- (28) The Amendment area, known as Virginia Park, contains a complex mix of employment and community/recreational uses, in a range of generally low-rise office and warehouse-type buildings. The substantial number and range of businesses and organisations which currently occupy space in Virginia Park include (from my own research and on-site observation):
- Officeworks Support Office;
 - Xtralis / Honeywell - safety systems: Australian head office;
 - Wormald – fire systems: Australian head office;
 - Victorian Department of Education and Training: Bentleigh Area Office;
 - Anatomics – patient-specific implants manufacturing;
 - Leash IT – asset tracking systems;
 - Bay Building Group;
 - United service station;
 - Repco automotive;
 - Various vehicle accident repair businesses;
 - Compass Church;
 - Bentleigh Fitness Centre;
 - Virginia Park Café;
 - Lollipops indoor play centre;
 - Guardian Childcare and Early Learning Centre;
 - Saltwater Swim School.
- (29) I understand the Amendment area is predominantly controlled by a small number of landowners, with three main landowners for the area south of Griffith Avenue, and numerous smaller individual landholdings between Griffith Avenue and the North Road frontage. This ownership structure may provide conditions for coordinated implementation of redevelopment over time. I also understand that existing built form, tenant leases and site infrastructure may affect the implementation process.



Figure 2: Looking south to the Amendment land at corner East Boundary Road and North Road.



Figure 3: Tenant signage on North Drive, looking north-east.



Figure 4: Existing buildings on Second Avenue within the subject land, looking south.



Figure 5: Open space at the intersection of South Drive and Second Avenue.



Figure 6: Entrance to Officeworks Tenancy facing South drive.



Figure 7: Exiting buildings to the south of South Drive, with frontage car parking.

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Figure 8: View towards main southern building and Virginia Reserve interface, looming south from South Drive,



Figure 9: Entrance to South Drive from East boundary Road, looking north.



Figure 10: East boundary Road, looking south towards Virginia Reserve.



Figure 11: Existing townhouses to the site's eastern interface.



Figure 12: North Road frontage (at left), looking west.



Figure 13: Marlborough Street Reserve, looking west to the Amendment land interface.



Figure 14: Virginia Reserve, looking east.



Figure 15: View looking north to the Amendment land from Virginia Reserve.

2.2 Urban context

- (30) The Amendment area is interfaced by two substantial arterial roads to the north and west. North Road extends west to Brighton, and to the east transitions to Wellington Road linking to Monash University’s Clayton campus and extending through Mulgrave and Rowville. East Boundary Road becomes Murrumbeena Road then Belgrave Road to the north, intersecting with Waverley Road near the Monash Freeway to the north, and extends to South Road, Bentleigh and Moorabbin to the south.
- (31) Nearby activity centres include:
- Bentleigh East (Centre Road), 1.1km to the south;
 - Ormond (North Road), 1.6km to the west, including;
 - Murrumbeena (Murrumbeena Road), 1.8km to the north.
- (32) Nearby trains stations include Murrumbeena Station (1.9km), Ormond Station (2km) and McKinnon Station (2.2km). I understand that other experts will address transport and accessibility for the Amendment area.
- (33) Across North Road to the north, the Duncan Mackinnon Reserve is a major active sport and recreation facility, coupled with the Glen Eira Sports and Aquatics Centre (GESAC), approximately 400m south of the Amendment area.
- (34) Across East Boundary Road, and generally surrounding the Amendment area, there is suburban residential development characterised by predominantly detached houses on lots, at typically 1-2 storeys, as shown at Figure 1, above.
- (35) The southern boundary of the Amendment Area is interfaced by Virginia Reserve, a 47m wide (approximately) linear park with playground and barbecue facilities, edged by houses to the south.
- (36) Marlborough Street Reserve interfaces with part of the Amendment area’s eastern boundary and contains a playground and soccer field.

3.0 Review of the strategic basis for Amendment C155

3.1 Strategic context

(37) This section concisely considers the strategic basis for this Amendment.

3.1.1 Plan Melbourne

(38) Plan Melbourne identifies one of Melbourne's key opportunities and challenges as **remaining competitive in a changing economy**, *supporting growth and innovation, and growing the number and diversity of jobs closer to where people live, in places such as suburban employment clusters*. East Village is proposed to become an employment-focussed 'Innovation Precinct' with increased numbers of jobs in an established suburban setting.

(39) Plan Melbourne Principles include:

- **Principle 3: A city of centres linked to regional Victoria**, highlighting an extensive network of clusters, centres, precincts and gateways, linked to the central city as the focus for global business and knowledge-intensive industries.
- **Principle 5: Living locally – 20-minute neighbourhoods**. While noting that many people will need to travel outside of their neighbourhoods to access their jobs, reinforcing suburban centres and distributed jobs will support this Principle.

(40) Plan Melbourne Outcomes include:

- *1: Melbourne is a productive city that attracts investment, supports innovation and creates jobs:*
 - *Improve access to jobs across Melbourne and closer to where people live;*
 - *Create development opportunities at urban renewal precincts across Melbourne.*
- *2: Melbourne provides housing choice in locations close to jobs and services:*
 - *Deliver more housing closer to jobs and public transport;*
 - *Increase the supply of social and affordable housing;*
 - *Provide greater choice and diversity of housing.*
- *4: Melbourne is a distinctive and liveable city with quality design and amenity:*
 - *Create more great public places across Melbourne;*
 - *Achieve and promote design excellence.*
- *5: Melbourne is a city of inclusive, vibrant and healthy neighbourhoods:*
 - *Create a city of 20-minute neighbourhoods;*
 - *Create neighbourhoods that support safe communities and healthy lifestyles;*
 - *Deliver local parks and green neighbourhoods in collaboration with communities.*

(41) Plan Melbourne directions and policies include:

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- *Direction 1.1: Create a city structure that strengthens Melbourne’s competitiveness for jobs and investment:*
 - *Policy 1.1.7: Plan for adequate commercial land across Melbourne*
- *Direction 1.2: Improve access to jobs across Melbourne and closer to where people live:*
 - *Policy 1.2.1: Support the development of a network of activity centres linked by transport.*
- *Direction 1.3 Create development opportunities at urban renewal precincts across Melbourne:*
 - *Policy 1.3.1: Plan for and facilitate the development of urban renewal precincts.*
- *Direction 2.1: Manage the supply of new housing in the right locations to meet population growth and create a sustainable city:*
 - *Policy 2.1.2: Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport.*
- *Direction 2.2: Deliver more housing closer to jobs and public transport:*
 - *Policy 2.2.2: Direct new housing and mixed-use development to urban renewal precincts and sites across Melbourne.*
- *Direction 2.3: Increase the supply of social and affordable housing:*
 - *Policy 2.3.4: Create ways to capture and share value uplift from rezonings.*
- *Direction 2.5: Provide greater choice and diversity of housing:*
 - *Policy 2.5.1: Facilitate housing that offers choice and meets changing household needs.*

Amendment response to Plan Melbourne

- (42) This Amendment, and the proposed redevelopment of East Village to accommodate a significant increase in employment capacity, more advanced and higher-value organisations and jobs, along with diverse housing, retail and community, is highly responsive to the directions of Plan Melbourne.
- (43) The Amendment facilitates redevelopment to increase the number, diversity and ‘level’ of jobs in this locality (Outcomes 1 and 2).
- (44) It provides for increased, higher-density commercial development (Policy 1.1.7), in a suburban location surrounded by extensive residential development (Direction 1.2).
- (45) The Amendment also accommodates a significant number of new dwellings in an established area, with access to employment and services (Policy 2.1.2), including a component of affordable housing (Direction 2.3), which will increase the diversity and choice of housing in this locality (Direction 2.5).

3.1.2 Planning Policy Framework

- (46) The State Planning Policy framework includes the following guidance relevant to Amendment C155:
- **Clause 11.01-R Settlement, Metropolitan Melbourne** seeks to *develop a network of activity centres linked by transport; consisting of Metropolitan*

Activity Centres supported by a network of vibrant major and neighbourhood activity centres of varying size, role and function, and to create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts, that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.

- **Clause 15: Built Environment and Heritage** seeks to support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.
- **Clause 15.01-1S Urban Design** seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- **Clause 15.01-4R Healthy neighbourhoods – Metropolitan Melbourne** seeks to create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.
- **Clause 16 Housing** seeks to:
 - Provide for housing diversity, and ensure the efficient provision of supporting infrastructure;
 - Ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space;
 - Include the provision of land for affordable housing.
- **Clause 16.01-1R Integrated housing – Metropolitan Melbourne** seeks to provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas.
- **Clause 16.01-2S Location of residential development** seeks to locate new housing in designated locations that offer good access to jobs, services and transport.
- **Clause 16.01-2R Housing opportunity areas - Metropolitan Melbourne** seeks to identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne, and to manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that (include) Neighbourhood activity centres.
- **Clause 16.01-3S Housing diversity** seeks to provide for a range of housing types to meet diverse needs.
- **Clause 16.01-3R Housing diversity – Metropolitan Melbourne** seeks to create mixed-use neighbourhoods at varying densities that offer more choice in housing.
- **Clause 16.01-4S Housing affordability** seeks to deliver more affordable housing closer to jobs, transport and services.
- **Clause 17.01-1S Diversified economy** seeks to protect and strengthen existing and planned employment areas, and improve access to jobs closer to where people live.

- **Clause 17.01-2S Innovation and research** seeks to:
 - *Create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education.*
 - *Support the development of business clusters.*
 - *Support the development of enterprise precincts that build the critical mass of employment in an area, leverage the area's public and private sector economic competitive strengths and assets, and cater to a diversity of employment types and scales.*
 - *Promote an accessible, well-connected, high-amenity and collaborative physical environment that is conducive to innovation and to creative activities.*
- **Clause 17.02-1S Business** encourages development that meets the community's needs for retail, entertainment, office and other commercial services.
- **Clause 19.02-6R Open space – Metropolitan Melbourne** seeks to develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.

3.1.3 City of Glen Eira strategy

- (47) The Glen Eira *Activity Centre, Housing and Local Economy Strategy* identifies East Village as an Emerging health, education and innovation precinct, stating that *East Village will be a sustainable mixed use precinct with a focus on innovative employment and education opportunities. Enhanced by green spaces and places for people, it will be supported by a diverse range of high quality housing and retail that caters for all.*
- (48) This Strategy identifies East Village as a major focus for employment intensity across Office, Healthcare and Education sectors.

3.1.4 Assessment of strategic response

- (49) It is my opinion that Amendment C155 is strongly supported by the State Planning Policy Framework, which provides clear strategic support for mixed-use redevelopment in established urban areas, activity centres and locations with good levels of access and public transport service.
- (50) The distinctive aspects of this Amendment are also strongly supported in State Policy, including the provision of significant commercial/employment space, and the intended support for innovation and collaboration.
- (51) Further, community-focussed aspects such as housing intensification and diversity, the provision of affordable housing, new open spaces, protection of existing open spaces within networks, and community infrastructure provision are also supported by policy.
- (52) Amendment C155 also clearly responds to the positioning of East Village in the *Activity Centre, Housing and Local Economy Strategy*.
- (53) I conclude that this Amendment is strongly supported by Victorian planning policy.

3.2 Achieving the vision

3.2.1 Is the vision appropriate and achievable?

- (54) The CDP sets out a strong Vision for a creative innovation-focussed precinct, integrating a range of uses and supporting interaction between enterprises and other institutions. Key elements from the vision statement include:
- *Sustainable mixed use precinct with a focus on innovative employment and education opportunities;*
 - *Vibrant local town centre, dynamic town square;*
 - *Employment generating uses encouraged throughout the core;*
 - *Small creative businesses and industries;*
 - *Innovative and complementary businesses, enhance local collaboration*
 - *Intimate laneways;*
 - *Flexible studio spaces for diverse bespoke businesses;*
 - *(Lanes) high quality pedestrian environments;*
 - *Larger commercial spaces for white-collar businesses;*
 - *Production of goods and services;*
 - *Dynamic and vibrant community set within a green urban environment;*
 - *Designed to facilitate cutting-edge technology and accommodate changes to urban form in response to changing practices; and*
 - *Inspirational setting in which to foster new ideas, innovation and leisure.*
- (55) This vision is in line with contemporary approaches to new and emerging modes of work, technology and innovation, and cross-sector partnerships, which is being implemented in prominent urban renewal projects internationally.
- (56) This vision is founded in the East Village Urban Design Report, which positions East Village as an Innovation Precinct, *the success of which depends on proximities to other similar centres as well as clustering and agglomeration of diverse knowledge-based organisations that can induce cross-fertilisation of ideas.* It continues:
- *With the strengthening of the digital economy in recent years, new and innovative methods of conducting businesses are created on a daily basis.*
 - *The shift has led to a diverse range of employment choices that require physical experiences;*
 - *Co-working spaces, creative labs, recreational spaces have become nodes of activity and innovation leading to vibrant precincts.*
- (57) The vision is reinforced in the Structure Plan, which envisages East Village as an innovation hub, with innovation being a key objective, through the concentration of people, a supporting built environment, and programs that support collaboration and social network development.
- (58) I strongly support this vision. Below, I interrogate the vision and the potential for the East Village planning framework, as encapsulated in Amendment C155, to support and achieve this vision.

- (59) I commend the initiative to retain and enhance the employment role of the precinct, and to facilitate a transition from ‘old world’ to ‘new world’ creative, productive enterprise, while facilitating interaction and innovation in a high amenity urban locality.
- (60) Some questions that arise around this vision include the following. I discuss these issues further in subsequent sections of this Statement:
- Is a new local activity centre and commercial/mixed-use precinct in East Bentleigh the kind of place that will attract innovative businesses and knowledge-based organisations and institutes, even if it has a high-amenity public realm?
 - Is East Village proximate and connected enough to other centres and activity hubs?
 - Is East Village big enough and dense/intensive enough to facilitate clustering and synergistic agglomeration of industries?
 - Will a retail/supermarket-based town centre in a suburban context present an appropriate impression/image for the kind of precinct envisaged?

3.2.2 Does the Amendment adequately support the Vision?

- (61) It is important to assess whether the Amendment’s proposed planning framework and controls will adequately support the achievement of this Vision. That is, is there sufficient rigour and content in the Amendment to deliver the distinct land use character and quality articulated by the Vision?
- (62) I would suggest that a more detailed master plan (or similar) may be required, and/or a concerted ‘curation’ or programming process to manage tenancies, building design and activities on an ongoing basis, to support the achievement and retention of the proposed conditions for innovation, co-creation, and an active enterprise environment.
- (63) I concur with the Urban Design Report which suggests *incorporating an Activity Centre Management Plan... to ensure that the underlying social and economic support for the precinct’s innovation goals are enabled.*
- (64) To my knowledge, international case studies for best-practice development incorporate this type of management. I am not aware if/how the East Village ownership structure will affect this potential.
- (65) I have reviewed the East Bentleigh Village Employment Assessment (JLL, October 2017) and while reiterating that land use economics and planning is not my area of expertise, that report does not specifically mention or address the distinct employment conditions outlined in the Vision and CDP, such as innovation and local collaboration, production and cutting-edge technology.
- (66) I would prefer to see a stronger economic foundation to provide confidence that the vision can be achieved within the planning framework proposed.

3.2.3 Do the built form provisions support the vision?

- (67) As the Urban Design Report discusses, achieving an Innovation Precinct requires an appropriate urban environment, which I derive to encompass:
- Buildings:
 - Varied, flexible commercial spaces, to accommodate a range of activities;

- Open, permeable edges at ground floor and lower levels, and welcoming entrances, to facilitate interaction;
 - Accessible, informal spaces at ground level (lobbies, entrances, plazas, cafes, shared work spaces etc.) to accommodate and encourage interaction
- Public realm:
 - High-amenity, comfortable spaces which people want to spend time in;
 - Compact, intimate spaces which are well-designed and positioned to encourage interaction between people;
 - Interesting, engaging spaces which reflect a sense of activity and dynamism.
- (68) For context, the VPA website provides a link to the Brookings article *12 Principles guiding innovation districts*. The Principles include:
- *The clustering of innovative sectors and research strengths (as) the backbone of innovation districts;*
 - *Convergence—the melding of disparate sectors and disciplines.*
 - *Districts are supercharged by a diversity of institutions, companies, and start-ups.*
 - *Connectivity and proximity are the underpinnings of strong district ecosystems. A well-connected district is paramount to its success.*
 - *Programming is paramount. Programming—a range of activities to grow skills, strengthen firms, and build networks—is the connective tissue of a district.*
 - *Social interactions between workers—essential to collaboration, learning, and inspiration—occur in concentrated “hot spots.”*
 - *Make innovation visible and public.*
- (69) The provisions in the CDP which support these outcomes include:
- Diversity of dwelling sizes and commercial uses (R1, G1);
 - Commercial uses at ground and lower levels (G4, G5);
 - Commercial buildings built to boundary (G8);
 - Central Town Square / public space located centrally within the redevelopment core;
 - Buildings to reinforce and increase connectivity to the Town Square (G25);
 - Facilitating safe pedestrian movement (DG7);
 - Prioritising high quality streetscapes (G36, R9);
 - Protecting sunlight to public spaces (R8); and
 - Connecting different uses and different parts of the Precinct (R11).
- (70) Subject to more detailed consideration of some provisions below, I consider this to reflect an appropriate approach to achieving the types of conditions to support the development of an Innovation Precinct. However further interrogation of the framework plan is required to assess its potential to achieve the vision, as follows below.

3.2.4 Discussion: Spatial framework and precinct vision

- (71) Notwithstanding the above comments, it is useful to consider what aspects of this framework support the kind of social and economic outcomes envisaged? I would raise several questions around this, with discussion as follows:

Can the location of East Village support the kind of innovation cluster envisaged?

- (72) I am not convinced that East Village is the type of place that will become a major attractor for innovative and entrepreneurial, or that the conditions to attract these organisations can be ‘created’. As this article¹ states, entrepreneurs enjoy the central city for access to good coffee, public spaces, universities, investors and customers, as well as support services, mentors, interns and incubator programs – that is, a concentrated intensity of activity and opportunity within close proximity.
- (73) East Village may not become an Innovation Precinct of the scale and substance of Melbourne’s National Employment and Innovation Clusters (NEICs), or international benchmarks such as London’s Knowledge Quarter², with which I am very familiar. I also consider it unlikely that East Village will be similar to Cremorne, known as ‘Silicon Yarra’ for its agglomeration of innovative technology companies.
- (74) Challenges which East Village faces include its relatively suburban setting, separation from other activity hubs, lack of established academic or research institutions, and lack of land use intensity, at least until it is fully established.
- (75) However, I accept that East Village can become a smaller-scale, more localised form of innovation hub, if supported by an appropriate built environment and governance strategy.
- (76) East Village may be particularly suited and attractive to ‘productive’ or ‘maker’ businesses/industries occupying larger and more industrial spaces, and this potential is captured in the precinct vision.
- (77) I also note that co-working spaces and shared offices in Melbourne have, in recent years, spread further from the central city, to locations such as Dandenong, Box Hill, Hawthorn and Cheltenham. However, these tend to locate in established activity hubs which present ‘ready-made’ amenity to help attract small businesses.
- (78) The Urban Design Report (Figure 2) indicates a ‘Knowledge Triad’ defined by the Parkville and Monash National Employment and Innovation Clusters (NEICs), and East Village, with travel times between them. I recognise this may be aspirational, but I question the equivalence or relationship between East Village and the established nodes, and how they relate to one another. Further, my research indicates a bus trip of 22 minutes (22 stops) between East Village and Monash University, and approximately 55 minutes to Melbourne University in Parkville. Presumably the 10 minutes and 30 minutes indicated on the map are for car travel.
- (79) I question the ability to establish effective relationships between these nodes given these separations, and I also question the ‘positioning’ of East Village as part of a ‘triad’ with the much larger and established NEICs.

¹ Stephanie Palmer-Derrien, *How Melbourne’s coffee culture is fuelling startup growth (with more than caffeine)*, Smart Company, Thursday, December 6, 2018: <https://www.smartcompany.com.au/startupsmart/news/melbourne-coffee-culture-fuelling-startup-growth/>

² *London’s Innovation Districts: What They Are, And Why They’re Vital*, Londonist, <https://londonist.com/2016/04/innovationdistricts>

- (80) As noted in the Urban Design Report, East Village is 2km from rail and tram stops, which creates a significant separation from central Melbourne, as opposed to a major transport node within walking distance.

Is the development dense/intensive enough to generate a dynamic, vibrant business setting?

- (81) Given the relative separation outlined above, East Village will require and rely on a significant intensity of activity ‘in its own right’ to support the vision. With the expectation that much of the mixed-use area will be occupied by residential floor space, and the relatively limited extent of commercial area in the framework plan, which is restricted to four-storey built form, I question whether there is adequate capacity and intensity to develop the kind of commercial and innovative environment that the vision articulates.
- (82) While East Village may not become a thriving and dynamic centre for innovation, it could potentially develop as a smaller employment node which supports a lower level of business/cross-sector interaction, and facilitates production/industrial activity in an urban setting. This outcome will still require delivery of specific spaces and facilities to engender and maintain these conditions.

How is it different from a ‘conventional’ business park model?

- (83) It is important that if East Village does not become a thriving Innovation Precinct, that the development does not ‘revert’ to more suburban business park typologies. While the incorporation of extensive residential development and a defined activity centre will set East Village apart from some business parks, such as Tally-Ho as mentioned in the JLL report, the implementation should ensure that the commercial component achieves an appropriate level of ‘urbanity’, intensity and definition, in line with the project vision.
- (84) I will consider the specific controls and guidelines in the CDP below, to assess their effectiveness in ensuring these outcomes, and avoiding more suburban development types.

Is a central park and adjoining Town Square the right public realm outcome, and the right size, for a distinctly ‘urban’ mixed-use precinct?

- (85) I consider that a high-quality Town Square is an essential component of an intensive, mixed-use precinct. However, it is important that it is not dominated by retail, and not perceived to be ‘removed’ or separate from the commercial areas.
- (86) The central park is quite large and will be valuable for future residents, and as a ‘breakout’ or respite space for workers. However, I consider that smaller, more intensive and distributed urban spaces, located along key pedestrian movement routes, will be more conducive to informal meetings, and social and work-related interactions, and these should be encouraged in the design guidelines. I address this below.

3.2.5 Can East Village work as a ‘conventional’ mixed-use precinct?

- (87) Notwithstanding the strategic vision for innovation and agglomeration of synergistic organisations, the East Village CDP provides a robust physical/spatial framework for development.
- (88) This high-level framework plan does not, in my opinion, display particular qualities or characteristics which support or reflect innovation or collaborative activity between

organisations, but this is to be expected, at the level of a planning framework, and reinforce the need for other implementation mechanisms.

- (89) 'Conventional' development comprising commercial 'white collar' office buildings for predominantly larger companies is acknowledged as part of the envisaged outcome for East Village in the CDP vision.
- (90) It is important that the precinct is not allowed to develop as a more typical suburban business park, with low-scale buildings spaced well apart, and at-grade car parking in between, which may lead to lower employment density and lower levels of interaction and activity.
- (91) The controls could be strengthened to help prevent more conventional commercial development outcomes. I address this below.



Figure 16: Comparison of East Village existing conditions and the CDP framework plan, with Tally Ho Business Park (approximately same scale), which displays more dispersed, lower-intensity commercial development, and a loose urban structure, with surface parking and open space between buildings (image source: Google).

This comparison shows the relatively limited extent of commercial sub-precinct at East Village, and the importance of ensuring intensive, compact and tightly-spaced built form with integrated car parking.

4.0 Review of the Amendment Structure and background

4.1 Strategic approach

- (92) It is beyond my expertise to state whether the CDZ and CDP are the most appropriate planning tools for this Amendment. However, I support the proposed approach to the amendment, as follows:
- Strategic, design-led planning work for the precinct, driven by a strong vision;
 - Peer review and design testing of this work; and
 - Translation of this work into a Comprehensive Development Plan, with in-depth guidance for future development and public realm outcomes.
- (93) I understand that the CDZ removes third party appeal rights from planning permit applications. This has implications for consideration of the proposed controls.
- (94) This Amendment reflects an advanced level of spatial development planning, reflecting a commitment to ‘getting it right’. I strongly support this approach.
- (95) I also recognise that this Amendment encompasses a collaboration or partnership between the landowners and Council, which provides a strong basis for effective planning and responsive development into the future.

4.2 Structure and format of the controls

- (96) I note and support the structure of the controls as follows, which provides extensive guidance, along with opportunities for design variation and innovation, towards achieving the Vision:
- Vision and objectives: must be complied with;
 - Requirements: must be adhered to;
 - Guidelines: should be complied with (can be alternatives, with Responsible Authority discretion);
 - Design Guidelines: specific built form controls for public areas.
- (97) The CDP contains extensive written guidance and requirements. These are generally supportable and reflect well established, good urban design principles and practice.
- (98) I note that there is likely to be overlap or duplication in some aspects of the CDP guidance, with other documents such as the *Urban Design Guidelines for Victoria*, the *Apartment Design Guidelines for Victoria*, and the recently exhibited *Better Apartments in Neighbourhoods*. For example, the *Urban Design Guidelines for Victoria* contain guidance such as:

Urban Design Guidelines for Victoria	East Village CDP
<i>2.2.1b: Allocate a greater portion of street space to pedestrians and cyclists.</i>	<i>R14: The design of all streets and arterial roads must give priority to the requirements of pedestrians and cyclists</i>
<i>3.1.3a: Arrange doors and windows of buildings to overlook adjacent public spaces.</i>	<i>R5: Buildings adjacent to parks must be sited and designed to positively address the open space and provide passive surveillance</i>
	<i>DG2: Apartments abutting the town square should be designed to provide balconies which overlook and provide passive surveillance of the town square.</i>
<i>5.2.3 a Locate the main pedestrian entry to be clearly visible and accessible from the street.</i>	<i>G28: Building entrances should be from a street rather than a rear laneway, and clearly visible.</i>

- (99) The Urban Design Guidelines for Victoria are generally intentional or aspirational, rather than specific or quantifiable, and so I accept that overlaps will occur.
- (100) It is preferable that the CDP focuses on aspects which are specific to the East Village precinct, and correspond directly to the Framework Plan, rather than more general design guidelines.

4.2.1 Mandatory and discretionary controls

- (101) I understand that while the proposed CDZ does not comprise strictly mandatory provisions for building height, setbacks and overshadowing, these provisions are intended as stringent and 'effectively' mandatory.
- (102) Council's preferred wording in the CDZ Requirement R3 (must be adhered to) that development should be 'in accordance with' the nominated heights and setbacks, provides very limited scope for variation of these parameters.
- (103) I am comfortable with this approach, on the basis that:
- o The framework plan and associated built form envelope capacity has been demonstrated to accommodate the projected extent of commercial and retail floor space, as well as community infrastructure and the up to 3,000 dwellings;
 - o The CDZ prevents third party appeal rights, and so more planning certainty is warranted;
 - o The moderate mid-rise built form condition proposed is appropriate in this location.

5.0 Review of the Amendment provisions and Recommendations

5.1 Land use

5.1.1 Land use transition

- (104) Amendment C155 seeks to facilitate redevelopment on this 24ha site, to accommodate a significant increase in land utilisation, for a mix of commercial, residential and community/educational uses.
- (105) There is clear strategic support for this initiative, in making better use of available and underutilised land, concentrating a mix of activities in a well-located and well-serviced location, and encouraging use of active and sustainable transport through co-locating activities. I strongly support this initiative, which builds on the site's current/former use as an employment precinct.
- (106) The vision in the CDP emphasises advanced employment, technology, production and innovation, through 'creative clustering' of small and larger enterprises, supported by high quality public realm and building design. While land use economics is beyond my expertise, I support this employment strategy, which is appropriately forward-looking, aligned to a higher density, highly 'urban' development condition, and integrates smaller industrial/production aspects linking to the site's past.
- (107) However, as stated above, I suggest that this type of outcome will require careful, ongoing management and monitoring or 'curation' of tenants and marketing efforts, to support the envisaged outcomes.
- (108) The land use framework is quite 'open' and not very specific, and while a flexible approach and integrated mixing of uses is encouraged and supported, I again raise the prospect for greater management or control of activities to ensure the right kinds of commercial activity are brought in, that there is adequate space for co-working and other flexible studio-type spaces (the extent shown for this in the Structure Plan is quite small and concealed), and that an appropriate balance between small and larger enterprises is achieved.
- (109) The Amendment appropriately acknowledges the importance of residential development in achieving this vision, to support activation, walkable access and living options close to a developing employment cluster. I support the following provisions for residential development:
- Mixed-use precinct: higher-density apartment types, above the commercial uses and ground and first floors. Higher-density, compact yet well-designed apartments will contribute to the 'urban' outcomes envisaged;
 - A mix of apartments and townhouses in the Residential South sub-precinct, as stated in the Structure Plan (section 3.0), with reference to apartments in the CDP (G20); and
 - Predominantly townhouses in the Residential East sub-precinct (G14), where the Amendment area interfaces directly with existing homes.
- (110) That is, it may be assumed that a significant proportion of higher density, compact yet well-designed apartments would 'suit' the urban condition envisaged, while

noting the ‘transition’ function of lower-density townhouse types at the site’s peripheral areas.

5.1.2 Precinct layout and land use distribution

Precinct layout

- (111) The proposed site layout reflects several supported urban design principles:
- Grid-based streets, for permeability and legibility, and interconnection with surrounding areas where appropriate;
 - Diversity/hierarchy of street types;
 - Central main open space for shared access;
 - Marking of entrance/gateway locations;
 - Limiting impacts to established residential areas adjacent, through built form transitions and prevention of direct vehicle access;
 - Configuration of open spaces to support solar access.
- (112) I note there are some differences between the Structure Plan, Urban Design Report (master plan) and CDP in terms of layout and extent of different land use areas, including the size/shape of the town centre area, and the location of the angled connection between the town centre and the future school. For example:
- Structure Plan, Figure 1.0 Precincts: ‘Innovation Square’ wrapping around the central park, with the retail centre south of this band (Figure 3.0). The interface to the central park has shifted to mixed use and retail in the CDP. However, in Figure 6.0, the Mixed Use (Retail) area extends to North Drive and the central park.
 - Structure Plan, Figure 10.0: Public Spaces Concept Map:
 - ‘Primary pedestrian link’ running north-south including clear, structured connection from the school site to the town centre, Town Square and retail centre. This aspect of the urban structure is not carried through to the CDP.
 - Retail shown as facing outwards to North Drive and the north-south Primary Pedestrian Link, rather than an internal circulation system or mall.
 - In the Urban Design Report, Figures 36, 38 and 40 all indicate a north south (pedestrian) connection integrated with the Town Square and central park. This is not indicated in the CDP, expect for a flexible link between the school and the Square.
 - Urban Design Report, Figure 40: Precincts Map:
 - Identifies the western area as ‘Innovation Precinct’, but this is ‘reduced’ to Commercial in the CDP. In the Structure Plan, this area is shown as ‘Office HQ’ for ‘larger, traditional commercial spaces’.
 - The Town Centre extends north of North Drive (west of park) and east to Cobar Street, and is identified for Commercial and Retail. In the CDP, this area is reduced and identified for retail, with the remainder for mixed-use (which may be predominantly residential).
- (113) I would encourage a more defined connection between the future school and the Town Centre, as this is an important aspect of the land use vision for integrating uses, as well as connecting the school to the new community.

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5.1.3 Land use distribution

- (114) The Future Urban Structure framework plan (CDP, Plan 1) incorporates a series of 'block' areas for land uses, as follows:
- Commercial areas along the north and west road frontages
 - Residential areas along the east and south interfaces;
 - Mixed use central area;
 - Retail sub-precinct positioned centrally.
- (115) I am supportive of these aspects of the Future Urban Structure plan:
- The focus on commercial uses at the road frontages. This keeps residential development away from noise/amenity impacts from the roads, retains their more commercial character, and ensures a significant proportion of the site is retained for commercial development. However, to my understanding the provisions do not actually prevent residential uses within the commercial zones, but do provide a cap on the overall number of dwellings across the precinct (addressed below).
 - The prohibition of Accommodation in the Commercial sub-precincts, under the CDZ2 Schedule.
 - The mixed-use core, which provides an appropriate level of flexibility of use, and a transition between residential and commercial interface zones. However, it may be preferable to encourage a greater extent of commercial use in this large part of the site, beyond just the lower levels, to support the vision for the precinct.
 - A large central open space which is positioned to connect residential, commercial and mixed use areas.
 - A more 'urban' Town Square in the middle of the precinct, with defined built edges and open northern interface for solar access.
 - I support the restriction of residential uses on ground and first floors in the mixed-use area, to ensure that the lower levels have a clearly commercial character and substantial office/business component, to support the precinct vision. However, I also consider that more extensive commercial development in the mixed-use area (beyond just the lower floors of residential-dominant buildings) may be necessary to foster the kinds of commercial/innovation conditions envisaged.

Extent of commercial vs extent of mixed-use/residential

- (116) I would presume that the mixed-use area would be developed predominantly for residential buildings with retail and commercial at the lower levels (which is typical of many apartment buildings and precincts), noting that ground floors and podium levels are often substantially occupied by service spaces, car parking, utilities, lobbies and infrastructure. Therefore, the extent of 'full' or substantial commercial activity would be limited to approximately 50m wide bands along the road frontages, and the Commercial North sub-precinct may take longer to redevelop because of the fragmented land ownership. I question whether this extent of the Commercial sub-precincts is adequate to support the agglomerative, synergistic and dynamic activity envisaged.

- (117) **Recommendation O1:** I recommend inserting an additional guideline to encourage full commercial development/buildings in the mixed-use precinct, not just at ground and podium levels.
- (118) I would also suggest considering increasing the area of the Commercial sub-precincts to provide more substance to this component of the precinct, for example to occupy the north-western part of the mixed-use precinct, north of North Drive and west of the central park.
- (119) Alternatively, there may be mechanisms to ensure that the mixed-use precinct does not effectively become a residential apartment precinct around a shopping centre, but also includes a significant number of fully commercial buildings.
- (120) However, I recognise that the Future Urban Structure framework plan reflects the envisaged extent of commercial, retail and residential floor space based on commercial projections.

Maximum no. of dwellings

- (121) The Council version of the CDZ2 sets a maximum of 3,000 dwellings (1.0, section 2). I am not aware of the rationale for this number, but I am supportive of a maximum residential yield for an employment-focussed precinct. I assume that this limit will ensure adequate capacity for commercial floorspace.
- (122) The *Analysis of Shadow Controls, Dwelling Capacity and Employment Capacity* report concludes that in Council's preferred Scenario 1, assuming two floors of employment uses in Mixed Use and Retail Areas, a total of 3,600 dwellings can be accommodated. I accept the various assumptions which have informed this analysis.
- (123) I support the provision of a maximum dwelling number in principle, to maintain space/provision for employment/business uses, and avoid an excess of residential which would limit the employment potential of the site.
- (124) However, I also support optimum density which will increase activation and vibrancy.

Affordable housing

- (125) I support the provisions to require a set proportion of affordable housing. This will contribute to the precinct intent for housing diversity, while appropriately providing opportunities for key workers and/or other groups to access housing close to employment, infrastructure and services.
- (126) The rate of 75 affordable dwellings per 1,500 total dwellings, or 5%, seems relatively modest, but commensurate with requirements for other locations such as Fishermans Bend. It is beyond my expertise to comment further on the appropriateness or feasibility of this rate.

5.1.4 Location of retail

- (127) The retail area is appropriately located centrally within the Amendment area, to maximise accessibility from the residential and commercial sub-precincts.
- (128) I support the provision for land uses such as restaurants in the Retail sub-precinct and within the Town Square, and the provision in the CDZ2 Schedule (1.0) for retail in the Mixed-Use sub-precinct.

5.2 Built form

5.2.1 Built form height and density

- (129) The proposed built form controls are configured as follows:
- Lower-scale (3-storey) form to south and east interfaces to neighbouring residential areas and open space;
 - Lower-scale (4-storey) at arterial road interfaces (East Boundary and North Roads), and 6-storeys for a Gateway Site;
 - Mid-rise scale centrally in the site for the Mixed Use and Town Centre sub-precincts (8-storeys).
- (130) I consider this framework to reflect a generally appropriate response, being:
- Moderate mid-rise, higher-density development in a middle-suburban commercial precinct and *local* town centre (as specified in the CDP), which is well located but is not a Major Activity Centre or major transport node.
 - Lower-scale, medium-density at the residential interfaces, to mitigate impacts;
 - Lower-scale commercial development to the arterial road interfaces, to respond to the wider built form context.
- (131) I consider the proposed built form heights to be quite modest, yet generally appropriate as noted above, and the interface transitions to be quite gradual, with substantial lower-scale ‘buffers’ around the higher core built form, which is an effective response to the low-scale, suburban context surrounding the Amendment area.
- (132) I also support the built form framework in this alignment with and response to commercial projections for floorspace demand. I understand that this demand is comfortably within the capacity of the built form framework, including the residential and retail components, as shown in the *Analysis of Shadow Controls, Dwelling Capacity and Employment Capacity* report.
- (133) The overall average residential density is approximately 125 dwellings per hectare, based on 3,000 dwellings across 24ha (which includes the Commercial sub-precincts). Residential density would be higher across the Residential, Mixed Use and Town Centre areas, or excluding the Commercial areas.
- (134) Residential density is a product of the extent of built form, mix of housing types, and the relative proportion of residential to non-residential floorspace. This average density seems generally appropriate, given the significant proportion of non-residential space proposed in the CDP, and the relatively modest built form scale proposed.
- (135) This is reinforced by Table 1 below, which compares the proposed density at East Village to that proposed for Fishermans Bend and a range of other mixed-use, precinct-scale, predominantly mid-rise developments internationally. I originally compiled this table for my evidence to the Fishermans Bend Planning Review Panel in March 2018.

	East Village, Bentleigh ³	Fishermans Bend (excl. Employment Precinct)	Hafen City, Hamburg ⁴	London Olympic Village ^{5,6}	IJburg, Amsterdam ⁷	Kings Cross, London ⁸	Hammarby Sjostad, Stockholm ⁹	Wembley Park, ^{10,11,12} London
Land area	24ha	248ha	127ha	27ha	455ha	25.7ha	130ha (developed area)	34.4ha
Dwellings	3,000	36,900	7,000	2,818 (+2000 market homes) – first stage	18,000	2,000	11,000	7,000
Dwelling density (dw/ha)	125	149	110	104	74 (average, as published); 40 (as calculated)	78	85	203
Jobs	4,300	40,000	44,958	-	-	-	10,000	8,640
Jobs density (jobs/ha)	179/ha	161/ha	354/ha	-	-	-	67/ha	251/ha

Figure 17: Table 1: Comparison of residential and employment densities against local and international reference projects.

³ East Bentleigh Village Employment Assessment, October 2017: JLL

⁴ HafenCity website <http://www.hafencity.com/en/overview/hafencity-development-facts-and-figures.html>

⁵ David McManus, *London Olympics Village: Architecture*, at <https://www.e-architect.co.uk/london/london-olympics-village>

⁶ Wikipedia, *East Village, London*, at https://en.wikipedia.org/wiki/East_Village,_London

⁷ Vanessa Rutgers, *Amsterdam IJBURG – urban guest in nature*, 2015, at https://issuu.com/blogwerk/docs/ijburg_a4-final.20mb

⁸ David Partridge, *Making Cities – Examples of Urban Development in London*. Council on Tall Buildings and Urban Habitat – Research Paper, 2015.

⁹ Hammarby Sjostad Site Facts and Case Study, at https://www.itdp.org/wp-content/uploads/2014/07/20.-092211_ITDP_NED_Hammarby.pdf

¹⁰ Quintain, Wembley Park at <http://www.quintain.co.uk/wembley-park>

¹¹ Wembley Masterplan – Supplementary Planning Document, June 2009

¹² Quintain, Wembley Park Masterplan, at <http://www.quintain.co.uk/wembley-park/masterplan>

5.2.2 Achieving appropriate outcomes through the Future Urban Structure plan and Design Guidelines

- (136) The Framework Plan in CDZ2 (Plan 1 in the CDP) provides a high-level layout and broad areas for development, but not building footprints or configurations. While this level of detail is appropriate in a planning control, it is vital that built form is effectively guided to ensure outcomes which enhance the public realm and contribute to the precinct vision.
- (137) **Recommendation O2:** I consider that a master plan (or equivalent) is a key step in the process of implementation, providing a level of detail and resolution ‘in between’ the CDP and individual buildings and planning permits.
- (138) Alongside this, the outcomes will be reliant on the written guidelines in the CDP to support good outcomes in the design of buildings, interfaces, access ways and other ‘finer grain’ considerations. It is therefore warranted to investigate whether these guidelines will be adequate to ensure appropriate urban outcomes, such as through design testing. I am not aware of any extent of design testing carried out by Council or others for the proposed controls.
- (139) Potential risk items include the following, and these have informed my consideration of the proposed controls below:
- Configuration of retail in the town centre, discussed below;
 - Configuration of two supermarkets: presumably these will be at ground floor level, and typically present extensive blank walls;
 - Entry experience to the precinct for pedestrians, alongside potentially significant traffic flows and road infrastructure;
 - Transition or juxtaposition between 3-storey townhouses in Residential South, and 8-storey development in the Mixed Use sub-precinct, directly facing one another across South Drive, as shown in the Urban Design Report, Section F (page 26)
 - Achieving sufficient activation during daytime and evenings, through dining and retail etc. supported by the local population.
- (140) The guidelines are generally clear and direct in their expression, which I support, and the guidance is generally appropriate and effective.
- (141) The CDP contains some opportunities to potentially provide reduced or lower-quality outcomes, such as:
- *Where this is unavoidable* (2.2.1, G13)
 - *Where practicable* (2.2.3, G33)
- (142) **Recommendation O3:** I recommend removing references to ‘unavoidable’ or ‘impractical’ negative outcomes in the CDP guidelines, to ensure clear expectations for built form outcomes.

5.2.3 Configuration of retail

- (143) The retail area appears to be quite large and ‘deep’ in its area/extent from the street frontage, and is proposed to incorporate two supermarkets. The configuration of this retail will be an important consideration for achieving the vision.
- (144) The Town Centre Concept Plan in the CDP raises several concerns, as follows:

- The layout appears to indicate an internal ‘mall’ configuration for the retail, rather than a street-based, ‘traditional’ main street typology. This is of concern because it is likely to detract from the activation and vibrancy of North Drive and the Town Square, by locating the ‘anchor’ attractors (supermarkets) fronting the mall, rather than the street.
 - It indicates an important link to the school in the south-east corner, running through the supermarket, which is clearly indicative only. I consider this an important connection which should be direct, legible and pedestrian-friendly, and a defined part of the urban structure. A linkage which is indirect, circuitous, ‘back of house’ and arriving at the back of a supermarket, would be a poor outcome.
 - Mall configurations risk concentrating activity-generating retail inside the building, with lower-activity tenancies facing the outside. However, in this case, I would assume that the northern orientation and Town Square interface would attract cafés and restaurants with outdoor dining.
 - Internalised retail is inconsistent with and will detract from, the urban, innovative and dynamic vision for the precinct.
- (145) **Recommendation 04:** In my opinion, the retail area should be clearly configured as a highly urban, street-based village model, without an internal mall, in order to align with the precinct vision, maximise activity in the public realm, Town Square and central park, and reflect a contemporary ‘town centre’ or urban village condition.
- (146) **Recommendation 05:** I recommend inserting additional Requirements and/or Guidelines to require a street-based Town Centre configuration, to maximise activation and pedestrian activity in the public realm.
- (147) While this plan is noted as *concept only*, it illustrates a *preferred outcome*. In my view, a concept plan for the town centre should reflect a strictly street-based village centre.
- (148) The concept plan illustrates some aspects which I support, including:
- ‘Sleeving’ of the smaller supermarket to the west, with smaller retail space fronting the street;
 - Positioning of a combined loading/servicing area off a rear lane, to avoid impacts on streets.
- (149) A precinct Master Plan, as I have recommended above, would provide a useful vehicle for developing and evaluating the design for the Town Centre at a more detailed and resolved level, which I consider to be essential. This would address the location, form and relationships between supermarkets, car parking, loading, Town Square, streets and development above.
- (150) While two supermarkets (one full-size) may be warranted from a retail catchment perspective, as identified in the *Assessment of retail potential* report, supermarkets can be detrimental to urban outcomes, and the precinct vision should be the guiding influence, rather than retail economics.
- (151) However, two relatively recent mixed use developments with full size Coles supermarkets, in Brighton and Elsternwick, demonstrate how large supermarkets can be accommodated within street-based activity centres (not shopping malls), with basement car parking and other uses in upper levels. See Figures 18-22 below.



Figure 18: Mixed-use development with ground floor Coles supermarket, Bay Street, Brighton (image source: realestate.com.au)



Figure 19: Coles development, Bay Street Brighton (image source: ISPT)



Figure 20: Recently opened Coles within mixed-use redevelopment, Glenhuntly Road, Elsternwick (image source: elsternwick.com)



Figure 21: Recently opened Coles within mixed-use redevelopment, Glenhuntly Road, Elsternwick (image source: elsternwick.com)



Figure 22: This smaller supermarket in Ripponlea has a strong street presence and active frontages, in a street-based village setting (image source: realestate.com.au).

- (152) I recognise that accommodating large supermarkets in a fine-grain street-based centre is challenging from an urban design and technical/functional perspective, because of their size/footprint and generally strict spatial requirements, extent of blank walls and substantial loading/servicing requirements.
- (153) However, I consider that the overarching vision guides particular urban outcomes, and the configuration of the retail, as the centre of activity, is an important contributor to these outcomes.

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- (154) I also consider that, as noted above, a two-supermarket-based retail centre seems somewhat incongruous with the innovation precinct sought by the vision and objectives for this precinct, even if there is an economic/strategic rationale for this new retail centre.

5.2.4 Built form controls (CDP section 2.2)

Justification for proposed heights

- (155) As noted above, I consider this locality appropriate for moderate mid-rise development scale, with transitions to lower-scale at the interfaces.
- (156) I note that, as the Urban Design Report states, the proposed height limits have generally decreased from the current height provisions under the Development Plan Overlay (DPO2), while providing for a substantially greater extent of redevelopment encompassing the northern part of the precinct.
- (157) In my opinion, the Urban Design Report does not adequately explain the reasoning for this reduction. It identifies the proposed centre as a Major Activity Centre, but I understand it to be a Neighbourhood Centre. The table at Figure 31 of the Urban Design Report identifies NACs for 3-5 storey development, although each activity centre should respond to its particular context.
- (158) While East Village will be a lower-order activity centre in terms of retail, it is also an emerging employment and innovation hub, and I consider the proposed heights to generally be an appropriate response to the substantial opportunity this large renewal site, presents, as well as the low-scale site interfaces.
- (159) While supporting the proposed heights generally, I also consider that limited exceedance of these heights will, in some cases, be acceptable.
- (160) The Peer Review of the Urban Design Report provides general support for the heights proposed, with recommendations for some minor changes. I do not support the suggestion for a mandatory setback of 3m above 3-storeys to East Boundary Road. While noting the low-scale residential context to the western side of East Boundary Road, it is a very wide and busy road, and East Village already contains large-scale commercial/industrial buildings close to this frontage, and so I do not consider a lower-height frontage is required to provide a transition in height.
- (161) I accept the inclusion of maximum heights in metres as well as storeys (as proposed in Council's preferred CDZ2 Schedule), for clarity, although I am not clear on the specific purpose for this. I presume that, given the potential for *production style tenancies, flexible studio spaces and larger scale commercial floor spaces that allow for the production of goods and services* (refer CDP Vision), expressing maximum heights in metres is intended to prevent excessive building height in the case of very high ceiling spaces or large floor heights.
- (162) At the relatively modest heights proposed across the Precinct, up to 8 levels, I consider that stating the maximum height in storeys is sufficient, and allows appropriate flexibility in floor heights to accommodate different uses and different approaches to building design.

Side setbacks

- (163) I am generally supportive of tower separation distances which exceed the established minimum of 9m. The 12m minimum separation between upper level forms is considered in relation, for example, to the provisions for the Fishermans Bend Montague Precinct (Port Phillip, DDO30) which establish a preferred side setback of 10m (or 20m separation), and minimum setback of 5m (for 10m separation). Also for

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reference, the NSW Apartment Design Guide requires (for 5-8 storey buildings) 18m separation between habitable rooms, and 9m separation without habitable rooms facing this space.

- (164) **Recommendation O6:** While I support the 12m separation provision, I recommend that the provisions also allow for towers to be built up to the side boundaries, where appropriate, as continuous built form can be an effective outcome in mid-rise urban precincts. I note that much of the Amendment Area is under single large land ownership, which reduces the potential challenges of smaller neighbouring sites, side interfaces and equitable development. Also, requirements (R9 and R10) for regular pedestrian through-links at 50-70m spacing, will result in individual development parcels being quite limited in their frontage length (up to 50-70m approximately). However, I consider that allowance for zero-side setbacks and adjoining upper level forms should be accommodated.

Upper level front setbacks

- (165) The controls provide for generally zero setbacks at ground floor/podium levels in the commercial and mixed use sub-precinct, but with some indentation to the East Boundary Road frontage. I support this approach.
- (166) Upper level setbacks in the mixed use and retail areas are required to be 5m, above a 3-storey podium. I consider that this setback is quite large given the modest overall building height and podium height, and that a reduced setback of, say, 3m, would be adequate to break up the building and create visual separation between the podium and upper level. In some cases, built form up to 6-8 levels approximately without any upper level setback would be acceptable, in my view, towards creating a more 'urban' and defined streetscape character in line with the precinct vision for a dynamic and vibrant community and innovative employment, but I accept the preference for podium/setback forms.
- (167) I note that the sections in the Urban Design Report illustrate 3m upper level setbacks, and in some cases 4-level podiums. I also note that the overshadowing provisions will in many cases provide a framework for determining the building profile.
Recommendation O7: Therefore, I recommend that a 3m discretionary upper level setback requirement is adequate, noting the modest building heights, and the stringent overshadowing controls for important public realm spaces.
- (168) While I recognise the principle of height transition in the mixed-use area towards the residential areas, in my experience these outcomes are difficult to achieve, because each building is likely to reach (or exceed) the height limit for the area in which it is located. However, I consider that the podium and setback provisions will provide sufficient transition towards the residential areas.
- (169) As noted above, I accept the preferred building heights which result from background work to the Amendment. However, I consider that limited exceedance of these heights will be acceptable in some locations, in response to the urban context. For example:
- o Gateway commercial sites could extend to 7-8 storeys if they avoid significant additional impacts on the public realm;
 - o Commercial buildings could extend to 5 or potentially 6 levels, especially away from the street frontages, near the interfaces to the mixed-use precinct. This is based on the substantial depth of the lower-height interface areas, as shown in the cross sections in the Urban Design Study (Figures 32 and 33), noting there are discrepancies here between heights

shown in sections and plan, and the heights are not directly translated into the CDP. For example:

- Section AA-A shows 3-4 storeys at the East Boundary Road frontage, but the plan shows 4 storeys (as set in the CDP);
- Section AA-B shows 3-4 storeys at the eastern interface transitioning to 6 storeys, then 8 storeys. In plan (and in the CDP), the interface area is 3 storeys, then directly to 6-8 levels, with guidance for a height transition.

- (170) I support the application of ‘articulation zones’ along building frontages to provide for variation in profiles and avoiding long expanses of ‘flat’ street wall, as established by the Urban Design Study. However, I consider this has not been correctly translated in to the controls. The CDP requires that 50% of the East Boundary Road frontage is indented to a depth of approximately 3m, while Guideline G9 states that *buildings should incorporate considerable articulation and landscaping fronting the East Boundary Road street frontage*.
- (171) In practice, encouraging design articulation can lead to superficial or superfluous applied decoration on facades, rather than integrated articulation as part of the building’s design and function. I note that the Guidelines (G6) also encourage a medium-to-large-grain commercial character. Low-rise buildings may typically incorporate large, rectilinear floor plates and glazed facades. These factors may lead to lower levels of articulation, depth and visual interest.
- (172) It is unclear to me whether the Draft Urban Design Study would be updated/finalised and retained as a guide for future development. **Recommendation 08:** I consider that more substantial and in-depth design guidance would be valuable and warranted, to encourage high-quality architectural and urban design outcomes. The Urban Design Study could provide this function.
- (173) I also note that articulation and indentation needs to be balanced by the need to address safety concerns at ground floor level (DG5), by avoiding concealment places or alcoves in frontages at ground floor level. For reference, the *Urban Design Guidelines for Victoria*, guideline 5.1.5f, states *Limit wall recesses along the street edges of buildings to less than 300mm deep to avoid their use as concealment places*. However, I recognise that indentations of significant width, with careful attention to design detail and visibility at all corners/insets, may appropriately exceed this 300mm depth.
- (174) **Recommendation 09:** On balance, I do not consider the CDP requirement for 50% façade articulation to be useful, and that a general requirement for design articulation, façade depth and incorporation of landscaping (G9) is sufficient. However, I support the intent to avoid large expanses of uninterrupted facades at the footpath/boundary line.

Commercial North and West

- (175) The guidelines should clearly discourage or preclude surface car parking between buildings, and encourage buildings to occupy the full extent of individual sites, with car parking preferably in basement levels. If this is not viable within 4-storey buildings, alternative solutions such as centralised car parking structures should be considered, to avoid a dispersed, inefficient layout resulting from surface car parking.
- (176) **Recommendation 10:** I therefore recommend inserting an additional Guideline at 2.2.1 to preclude at-grade or surface car parking (requiring car parking to be in basements, or predominantly sleeved within buildings, above ground floor). This is a necessary provision, but may be a key aspect of development feasibility, given the

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modest preferred building height of just four storeys. That is, the feasibility of basement parking may be limited, while there is restricted capacity for above ground parking within the four permitted floor levels. I also note that it is reasonably expected that extensive existing at-grade parking in the Amendment area will ultimately transition to built form through redevelopment.

- (177) **Recommendation 11:** I recommend inclusion of an additional Guideline in an appropriate location in the CDP, to encourage the provision of smaller open spaces as part of individual developments, in the Commercial and Mixed-Use Precincts, such as forecourts and plaza spaces which encourage interaction and passive recreation.
- (178) **Recommendation 12:** I also recommend inserting an additional Guideline at 2.2.1 to require development to be built to, and define frontages to, streets, lanes and pedestrian through-connections. An exception to this would be for the provision of smaller public realm spaces such as plazas or forecourts in setback spaces.
- (179) **Recommendation 13:** G13 should clearly preclude large expanse of continuous (blank) walls, as these are always avoidable, and there are no criteria for determining when they might be unavoidable.

Residential East and South

- (180) **Recommendation 14:** G18: I do not consider this provision necessary, because the lower height controls and setback provisions (5m at rear, ground and first floors, and 11m at second floor), as well as shadowing controls, provide adequate transition in height.

Mixed Use and Retail Centre

- (181) G24: I am comfortable with the requirement for podium/tower configurations in the mixed-use area, noting that the preferred podium height is 3 storeys (CDP) but generally shown at 4-storeys in the Urban Design Report (Sections F, G, H). I am comfortable with the 3-storey provision, as a proportion of the 8-storey preferred maximum overall height, but I also consider that a 4-storey frontage would be achievable and comfortable given the width of North Drive, South Drive and Central Park, for example.
- (182) **Recommendation 15:** G32: This guideline should clearly preclude large expanses of blank wall, especially to streets (potentially confining blank walls to rear service laneways).
- (183) **Recommendation 16:** The reference to Retail Centre Design Guidelines requires clarification, or renaming to Town Centre Design Guidelines which immediately follow in the CDP.

Town Centre Design Guidelines

- (184) **Recommendation 17:** DG13: As discussed above, I do not consider a 'retail centre' or shopping centre to be appropriate for this precinct. The Town Square should be integrated within a retail-based 'main street' condition, where shops are accessed directly from the North Drive street environment and the Town Square.
- (185) **Recommendation 18:** DG7: I suggest expanding this guideline to include safe, regular crossing points to allow pedestrians to easily move back and forth across North Drive.
- (186) DG5: The correct terminology is Crime Prevention through *Environmental* Design.
- (187) **Recommendation 19:** DG9: I support this guideline, but consider that it could be strengthened to require predominantly active frontages to all streets, with any back of house areas and interfaces confined to rear access lanes.

Access, parking and building services

- (188) **Recommendation 20:** G35: I support the design integration of building services, but this guideline should be clarified to, potentially, preclude back of house areas from roads and streets, and confine them to rear access lanes, and stating that utilities and other services should not be visibly prominent from streetscapes other than laneways.
- (189) **Recommendation 21:** R7: I suggest clarifying what constitutes a shared road, and whether it is for a limited extent of the northern park interface (as the plans indicate), or the full length.

5.3 Public realm

5.3.1 Location and configuration of open space

- (190) I support the provision of a substantial park, positioned centrally in the precinct, as well as a smaller, more hardscaped Town Square. It is appropriate and effective to position these two key spaces on each side of North Drive, as the primary east-west 'spine' through the precinct.
- (191) I understand the Gateway Park is configured to encapsulate a small number of significant trees to be retained. I assume this entrance will be an important signage location for the retail component. I do not consider this would be a well-used public open space, but will assist in creating an open, visible entrance way into the precinct.

5.3.2 Solar access provision

- (192) R8: The solar protection for public spaces is supported in principle. I summarise them as follows:
- Central Park:
 - Equinox, 10am-3pm: No shadows
 - Winter, 11am-2pm: No more shadow than cast by a 15m frontage building, AND up to 25% shadow (see below)
 - Town Square:
 - Equinox, 10am-3pm: Up to 20% shadow (I understand this means combined shadow form all buildings at any point between 10am and 3pm)
 - Winter: Up to 25% shadow (see below)
 - North Drive and South Drive:
 - Equinox: 5 hours sunlight to southern footpath.
 - Virginia Reserve and Marlborough Street Reserve:
 - Equinox: No shadow
 - Winter: Up to 25% shadow (see below)
 - *All public spaces shown in Plan 2 of the CDP:*
 - Winter, 11am-2pm: Up to 25% shadow
 - Other parks, streets, lanes: No unreasonable shadows.
- (193) These controls are effectively arranged in that they:
- Provide for no, or very limited, overshadowing of public spaces at the equinox;
 - Provide for some (limited) overshadowing in winter, while maintaining solar access to most of the spaces;
 - Focussing across the middle of the day, with a shorter applicable winter timeframe.
- (194) I recognise and support the intent to provide good solar access throughout the year to significant new public spaces. However, the east-west orientation of the Central Park, and its central location in the 8-storey Mixed-Use sub-precinct, creates challenges to achieve this solar access. As the diagrams in the Analysis of Shadow Controls report show (page 17), the result is very deeply stepped building forms

fronting Central Park, notionally with three distinct upper level setbacks totalling 18-23m, within the 8-storey form.

- (195) However, the controls are relatively complex and potentially confusing. These controls raise several questions or clarification requirements, as follows:
- The Central Park is subject to multiple, overlapping controls, and it is unclear why both are needed. I am advised that they are equivalent (a 15m high frontage wall would cast up to 25% shadow on Central Park).
 - It is unclear why some (20%) equinox shadowing is permitted on the Town Square, but not the larger and perhaps less intensively used Central Park. This may relate to the Town Square being 'recessed' in the building alignment.
 - The use of 20% (equinox) and 25% (winter) for the Town Square is also confusing.
 - The hypothetical 15m high building is not directly aligned to the built form height and setback provisions.
 - The final requirement to avoid 'unreasonable' shadows throughout lacks definition or clarity, and may conflict with the other requirements, if it can be argued that a larger shadow than 25% for example, is not unreasonable, in a dense urban context.
- (196) **Recommendation 22:** I have not carried out testing of these provisions, in terms of how they interact and the resultant built form profiles, but would recommend that they be simplified and refined for greater clarity. This may involve:
- Removing the reference to a hypothetical frontage wall, and relying instead on the 25% limit; and
 - Removing the reference to 'unreasonable' overshadowing.
- (197) The cross sections in the Urban Design Report and CDP illustrate some built form implications from the solar controls:
- The building form to the north of Central Park (Section E) displays quite significant upper level stepping, which reduces the urban definition and 'framing' of the open space. However, the equinox solar angle is set to the southern footpath of the street, rather than the edge of the park.
 - The winter sun angle is shown in the CDP (2.2.5), set by a 15m frontage height, and results in significant stepping and recessiveness of upper levels. I consider this profile to be excessively recessive, and that it detracts from the definition and framing of the key central space.
 - The requirement for equinox solar access to southern footpaths of North Drive and South Drive appears to be quite easily achievable within the proposed height and setback parameters, based on the sections in the Urban Design Report (Section G).
- (198) The Urban Design Report suggests less stringent requirements to avoid *unreasonable overshadowing on public spaces*, as follows:
- Ensure major routes and spaces receive sunlight between 11am and 2pm at the equinoxes (no proportions provided);
 - Open spaces: ensure at least two-thirds (66%) receive sunlight between 11am-2pm at the equinoxes, and one-third (33%) receives sunlight between 11am-2pm at the winter solstice.

- (199) However, I recognise Council's imperative to protect and enhance its increasingly valued open spaces in Glen Eira, and to optimise amenity for users of these open spaces. It is foreseeable that Central Park will become an important space for significant numbers of people at lunchtimes, including workers, residents, shoppers and visitors.
- (200) While a different configuration for the Central Park may have afforded increased solar access with less impact on building forms (such as a north-south orientation, or even location on the south side of North Drive, for example), on balance I accept the overshadowing provisions, based on their comprehensive testing and analysis, subject to the recommended clarifications identified above.

5.3.3 Landscape

- (201) R10: **Recommendation 23:** The requirement for design consistency in the public realm requires clarity on how this will be administered and managed, and how it will integrate with surrounding areas (or if it should be distinct to reinforce this precinct). However, I support the principle of design consistency in the public realm. This aspect could also be addressed through a master plan, as I have recommended above.

5.3.4 Streetscape design

- (202) R12: While traffic engineering is beyond my expertise and street design is not core to my experience, I support the provision of streetscape designs in the CDP to articulate the public realm intent. **Recommendation 24:** For greater clarity, I suggest including a plan which identifies the location for each street type shown in the cross-sections.
- (203) I question some aspects of the street designs. For example:
- The inclusion of 3m or 3.2m wide nature strips to Collector Streets, North Drive and Local Access Streets seems incongruous with an intensive, creative and dynamic urban environment.
 - The Requirement R4 for *All buildings and structures must be setback 4 metres from the town square sub-precinct at ground floor to allow for footpath trading* is somewhat unclear, in terms of where the setback is measured from, where it applies, and whether upper levels should also be set back.
 - North Drive looks like a conventional suburban street, with one lane in each direction, parallel on-street parking, nature strips and footpaths. As the central street for the precinct overall, I consider that a more urban and innovative street profile would be more appropriate, with increased priority and safety for pedestrians and cyclists, noting that transport planning is beyond my expertise.
 - In the CDP Plan 3: Transport & movement, the off-road 2-way bicycle path is shown along South Drive and Cobar street only. I consider that a dedicated path or at least demarcated bicycle lanes should also be provided along North Drive, as the central street to the town centre.
 - Some streets do not provide dedicated cycling space, such as Local Access Streets (17.0m). While this is typical in many suburban streets, the higher density, mixed use and more 'urban' setting proposed may warrant bicycle lanes on all streets.
- (204) **Recommendations 25:** I recommend further consideration of streetscape types as follows, to achieve more 'urban', pedestrian-accessible streets:

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- Removal of nature strips from all street types, and replacement with regularly spaced tree-planting ‘squares’, tree pits or similar, which accommodate footpath trading and outdoor dining between street streets close to the kerb, with a clear footpath adjoining the frontages. Refer examples below from central Melbourne (Figures 23 and 24).
- Define a set footpath dimension between kerb and building (podium) frontage, of say 4-5m, which includes regularly spaced street trees and accommodates footpath trading.
- Design North Drive as a contemporary boulevard or main street with clear pedestrian priority and strong integration with the Town Square and Central Park. This may occur at later master planning stages.
- Provide demarcated cycling infrastructure to North Drive and potentially all streets.
- Introduce more widespread application of contemporary, innovative and pedestrian-priority streetscapes such as Shared Spaces (noting that traffic planning is beyond my expertise). The CDP identifies a limited extent of streetscape adjoining the Town Square as pedestrian priority pavement treatment. The same extent is identified as ‘pedestrian only street’ in the Structure Plan. However, more local access streets and laneways could be treated as pedestrian-priority or shared spaces, to clearly reflect a focus on people, interaction and activity.



Figure 23: Collins Street with street trees in demarcated planting squares or tree pits, with the paved space in between accommodating street furniture and outdoor seating, to keep the footpath space clear for movement. I recommend this approach rather than continuous nature strips (image source: Google).



Figure 24: Lt Collins Street, with street trees in demarcated planting squares or tree pits, with the paved space in between accommodating street furniture and outdoor seating, to keep the footpath space clear for movement.

Transport

- (205) R9, R10: I support these provisions for pedestrian connections to break up street block lengths, and I consider the recommended separation distances for through-links to be appropriate, providing a maximum effective block length 50-70m. This will deliver a high degree of pedestrian permeability. However, it also potentially requires a greater extent of ground-floor activation in buildings, to ensure that the connections are safe and attractive.
- (206) R12 states that roads must be in accordance with the street cross-sections, while R14 states that all streets and roads must give priority to pedestrians and cyclists. I support the principle of pedestrian/cyclist priority on all roads and streets in defined, contained urban precincts such as that envisaged here, and reducing the prominence and impact of vehicular movements, as this will be an important aspect of achieving the precinct vision. However, as outlined above, the street cross sections do not appear to reflect this prioritisation in all cases, noting that the lack of a streetscape plan and limited detail makes this assessment difficult.

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6.0 Conclusion

6.1 Will Amendment C155 be effective in achieving the vision for East Village?

- (207) Amendment C155 encompasses an aspirational vision for redevelopment of East Village into a strategically important, advanced and productive mixed-use precinct. Substantial background work has contributed to a generally effective and considered development framework and set of provisions within the Comprehensive Development Plan, which provides clear guidance for future development.
- (208) The framework plan provides for an appropriate mix of land uses and effective distribution of these. The retail centre is positioned centrally within a mixed-use precinct with significant residential focus, with commercial areas to the major road interfaces, and lower-scale residential to the other edges.
- (209) This distribution, along with a 'cap' on the total number of dwellings in the precinct, is expected to 'protect' the employment/commercial component, which is key to the precinct vision.
- (210) I have raised some questions around the extent of commercial development, and the potential for this extent to achieve the vision of a highly creative, productive, collaborative and innovation-focussed employment precinct, and consider that further analysis or explanation may be warranted.
- (211) Further, the vision and desired outcomes cannot be achieved just by planning controls. I have recommended the development of a more detailed master plan (or similar) to ensure appropriate physical and social/economic outcomes, and/or an ongoing programming or 'curation' aspect, to manage tenancies and land use mix, support interaction, and generate activity, particularly in the early stages of redevelopment.
- (212) This would also allow more detailed, yet precinct-wide, design management. The vision could succeed or fail on detailed design outcomes such as how buildings relate to one another, how the spaces between buildings are designed and interfaced by building frontages, how smaller public spaces are designed and used socially, and the types of organisations and configurations of tenancies which occupy new buildings. Therefore, it is imperative that an ongoing, holistic or overarching approach is taken to the implementation of the East Village redevelopment.
- (213) However, the Amendment provides a sound basis for effective redevelopment across built form, public realm and movement and access. I therefore consider that Amendment C155 should be supported, subject to the Recommendations I have made in this Statement.

Declaration

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

Simon Joseph McPherson

A handwritten signature in black ink, appearing to read 'SJM', written in a cursive style.

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7.0 Appendix: List of Recommendations

(215) My Recommendations for refinements to Amendment C155 made throughout this Statement, are as follows:

1. Insert an additional guideline to encourage full commercial development/buildings in the mixed-use precinct, not just at ground and podium levels.
2. Require a master plan (or equivalent) as a key step in the process of implementation, providing a level of detail and resolution 'in between' the CDP and individual buildings and planning permits.
3. Remove references to 'unavoidable' or 'impractical' negative outcomes in the CDP guidelines, to ensure clear expectations for built form outcomes.
4. The retail area should be clearly configured as a highly urban, street-based village model, without an internal mall.
5. Insert additional Requirements and/or Guidelines to require a street-based Town Centre configuration, to maximise activation and pedestrian activity in the public realm.
6. While I support the 12m building separation provision, I recommend that the provisions also allow for towers to be built up to the side boundaries, where appropriate, as continuous built form can be an effective outcome in mid-rise urban precincts.
7. A 3m discretionary upper level setback requirement is adequate, noting the modest building heights, and the stringent overshadowing controls for important public realm spaces.
8. More substantial and in-depth design guidance would be valuable and warranted, to encourage high-quality architectural and urban design outcomes. The Urban Design Study could provide this function.
9. I do not consider the CDP requirement for 50% façade articulation to be useful, and that a general requirement for design articulation, façade depth and incorporation of landscaping (G9) is sufficient. However, I support the intent to avoid large expanses of uninterrupted facades at the footpath/boundary line.
10. Insert an additional Guideline at 2.2.1 to preclude at-grade or surface car parking (requiring car parking to be in basements, or predominantly sleeved within buildings, above ground floor).
11. Include an additional Guideline in an appropriate location in the CDP, to encourage the provision of smaller open spaces as part of individual developments, in the Commercial and Mixed-Use Precincts., such as forecourts and plaza spaces which encourage interaction and passive recreation.
12. Insert an additional Guideline at 2.2.1 to require development to be built to, and define frontages to, streets, lanes and pedestrian through-connections.

An exception to this would be for the provision of smaller public realm spaces such as plazas or forecourts in setback spaces.

13. G13 should clearly preclude large expanse of continuous (blank) walls, as these are always avoidable, and there are no criteria for determining when they might be unavoidable.
14. G18: I do not consider this provision necessary, because the lower height controls and setback provisions (5m at rear, ground and first floors, and 11m at second floor), as well as shadowing controls, provide adequate transition in height.
15. G32: This guideline should clearly preclude large expanses of black wall, especially to streets (potentially confining blank walls to rear service laneways).
16. The reference to Retail Centre Design Guidelines requires clarification, or renaming to Town Centre Design Guidelines which immediately follow in the CDP.
17. DG13: I do not consider a 'retail centre' or shopping centre to be appropriate for this precinct. The Town Square should be integrated within a retail-based 'main street' condition, where shops are accessed directly from the North Drive street environment and the Town Square.
18. DG7: Expand this guideline to include safe, regular crossing points to allow pedestrians to easily move back and forth across North Drive.
19. DG9: This guideline could be strengthened to require predominantly active frontages to all streets, with any back of house areas and interfaces confined to rear access lanes.
20. G35: This guideline should be clarified to, potentially, preclude back of house areas from roads and streets, and confine them to rear access lanes, and stating that utilities and other services should not be visibly prominent from streetscapes other than laneways.
21. R7: I suggest clarifying what constitutes a shared road, and whether it is for a limited extent of the northern park interface (as the plans indicate), or the full length.
22. The sunlight to open space provisions should be simplified and refined for greater clarity. This may involve:
 - Removing the reference to a hypothetical frontage wall, and relying instead on the 25% limit; and
 - Removing the reference to 'unreasonable' overshadowing.
23. R10: The requirement for design consistency in the public realm requires clarity on how this will be administered and managed, and how it will integrate with surrounding areas.
24. Include a plan which identifies the location for each street type shown in the cross-sections.

25. Review streetscape types as follows, to achieve more 'urban', pedestrian-accessible streets:

- Removal of nature strips from all street types, and replacement with regularly spaced tree-planting 'squares', tree pits or similar;
- Define a set footpath dimension between kerb and building (podium) frontage;
- Design North Drive as a contemporary boulevard or main street with clear pedestrian priority and strong integration with the Town Square and Central Park;
- Provide demarcated cycling infrastructure to North Drive and potentially all streets;
- Introduce more widespread application of contemporary, innovative and pedestrian-priority streetscapes such as Shared Spaces.