

Statement of Expert Evidence: Urban Design

**Amendment C201 to the Moreland Planning Scheme: Sheppard Street,
Coburg North**

Prepared by Simon McPherson, for Nightingale Housing

08 August 2022

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1.0 Introduction

1.1 Process and involvement

- (1) This statement has been prepared by Simon Joseph McPherson, Director of Global South Pty Ltd, an independent urban design practice, based at Central House, 101 Moray Street, South Melbourne.
- (2) In March 2022, I was asked by Hansen Partnership on behalf of Nightingale Housing, to provide Expert Witness (Urban Design) services for the proposed Amendment C201 to the Moreland Planning Scheme. My engagement was confirmed in early July 2022.
- (3) In July 2022 I prepared a Preliminary Urban Design Review of the Amendment. I was then instructed to proceed to preparing a Statement of Expert Evidence.
- (4) In preparing this Statement I have received and reviewed the following:
 - o Planning Scheme Amendment C201more documents (this Statement is based on these documents):
 - Amendment C201 Explanatory Report;
 - Urban Design Framework: Sheppard Street, Coburg North (OPENWORK, Revision 2, dated 18/11/2021);
 - Planning Scheme Amendment Report: 16-20 Sheppard Street, Coburg (Hansen Partnership, December 2021).
- (5) I have accessed from Moreland City Council's Amendment webpage:
 - o Incorporated Plan (Moreland City Council, 2021);
 - o Amendment C201more Information Sheet (Moreland City Council);
 - o Clause 02.04 Strategic Framework Plans;
 - o Schedule 5 to Clause 43.03 Incorporated Plan Overlay;
 - o Moreland Industrial Land Strategy 2015-2030 (Moreland City Council, adopted July 2016);
 - o Submissions 1-6 to Amendment C201 (redacted).
- (6) I have also accessed and reviewed the Hosken Reserve Master Plan (Endorsed version, Pollen Studio, drawing LSK-100, Rev. G, dated 15.09.2021).
- (7) In preparing this Statement, I have:
 - o Met with the Nightingale Housing team, to be briefed on the Amendment.
- (8) I have visited the Amendment area (public realm areas only) on 04/07/2022.
- (9) I visited nearby developments interfacing public open spaces, on 27/07/2022. The photographs in this report are my own.

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1.2 Qualifications and experience to prepare this Statement

1.2.1 Qualifications and registrations

My academic qualifications are as follows:

- **Executive Masters (MSc) in Cities (Distinction)**, inaugural programme (September 2016 - completed 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.

My professional registrations and memberships are as follows:

- **Registered Architect**, Architects Registration Board of Victoria: individual registration number 15838;
- **Member, VPELA** (Victorian Planning and Environmental Law Association)

I am engaged on the following professional organisations:

- Member, **Melbourne Design Review Panel** (City of Melbourne, 2021-);
- Member, **Victorian Design Review Panel** (OVGA, since 2016);
- Member, **Casey Design Excellence Panel** (City of Casey, 2022-);
- Member, **South Australian Design Review Panel** (ODASA, since 2011);
- Member, Latrobe University Design Review Panel (currently inactive);
- Member, Research Advisory Group, PlaceLab, RMIT University (2022-);
- Global Advisor, United Nations Global Compact – Cities Programme (discontinued);
- Member, Built Environment Task Force, Smart Cities Council – Australia/New Zealand (discontinued).

1.2.2 Experience

Professional experience

I hold over 15 years of dedicated 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).

I hold approximately 5 years of prior experience in architectural practice, in Australia and the UK.

Project experience

My urban design experience includes the following projects:

- Policy and guidelines:
 - Author/contributor, *Better Placed*, NSW Architecture and Urban Design Policy, Government Architect NSW (2016-17). Benchmark design policy, winner Australia Award for Urban Design 2017;

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- Contributor (State Government employee), Design Guidelines for Higher Density Residential Development, Activity Centre Design Guidelines;
 - Contributor, SA Medium-Density Design Guidelines;
 - Lead consultant, Urban Design Guidelines, 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:
 - Regular independent reviews of permit applications, for Councils including Melbourne, Yarra, Port Phillip, Banyule, Brimbank, Manningham and Casey.
 - Strategic plans, structure plans and Urban Design Frameworks:
 - Wyndham City Stadium Precinct Integrated Strategic Plan 2022, for Wyndham City Council;
 - Sunshine NEIC Urban Design Analysis and Framework Plans, for Brimbank City Council, in collaboration with Kinetica;
 - Footscray Public Realm Plan 2021, for Maribyrnong City Council;
 - Footscray Built Form Review 2020, for Maribyrnong City Council;
 - Tarneit Major Town Centre: Economic Impact Assessment and Design Review 2018, for Wyndham City Council;
 - Oakleigh Activity Centre Transport Precinct: Design Review 2018, for Monash City Council;
 - 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, 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:
 - Sunshine Station Master Plan 2021, for Department of Transport, in collaboration with Development Victoria;
 - Revitalising Central Dandenong (Sites 11-15) Master Plan/Development Plan, for Capital Alliance and Development Victoria, 2021;
 - 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 (Fitzroy Gasworks) Master Plan, for Places Victoria (SJB Urban, 2015);
- Master Plan, Binks Ford Site and over-rail deck, Footscray, for Places Victoria (SJB Urban, 2012);
- Caulfield-Dandenong corridor concept/feasibility studies, for VicTrack (SJB Urban, 2015).

Experience preparing expert evidence

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

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2.0 Outline of Amendment C201more

2.1 Amendment location and area

2.1.1 Amendment land

- (10) Amendment C201more comprises properties fronting Sheppard Street and Norris Street, Coburg North, which are currently occupied by commercial and industrial uses. The Amendment land ('the land') comprises a 'pocket' of properties currently in the Industrial 3 Zone (see Figure 01).

2.1.2 Urban context

- (11) Sheppard Street and Norris Street are parallel, discontinuous (no through road) streets, extending south from Shorts Road, close to its eastern end where it meets the Upfield railway corridor. Merlynston Train Station is approximately 440m walking distance from the northern end of Sheppard Street (to the station entrance).
- (12) Shorts Road, and areas to the north, and east of the rail corridor, are characterised by low-scale residential development, comprising detached houses and townhouse types predominantly.
- (13) The land interfaces with an extensive commercial/light industrial area to the south and south-west, which extends to Gaffney Street, approximately 900m south of the land.
- (14) The Merri Creek Trail is accessible approximately 600m east of Norris Street, via Shorts Road which extends into Keady Street.
- (15) The Coburg Major Activity Centre commences at properties fronting Sydney Road north of Gaffney Street, approximately 1.1km walking/cycling distance from the land.
- (16) Coburg North Village neighbourhood centre is approximately 1.8km walking/cycling distance from the land, to the south-west. There is an Aldi supermarket approximately 350m to the east of the land, on Sydney Road.
- (17) The land adjoins Hosken Reserve, which extends approximately 220m to the west from the land, and measures approximately 310m from north to south. It contains playing fields and pavilions, passive recreation areas and walking paths, and interfaces to the Merlynston Tennis Club and Australian International Academy of Education campus fronting Bakers Road to the south.

2.1.3 Built form context

- (18) The local area around the Amendment land is predominantly characterised by 1-2 storey residential built form to the north, east and west.
- (19) The Amendment land and area to the south are characterised by low-rise (1-3 levels) commercial buildings including older industrial buildings and infrastructure.

2.1.4 Hosken Reserve

- (20) Hosken Reserve is a large public open space extending between the western edge of the Amendment land and Pallett Street to the west (approximately 220m width), and from the rear of properties fronting Shorts Road to the north, to Bakers Road to the south (330m approximately in length).

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- (21) It contains an informal grassed area near the Amendment land, an oval playing field to the west, and a rectangular playing field to the south, with a wetland area north of the informal playing field.
- (22) The Hosken Reserve Master Plan proposes:
- Retention of an informal playing area near the Amendment land, with lighting;
 - To formal soccer fields, with lights;
 - A 1.5m wide path along the boundary to the Amendment land.
- (23) The land currently presents an inactive, blank wall frontage to Hosken Reserve. The northern edge of the reserve is also largely inactive, comprising back fences to houses fronting Shorts Road. Therefore, additional edge activation would be beneficial to the park.

2.1.5 Interfaces

- (24) The land's direct interfaces are as follows:
- North: Existing residential dwellings fronting Sheppard Street and Norris Street;
 - East: Residential houses fronting Norris Street, and the Upfield railway corridor. The Upfield Shared Path runs along the eastern side of the rail corridor, and the western side of the corridor is currently inaccessible.
 - South: Commercial warehouses, accessed from Bakers Road.
 - West: Hosken Reserve public open space.



Figure O1: Zoning map, with my outline of the Amendment land in red, in the context of residential areas to the north, east and west, the commercial/industrial area to the south/south-west, and the northern edge of the Coburg Major Activity Centre to the south-east (image source: DELWP, Moreland Planning Scheme online).

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Figure 02: Houses along Shorts Road, north side, looking east towards the railway corridor.



Figure 03: Shorts Road, looking west from Sheppard Street.



Figure 04: Residential units development, 16 Norris Street.



Figure 05: Townhouses on Shorts Road, south side.



Figure 06: Railway corridor, looking north from Shorts Road.



Figure 07: Railway corridor (western side), looking south from Shorts Road.

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Figure 08: Commercial properties on the Amendment land, on Sheppard Street (east side). The 3-storey building at left is at the northern edge of the Amendment land, and interfaces to a house in the GRZ1 to its north (far left).



Figure 09: Interface of the Amendment land (commercial building at left) with houses in the GRZ1 (right), on Norris Street (west side).



Figure 10: Interface of the Amendment land to Hosken Reserve.



Figure 11: Looking west across Hosken Reserve from near the Amendment land.



Figure 12: The eastern-most part of the Amendment land, at 2-4 and 6 Norris Street, is currently under redevelopment for 14 commercial studio units.



Figure 13: Signage for the current redevelopment at 2-4 and 6 Norris Street, which interfaces with the railway corridor.

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2.2 What is proposed?

- (25) Amendment C201 proposes to rezone the subject land from Industrial 3 Zone to General Residential Zone Schedule 1 and Mixed Use Zone, and applying an Incorporated Plan Overlay.
- (26) The Amendment also proposes to approve an Incorporated Plan.
- (27) I understand this Amendment implements the *Moreland Industrial Land Strategy 2015-2030* (MILS).
- (28) It is therefore beyond the scope of my review to consider the strategic merits of the Amendment, which is addressed by the MILS framework, or the appropriateness of the proposed zonings and overlay, which is beyond my expertise.

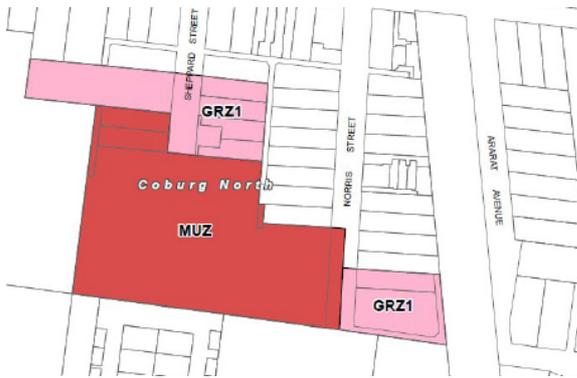


Figure 14:



Figure 15:

- (29) The maps above show that the Mixed Use Zone is proposed in the central part of the Amendment area, and the GRZ1 to the peripheral areas which interface with existing residential settings.
- (30) The proposed Clause 74.01 states that (the Planning Scheme applies) the Design and Development Overlay or Incorporated Plan Overlays to areas identified as Transition Residential Areas where confirmation of design and site layout or a statement of preferred character is required.

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3.0 Urban Design assessment of Amendment C201more

3.1 Is the proposed land use / development appropriate?

3.1.1 What is proposed?

- (31) The Incorporated Plan states that the Amendment Land is known as Precinct 16 to MILS which identifies it for transition from industrial to residential development.
- (32) The Incorporated Plan Objectives include (as relevant to this Urban Design assessment):
- Use, Buildings and Works, and Subdivision
 - *Facilitate the provision of residential development on the Land including a range of dwelling typologies and building heights;*
 - *Achieve a mix of dwellings, including affordable dwellings, on the Land;*
 - *Provide increased building heights and residential densities in the south-western corner of the Land and lower heights elsewhere;*
 - *Increase dwelling yield by encouraging the consolidation of land prior to development; and*
 - *Allow limited non-residential land uses that deliver a net community benefit within the Mixed Use Zone.*
 - Design and Appearance
 - *Encourage a high level of passive surveillance of Hosken Reserve and quality landscape design to integrate into the parkland context;*
 - *Provide trees and other vegetation to contribute to a new neighbourhood character, soften the interface of buildings with the street and with Hosken Reserve and to reduce the urban heat island effect.*
 - Infrastructure and Facilities
 - *Improve access to Hosken Reserve from the east for pedestrians and cyclists;*
 - *Identify where the provision of a land, rather than purely financial, contribution to public open space may be appropriate; and*
 - *Create a welcoming and landscaped public realm.*
- (33) The Incorporated Plan's Statement of Preferred Neighbourhood Character includes *a higher dwelling density and site coverage than surrounding residential development; and (potential) provision of non-residential uses within a predominantly residential mixed-use development; located on the ground floor; and sited and designed to facilitate interaction with the surrounding area and surveillance of the public realm.*
- (34) The Incorporated Plan Overlay Schedule provides for the provision of affordable housing, with minimum numbers depending on building height and overall dwelling yields.

3.1.2 Assessment

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Rezoning and residential redevelopment

- (35) The proposed rezoning to accommodate residential development on the subject land is appropriate in my opinion, in that it:
- Supports increased residential development in a location which benefits from access to public transport. The entrance to Merlynston Train Station is less than 500m walk (6-7 minutes) from the northern edge of the Amendment land on Sheppard Street;
 - Supports increased residential development directly adjacent to Hosken Reserve, a large active and passive open space, tennis club and a large education facility;
 - Provides opportunities for enhanced, active edges to Hosken Reserve and existing streets, which can increase safety in the public realm.
 - Potentially replaces existing interfaces between residential and commercial/industrial buildings, with new residential built form, potentially enhancing amenity to existing residential properties.
 - Can potentially enhance the appearance and amenity of existing streets, including Sheppard Street and the access to Hosken Reserve.

Incorporated Plan objectives

- (36) Provision of a range of dwelling types and sizes supports a diverse community and varied housing opportunities.
- (37) Housing affordability in urban renewal projects facilitates lower-income or key worker households to live close to services, facilities and transport options.
- (38) Supporting increased dwelling yield provides for optimised use of the land and increased housing opportunities in a well-located site.
- (39) Inclusion of limited non-residential uses can provide for increased activation and passive surveillance, as well as opportunities for community interaction. This may include cafes, shops or community facilities.
- (40) Design for integration with, and passive surveillance of, Hosken Reserve, is an important outcome for this land. The Reserve currently has very limited passive surveillance potential. However it should be recognised that landscape integration, as well as privacy/security concerns, may 'compete' with activation and passive surveillance potentials at the Reserve interfaces.
- (41) The provision of trees throughout the area is important for establishing an attractive and comfortable residential setting.
- (42) Providing new public space and new/enhanced connectivity for active transport is also important and supportable in this location.
- (43) **I therefore support the Urban Design intent for this Amendment.** I consider the specifics of the Incorporated Plan drafting later in this Statement.

Current redevelopment, 2-4 and 6 Norris Street

- (44) This under-construction development, within the Amendment land, is for 3-storey commercial studios, as shown above at Figures 10 and 11, so is a non-residential development within the Amendment land, which is identified for predominantly residential use.
- (45) From the limited information I have regarding the development, it appears that the planned 3-storey 'terrace'-type commercial studios would be generally compatible visually/formally with future medium-density residential development on the

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Amendment land. Further, non-residential use is appropriate at the railway corridor interface, to avoid impacts on residential dwellings.



Figure 16: Marketing image of the 'Norris' development (commercial studios), under construction at 2-4 and 6 Norris Street (image source: <https://www.commercialrealestate.com.au>)



Figure 17: Marketing image of the 'Norris' development (commercial studios), under construction at 2-4 and 6 Norris Street (image source: <https://www.commercialrealestate.com.au>)

3.2 Are the proposed built form heights appropriate?

3.2.1 What is proposed?

(46) The Incorporated Plan proposes building heights as follows:

Precinct/location	Proposed maximum height
Precinct 1 (northern area, mapping 3-5 Sheppard Street and 4-10 Norris Street):	3 storeys (mandatory, under the General Residential Zone)
Precinct 2 (north-west, spanning 7-9 Sheppard Street):	4 storeys (mandatory, under the Incorporated Plan/Mixed Use Zone)
Precinct 3:	4 storeys; or 5 storeys (mandatory), including: <ul style="list-style-type: none"> a higher standard of ESD (under the Incorporated Plan); and a higher provision of Affordable Housing (under the Incorporated Plan Overlay).
Precinct 4(central/east):	3 storeys (mandatory, under the Incorporated Plan/Mixed Use Zone)
Precinct 5:	3 storeys (mandatory, under the General Residential Zone)

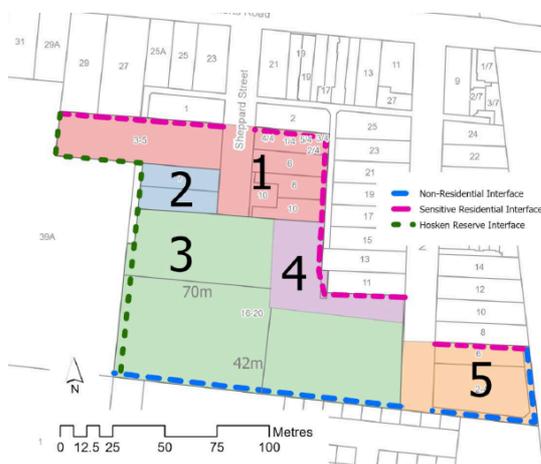


Figure 18: Precincts plan, from the Incorporated Plan



Figure 19: Maximum building heights by precinct, from the Incorporated Plan.

3.2.2 Assessment

- (47) The above heights provide for 3-storey built form at all interfaces to existing residential development, as a transitional response and lower-scale interface to existing low-scale forms, noting that the new built form is positioned to the south (and partly to the west) of existing residential properties, so there will be limited off-site overshadowing impacts. I consider these building heights to be appropriate and responsive to the sensitive residential interfaces.
- (48) The proposed heights allow 'stepping up' of heights away from residential interfaces, towards the interfaces to Hosken Reserve and existing industrial development.
- (49) Precinct 3 is approximately 90m wide in its northern portion, and approximately 130m wide in its southern portion. Hosken Reserve extends some 220m to the west, and the neighbouring industrial developments extend over 175m to the south.
- (50) In this context, I consider that heights of 4-5 storeys are comfortably achievable, and provide for modest scaling-up from established residential areas, and a moderately-scaled built form interface to Hosken Reserve.
- (51) **I therefore consider the proposed building heights to be appropriate.**

3.3 Is the built form interface to Hosken Reserve appropriate?

- (52) Hosken Reserve is an important public asset, which would gain a changed eastern interface as a result of this Amendment and subsequent redevelopment of the land.
- (53) In considering the proposed built form interface to Hosken Reserve, I have visited and considered three existing contemporary residential developments interfacing public parks, within the City of Moreland, which I am advised were mentioned during the Directions Hearing for this Amendment as potential precedents or case studies for the proposed interface to Hosken Reserve.
- (54) These case studies provide constructed, visual references to inform my assessment of the proposed interface conditions to Hosken Reserve.

3.3.1 Case study 1: Allard Park (Donald Street), Nunan Street (off Harrison Street), Brunswick East

Park conditions

- (55) Allard Park contains a football oval and pavilions and small playground. It is connected to Jones Park and the adjacent Brunswick Velodrome, itself adjacent to the Merri Creek Trail.
- (56) Allard Park is approximately 215m long in front of the development, and approximately 165m wide between Donald Street and Lyndhurst Crescent to the south.
- (57) Several mature trees existing between the development and the oval.



Figure 20: Aerial photo of Allard Park with the development interface at right (grey roofs) (image source: Google).

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Development type

- (58) The development considered here is a 3-storey 'walk up' apartment building with a 2-storey frontage to Allard Park, due to a level change between the park and Nunan Street.



Figure 21: Built form interface to Allard Park, looking north.



Figure 22: Built form frontage to the park interface.



Figure 23: Path, fence and setback conditions.



Figure 24: Path, fence and setback conditions.

Park frontage profile

- (59) The park/built form interface comprises:
- Concrete footpath, approximately 1.0m-1.2m wide;
 - Timber picket fence, approximately 1.2m high, with entry gates;
 - Setback of approximately 1.0m-1.5m to the building line;
 - Recessed front terraces (park level) extending to the fence line, and recessed balconies (upper level);
 - 2-storey built form with higher irregular angled roof elements.

Discussion / assessment

- (60) This development reflects a relatively low level of design/detailing and construction quality (exposed downpipes and balcony spouts, irregular windows, lack of detail resolution), and appears older than the other case studies below.

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- (61) The small setback between the path/fence and the building makes the interface appear cramped or compressed. Perhaps as a result, residents appear to be using the path and park space for outdoor furniture and potted plants, reflecting a private residential encroachment into the public open space.
- (62) The deeply-recessed ground-level terrace spaces appear shady and dark (noting that I visited in the morning, and the frontage faces west).
- (63) The small windows and doors further contribute to the building's 'closed' appearance, and limit the potential for visual interaction and passive surveillance. This also positions the path and park space very close to private residential space, which may make the path feel less welcoming to the public.
- (64) It is apparent that the park interface entrances are secondary entrances to these dwellings, and that they may be accessed primarily from the (rear) street frontage. This results in fewer people movements and less interaction at the park interface.
- (65) It is preferable to have main pedestrian entries at the park interface, to encourage more movement and passive surveillance.
- (66) The built form scale is low at 2 storeys (6m estimated), in the context of the park size and width, generating a height-to-width ratio of approximately 1:36.

3.3.2 Case study 2: Barkly Street Park, Brunswick

Park conditions

- (67) Barkly Street Park contains lawn areas and gravel paths, a playground and basketball hoops.
- (68) It is approximately 70m long in front of the development, and approximately 90m wide between Barkly Street and the northern edge.
- (69) The park features several mature trees, including along the development frontage.



Figure 25: Aerial photo of Barkly Street Park with the development interface at right (image source: Google).

Development type

- (70) The development interfacing the park comprises 3-storey townhouses, with garage and entry doors off Amelia Street to the rear.

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Figure 26: Frontage interface to the park.



Figure 27: Built form frontage, looking south-east across the park.



Figure 28: Built form frontage, looking east across the park.



Figure 29: 3-storey frontage to the park.



Figure 30: Park interface conditions, with low-height planters and visibly dark windows.



Figure 31: Amelia Street viewed from Barkly Street and rear of park frontage dwellings at left.

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Figure 32: View of frontage arrangement of low-height planters, recessed terraces and recessed front doors.



Figure 33: Frontal view of the park interface, showing the building profile and visibly dark windows.

Park frontage profile

- (71) The park/built form interface comprises:
- Gravel path, approximately 1.0m wide;
 - Frontage line comprising metal palisade gates and low-height planters;
 - Timber-clad walls with small windows, setback approximately 0.5m behind planters;
 - Recessed timber front doors, and (separate) recessed terraces, set back approximately 2.0m-2.5m from the frontage, with metal palisade fencing approximately 1.2m high, and larger living room windows;
 - 3-storey built form with upper-level balconies extending to the boundary line, alternating with recessed timber-clad walls; and
 - Partial glass balustrades to upper-level balconies.

Discussion / assessment

- (72) The façade design generates a visible ‘layered’ interface, with varied setbacks, materials and components to each dwelling, within an overall fine-grain expression and rhythm. The design reflects an appropriate attention to detail and design resolution.
- (73) The building scale, modulation, materials and details support a modestly-scaled, residential character or domestic appearance, within a medium-density typology.
- (74) The extent of visual permeability or visual interaction with the park is relatively limited. While ground floor palisade fencing and upper-level glass balustrades support partial visual permeability, the dark window tones restrict visual interaction (noting that my visit was on an overcast morning, and the park frontage faces west).
- (75) There is no clear setback zone at the ground level between the park and the building line, creating an ‘immediate’ interface condition. The existing mature trees and informal gravel path create an ‘in between’ zone to the park area proper.
- (76) The extended built form overhangs above Ground Floor level (see Figure 26) appear to encroach into the park space, and there is no clearly defined boundary line.

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- (77) The 3-storey built form scale (estimated 9m) generates a height-to-width ratio of approximately 1:8, reflecting a more prominent frontage in the context of the park size.

3.3.3 Case study 3: Balfe Park, off Nicholson Street and Glenlyon Road, Brunswick East

Park conditions

- (78) Balfe Park contains a rectangular soccer pitch and smaller lawn area with a playground extending to John Street to the west.
- (79) It is approximately 80m long in front of the development and a further 70m to John Street, and approximately 125m wide from north to south.
- (80) Several mature trees exist along the northern and eastern edges.



Figure 34: Aerial photo of Balfe Park with the development site indicated at right (red outline, pre-construction) (image source: Google).

Development type

- (81) The recent development 'Balfe Park Lane' is a 6-storey apartment building with its frontage to Nicholson Street, and a pedestrian laneway connection between Nicholson Street and the Balfe Park.

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(82) Balfe Park Lane received the Best Overall Award for Residential Architecture - Multiple Housing (2022) in the Victorian Architecture Awards.



Figure 35: Park interface of Balfe Park Lane development (grey concrete and red brick forms) and adjoining development at left.



Figure 36: View of the 6-storey frontage (with recessive upper level) from across the park.

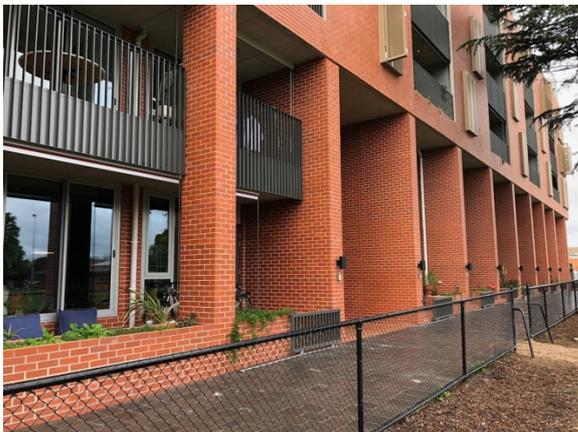


Figure 37: Park interface (southern, red brick component) comprising paved 'laneway' or path with a low-height fence to the playing field.

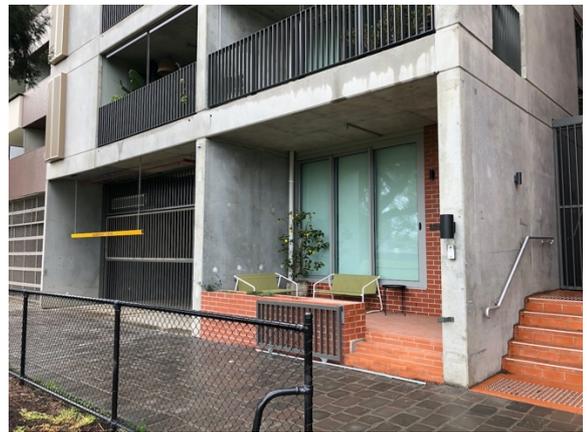


Figure 38: Park interface (northern, concrete component). Ground floor terraces are elevated approximately 0.5m above ground level. Behind low-height planters and gates at the frontage.

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Figure 39: Laneway connection from Nicholson Street, looking west to the park.



Figure 40: The frontage laneway/path appears to be part of or an extension of an existing access lane from Glenlyon Road to the north.

Park frontage profile

- (83) The park/built form interface comprises:
- Paved laneway/path (approximately 3m wide) between the building line and low-height fence to the park/playing field, with a separate pedestrian path (gravel) within the park.
 - Building frontage comprising low-height front walls/planters (estimated approximately 0.8m high) and double-height brick blade walls;
 - Ground floor terrace spaces behind frontage gates, elevated approximately 0.5m;
 - Front doors/windows behind terrace spaces, with clear glazing, setback approximately 2.0m from the frontage line; and
 - Metal palisade balustrades to First Floor balconies.

Discussion / assessment

- (84) The height, profile and design of this development, presents a more substantial, robust and 'hard edge' interface to the park. The design reflects a high level of consideration and detailed resolution.
- (85) The more 'open' frontage at the lower two levels, with recessed terraced/balconies, is contrasted to the more 'solid expression at Levels 2-4 (brickwork wall with recessed balconies and 'punched' windows). This delineates the building based and supports a more visually permeable interface to the public realm.
- (86) The ground floor terraces are slightly elevated, which supports a sense of separation from the public realm, while also increasing visual connectivity with the park.
- (87) The clear glazing and light-grey metal frames support increased visual interaction opportunities with the public realm.
- (88) The 3m wide (approximately) laneway path provides a clear separation and 'buffer' between the park and the development, but remains fully publicly accessible.
- (89) The ground floor terraces spaces appear to be furnished and used by residents, but were not in use during my mid-morning weekday visit.

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- (90) The interface condition is quite hard-edged, but may be visually softened by increasing planting over time.
- (91) The 6-storey built form scale (estimated approximately 20m) generates a height-to-width ratio of approximately 1:3.5, reflecting a prominent frontage condition in relation to the park dimensions.

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3.4 Are the proposed frontages and interfaces appropriate?

3.4.1 What is proposed - Hosken Reserve interface

(92) The Incorporated Plan provides the following provisions for built from setbacks to Hosken Reserve, and all street frontages except Norris Street:

	3-storey	4-storey	5-storey
Lower 2 storeys	3m	3m	3m
Third storey	6m	3m	3m
Fourth storey	-	8m	3m
Fifth storey	-	-	8m

Table 1: Excerpt from the Incorporated Plan (Table 3) – Street and Hosken Reserve setbacks.

(93) Therefore, at the Hosken Reserve interface, buildings up to 5-storeys are proposed, with front setbacks of 3m to the lower levels, upper level setbacks of 6m (third storey) and 8m (fourth and fifth storeys). In this way, the uppermost setbacks are required to increase with higher built form.

(94) The Incorporated Plan states that *balconies should not encroach into these setbacks, except at the upper level where balconies with transparent balustrades (i.e. clear glass or similar) may be provided at a setback which matches the level below.*

(95) The Hosken Reserve Master Plan notes that the existing car parking area in the reserve adjoining the Amendment land is to be retained and potentially upgraded.

(96) It also shows an ‘indicative updated title boundary’ between the Reserve and the Amendment Land, which appears to increase the Amendment land area towards the west, but I am not aware that this change is intended to occur. The incorporated Plan states that: *A portion of the western edge of the site is currently occupied by a car park serving Hosken Reserve. This land varies in width and extends from the current building line to the western property boundary, as depicted in Figures 2 and 3. The siting of buildings should facilitate the transfer of this portion of the site to Council.* See Figure 43, below.

(97) The Hosken Reserve Master Plan also indicates that the car parking spaces be shifted to the western (Reserve) side of the roadway, away from the boundary to the Amendment land, and that a new 1.5m wide pedestrian path be provided along this boundary, within the Reserve land.



Figure 41: Existing interface conditions between the Amendment land and Hosken Reserve (car parking area). I understand that (part of) the parking spaces shown are within the Amendment site, and proposed to be transferred to Council, to continue to serve Hosken Reserve.

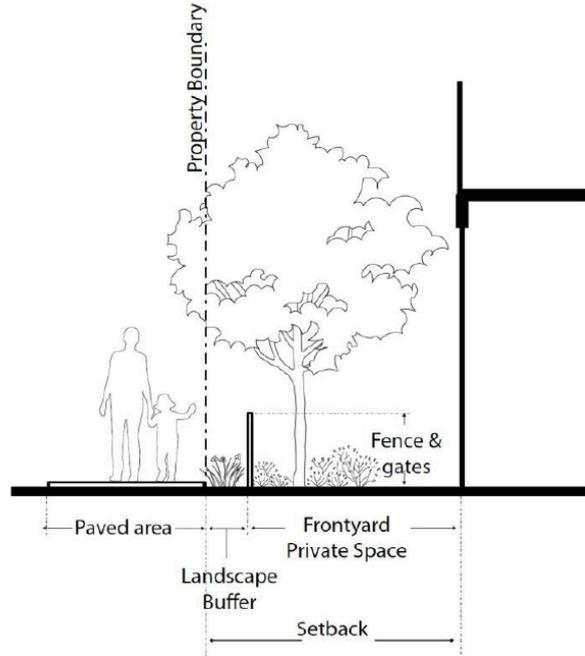


Figure 42: Section diagram of the Hosken Reserve interface, from the Incorporated Plan. The paved area shown would be, to my understanding, existing car parking spaces. The front setback distance is proposed to be 3m.



Figure 43: Aerial photo of existing car parking (single-sided aisle with stepped alignment) at the interface of Hosken Reserve and the Amendment land (image source: Google)



Figure 44: Excerpt from the Incorporated Plan (Figure 2) showing the current site boundary, with the car parking area proposed to be transferred to Council.

- (98) The Incorporated Plan provides the following guidance for the interface design:
- *Development adjacent to Hosken Reserve must be designed to provide a landscaped interface with the parkland and to provide appropriate sightlines for users of the Reserve car park and accessways. This should include:*
 - *The provision of landscaped setbacks to the Reserve;*
 - *Low or visually permeable fencing to the Reserve, with fencing adjacent to vehicle accessways and alternative transport links designed to maintain sightlines for users of those routes; and*
 - *Landscaping between proposed boundary fencing and any adjacent car park, accessway or future footpath ('paved area') within the Reserve, as detailed in Figure 1.*
 - *Encourage a high level of passive surveillance of Hosken Reserve and quality landscape design to integrate into the parkland context.*
 - *Development must provide a range of opportunities for passive surveillance of the public realm and communal areas on the land. This should include:*
 - *Potential for passive surveillance of Hosken Reserve, existing and proposed roads, alternative transport links and communal spaces from multiple windows, including windows at each level of any proposed building; and*
 - *Use of boundary treatments that allow surveillance at the ground level.*
- (99) Therefore, the proposed interface would comprise:
- 1.5m wide paved path within the Reserve boundary, between the access road/car parking and the proposed development frontage, adjoining the boundary;
 - Landscaping inside the Amendment property boundary, between the path and front fencing (nominally 0.5m wide);
 - Low-height or visually permeable front fence;
 - Landscaped front setback (nominally 2.5m wide); and
 - Building frontage, supporting passive surveillance outcomes, with minimum 3m setback.
- (100) I am instructed that the landscaped frontage would constitute private open space (front gardens/terraces) to ground floor dwellings, and so is likely to be divided by fences or screens between each dwelling frontage.

3.4.2 Assessment – Hosken Reserve interface

- (101) The existing/potentially upgraded car park provides a separation or buffer between the Reserve itself, and future development.
- (102) The provision of a paved pedestrian path facilitates pedestrian movement and access to dwelling frontages in future development.
- (103) I consider that a 3m setback is sufficient for landscaping and a sense of separation and space between the Reserve and future development.
- (104) I consider it acceptable that this setback constitutes private front gardens or terraces, with consistent landscaping along the fence line (as opposed to a communal or common landscape buffer, for example). The existing access road/car

park in the Reserve allows future development to adopt a 'street-based' form of dwellings with front gardens interfacing directly to a future footpath.

- (105) I generally support the guidance for low-height and visually permeable planting and fencing at the frontage, which addresses both ground floor and upper-level interfaces, but suggest this could be further developed. In consideration of the case studies above.

Recommendation 1:

Expand the guidance for passive surveillance to include visual interaction, including through (for example) clear glazing. Passive surveillance suggests a one-way interaction, but visual interaction (including seeing into dwelling frontages) supports a sense of safety, perception of activity, and social opportunities.

- (106) The proposed 5-storey maximum height (estimated 16m approximately) generates a height to width ratio to the park of approximately 1:14. Future development is separated from the Reserve area 'proper' by the existing car parking/access road and the adjacent row of mature trees, which will further mediate this interface. I consider this proportional scale relationship to be comfortable, and not in any way visually dominant or overbearing in relation to the experience of the Reserve.
- (107) I also support the Incorporated Plan guidance that balconies should not encroach into front setbacks, but that balconies may be provided in the additional setback space at the uppermost level (above the level below, so behind the frontage wall line).

3.4.3 What is proposed - Street interfaces (except Norris Street in Precinct 4, and 6 Norris Street)

- (108) The above guidance for the Reserve interface also applies to street frontages, other than Norris Street in Precinct 4, and 6 Norris Street (which have separate guidance for frontages).
- (109) This guidance provides for 3m front setbacks, with the uppermost levels set further back, by 6m from boundary in 3-storey buildings, and 8m from boundary in 4-storey and 5-storey buildings.

3.4.4 Assessment - Street interfaces (except Norris Street in Precinct 4, and 6 Norris Street)

- (110) Front setbacks to existing houses along Sheppard Street, Shorts Road and Norris Street are consistently in the range of approximately 4m-6m, from my desktop measurements, with front garden areas as typical in suburban residential settings, as shown below (Figures 47 and 48).



Figure 45: Aerial photo indicating existing front setbacks to residential dwellings on Shorts Road and Sheppard Street, from my desktop measurements (image source: Google).



Figure 46: Aerial photo indicating existing front setbacks to residential dwellings on Norris Street, from my desktop measurements (image source: Google).

- (111) For the same reasoning as for the Hosken Reserve frontage set out above, I consider this setback profile to be appropriate in response to street frontages in a medium-density redevelopment setting. The 3m front setback provides an appropriate balance between providing outdoor space and landscaping along street frontages, with opportunities for visual interaction and passive surveillance.
- (112) I am comfortable with additional upper-level setbacks of 3m-5m from the frontage wall, as proposed.
- (113) At the modest building scales proposed, a 3m setback to a third level is acceptable, and will provide clear distinction between frontage wall and recessed upper level, and space for balcony areas within the setback.
- (114) At the increased heights of 4-5 levels, an increased setback of 5m from the frontage (8m from boundary) provides for increased recession of the top-level, to 'balance' the increased frontage scale. That is, where higher/more prominent frontages are established, the top floor will be more recessive and less visible.
- (115) This is an appropriate approach, and I consider 5m upper-level setbacks are adequate within 4-5 level building forms.
- (116) I also support the provision for frontage walls of varying height (depending on overall building height) rather than, for example, consistent 2-storey frontage walls throughout, with all upper levels set back. I consider that 2-storey frontage walls are appropriate for 3-storey buildings, but not for 4-storey or 5-storey buildings, because this would create inappropriate proportional relationships and make the upper levels too prominent visually, relative to the frontage forms.

3.4.5 What is proposed - Street interfaces: Norris Street in Precinct 4, and 6 Norris Street

- (117) The Incorporated Plan provides the following provisions for built from setbacks along Norris Street in Precinct 4, and 6 Norris Street (northern part of Precinct 5):

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	Lower 2 storeys	Third storey
Existing building on abutting property to north	Average of 3m and front wall setback of abutting property	Average of 6m and front wall setback of abutting property
No existing building on abutting property to north	3m	6m

Table 2: Excerpt from the Incorporated Plan (Table 2) – Boundary setbacks, Norris Street in Precinct 4 and 6 Norris Street.

3.4.6 Assessment - Street interfaces: Norris Street in Precinct 4, and 6 Norris Street

- (118) This approach effectively allows new development to ‘transition’ between existing built form on abutting properties, and the preferred setbacks for new built form of 3m (front wall, lower two levels) and 6m (top level).
- (119) I consider it appropriate to provide for this transitional interface at built form frontages to streets where new development is adjacent to existing residential buildings.
- (120) I consider that 3m setbacks at the lower levels is appropriate to balance provision of space for landscaping, with maintaining visual interaction and passive surveillance opportunities.
- (121) It is also an effective balance between responding to existing setback conditions (predominantly 5m-6m approx.), and making efficient use of well-located redevelopment land.
- (122) As noted above, I understand the property at 6 Norris Street (which is identified individually in this guidance) forms part of the current redevelopment (under construction) for 14 commercial studios (3-storeys), which I understand are being sold individually, based on online marketing information, such as this listing (studio unit sold July 2022): <https://www.commercialrealestate.com.au/property/studio-3-2-6-norris-street-coburg-north-vic-3058-2017951233>

Recommendation 2:

Review the specific identification of 6 Norris Street in the Incorporated Plan, if it is already being redeveloped for strata-titled commercial studios.

3.4.7 What is proposed - Setbacks to industrial land and land affected by this plan:

- (123) The Incorporated Plan provides the following provisions for built form setbacks to industrial land and ‘land affected by this plan’.

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	3-storey building	4-storey building	5-storey building	
			Lower four storeys	Fifth storey
Living room window or main balcony	4.5m	6m	6m	9m
Remainder of building	2m	3m	3m	4.5m

Table 3: Excerpt from the Incorporated Plan (Table 4) - Setbacks to industrial land and land affected by this Plan.

- (124) I assume that 'land affected by this plan' includes other land or developments within the Amendment area, as these affect individual developments within the Amendment area. For example, in a 4-storey building, all levels should be setback 6m for living rooms, rather than the lower three (3) levels being set back 4.5m. However, this wording is not clear, and this is different to the way Clause 15.01-2L provides guidance.

Recommendation 3:

Clarify or confirm that 'land affected by this plan' refers to adjacent sites or developments within the Amendment land, and whether this guidance addresses spacing between buildings as well as interfaces to existing industrial land.

Further, confirm if 'land affected by this Plan' refers to just the Amendment land, or additional peripheral areas also.

Recommendation 4:

Clarify/confirm that the setback provisions for higher buildings apply across all levels, rather than requiring stepped profiles.

3.4.8 Assessment: Setbacks to industrial land and land affected by this plan:

- (125) The above guidance for interfaces to industrial land allows for:
- Bedroom (habitable room) windows positioned within 2m of a boundary to industrial land (for 3-storey buildings), and set back 3m (for 4-storey buildings);
 - Bedroom (habitable room) windows within 4m (2m + 2m) of other windows in adjacent buildings within the Amendment land (if my understanding of this guidance applying to building separation within the Amendment land is correct);
 - Increasing setbacks at the lower levels, depending on the overall height of the building.
- (126) This guidance separates living room windows and main balconies, from the 'remainder of the building' (which includes bedroom windows or other habitable room windows). This approach is consistent with Clause 15.01-2L Apartment

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developments in Moreland (which derives from the Moreland Apartment Design Code [MADC]), however the setback standards differ in some cases, noting that Clause 15.01-2L addresses all side or rear boundary setbacks, rather than specifically to industrial interfaces. For example:

	Clause 15.01-2L		Amendment C201	
	Living room / main balcony	Bedroom outlook	Living room / main balcony	Remainder of building
3-storey building	-	-	4.5m	2m
Up to 4 storeys or 12m / 4-storey building	6m	3m	6m	3m
5-storey building	-	-	6m (9m for 5 th level)	3m (4.5m for 5 th level)
5-8 storeys	9m	4.5m		

Table 4: Comparison of side and rear setback provisions between Clause 15.01-2L and Amendment C201.

- (127) As shown, the Amendment provides for lesser setbacks than Clause 15.01-2L for the lower three (3) levels, and the 5th level, for both living rooms/balconies and bedrooms.
- (128) I understand that Clause 15.01-2L (and the MADDC), and the Amendment, assume increasing setbacks for the full height of the building, depending on the overall height, rather than stepped forms with lesser setbacks at the lower levels. The provisions in Clause 15.01-2L are set out according to 'building height', and not specific to groupings of floor levels.
- (129) I understand that the Amendment is consistent with this approach. For example, for a 4-storey building, all levels should be set back 6m to living rooms, rather than the lower three levels being set back 4.5m.
- (130) I support this approach, because it provides for wider spacing between taller buildings to support daylight penetration, and avoids excessive stepping in buildings.
- (131) I consider that 2m-3m setbacks to built form and some habitable room (such as bedroom) windows to boundaries with industrial land is inadequate.
- (132) I understand that the industrial land to the south of the Amendment land (Industrial 1 Zone) is not expected to be rezoned or redeveloped for residential purposes. However, it is likely to present visual and other amenity impacts on neighbouring dwellings, such as through heavy vehicle movements, goods processing and equipment operation.
- (133) Therefore, increased minimum setbacks are appropriate, whether or not the neighbouring industrial land could be redeveloped in the future.
- (134) I consider that minimum 4.5m setbacks to all habitable rooms or balconies, for minimum 9m separation (if neighbouring sites are redeveloped), is preferable and required.

- (135) Clause 15.01-2L provides for 3m side or rear setbacks to bedroom windows for buildings up to 4 storeys in height. However, I consider than minimum 4.5m setbacks to all habitable room windows is more appropriate.

Recommendation 5:

Provide for minimum 4.5m side and rear boundary setbacks to all habitable room windows, including to existing industrial land. This may be reduced at laneway interfaces to incorporate the width of the laneway.

- (136) **I therefore consider that the proposed frontages and interfaces are appropriate, except for the above recommended clarifications and refinements to the setback provisions.**

3.5 Is guidance for public realm interfaces appropriate?

3.5.1 What is proposed?

- (137) The Incorporated Plan states that *development must provide a range of opportunities for passive surveillance of the public realm and communal areas on the land.* This should include:
- *Potential for passive surveillance of Hosken Reserve, existing and proposed roads, alternative transport links and communal spaces from multiple windows, including windows at each level of any proposed building; and*
 - *Use of boundary treatments that allow surveillance at the ground level.*

3.5.2 Assessment

- (138) It is appropriate to encourage passive surveillance opportunities to all public and communal spaces, to support safety and accessibility, as well as social interaction opportunities.
- (139) The guidance recognises the role of both ground floor and upper level windows and interface conditions.
- (140) As discussed above, the provision of 3m frontage setbacks provides a balance of landscaping opportunities for privacy, amenity and a sense of separation, with opportunities for visual interaction and passive surveillance.
- (141) **I therefore consider that the guidance for public realm interfaces is appropriate.**

3.6 Does the Urban Design Framework demonstrate that the Amendment supports good urban design outcomes?

3.6.1 What is proposed?

- (142) I recognise that the Urban Design Framework does not form part of the proposed Amendment, or a definitive plan or proposal for future development on the Amendment land.
- (143) However, this indicative framework demonstrates a potential configuration for future development, which demonstrates potential urban design outcomes in this location.

Built form and open space

- (144) The Urban Design Framework provides an indicative layout (Key Directions) of built form and open space as follows:
- Retention of Sheppard Street and the existing east-west link from the southern end of Sheppard Street to Hosken Reserve;
 - Continuous north-south 'break' between buildings on alignment with Sheppard Street, extending to the southern boundary;
 - Open courtyard space located centrally, and approximately centred on the Sheppard Street alignment;
 - Additional breaks between buildings, along a north-south line between Sheppard and Norris Streets;
 - Infill 3-storey development along the northern and eastern interfaces; and
 - 4-5 storey built form along the southern and western edges.



Figure 47: Key Directions drawing: Built Form, from the Urban Design Framework.

Access and connectivity

(145) The Urban Design Framework provides a Key Directions: Landscape and Public Realm plan comprising:

- Major public links:
 - Sheppard Street to Hosken Reserve, via a Shared Zone in the location of the existing roadway;
 - East-west pedestrian mews between Hosken Reserve and the railway corridor, through the southern part of the land;
 - Connection to the south using the existing roadway between the Amendment land and Hosken Reserve.
- Minor public links:
 - Rear laneway linkages (east-west and north-south) between Sheppard and Norris Streets;
 - Extension of Sheppard Street alignment to the southern boundary;
 - Laneway linkage as extension of the east-west link from Sheppard Street to Hosken Reserve.

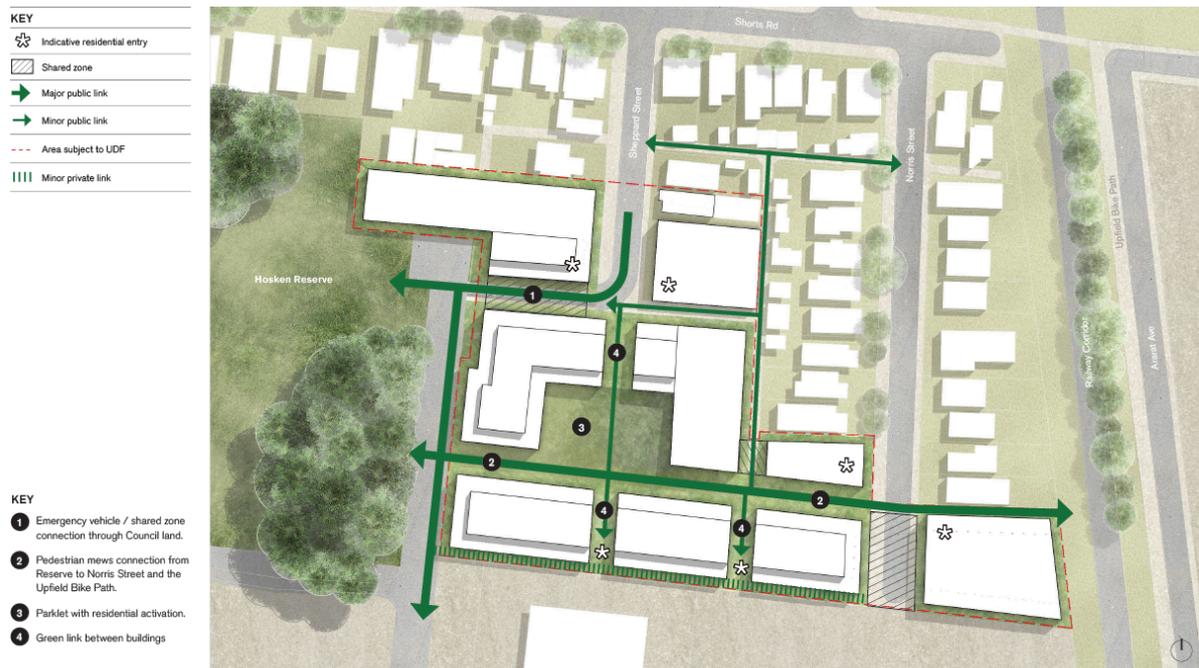


Figure 48: Key Directions drawing: Landscape and Public Realm, from the Urban Design Framework.

3.6.2 Assessment

(146) This indicative layout is generally appropriate and effective from an urban design perspective, because it:

- Works with and builds on the existing street network/structure;
- Retains and enhances access to Hosken Reserve;
- Presents opportunities for activation to Hosken Reserve, as well as the streets and new public realm spaces;

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- Adopts a ‘perimeter block’ typology, of buildings at the edges and courtyard located centrally. This allows for defined edges/frontages, clear delineation of the public realm, new activation to the public realm, and creation of a public or semi-private/communal courtyard space for residents to share;
- Promotes pedestrian permeability and through-movement.

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4.0 Conclusion

- (147) Amendment C201more seeks to implement a preceding strategic initiative to rezone and redevelop well-located industrial land for residential use.
- (148) I consider that the Amendment generally provides appropriate and effective built form provisions, including building heights and setbacks, across the Amendment land.
- (149) I consider this Amendment to be supportable from an Urban Design perspective, and consider that it will facilitate appropriate and contextually responsive development outcomes which provide for new housing (including Affordable Housing) in a well-located, accessible area, and which will enhance the interfaces to Hosken Reserve and existing streets.

Declaration

- (150) 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.

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