

490-500 Burwood
Highway, Vermont
South / **Planning
Scheme Amendment
C230whse**

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Instructed by
Norton Rose Fulbright

On behalf of
Dandenong Views PTY LTD

Date of site inspection
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1. INTRODUCTION

- (1) I am a Principal Urban Designer at Kinetica Studio Pty Ltd. I hold qualifications in urban design and planning and have over 16 years professional experience. Further details of my qualifications and experience are outlined in Appendix A.
- (2) In August 2022, I was engaged by Norton Rose Fulbright on behalf of Dandenong Views Pty Ltd to provide an independent urban design assessment of Amendment C230 (the 'Amendment') to the Whitehorse Planning Scheme in relation to 490-500 Burwood Highway, Vermont South (the 'Site') for the purpose of informing its planning review at Planning Panels Victoria.
- (3) In preparing my evidence I have assessed the exhibited Amendment documentation and in particular, the proposed Design and Development Overlay - Schedule 6 '490-500 BURWOOD HIGHWAY, VERMONT SOUTH (FORMER AUSTRALIAN ROAD AND RESEARCH BOARD SITE)' (DDO6)
- (4) I have structured my evidence as follows:
 - **Section 2.0** describes the Site and key aspects of the surrounding urban context, policy and strategic context from an urban design perspective.
 - **Section 3.0** assesses the potential urban design implications of the proposed zone and overlays with considerations in relation to heritage, building heights and configuration, built form setbacks and separation and public realm amenity.
 - **Section 4.0** concludes my assessment.

2. CONTEXT

2.1 PHYSICAL CONTEXT

2.1.1 THE 'SITE'

- (5) The Site is approximately 2.58ha and is generally rectangular in shape with a significant slope downwards from north to south of approximately 7 metres across the length of the property, providing long range views to the east and south.
- (6) It is currently zoned Transport Zone - Schedule 4 (TRZ4) due to the previous uses on the Site. The Site once housed the Australian Road and Research Board (ARRB) headquarters. The ARRB has since relocated and the Site has been vacant since 2017.
- (7) The Site contains a site specific heritage overlay (HO23 'Australian Road Research Board') which relates to the northern most building on the Site known as the Administration Building, designed by Mockridge Stahle and Mitchell and classified as a significant heritage building.
- (8) The façade of the heritage building is largely visible from Burwood Highway. The vertical rhythm of the architecture and mature landscaping it sits within creates a distinct view from vantage points along Burwood Highway.
- (9) The Site has a network of internal roads and pedestrian paths that connect the ancillary buildings, which are set within a mature landscape of canopy trees, shrubs and small trees.

- (10) The heritage façade of the Administration Building and the landscaped frontage to Burwood Highway both contribute to the local neighbourhood character and will be an important feature of the Sites redevelopment.

2.1.2 SITE INTERFACES

- (11) The Site has the following interfaces:
- To the **north** is Burwood Highway, a major east-west arterial road. It has a 60m wide road reserve with 3 lanes of traffic in each direction, separated by a landscape median. The route 75 tram has a dedicated alignment within the Burwood Highway median and terminates west of the Site, at the Burwood Highway and Hartland Road intersection. The northern side of Burwood Highway has a service lane, providing access to dwellings. To the east and west of the Site, the southern side of Burwood Highway also has service lane access to properties. The Site is the only property that does not have a service lane frontage along Burwood Highway.
 - To the **east** and **south** of the Site is the Victoria Grange Residential Aged Care Facility which contains a mix of 1 - 3 storey residential buildings with various setbacks to the Site. The Aged Care Facility contains a number of buildings along the eastern interface including a large 3-storey building that has terraces and balconies that orient towards the Site. Along the southern interface is a communal open space edged by three 3-storey residential and communal facility buildings.

The Aged Care facility is zoned Neighbourhood Residential Zone - Schedule 5 (NRZ5).

- To the **west** are 1 and 2 storey dwellings which are oriented east-west with frontages to Harland Road and secluded private open space (SPOS) along the interface with the Site. The properties along the western edge are also subject to NRZ5 which seeks to recognise "areas of predominantly single and double storey residential development" and also seeks "to manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics."

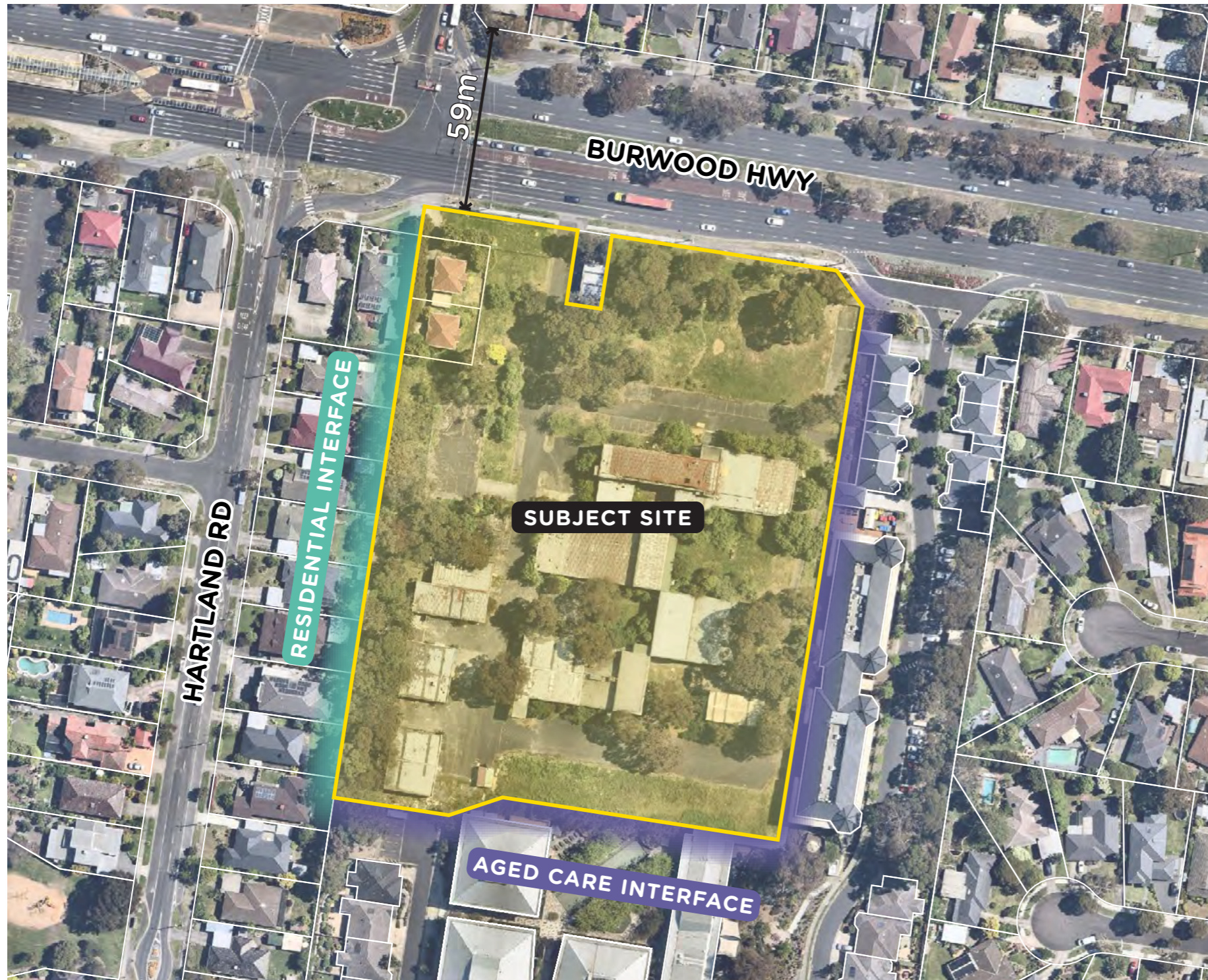


Figure 1. Site and interfaces



2.2 URBAN CONTEXT

- (12) The Site is positioned on the southern side of Burwood Highway, a main east-west arterial which contains tram and bus routes, providing good public transport access to the Site.
- (13) Properties directly west of the Site fronting Burwood Highway are zoned Residential Growth Zone 1 (RGZ1) which seeks “to provide housing at increased densities in buildings up to and including four storey buildings, in locations offering good access to services and transport.” The emerging built form along Burwood Highway contains a mix of 3 to 8 storey residential buildings as shown at Figure 3.
- (14) North-west of the Site, on the northern side of Burwood Highway is the Vermont South Shopping Centre which is identified as a Neighbourhood Activity Centre (NAC) within the Whitehorse Planning Scheme. In proximity to the shopping centre are community uses (library and sports fields) and Livingston Primary School.
- (15) The Site sits within a broader residential neighbourhood zoned NRZ5 and consists of primarily 1 and 2 storey dwellings, typically detached and set within a landscape setting, with the Victoria Grange Residential Aged Care Facility an anomaly in terms of scale and massing.

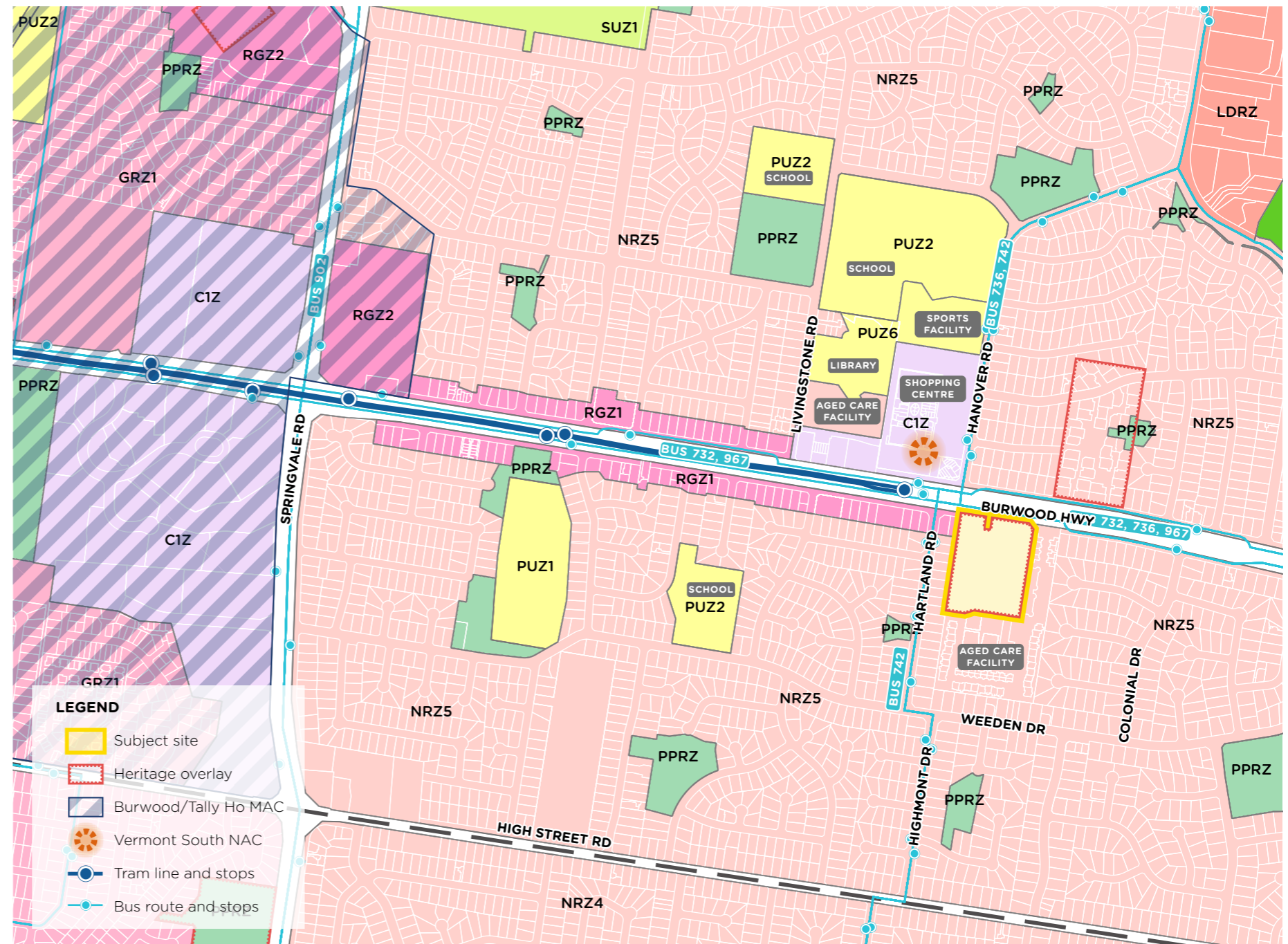


Figure 2. Urban context map

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Figure 3. Development context



2.3 POLICY CONTEXT

2.3.1 EXISTING ZONES AND OVERLAYS

- (16) The current zoning is related to the Sites previous uses and as discussed previously is now redundant.
- (17) The Site is subject to a heritage overlay (HO23) which is site specific for the purpose of protecting the Administration Building which was constructed in 1971-72. The Administration Building is a *“highly intact representative example of a Post-war Modernist commercial building. Through its simple massing and composition, particularly the repetitive fenestration and assured use of face brickwork, the building is a confident example of the type of building”* (Statement of Significance, Whitehorse Planning Scheme, 22 June 2020).

2.3.2 PROPOSED WHITEHORSE PLANNING SCHEME AMENDMENT C230

- (18) Amendment C230 proposes to rezone the Site to Residential Growth Zone 3 (RGZ3) to allow for residential buildings at increased densities given the size and strategic location of the Site. This will be supported by a Design and Development Overlay Schedule 6 (DDO6) which will set the built form objectives and requirements for the Site.
- (19) The Amendment also seeks to apply various overlays including:

- A heritage overlay (HO) to protect the Administration Building;
- A vegetation protection overlay (VPO) to protect vegetation on the Site;
- A significant landscape overlay (SLO) to identify significant landscaping on the Site; and
- An environmental audit overlay (EAO) to ensure correct management of potentially contaminated land on Site;

2.3.3 PROPOSED WHITEHORSE PLANNING SCHEME AMENDMENT C220

- (20) Amendment C220 is currently underway and seeks to introduce a Design and Development Overlay Schedule 11 (DDO11) to the RGZ zoned standard residential lots fronting Burwood Highway. It seeks to include the *Whitehorse Residential Corridors Built Form Study* (Ethos Urban 2019) as a background document which sets the background for the built form objectives and requirements in the proposed DDO11.
- (21) The proposed DDO11 seeks:
- *To ensure that the height of new buildings provides an acceptable built form interface with adjoining development in other zones.*
 - *To ensure the height and built form of new buildings do not visually dominate the street or compromise the character and amenity of adjacent low-rise residential areas.*

- *To maintain the visual prominence of landscaping and ensure space for medium and large trees on site, particularly within the front and rear setbacks.*

- (22) The DDO proposes maximum building heights of 19 metres and 6 storeys and setbacks dependant on interfaces.

2.4 STRATEGIC CONTEXT

- (23) Policy directions in Plan Melbourne 2017-2050 seek to facilitate new housing in established areas to create 20-minute neighbourhoods close to existing services, jobs and public transport (Policy 2.1.1 and 2.2.3). It also seeks to create mixed-use neighbourhoods at varying densities (Policy 5.1.1).
- (24) Multiple clauses within the PPF also support redevelopment of land within established areas. Clauses 15.01 ‘Urban Design’ and 16.01 ‘Housing Supply’ encourage new housing in proximity to activity centres in development that is considerate of the local context and that contributes to and improves amenity of an area.
- (25) The Whitehorse Planning Scheme also recognises the opportunity to provide housing at increased densities on sites that are well serviced (Clause 21.06 ‘Housing’).

- (26) More specifically, Clause 21.06-3 'Housing Location' seeks to provide appropriate housing growth in the form of substantial change in locations along rail corridors, tram lines and main roads, subject to managing amenity considerations.
- (27) In summary, the Site is viewed as a strategic location that can accommodate increased density and built form as envisaged for properties fronting Burwood Highway in the Housing Framework Plan (Clause 21.06 'Housing'). However, new development must also manage amenity impacts both to the public and private realms. Aside from responding to amenity concerns, the Site creates an opportunity to provide future high-density housing in a highly accessible location close to public transport and services.

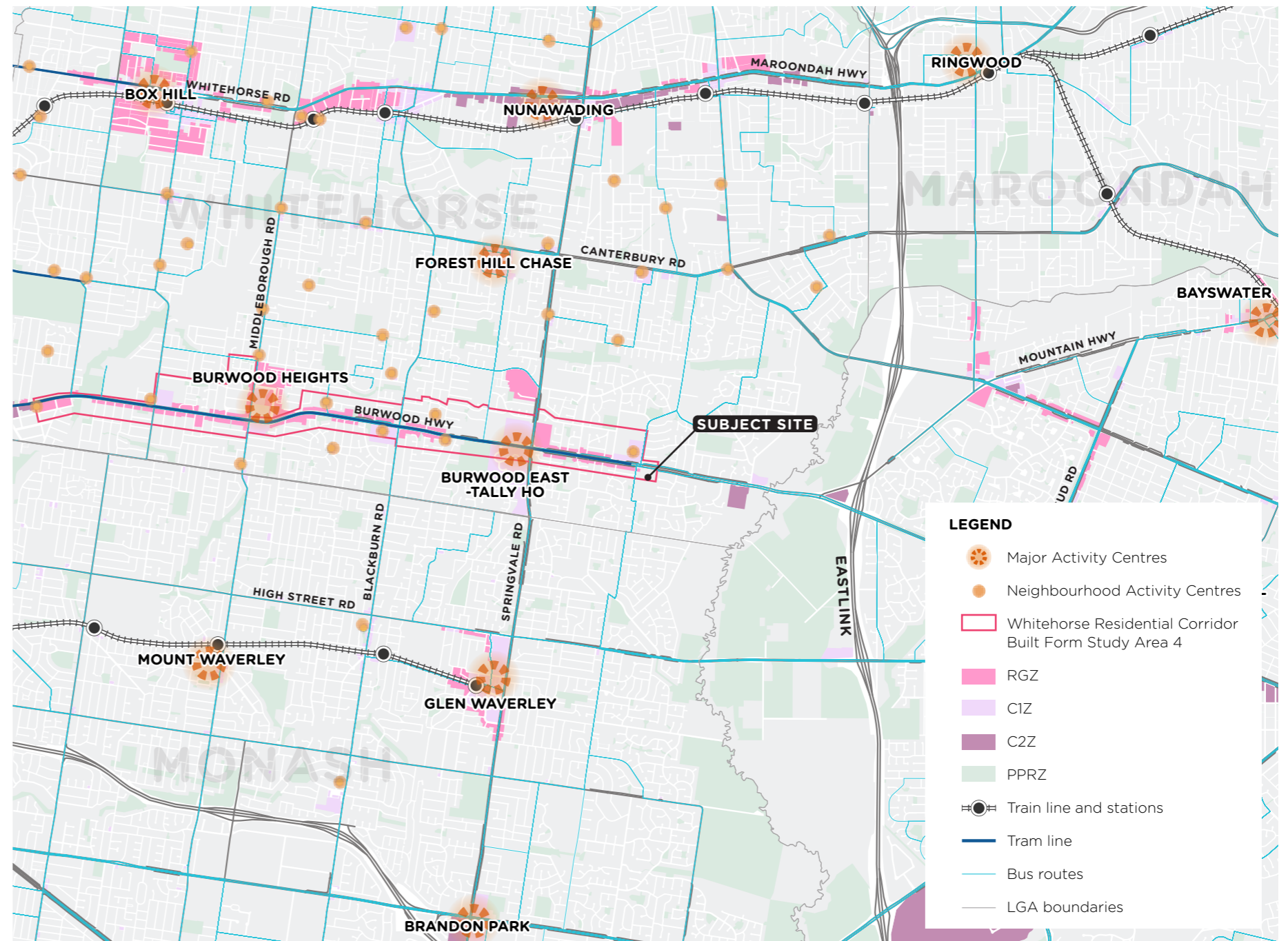


Figure 4. Strategic Context



3. URBAN DESIGN ASSESSMENT

3.1 INTRODUCTION

- (28) From an urban design perspective, the principal tool of relevance is DDO6. Therefore, I have structured my urban design assessment with specific regard to its provisions. There is a nexus between urban design and heritage and the built form controls applied to the Site. I make comment on the relationship between the nature of the built form controls proposed in DDO6 and the heritage significance of the ARRB building and surrounds, but in no way profess to be an expert in heritage matters.
- (29) This section firstly reviews the heritage considerations of the Site as they relate to urban design. It then provides an assessment of the built form requirements proposed in DDO6 and recommends any changes to the drafting of the schedule and Figure 1 – Concept Plan (Concept Plan).

3.2 HERITAGE CONSIDERATIONS

3.2.1 PROPOSED CONTROLS

- (30) As part of my assessment of the Amendment, I have reviewed the relationship between the nature of the built form controls proposed in the DDO6 and the heritage significance of the Former Australian Road and Research Board (ARRB) buildings and surrounds.
- (31) The Amendment proposes to amend the Schedule to Clause 43.01 Heritage Overlay to include reference to the updated Former ARRB, 490-500 Burwood Highway, Vermont South

– Statement of Significance (Whitehorse City Council, June 2021). The built form requirements and building envelopes in the DDO6 have been drafted to ensure an appropriate setting and context for the heritage place is maintained.

- (32) A Conservation Management Plan (CMP) has been prepared on behalf of the owner of the former ARRB complex, which identifies the nature, extent and level of cultural significant of the Site and constraints on future development.
- (33) The CMP describes the former ARRB complex as fronted by an administration building with attached staff dining and display rooms, well setback from Burwood Highway. To the rear of the Administration building is a covered walkway that provides access to three separate research wings with landscaped courtyards between. A series of ancillary structures also exist on Site.
- (34) The CMP generally concurs with the statement of significance for the Site which is included in the City of Whitehorse Heritage Review as follows:

“The Australian Road Research Board building is of aesthetic significance. It is a fine example of an office building designed by the important Melbourne firm of Mockridge, Stahle & Mitchell. Through its simple massing and composition, particularly the repetitive fenestration and assured use of face masonry, the building is a confident example of the type of building which typified institutional, and to a lesser extent commercial, architecture in the late 1960s and early 1970s. The building is enhanced by its large

landscape site, designed by important landscape architect Beryl Mann.”

- (35) However, the CMP also recognises that the ARRB site is much reduced from its original extent, and that aspects of the Beryl Mann designed landscape have been lost or otherwise diminished. It identifies the Administration Building to the extent of its original external form and fabric, to be of primary significance. More specifically, the CMP states that *“the significance of the place rests primarily in the architectural character of the Administration Building, and in particular the largely intact front façade.”*
- (36) Based on this it notes that *“future works should not detract from the legibility or appearance of the Administration Building façade and the landscaped setting to its front. New external structures should be readily distinguishable from the significant fabric.”*
- (37) The redevelopment proposal for the Site includes demolishing of all existing buildings except the Administration Building, with residential development to occur on the balance of the land at heights ranging from 4 to 6 storeys. To protect views of the Administration Building from Burwood highway, the balance of the built form is proposed behind the Administration Building.
- (38) A pocket of built form is proposed in the north-west corner of the Site, however it has been located to minimise impacts on sight lines to the Administration Building front facade from Burwood Highway. View lines are further protected via

a requirement in the proposed DDO6 which seeks a visual impact assessment of new development tested through view line analysis and 3D modelling from vantages along Burwood Highway and surrounding areas.

- (39) In relation to the existing courtyards, though they form part of the original design concept, the CMP states that they are not considered inherently significant because of their precise configuration and plantings. Based on this, the CMP suggests that retention of the existing footprint of the courtyards between the Administration Building and Research Wings is not seen as essential provided the general courtyard schema is interpreted in any future development.

3.2.2 ASSESSMENT

- (40) From a review of the heritage significance of the place and the CMP consider the direction applied through the proposed DDO6 to be generally responsive to protecting the heritage values of the Site.
- (41) However, there are two elements detailed on the Concept Plan within DDO6 that appear to be unjustified based on the assessment provided in the CMP. These are highlighted at Figure 5.

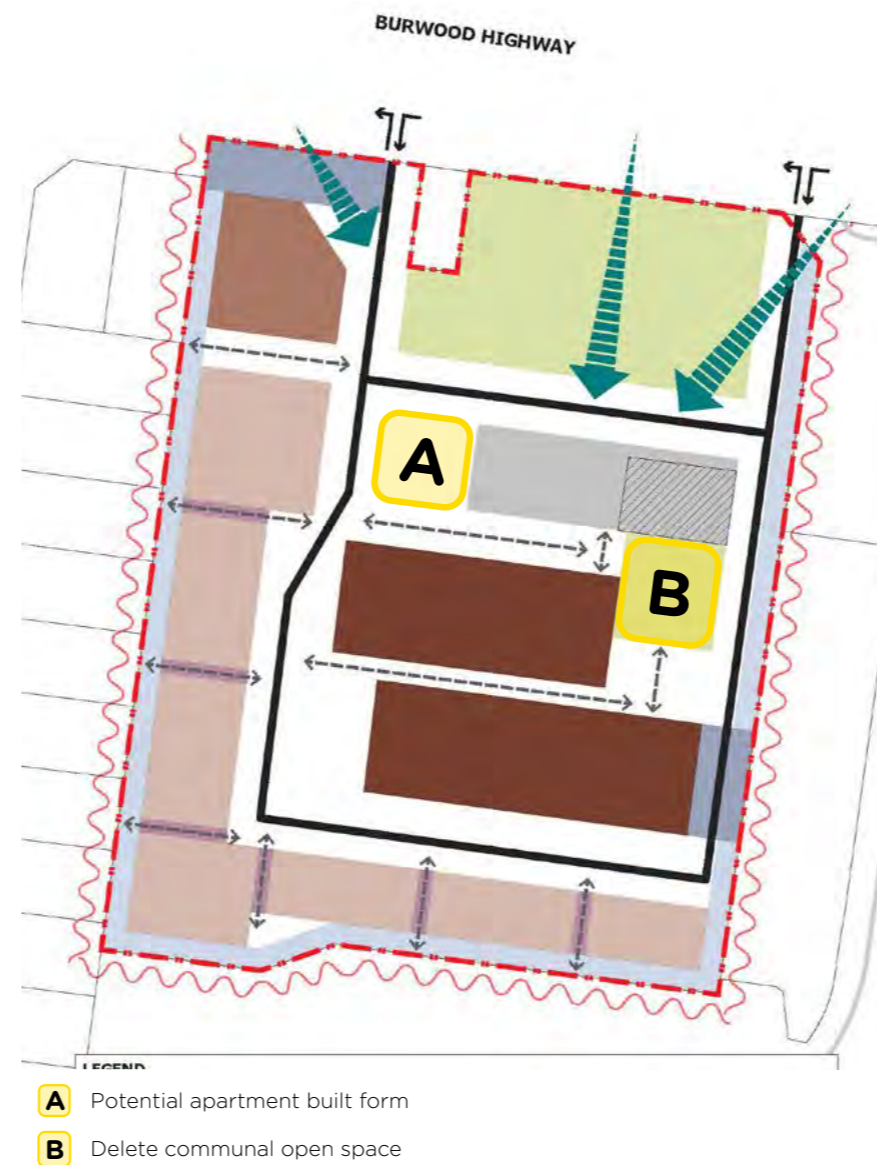


Figure 5. Figure 1 - Concept Plan with annotations added



Communal open space

- (42) The first element is the identification of communal open space directly south of the eastern end of the Administration Building. This appears to align with an existing courtyard which includes a brick barbeque and is edged by Research Wing R2 to the south and R1 to the west.
- (43) In relation to the existing courtyards, the CMP states that though they form part of the original design concept, they are not considered inherently significant because of their precise configurations and plantings.
- (44) In my opinion, I do not think it necessary to identify the specific location of communal open space on the Concept Plan. Furthermore, Standard D7 of Clause 58.03-2 requires the provision of communal open space that meets the recreation and amenity needs of residents, and the proposed SLO10 seeks to retain and enhance valued features of the landscape character of the Site.
- (45) I also highlight the landscaping requirements in DDO6, which require *“sensitive reinterpretation of the existing concept, including a chain of courtyards, that applaud Beryl Mann’s practical approach to the existing site landscape.”*
- (46) Overall, I assess the design objectives and requirements within the DDO6 to be clear in relation to the interpretation of the historical approach to courtyards, without specifically identifying a courtyard space on the Concept Plan.

Built form envelopes

- (47) The second element is the identification of building envelopes on the Concept Plan and the level of specificity proposed, which is likely to create inflexibility to a varied massing layout, restricting innovation and good design outcomes. I discuss the application of building envelopes more broadly from an urban design perspective in Section 3.3.
- (48) From an urban design perspective and from reviewing the CMP, it is unclear why no built form is directed to the western end of the Administration Building.
- (49) The CMP deems the Administration Building to the extent of its original external form and fabric to be of primary significance. Primarily, the significance is in the largely intact front façade. The plainer sides and rear parts of the Administration Building could withstand a greater degree of change.
- (50) Noting this, the DDO6 requires that no buildings are constructed between Burwood Highway and the north façade of the former Administration building. I support this requirement as it will ensure maintenance of key view lines from Burwood Highway.
- (51) However, I assess the requirement for no built form west of the Administration building to be overly restrictive. I consider some built form could be achieved in this space while protecting key view lines from Burwood Highway and

ensuring the Administration Building reads as a stand alone building.

3.2.3 SUMMARY OF RECOMMENDED CHANGES

- (52) Based on the CMP and key areas of heritage significance on the Site I make the following recommendations:
 - Revise Figure 1 – Concept Plan as follows:
 - Remove ‘communal open space’ identified to the south of the Administration Building.
 - Replace building envelopes with areas of building height and typology (refer to Section 3.3). With this change, add an area of opportunity for apartment built form to the west of the Administration Building.
 - Please note: as the above recommendations are subject to heritage advice they have not been incorporated on the Preferred Concept Plan.



3.3 BUILDING HEIGHT AND CONFIGURATION

3.3.1 PROPOSED CONTROLS

- (53) DDO6 proposes the following design objectives as relevant to building heights and massing:
- To retain the spacious and landscaped setting of the Burwood Highway frontage and enhance the existing landscape character of the site by retaining significant trees and stands of trees, and providing new landscaping that reflects the original landscaping themes.
 - To ensure the form and scale of development at the interface with land located in the Neighbourhood Residential Zone appropriately responds and transitions to the established lower scale development in the Garden Suburban 7 precinct.
 - To ensure high quality architectural, urban design and landscape outcomes that are responsive to the site's features and interfaces.
- (54) Under Section 2.0 'Buildings and Works' under the sub-heading of 'Built Form' all buildings and works should be consistent with Figure 1 - Concept Plan.
- (55) The DDO6 is drafted to include both mandatory and discretionary built form heights, requiring that all buildings must not exceed the mandatory maximum building heights (storeys and metres), and should not exceed the preferred maximum building heights (storeys and metres) as

indicated. A planning permit cannot be granted to vary the mandatory height requirements.

- (56) The Concept Plan illustrates the proposed building envelopes, building breaks, heights and typologies across the Site.
- (57) In response to the Site's sensitive interfaces the Concept Plan introduces a townhouse typology along the southern and eastern boundaries with a mandatory maximum height of 11m (3 storeys) and a preferred maximum height of 9m (3 storeys).
- (58) Through the centre of the Site south of the Administration Building and away from the sensitive residential edges, the Concept Plan introduces an apartment typology with a preferred maximum building height of 19m (6 storeys). To protect the sensitive residential interface to the east a mandatory minimum 12m building setback is proposed.
- (59) Fronting Burwood Highway the Concept Plan introduces an apartment typology in the north-west corner, with a preferred maximum of 13m (4 storeys) and a mandatory maximum of 19m (6 storeys). The proposed building envelope is chamfered in the north-eastern corner to enable retention of a key view line to the Administration Building from Burwood Highway.

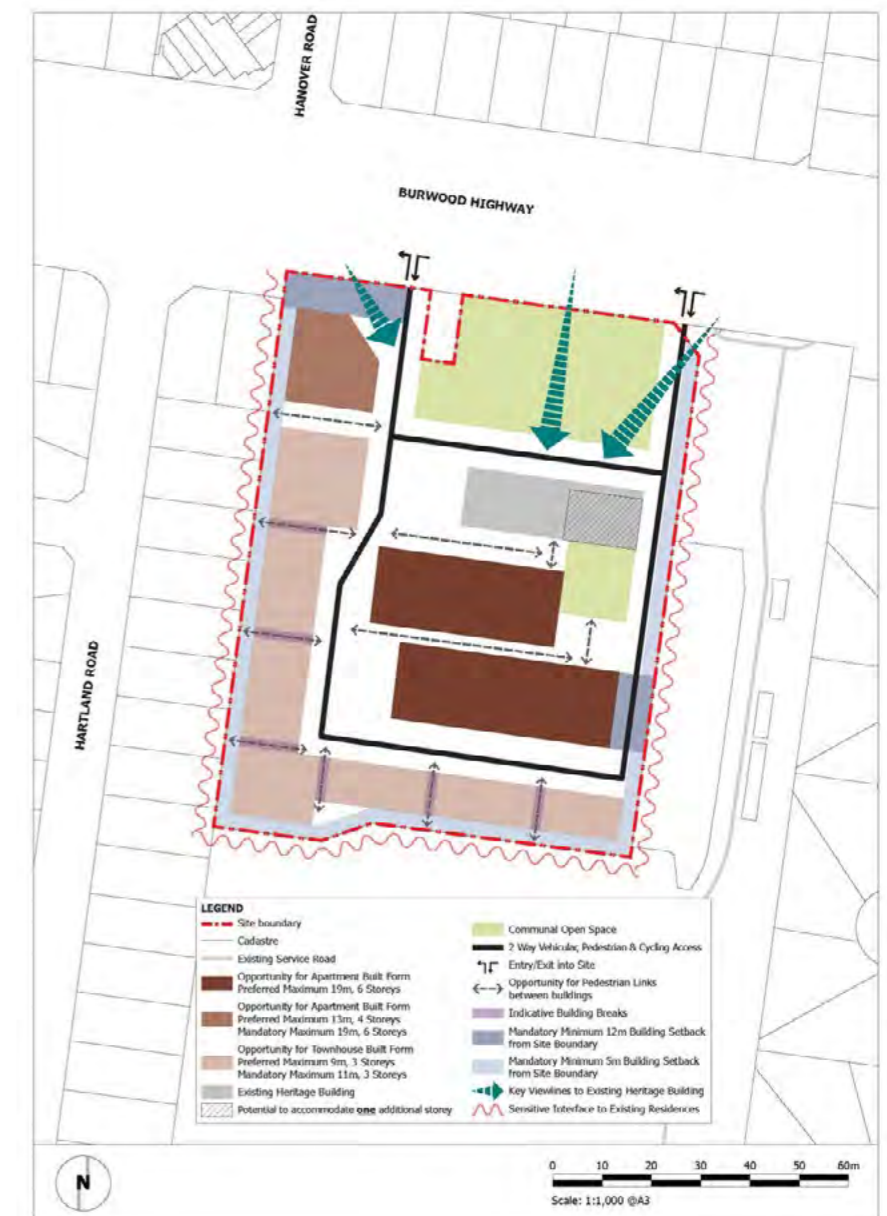


Figure 6. Figure 1 - Concept Plan (DDO6)

3.3.2 ASSESSMENT

(60) I am generally supportive of the proposed heights and configuration across the Site. As the Site forms a large development parcel (2.58ha) with direct sensitive interfaces to the west, south and east, naturally it proposes to accommodate the greatest height predominantly through the centre, with transitional scale and typologies applied closer to its edges.

(61) Applying the height generally in the location of existing non-contributory buildings south of the Administration Building also minimises tree removal. And though there is no intermediary built form of a lower scale next to the Victoria Grange Aged Care facility to the east, the proposed apartment typology is considered responsive to its larger footprint.

(62) I assess the 6-storey building scale to be an appropriate scale for the Site. The Site strategically, due to its locational attributes, accessibility and size can accommodate substantial change of this nature.

Mandatory versus discretionary provisions

(63) In terms of the nature of the proposed built form controls, I note the apartment envelopes proposed through the centre of the Site have a preferred maximum height of 19m, rather than a mandatory control. I consider a preferred maximum building height to be acceptable because of the location of the building envelopes through the centre of the Site

away from sensitive edges. Height above 6 storeys may be acceptable, subject to ensuring the prominence and significance of the heritage building is maintained, and the built form has limited visibility from adjacent neighbourhood residential land.

(64) The use of mandatory setbacks and height controls towards the edges of the Site will ensure the proposed built form transitions in scale and typology downwards to the Site's sensitive residential edges and manages potential off-site amenity impacts.

(65) Applying a mandatory maximum of 6-storeys to the proposed apartment built form in the north-west corner ensures the scale will not overwhelm the heritage buildings within the Site. It also responds to both the built form scale emerging along the Burwood Highway spine (3 to 8 storeys) within the RGZ1 'Substantial Change A', and the adopted *Draft Residential Corridors Built Form Review* (BFR) which applies along key road corridors in the municipality.

(66) The BFR is proposed to be implemented into the Planning Scheme via Amendment C220 and proposes to apply DDO11 which includes a mandatory maximum height of 19m (6 storeys).

(67) It is noted that both the proposed DDO11 and DDO6 propose a mandatory maximum height of 19m (6 storeys). Based on an absolute minimum floor-to-floor height of 3.1m, 19m does not allow space for higher floor-to-floor heights to be introduced over 6 storeys. Based on this, I recommend

any reference to 6 storey building height is revised to 20m, which will allow for higher floor-to-floors without the ability to squeeze an extra floor.

(68) DDO6 requires that all buildings and works should be consistent with Figure 1 – Concept Plan. The Concept Plan details what I read as two, east-west configured apartment building envelopes with opportunities for pedestrian links between the buildings running north-south and east-west.

(69) The building envelopes align with the Indicative Landscape Plan provided in the Planning Report prepared by Tract (refer Figure 7), which details two east-west running apartment buildings with a landscaped pedestrian link between. Through scaling the plan, I measure the apartment envelopes to be approximately 75m long (refer Figure 8).

(70) Though the application of building envelopes to the Concept Plan will assist in creating a degree of certainty in relation to the eventual development outcome, they restrict the ability to develop a varied massing layout on the Site. I also consider the proposed layout of the apartment envelopes to be a substandard outcome from an urban design perspective.

(71) Firstly, the length of the apartment envelopes has the potential to appear bulky and overwhelming when viewed from the Victorian Grange Aged Care facility to the south. Particularly as the northern edge of the Victorian Grange site sits approximately 1 to 1.5m lower relative to the proposed location of the southern apartment building.



- (72) The level difference between the sites increases the importance of the introduction of building breaks, particularly at the upper levels.
- (73) The second concern is the number of south facing apartments generated from the east-west running envelopes. I accept the layout will generate a significant amount of apartments with a northerly aspect. However, as shown at Figure 7, a double loaded corridor would generate the same amount of south facing apartments. A design that incorporates more east-west oriented apartments would be a more optimal outcome.
- (74) In my opinion, the building envelopes proposed in the Concept Plan are too prescriptive and should be replaced with areas of height. This will allow for flexibility and a performance based approach to the design and configuration of building envelopes and the location of building breaks across the Site.

Figure 7. Indicative Landscape Plan taken from Planning Report (source: Tract)

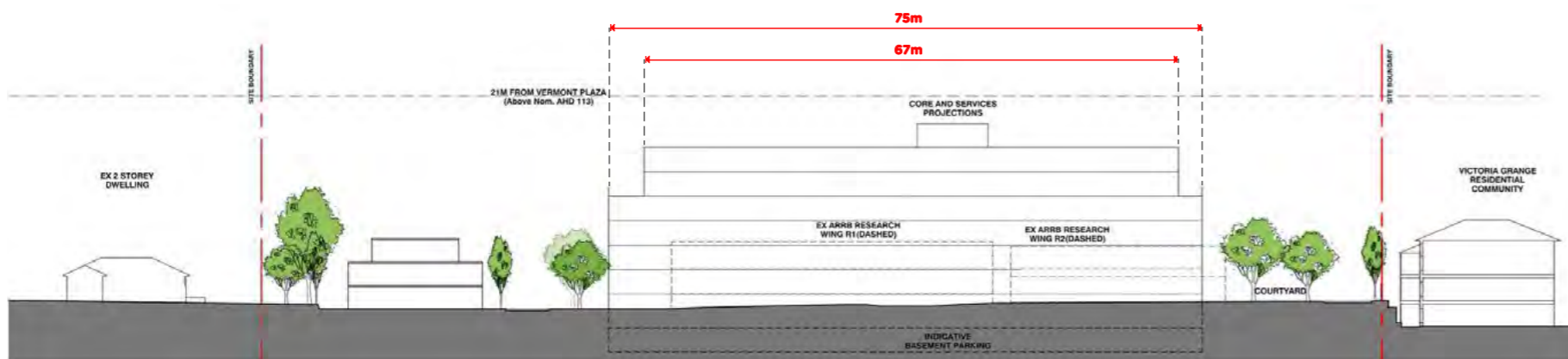


Figure 8. Indicative built form taken from Planning Report (source: Tract)

3.3.3 SUMMARY OF RECOMMENDED CHANGES

(75) In relation to building heights and configuration, I recommend the building envelopes as shown on Figure 1 - Concept Plan are replaced with areas of building height and typology as shown at Figure 9 'Preferred Concept Plan'.

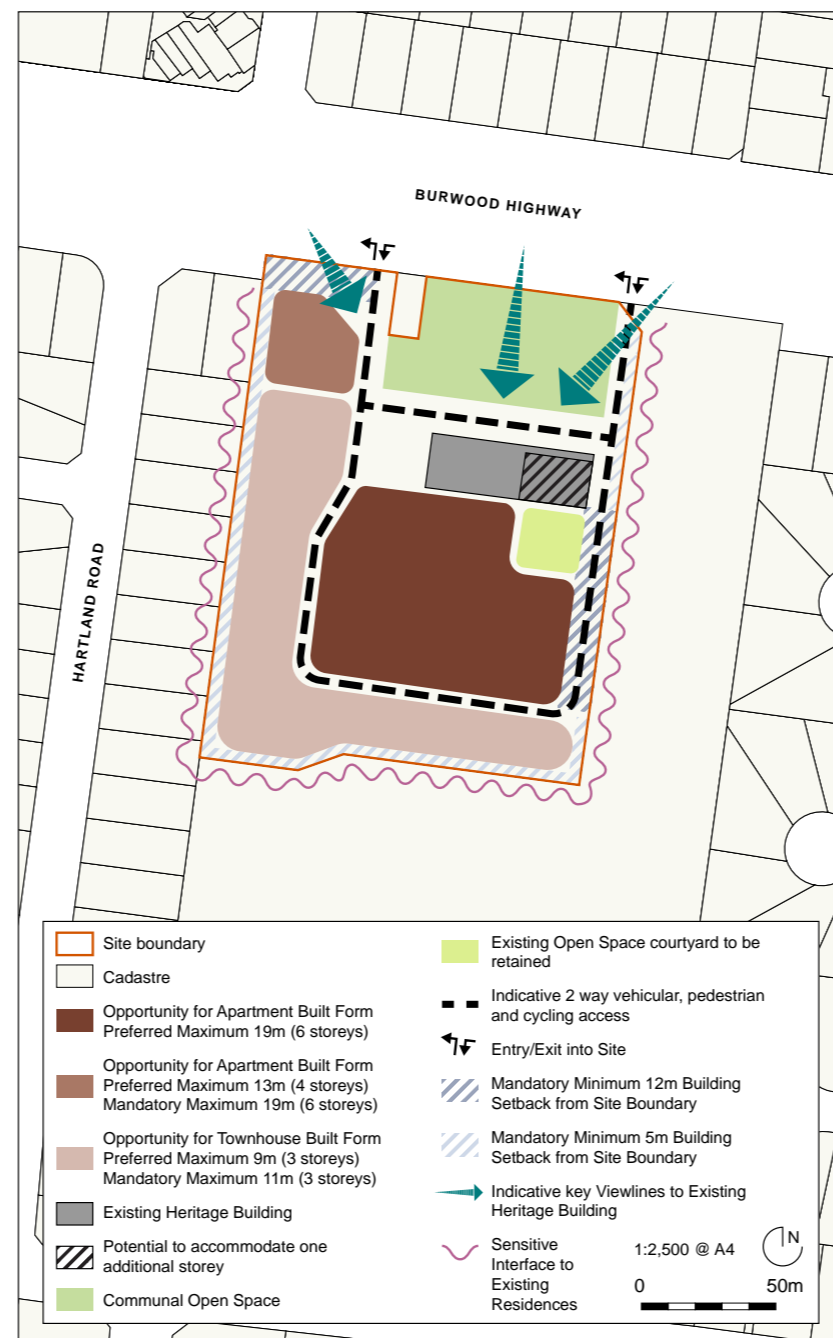


Figure 9. Preferred Concept Plan (source: kinetica)



3.4 BUILT FORM SETBACK AND SEPARATION REQUIREMENTS

3.4.1 PROPOSED CONTROLS

- (76) DDO6 requires that all buildings must be set back a mandatory minimum 5m or 12m from land in the adjoining NRZ as shown at Figure 1 – Concept Plan to respect the existing character and amenity of established areas. A planning permit cannot be granted to vary this requirement.
- (77) In relation to built form massing and separation, the DDO6 directs the apartment buildings to be developed in the locations specifically identified in the Concept plan. It includes a requirement that development should avoid creating a continuous wall of built form by providing physical breaks that accommodate vegetation and provide view lines between apartment buildings and rows of townhouses. Indicative locations of building breaks and pedestrian links are annotated on the Concept Plan with dashed grey arrows.
- (78) In relation to the apartment built form, DDO6 seeks an upper level setback above four storeys in order to distinguish a podium with recessive upper levels that have limited visibility from internal streets, adjacent neighbourhood residential land and the Burwood Highway frontage.

- (79) It does not specify an upper level setback dimensions or provide specific guidance for setbacks for any height greater than 6 storeys.
- (80) In relation to the townhouse built form, DDO6 requires the upper levels of townhouses to be recessive with additional breaks provided between upper levels to provide articulation and reduce visual bulk, particularly when viewed from adjoining land in the NRZ.

3.4.2 ASSESSMENT

Built form setbacks

- (81) I am supportive of the use of mandatory minimum setbacks from land in the adjoining NRZ. To the west, the 5m minimum setbacks will have the combined effect of allowing for tree retention and new landscaping, while also contributing to the existing backyard character spine to the west.
- (82) 5m minimum mandatory setbacks are also applied to the southern boundary. At this interface, I find the ability to introduce landscaping and the introduction of intermediary townhouse built form of heightened importance.
- (83) As stated earlier, the Victoria Grange site to the south sits lower than the Site, with the Ground Floor of closest apartment building on the western side sunken approximately 2m below the Site, with retaining walls and a 1.8m high fence running along the boundary.

- (84) I obtained access to a north facing third storey apartment within the western wing of the aged care facility (Apartment 107). Due to the level difference between the sites, and the retaining walls on the northern boundary, there are no existing canopy trees along the boundary. This means the apartment receives full, unimpeded views of the Site as shown at Figure 10. The 5m minimum setback will allow space for planting of canopy trees and landscaping, further obscuring views of the development overtime, which I support.



Figure 10. Photo taken from balcony of Apartment 107 in western wing of Victoria Grange Aged Care building

(85) To the east, the setback requirement is a mandatory minimum of 12m adjacent to the southern apartment built form envelope, with a 5m setback applied to the balance of the boundary.

(86) I support the introduction of a more generous setback adjacent to the proposed 6-storey built form. Particularly as there is no intermediary built form scale proposed in between, and in consideration of the level difference between the sites (refer Figure 11). The setback combined with upper level setbacks above 4 storeys, will ensure the built form transitions to the 3 storey scale of the Victoria Grange buildings, while also minimising off-site amenity impacts.

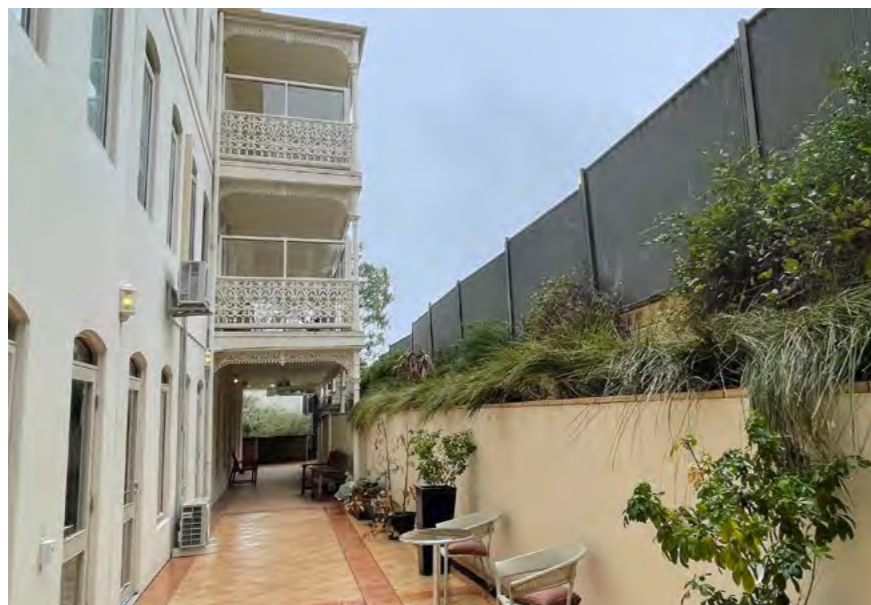


Figure 11. Photo taken from the ground floor terrace of the Victoria Grange buildings east of the Site looking south

(87) I note, the Preferred Concept Plan provided at Figure 9 proposes to delete the building envelopes, replacing them with an area of 6 storeys. In response, the 12m mandatory setback is applied to the full extent of the 6-storey built form area along the eastern boundary.

Street network and pedestrian links

(88) The Concept Plan includes annotations that identify opportunities for pedestrian links between buildings. In relation to the townhouse built form, the pedestrian links are generally aligned with the indicative building breaks. There are also two east-west running pedestrian links separating the two apartment envelopes and the administration building.

(89) From an urban design perspective, creating well connected, walkable, safe places where pedestrians and cyclists are prioritised is of heightened importance.

(90) However, in reviewing the Concept Plan I find the placement of the pedestrian links to be haphazard. Particularly the pedestrian links proposed through the townhouses.

(91) Though they serve the purpose of breaking up the runs of townhouses, they do not appear to be connected to a pedestrian link running along the southern and western boundaries. Nor do they create a through link connection to the surrounding street network.

(92) The pedestrian links through the centre of the Site appear to have been placed between the indicative apartment built form to provide breaks and access to the apartments, rather than for the purpose of east-west connectivity.

(93) The above commentary links back to a general concern regarding the prescriptiveness of the Concept Plan which may suit the intent of the current landowners, but does not allow enough flexibility for future landowners should the land be sold. And though it provides a higher level of certainty, in my opinion the DDO6 should be drafted to allow for varied configurations subject to achieving the relevant Design Objectives and Requirements.

(94) Based on the above, as shown at Figure 9, I recommend the deleting the pedestrian link annotations from the Concept Plan.

(95) In relation to the 2-way vehicular, pedestrian and cycling access annotated on the Concept Plan, aside from the road running along the eastern boundary, its alignment appears to follow the existing internal road network, which is logical. However, to allow for more flexibility, the Preferred Concept Plan replaces the solid line applied to the road network with a dashed line, and identifies it as 'indicative'.

Upper level setbacks

(96) DDO6 seeks an upper level setback above four storeys in order to distinguish a podium with recessive upper levels that have limited visibility from internal streets, adjacent

neighbourhood residential land and the Burwood Highway frontage.

- (97) I am generally supportive of this requirement, and consider flexibility should be given to the upper level setback to respond to varying circumstances.

Building separation

- (98) DDO6 does not include a specific requirement regarding building separation internal to the Site, with the exception of a built form requirement that seeks development that avoids the creation of continuous wall of built form through physical breaks that accommodate vegetation and provide view lines between apartment buildings and rows of townhouses.

- (99) In relation to the townhouse built form, I support the introduction of physical breaks that accommodate vegetation and provide view lines between the rows of townhouses. Without specifying the exact outcome, to ensure potential cumulative visual bulk impacts associated with long runs of townhouses are minimised, I recommend the wording of the DDO6 is strengthened to specify a minimum of 3 physical building breaks along each of the southern and western boundaries.

- (100) In relation to the apartment built form, as Clause 58 does not specify minimum building separations within a development, I recommend they are introduced to the DDO6.

- (101) These should read as follows:

- Where habitable room windows and balconies are proposed, apartment buildings should be separated a minimum of 9m.
- Above 4 storeys, apartment built form greater than 40m in length should introduce building breaks with a minimum separation of 3m.

3.4.3 SUMMARY OF RECOMMENDED CHANGES

- (102) In relation to pedestrian links and building separation I make the following recommendations:

- Replace the building envelopes shown on Figure 1 – Concept Plan with the Preferred Concept Plan with pedestrian links removed.
- Introduce the following requirements in relation to building separation into DDO6:
 - Where habitable room windows and balconies are proposed, apartment buildings should be separated a minimum of 9m.
 - Above 4 storeys, apartment built form greater than 40m in length should introduce building breaks with a minimum separation of 3m.

- Replace the existing requirement “*Development should avoid creating a continuous wall of built form by providing physical breaks that accommodate vegetation and provide view lines between apartment buildings and rows of townhouses*” with “*Development should avoid creating a continuous wall of townhouse built form by introducing 3 physical breaks along each the western and southern boundaries that accommodate vegetation and provide view lines between rows of townhouses*”.

3.5 PUBLIC REALM AMENITY REQUIREMENTS

3.5.1 PROPOSED CONTROLS

(103) In relation to the public realm amenity the DDO6 provides limited guidance. Discussion regarding passive surveillance of the public realm is limited to dwellings located on corner sites. There is also a requirement under 'Traffic and Transport' to provide a permeable network of streets and open spaces to support safe and convenient vehicular, pedestrian and cycling movements.

3.5.2 ASSESSMENT

(104) In my opinion the DDO6 is lacking crucial guidance in relation to the public realm within the development site. As there are no through connections to the surrounding street network, creating a well surveilled and high amenity street network is paramount.

(105) Internal streets should adopt a conventional cross-section that provides for two-way vehicle movement with potential for kerbside parking and footpaths and street trees on both sides.

(106) Townhouses should be designed to avoid a garagescape through introducing a mix of typologies including rear loaded, and ensuring front loaded townhouses are designed to include a ground floor habitable room with a window at the front of the dwelling, with garages set behind the primary facade line.

(107) In relation to the apartment built form, it should be designed to support the safety and amenity of the public realm. Apartment buildings should incorporate terraces, balconies and habitable room windows facing streets, pedestrian links, and communal open spaces. Ground floor dwellings should be raised approximately 0.75 metres above the footpath as shown at Figure 12, with direct entries from adjoining streets or pedestrian links.

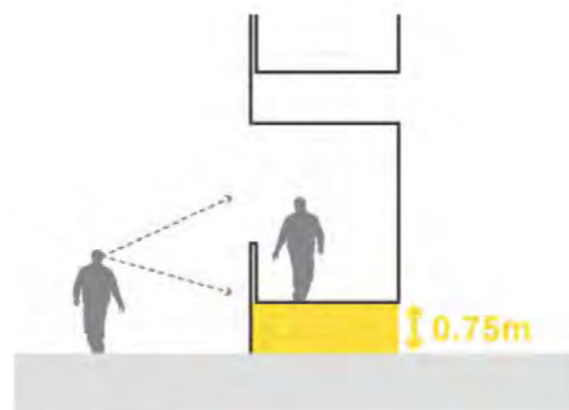


Figure 12. Diagram of raised ground floor apartment (source: kinetica)

3.5.3 SUMMARY OF RECOMMENDED CHANGES

(108) In relation to public realm amenity I recommend introducing the following requirements into DDO6:

- Internal streets should adopt a conventional cross-section that provides for two-way vehicle movement with potential for kerbside parking and footpaths and street trees on both sides.
- To avoid a garagescape the townhouse built form should include a mix of front and rear loaded typologies. Front loaded typologies should be designed to include a ground floor habitable room with a window at the front of the dwelling, with garages set behind the primary facade line.
- Apartment built form should be designed to support the safety and amenity of the public realm through:
 - Incorporating terraces, balconies and habitable room windows facing streets, pedestrian links and communal open spaces.
 - Ground floor dwellings should be raised approximately 0.75 metres above the footpath with direct entries from adjoining streets or pedestrian links.

4. CONCLUSION

(109) In summary, I support Amendment C230 from an urban design perspective, subject to the following recommended changes to DDO6:

- Replace Figure 1 - Concept Plan with the Preferred Concept Plan as shown at Figure 13.
- Introduce the following requirements into DDO6:

Building separation requirements

- Where habitable room windows and balconies are proposed, apartment buildings should be separated a minimum of 9m.
- Above 4 storeys, apartment built form greater than 40m in length should introduce building breaks with a minimum separation of 3m.
- Replace the existing requirement *“Development should avoid creating a continuous wall of built form by providing physical breaks that accommodate vegetation and provide view lines between apartment buildings and rows of townhouses”* with *“Development should avoid creating a continuous wall of townhouse built form by introducing 3 physical breaks along each the western and southern boundaries that accommodate vegetation and provide view lines between rows of townhouses”*.

Public realm amenity requirements

- Internal streets should adopt a conventional cross-section that provides for two-way vehicle movement with potential for kerbside parking and footpaths and street trees on both sides.
- To avoid a garagescape the townhouse built form should include a mix of front and rear loaded typologies. Front loaded typologies should be designed to include a ground floor habitable room with a window at the front of the dwelling, with garages set behind the primary facade line.
- Apartment built form should be designed to support the safety and amenity of the public realm through:
 - Incorporating terraces, balconies and habitable room windows facing streets, pedestrian links and communal open spaces.
 - Ground floor dwellings should be raised approximately 0.75 metres above the footpath with direct entries from adjoining streets or pedestrian links.

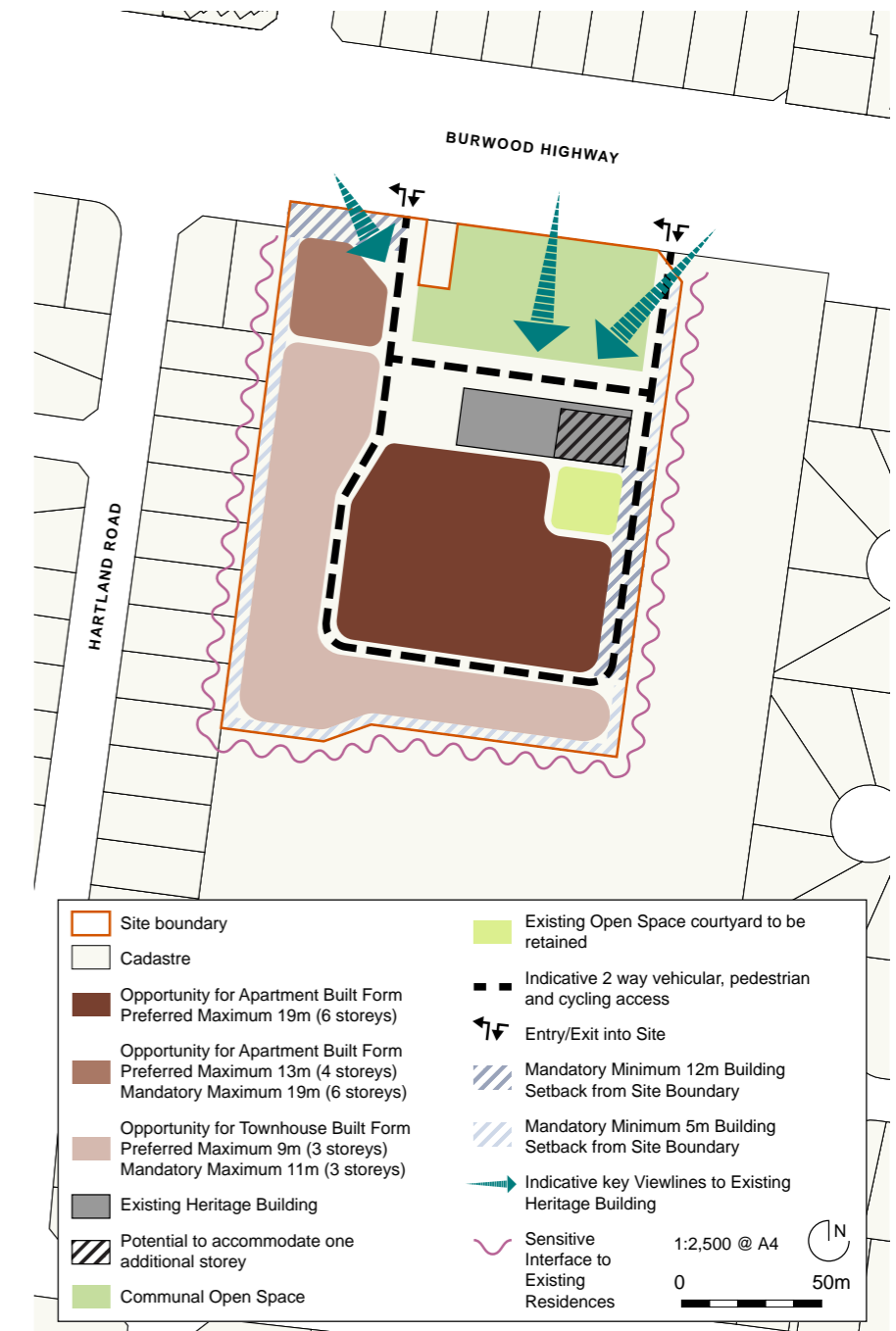


Figure 13. Preferred Concept Plan (source: kinetica)

APPENDIX A: SUMMARY OF EXPERIENCE & PERSONAL DETAILS

NAME AND ADDRESS

Julia Chloe Bell

Principal Urban Designer

kinetica, Level 25/500 Collins Street

Melbourne VIC 3000

QUALIFICATIONS

- MA Urban Design, Oxford Brookes University, UK, 2013
- Diploma Urban Design, Oxford Brookes University, UK, 2013
- Bachelor of Urban Planning and Development, University of Melbourne, 2007

PROFESSIONAL EXPERIENCE

- Committee Member (Tas Division), Planning Institute of Australia - present
- Committee Member - Urban Renewal, UDIA Victoria - present
- Principal Urban Designer, Kinetica Studio Pty Ltd (formerly David Lock Associates Pty Ltd), March 2015 - present
- Senior Strategic Planner, Hume City Council (Australia), 2014 to 2015

- Strategic Planner, Hume City Council (Australia), 2010 to 2014
- Development Planner, GHD (Australia), 2005 to 2010

AREA OF EXPERTISE

I have over sixteen years' experience in private and public practice with various planning and urban design consultancies in Victoria, New South Wales and Tasmania.

EXPERTISE TO PREPARE THIS REPORT

I have been involved in the design and assessment of numerous site specific development projects and planning scheme amendments in Victoria. These have included:

- Evidence for Amendment C231 (Glen Eira City Council) Caulfield South NAC.
- Evidence for Amendment C191 (Yarra City Council) Swan Street.
- Evidence for Amendment C231 (Yarra City Council) Queens Parade.
- Evidence for Amendment C161 (Darebin City Council) for Fairfield Village, Fairfield.
- Evidence for Amendment GC81 (Port Phillip City Council) Fishermans Bend Urban Renewal Precinct.
- Evidence for Amendment C178 (Moreland City Council) Gronn Place Brunswick West.

- Evidence for Amendment C223 (Stonnington City Council) 110-122 Wattletree Road, Malvern - Malvern Central.
- Glen Huntly Activity Centre Built Form Framework (Glen Eira City Council).
- Heidelberg Road Corridor Built Form Framework (Darebin City Council).
- Built Form Framework for Bridge Road and Victoria Street (Yarra City Council).
- Structure Plans for Hawksburn Activity Centre (Stonnington City Council), Greensborough Activity Centre (Banyule City Council), Eltham and Diamond Creek Activity Centres (Nillumbik City Council).
- Urban Design Framework for Postcode 3081 (Banyule City Council).
- Involved in the independent review of numerous inner urban development projects from an urban design perspective.

OTHER SIGNIFICANT CONTRIBUTORS

I have been assisted by Danielle Cull in the research and drafting of this report.

INSTRUCTIONS WHICH DEFINE THE SCOPE OF THIS REPORT

I am engaged by the Dandenong Views Pty Ltd.

I have received verbal and written instructions from Norton Rose Fulbright, including various documents relating to the proposal.

FACTS, MATTERS AND ASSUMPTIONS RELIED UPON

Inspection of the subject site and surrounding area; and

Review of planning controls and policies affecting the area.

DOCUMENTS TAKEN IN ACCOUNT

- The Whitehorse Planning Scheme and relevant Reference Documents;
- Planning Scheme request for amendment;
- Exhibited Whitehorse Planning Scheme Amendment C230 documents;
- Proposed Concept Plan, prepared by Tract Consultants, dated October 2021;
- Council Meeting Minutes, dated 13 December 2021;
- Public submissions compiled by Council, dated August 2022;
- Whitehorse Residential Corridors Built Form Study, dated January 2019;
- Referrals from Dept. of Transport, EPA and Melbourne Water, dated 14 July 2022, 4 July 2022 and 7 June 2002, respectively; and

- Panel issues for resolution, dated 29 November 2022.
- Directions letter;
- Proponent submission; and
- Various correspondences relating to the proposed development.

SUMMARY OF OPINIONS

Refer to the conclusion of this statement.

PROVISIONAL OPINIONS

There are no provisional opinions in this report.

QUESTIONS OUTSIDE MY AREA OF EXPERTISE, INCOMPLETE OR INACCURATE ASPECTS OF THE REPORT

This report does not address questions outside my area of expertise, and is complete and accurate to the best of my knowledge.

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



JULIA BELL

APPENDIX B: PHOTOGRAPHS - THE SITE



Figure 14. Photo looking south to Administration Building facade



Figure 16. Photo looking south-east towards Victoria Grange Aged Care



Figure 15. Photo looking north-west towards existing sub-station within separate ownership



Figure 17. Photo looking south along eastern boundary



Figure 18. Photo north of Administration Building looking west



Figure 20. Photo looking north-west towards courtyard and rear of Administration Building



Figure 19. Photo on eastern boundary towards Victoria Grange Aged Care Facility



Figure 21. Photo looking east towards Victoria Grange Aged Care Facility - south eastern corner



Figure 22. Photo from eastern boundary looking south towards Victoria Grange Aged Care facility



Figure 24. Photo towards southern boundary and Victoria Grange Aged Care facility



Figure 23. Photo looking south-west to Victoria Grange Aged Care facility



Figure 25. Photo looking south of western most Victorian Grange Aged Care facility



Figure 26. Photo looking north-west to ancillary buildings along western boundary



Figure 28. Photo looking east towards courtyard and ARRB buildings



Figure 27. Photo looking north along western boundary



Figure 29. Photo looking south along western boundary



Figure 30. Photo looking north-east towards vegetation running along Burwood Highway



Figure 31. Photo looking north-east towards vegetation running along Burwood Highway

APPENDIX B: PHOTOGRAPHS - FROM VICTORIA GRANGE AGED CARE FACILITY



Figure 32. Photo taken from ground floor of Victorian Grange Aged Care building east of Site looking north



Figure 34. Photo taken from ground floor of Victorian Grange Aged Care building east of Site looking south



Figure 33. Photo taken from ground floor of Victorian Grange Aged Care building east of Site looking west



Figure 35. Photo taken from ground floor of Victorian Grange Aged Care building east of Site looking north



Figure 36. Photo taken from first floor of Victorian Grange Aged Care building looking west towards Site



Figure 38. Photo taken from second floor of Victorian Grange Aged Care building looking west towards Site



Figure 37. Photo taken from second floor of Victorian Grange Aged Care building looking west towards Site



Figure 39. Photo from second floor of Apartment 107 within Victoria Grange Aged Care building south of Site looking north



Figure 40. Photo from second floor of Apartment 107 within Victoria Grange Aged Care building south of Site looking north

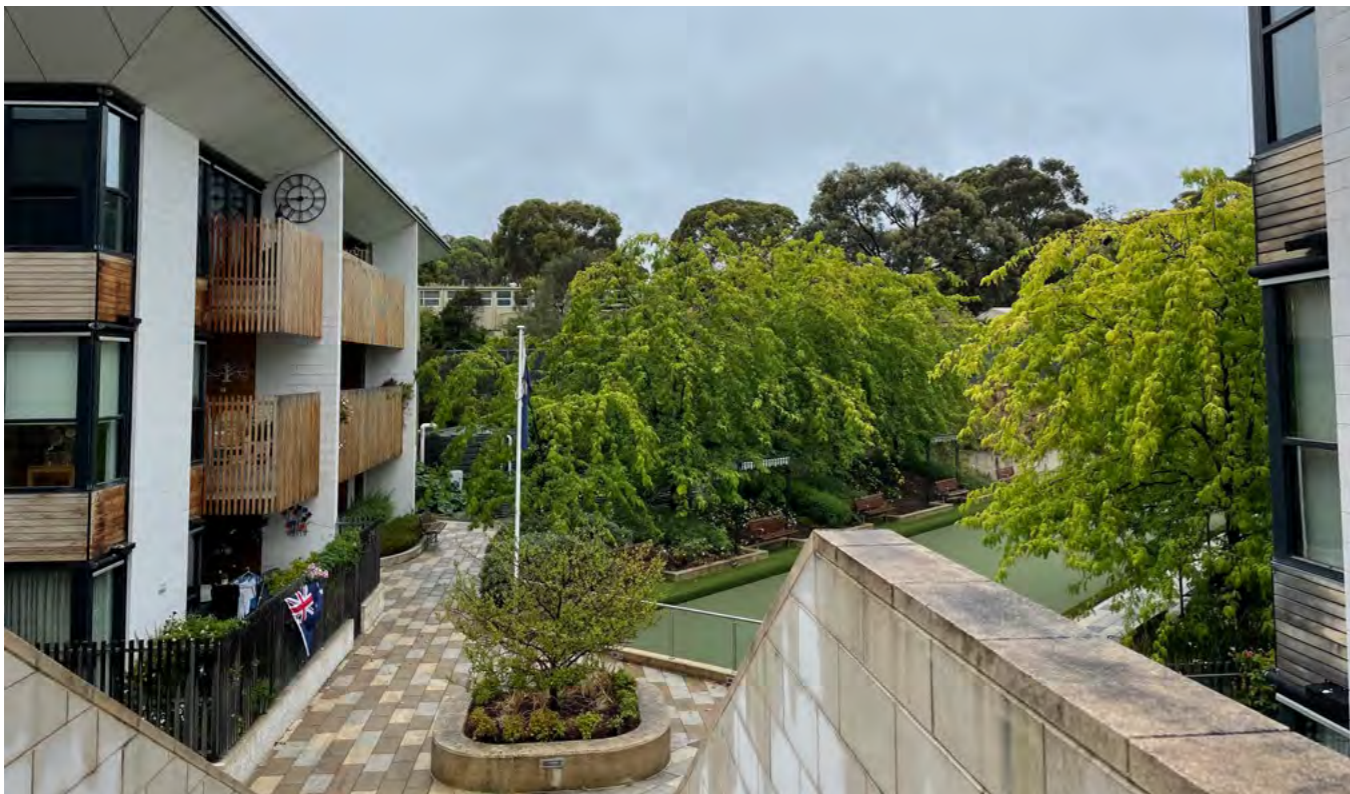


Figure 41. Photo from top of stairs within Victoria Grange Aged Care building south of Site looking north



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