



Amendment C177 to the Moonee Valley Planning Scheme
Planning Evidence Statement – September 2017
Social Housing Renewal Standing Advisory Committee

Prepared for:

Department of Health and Human Services
(DHHS)

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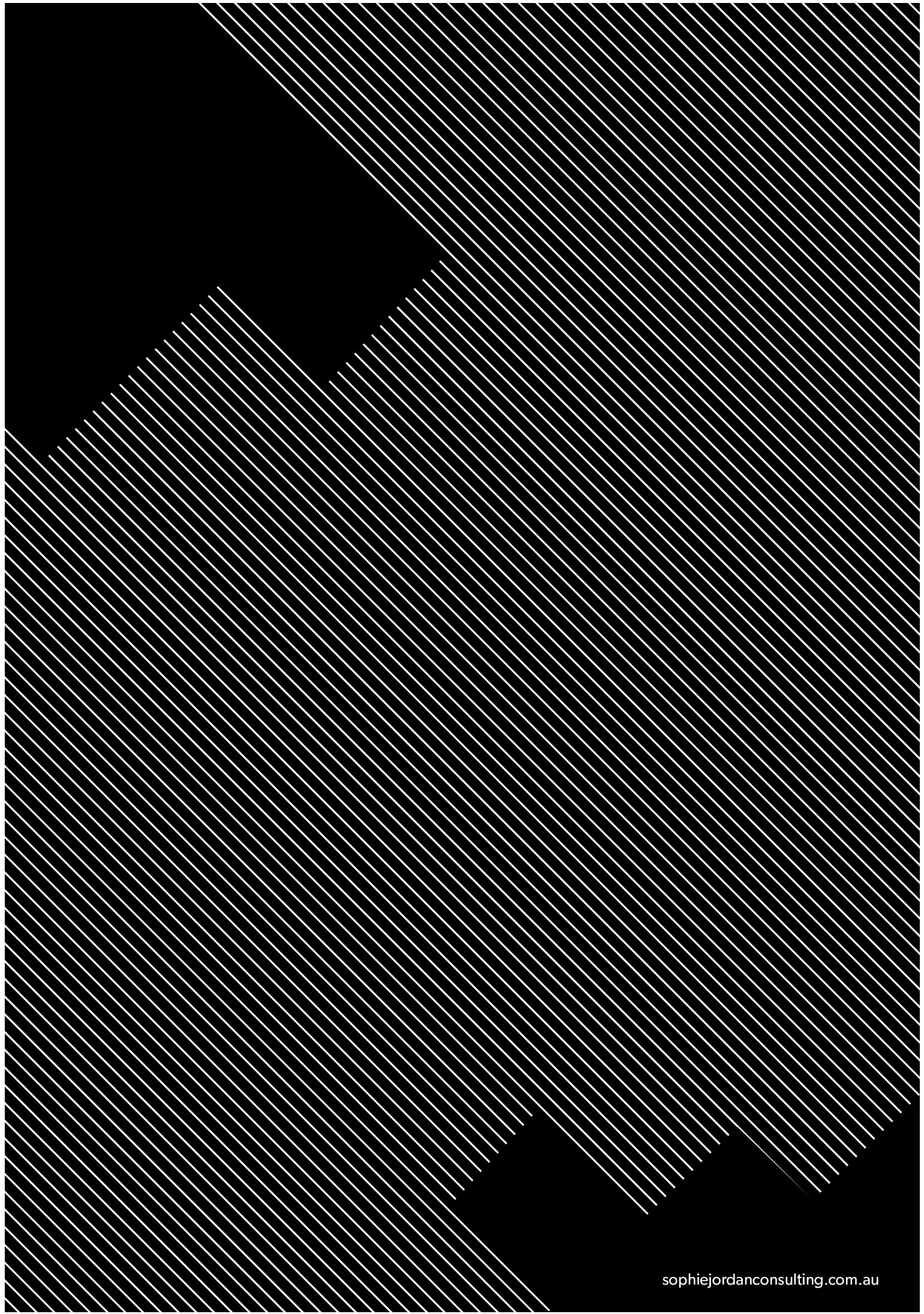
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01 Introduction

1. I have been requested by Norton Rose Fulbright July 2017 on behalf of the Department of Health and Human Services (DHHS) to prepare a statement of evidence that considers the town planning implications of Amendment C177 to the Moonee Valley Planning Scheme (the Amendment).
2. I have had no involvement in the preparation of any the background documentation, technical reports or the drafting of the proposed provisions to the Moonee Valley Planning Scheme (MVPS) that were on exhibition.
3. In preparing this statement I have undertaken the following:
 - Reviewed the exhibited documentation as part of the Amendment including background reports and proposed reference documents;
 - Reviewed all relevant planning controls and policies contained within the MVPS, including *Plan Melbourne 2017-2050*;
 - Reviewed written submissions lodged during the exhibition period that addressed planning issues and which are to be presented to the Committee;
 - Reviewed the City of Moonee Valley (Council) report relevant to the Amendment dated 22 August 2017 and Appendix A to the report;
 - Reviewed relevant Practice Notes and Ministerial Directions;
 - Reviewed reference documents to the MVPS that are relevant to this Amendment; and
 - Undertaken inspections of the subject site and surrounding precinct generally affected by the Amendment.
4. I note that several technical and background reports have been prepared to inform the Amendment, which were publically available during the exhibition period. My assessment and review has relied on these documents to inform my opinion.
5. The following statement provides a summary of my assessment and opinions in

relation to the Amendment and the planning merits of the proposed controls in the context of the MVPS. Specifically, my evidence focuses on the town planning implications of the Amendment and focuses on the following key areas:

- The approach to the planning framework to facilitate the delivery of the Public Housing Renewal Program as it applies to the Flemington Public Housing Estate;
 - The appropriateness of the proposed Mixed Use Zone across the Estate and together with the Development Plan Overlay Schedule 8 and Parking Overlay Schedule 1 to implement the objectives of the renewal project; and
 - Any recommendations for modifications to the proposed planning framework that forms part of the Amendment.
6. In preparing my evidence I have reviewed the written submissions from parties that have requested to be heard and considered the broader commentary on issues relating to the Amendment.
7. I note that expert evidence will be presented on matters relating to urban design, traffic, arboriculture and landscape. I therefore will not comment on these areas in any detail given they are outside my area of expertise. I have also not commented on the consultation program that occurred prior to the Amendment being placed on exhibition or any consultation that occurred during the exhibition phase.
8. For the purposes of this report included in Appendix **A** is a summary of my experience and other relevant particulars.

02 The proposed changes to the Moonee Valley Planning Scheme

9. The Council together with DHHS are the joint proponents for the Amendment, which affects the land generally known the Flemington Public Housing Estate and Debney's Park. The land that makes up this precinct includes:

- 12-71 Holland Court, 120-130 Racecourse Road and 24-66 Victoria Street, Flemington (known as the Flemington Estate);
- 25 and 75 Mt Alexander Road and 100 Victoria Street, Flemington (known as Debney's Park);
- 220 Racecourse Road, Flemington (known as Hopetown Children's Centre).



10. The Amendment seeks to make the following changes to the MVPS as it relates

to the above mentioned land:

- Rezone the Flemington Public Housing Estate (land owned by DHHS) from the General Residential Zone Schedule 1 to a Mixed Use Zone – Schedule 3;
- Apply Development Plan Overlay Schedule 8 to the Flemington Public Housing Estate;
- Apply Parking Overlay Schedule 1 to the Flemington Public Housing Estate;
- Rezone part of the Debney's Park (land owned by the Council) from a General Residential Zone – Schedule 1 to the Public Park and Recreation Zone (rectifying an anomaly to the zoning provisions);
- Rezone the portion of Debney's Park utilised by Debney Meadows Primary School from a Public Park and Recreation Zone to a Public Use Zone Schedule 2 (Education);
- Introduce the Debneys Precinct Structure Plan as a reference document at Clause 21.06-8 of the MVPS and amend Clause 21.06-7 to add the reference that Stage 2 of the Structure Plan is constitutes future strategic work to be undertaken by the Council;
- Amend Clause 61.01 of the MVPS to make the Minister for Planning the responsible authority for the Flemington Public Housing Estate and for Debney's Park.

11. It is noted that the Amendment does not seek to alter the application of the Environmental Significance Overlay Schedule 2 (Significant Trees), Design and Development Overlay Schedule 3 (Mt Alexander Road Corridor), Land Subject to Inundation Overlay, Incorporated Plan Overlay Schedule 5 (Moonee Ponds Creek Concept Plan) and Citylink Project Overlay as they relate to Debney's Park land.

12. The Social Housing Renewal Standing Advisory Committee (the Committee) has been appointed by the Minister of Planning to consider the Amendment and submissions. The role of the Committee is to specifically address the following

matters:

- *Advise on the suitability of new planning proposals prepared by the Department of Health and Human Services (DHHS) to facilitate renewal and redevelopment of existing public housing estates to increase the supply of social housing; and*
- *Provide a timely, transparent and consultative process to facilitate the renewal of Victoria's social housing stock.*

13. Paragraphs 38 and 39 of the Terms of Reference detail what must be considered by the Committee and what is explicitly excluded from the defined role of the Committee. I have reviewed these terms and focused my evidence only to issues that are to be considered as they relate to planning matters.

03 The Planning Framework Context

14. This Amendment seeks to make a number of changes to the controls that specifically affect the Flemington Housing Estate (the Estate) and the adjacent Debney's Park. However as for every Amendment, there is always a broader policy context to consider. This context articulates the current State and local planning policy framework that must guide decision making on both macro and micro planning matters.
15. The following summarises the relevant provisions of the MVPS, which I have taken into account in the preparation of this evidence statement.

State Planning Policy Framework

16. The State Planning Policy Framework (SPPF) seeks to develop the objectives for planning in Victoria (as set out in the *Planning and Environment Act 1987*) to foster appropriate land use and development planning policies and practices that encompass relevant environmental, social and economic factors.
17. Of particular relevance to the Amendment are the following clauses which provide guidance to the future development and land use planning anticipated to meet the broader objectives of planning in Victoria:
- Clause 10 – Operation of the State Planning Policy Framework
 - Clause 11 – Settlement
 - Clause 15 – Built Environment and Heritage
 - Clause 16 – Housing
 - Clause 17 – Economic Development
 - Clause 18 - Infrastructure
18. As can be expected with an Amendment of this scope, a number of the policy objectives within the above clauses provide broad strategic guidance relevant for urbanised land, whereas other clauses relate specifically to social and affordable.
19. *Plan Melbourne (2017-2050)* is of particular relevance to the Amendment given Direction 2.3 of the document is focused on facilitating social and affordable housing to address the needs of the community, and specifically acknowledges

the role of better utilising government land to deliver additional social housing, the need to streamline decision making processes for social housing proposals and to strengthen the role of planning in delivering this form of housing.

Local Planning Policy Framework

20. The Local Planning Policy Framework (LPPF) includes both the Municipal Strategic Statement (MSS) and local policies. The following clauses of the LPPF are considered to be the most relevant to this Amendment:

- 21.05 – Housing Growth
- 21.06 – Built Environment
- 21.07 - Activity Centres
- 21.08 – Economic Development

21. I have taken these provisions of the LPPF into account in the preparation of this evidence statement, and the focus they provide as to the strategic vision for the proposal and surrounding context.

22. I note that the only local policy that currently forms part of the MVPS that would apply to the subject site is contained at Clause 22.03 and relates to Stormwater management. This policy would apply to all new built form and is focused on incorporating appropriate stormwater treatment measures as part of development. I note that the scope of this policy would be considered as part of the development plan preparation in accordance with the proposed Schedule 8 to the Development Plan Overlay (Schedule 8).

23. I have considered the existing zones and overlays that apply to the Estate and the Debney's Park precinct as outlined earlier in this report.

04 Analysis of the Amendment

The approach to renewed social housing

24. The background reports and analysis prepared by DHHS and other departments of the State government confirm the urgency and scale of the issues surrounding the current stock of social housing, the influences on delivering new social housing for those in need and the ongoing demand for well serviced, affordable and accessible housing. It is a matter affecting a large proportion of the Victorian community and it is clear a new action plan is needed, particularly in light of the anticipated population growth within metropolitan Melbourne.
25. As outlined in the Terms of Reference document of the Committee, the key areas for concern with the current supply of social housing within Victoria include:
- A nineteen per cent increase in demand for homelessness services since 2011;
 - Thirty per cent of public housing supply in Victoria is over thirty years old and nearly sixteen per cent of properties are expected to be obsolete in four years. This results in much of the current supply being considered in poor condition and does not provide functional and safe housing;
 - Victoria has the lowest proportion of social housing dwellings per capita of all states in Australia; and
 - The current make up of social housing does not meet the typical household size and composition, including residents with disabilities and the ageing population.
26. On top of the above shortcomings, a substantial number of existing social housing estates within metropolitan Melbourne are severely underutilised with low rise development in the form of walk up flats in locations where greater density and scale could be accommodated, are costly to maintain due to the age and design of the buildings and have limited opportunities for revenue generation

to pay for the growing costs to the community.

27. It is therefore understandable that the Director of Housing is now seeking an approach to the issue which is focused on better utilising existing government owned land that is already developed for social housing but where there is an opportunity for:

- Upgrading and renewal of the existing housing stock where this is economically viable and appropriate in the context of the site; and
- Delivering new forms of social housing units that address the demand and requirements of the current community needs.

28. In essence, this agenda addresses the *Homes for Victorians (2017)* action plan launched by the State government, with one of the key initiatives being to redevelop nine public housing estates in metropolitan Melbourne to deliver at least 10% increase in social housing as part of stage 1. This initiative, which forms part of the Public Housing Renewal Project, is focused on not just increasing the net social housing on each estate but also is about delivering dwelling types that meet the current needs of tenants. This project will have State contribution \$185 million and will draw on private funding streams to deliver the housing.

29. The design objectives of this program that have been developed to guide the redevelopment of all estates and establish the scope of the project going forward are focused on delivering sustainable, high quality housing that will make a positive contribution to the longevity of the social housing stock and reduce the cost of living for all.

30. The renewal of the Flemington Estate sits alongside program, with separate funding, and presents a significant opportunity to deliver on a number of the program's objectives due to the many attributes of the estate, including:

- The substantial size of the Estate overall being 6.3ha in area, allowing the opportunity for significant growth and renewal of the housing across the site;

- Limited physical constraints on the site that would severely limit or restrict the development potential;
- Close proximity to the Racecourse Road Activity Centre within 100 metres of the site and a direct frontage to Racecourse Road;
- Proximity to the Moonee Ponds Activity Centre;
- Access to a range of public transport and major road networks including tram routes along both Racecourse Road and Mt Alexander Road, the fixed rail network at Flemington Bridge Railway Station and the Tullamarine Freeway;
- Numerous community, education and recreation facilities within the immediate area including the Flemington Community Centre, Debney Meadows Primary School and Debney Park.

31. The proposed renewal of the Estate has been nominated to involve:

- Demolition of the walk up unit blocks centred on Holland Court (built in the 1960s);
- New built form across the site which will deliver a mix of social and private housing and deliver approximately new 1100 dwellings in total;
- Retention and upgrade of the four existing high rise towers on the Estate that will continue to provide for 718 social housing dwellings; and
- Delivery of non residential facilities (retail, commercial, community and education) to further support the residents of the estate and surrounding area, contributing to the Major Activity Centre that extends along Racecourse Road.

32. At this stage it is understood that the existing residential towers on the Estate are to be retained and the renewal project overall has been proposed around these existing forms.

33. However, the project must deliver more than the necessary number of dwellings and the supporting services to meet the demand identified. It must consider a multitude of stakeholders, the environmental and physical context and it must ensure that integration between new and existing residents is a primary focus for the Estate and surrounding neighbourhood.

The need for integration of public and private housing

34. The primary focus of the *Homes for Victorians (2017)* document is to identify a range of initiatives and programs that will deliver or assist in facilitating new housing for many different groups within our community, including social housing. It is acknowledged that the development of new or renewed social housing is a significant public cost, which does require funding streams from the private sector. An effective funding stream is to use part of the government owned land within existing public housing estates for the development of private housing, which in turn would fund new social housing on the same estate.
35. This approach is not novel for Victoria and has been applied to the Kensington Housing Estate renewal that occurred approximately 10 years ago and more recently the Carlton Housing Estate, as well as many other social housing projects that have been developed in conjunction with a registered housing association.
36. Beyond the financial benefits of this approach to be able to deliver housing to the community, there are broader social benefits associated with encouraging a mixing of tenures across an existing public housing estate.
37. From a planning perspective, the segregation or concentration of housing for a disadvantaged sector of the community has resulted in a stigmatisation of public housing estates and concerns that they are places of concentrated antisocial, unsafe and undesirable behaviour. This is despite the many large public housing estates in metropolitan Melbourne being surrounded by private housing already.
38. To this extent the application of mixed tenure, a mix of supporting non-residential uses, and mixed dwelling types may all contribute significantly to the de-

stigmatisation of the Estate and rebalance the social profile of an area, while leading to lower management costs.

39. However the research undertaken by more qualified experts suggests that the success of the “mixed tenure” approach to public housing estates goes beyond the building blocks created by the planning scheme. It is a complex issue and is not solved simply by selecting the correct zone or overlay control but is more about the implementation of good design initiatives that focus on creating the foundations for sustainable, connected, socially diverse communities and ensuring social housing is less identifiable or distinct from private tenure. Furthermore the approach to the ongoing management of the housing estates overall is a key element for the long term future of an estate and its community and should be focused on continuing the process of social inclusion, managing both people and property and encouraging a sense of ownership for all that live within the estate.
40. Therefore, when approached in a cohesive, design led, management focused manner the diversification of public housing estates can create places where public and private tenants are fully integrated, leading to significant advantages for the broader community. Ultimately from a planning perspective it has the potential to reduce the segregation of housing types and therefore the stigma of the public housing estate as being places of concentrated social disadvantage.
41. But renewal projects of this type must set boundaries and ensure that a framework is established that identifies the key objectives for the design led process to occur in the future, and ensures development is facilitated in an efficient manner. In this sense I consider the planning system can play an important role in supporting the community consultation and discussion around the future of each housing estate, and creating a set of tools that ensures the identified housing needs of many within are community are facilitated.

The Response to Planning Policy Context

42. In considering the strategic justification for the Amendment and the extent to which it addresses the broader policy framework, *Plan Melbourne 2017-2050* is

an appropriate place to start. This document, released in 2017 by the State government, forms the basis of Clause 11 of the MVPS and establishes the principles that underpin a long term vision for Melbourne. It provides a series of Outcomes, Directions and Policies that seek to articulate how the vision will be approached, delivered and achieved.

43. *Plan Melbourne 2017 - 2050* recognises the importance of housing growth within our metropolitan area but that this growth needs to be managed in a way that maintains the city's liveability. Through a series of policy directions, the plan focuses on delivering **housing choice** in locations that are best supported by infrastructure, employment, transport and services. This housing choice includes **social and affordable housing**, which is specifically addressed at Direction 2.3.
44. This particular Direction acknowledges that the planning system can not solve the very complex issues associated with the provision of social and affordable housing within our urban areas. But it does have an important role to play in establishing clear policy guidance and facilitating the delivery phase. The policies associated with this Direction are focused around this theme and include:
- *Utilise government land to deliver additional social housing;*
 - *Streamline decision – making processes for social housing proposals;*
 - *Strengthen the role of planning in facilitating and delivering the supply of social and affordable housing;*
 - *Create ways to capture value uplift from re-zonings.*
45. It is very clear that this Amendment and the approach to the future planning framework and decision making for the next stage is seeking to advance these policies and directly achieve an outcome that is consistent with the Plan overall.
46. Clause 16 of the SPPF, which guides housing, further advances this policy platform. Clauses 16.01-4 and 16.01-5 addresses housing diversity and affordability as key challenges within our metropolitan area and specifically supports the Amendment through the promotion of:

- *Increase the supply of well-located affordable housing by:*
 - *Facilitating a mix of private, affordable and social housing in activity centres and urban renewal precincts.*
 - *Ensuring the redevelopment and renewal of public housing stock better meets community needs.*

47. It is also a project that will address other key policies of the SPPF that are focused on activity centre planning and built form within urbanised areas. Given the proximity of the Estate to the Racecourse Road Activity Centre, identified in *Plan Melbourne 2017-2050* as a major activity centre, there is strong policy support at Clause 11.03-2 and 11.06 which focuses on:

- Concentrating a diversity of housing types and higher densities in and around activity centres where there is a broad range of services and facilities, employment opportunities and transport networks to support the community;
- Direct new housing and mixed development to activity centres and defined urban renewal sites where there is existing infrastructure to support population growth;
- Promote urban design excellence in the built environment and create places that are accessible, safe and diverse to all of the community;

48. The Municipal Strategic Statement (MSS) further reinforces the directions and policies established in the SPPF and at Clause 21.05 (Housing) there is a continued focus on the growth of higher density housing being concentrated in locations that are well supported by established activity centres and areas of integrated services. Housing diversity is also nominated as being of particular importance to address the varied needs of the local community. The concept of housing diversity at Clause 21.05-2 and Clause 21.05-3 includes accessible and affordable forms of housing, designed to address changing needs of the community over time and address different income levels. The MSS encourages housing that is flexible to meet the needs of persons with disabilities, older

persons, persons of varied income streams, and people who would benefit from housing that can adapt to their changing lives.

49. In relation to built form, the objectives and strategies contained Clause 21.06 (Built Form) provide the local policy context, focused on ensuring development responds to its surrounding environment and makes a positive contribution to the local area. Neighbourhood Character, Urban Design and Safety, Health and Wellbeing are the three themes to this clause that are of direct relevance to the project and provide important guidance around:

- Maintaining and enhancing the residential streetscapes that contribute to the preferred character of the area;
- Encouraging open space areas to include linked pedestrian and cycle paths;
- Ensuring new development creates safer environments that promote activity and interaction amongst the community and are accessible for all;
- Promote new built form to incorporate principles of sustainability and have a positive visual impact on the urban streets and neighbourhoods.

50. A number of the strategies and objectives relating to the theme of urban design (Clause 21.06-4) have direct relevance to the proposal. These provisions focus on promoting innovative design solutions that are site responsive, result in a net community benefit and ensure a respectful approach to off site impacts. It is anticipated that this clause would provide important policy guidance for the consideration of the future development plan and any subsequent permit applications.

51. Overall I consider it is of particular interest that the Amendment is not only directly advancing clear State planning policy but does not propose any changes to the MSS beyond a reference to the Debneys Precinct Structure Plan at Clause 21.06. The over arching policy objectives which are embedded into the LPPF are directly supportive of the project and the proposed Amendment, focusing on targeting new higher density housing to areas that are supported by the activity centre network and the need for housing diversity across the municipality. In this respect it could in fact be said that the proposed Mixed Use zone, DPO and PO

are the vehicles which will deliver the policy objectives that already form the basis of the MSS and the SPPF.

The Proposed Planning Framework for Flemington

52. Given the MVPS (like any planning scheme) is a working document that is constantly being tested and reviewed, there will always be a cycle of strategic work that must feed into policy and controls so that they respond to current land use and development issues. It is not a static document and as such must address changes in a dynamic social, environmental and economic climate.
53. The renewal of the Estate is a project that does require a new set of controls tailored to specifically respond to the needs of the project and the many stages it will follow through to delivery. This framework is not to be read in isolation and does not sit separate to the rest of the MVPS. The first purpose of both the Mixed Use Zone and the Development Plan Overlay is *“to implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and Local Policies”*. It is therefore important to remember that the key policy messages and directions that form part of the MVPS that were discussed in the previous section of this report will continue to guide the consideration of any future proposal for the Estate together with the proposed zone and overlays.
54. With this in mind, the process of drafting the required planning controls to guide the first stage of the project should achieve the right balance between establishing clear objectives to respond to the site specific requirements for future development and broader policy. It should:
- not be overly prescriptive but allow for a degree of flexibility that will foster design innovation and provide scope for alternative solutions that can be demonstrated to deliver net community benefit;
 - establish a clear vision for the Estate and ensure the community has an understanding of what broad development outcomes are to be achieved;

- not seek to regulate the specifics of the social outcomes or dictate the tenure mix as this is a matter for consideration outside of this arena.

55. The Amendment has focused on introducing three key planning tools to the MVPS to facilitate the renewal project for the Estate. These include:

- A Mixed Use Zone that will allow for the Estate to be developed for a range of building types, density and scale and to also facilitate non-residential and community uses to be developed;
- A Development Plan Overlay that will create the framework for the ultimate development proposal, establishing the parameters for building envelopes, land uses, landscape design, sustainable development, access, parking and circulation and other matters of detail.
- A Parking Overlay that sets site specific parking rates that are considered to be responsive to the expected demand.

56. I note that matters of car parking, access and traffic generation, and the appropriateness of the proposed Parking Overlay are being addressed by Mr Jason Walsh of Traffix Group. The overall approach to the project from an urban design perspective will be addressed by Mr Mark Shephard of DLA. I have therefore focused my assessment on the application of the proposed planning controls and expected process.

Application of the Mixed Use Zone

57. Given the context of the Estate both in terms of its adjacency to the Racecourse Road Activity Centre to the south, the expectations for higher built form and higher density development and the interface with surrounding residential land and regional public open space, a new zone that can both maximise the site's potential and remain responsive to its context is essential.

58. Past public housing estate renewal projects and similar scaled mixed housing projects have applied a Comprehensive Development Zone for the life of the "renewal" phase and then reverted to a standard residential zone at the completion of the redevelopment. In my view the preferred alternative is to select a zone that can remain in place even after the completion of any significant

redevelopment, and continue to be relevant for the future management of the land.

59. The application of a General Residential Zone across the site at present has a number of limitations on the renewal of the Estate, many of which are a result of Amendment VC110 which introduced both a mandatory 11 metre height control to this zone and a mandatory garden area requirement. For an Estate proposed for a significant redevelopment scheme that seeks to encourage a range of building forms and density beyond the limitations of these mandatory requirements, this existing zone does not provide the necessary flexibility.
60. The proposal to replace the General Residential Zone with the Mixed Use Zone is in my view a logical and suitable choice for a number of reasons. It is a zone that can address two of the key aspirations of this project; delivery of new housing at higher density and to facilitate a mix of residential and non residential activities within the Estate. These two development objectives in fact form the basis of the purpose to the Mixed Use Zone, immediately confirming the compatibility with this project.
61. Furthermore the Mixed Use Zone is without a default height control, without any density or garden area requirement and yet remains sensitive to matters of neighbourhood character and amenity. It is however still part of the suite of residential zones contained within the Victoria Planning Provisions and remains focused on the creation of a predominately residential environment.
62. The application of the Mixed Use Zone within the metropolitan context of Melbourne is typically applied to land that is proximate to an activity centre, creating a “transition” between the higher density, mixed environments that surround the heart of an activity centre and the more conventional, lower scale residential areas beyond. It is often used across inner urban areas where there is a policy intent to maintain a balance between commercial activity that can generate employment and deliver on a growing need for mixed forms of housing.
63. The Practice Note 78 identifies that the Mixed Use zone may be appropriate for areas that are:

- *Planned for more intense and diverse residential development on sites well located in relation to activity centres, employment and public transport;*
- *Brownfield or urban renewal sites;*
- *Planned for apartment style development.*

64. It is clear that the built form and land use mix proposed as part of the renewal project for the Estate addresses each of these dot points and therefore the application of the Mixed Use Zone is appropriate.

The Proposed Development Plan Overlay Schedule 8

65. For a project of this scale and the multitude of design issues that will require an integrated approach in the preparation of a suitable master plan, the application of a Development Plan Overlay is the preferred tool. Alternative overlays that still create the need for a master plan to be developed such as the Incorporated Plan Overlay are restrictive in that any modifications to the plan over the life of the project would require further Planning Scheme Amendments to be prepared.

66. I note that currently there are no overlays that affect the Estate and therefore this would be a new addition to the planning framework.

67. In considering the design objectives and development plan requirements for the proposed Schedule 8 of the DPO (Schedule 8), I have reviewed the background documentation and analysis that has been prepared to establish the structure that is intended to guide the future development of the site. This includes the Design Framework prepared by Hayball and Message Consultants (June 2017), and the Debneys Precinct Structure Plan prepared by Message Consultants (June 2017). These two documents in particular examine the existing conditions and site context, identify various constraints for future development and the opportunities for delivering on the desired objectives for increasing housing, recreational facilities and associated services.

68. The Design Framework is important as it establishes the overall approach of the Development Concept Plan that forms part of the proposed Schedule 8. It identifies the many “elements” or influences that contribute to the amenity of the site at present and how these elements must be integrated into the future development plan to ensure residents within the Estate, and the surrounding residential neighbourhood, experience a positive living environment. The creation of defined precincts, potential for new built form at various heights around retained vegetation or built form, setbacks to key interfaces external to the Estate, circulation networks and potential for overshadowing form key foundations of this document which are then reflected in Schedule 8.
69. This document, together with the other background reports prepared to address vegetation, car parking and circulation, established the expected approach for any future development plan around the recognised physical constraints, the amenity of the precinct overall and the need for an integrated approach to development. How a future development plan may respond to these issues is the subject of the next stage and is not required to be examined by the Committee.
70. The key elements of the proposed Schedule 8 that I consider provide the appropriate guidance for the preparation of a development plan document itself includes:
- The defined objectives which establish the expectations for the development outcomes across the Estate. These objectives reflect the design principles that have been developed for the various sites that form part of the Public Housing Renewal Project and therefore reiterate the broader State government objectives for future housing;
 - Clarity as to the expected building heights to be explored across the Estate, defined on a precinct basis and responding to the proximity to lower scale existing residential development surrounding the Estate, park or external road network. I note these building heights are discretionary, which I consider is appropriate given this project needs a level of flexibility to explore various design outcomes;

- Clarity as to the expected setbacks for built form that have interfaces to the external road network and the park;
- The expectations for tree retention and new open space provisions;
- Required outcomes for the vehicle, bicycle and pedestrian movements within and around the site to ensure the correct balance is achieved and the estate remains accessible and legible.

71. The required documents, plans and reports that make up the development plan generally address all relevant documentation for a project of this type. These documents will be required to specifically define the scope of development for each individual precinct and then provide clear resolution as to how the Estate overall will be cohesively developed.

72. I consider it relevant to note that the proposed Schedule 8 requires that a development plan for the whole of the Estate be prepared as one document. I see this as a strength to Schedule 8 and whilst a staging plan may well be prepared to stipulate how the overall delivery of the master plan will occur, the Estate must first be considered as a whole. Any early works that can be undertaken on the site are limited and defined in a manner that should not prejudice the future development of the Estate or the achievement of the broader objectives.

Debneys Park

73. At present the Council owns and manages Debneys Park and the Hopetoun Early Years Centre located at 220 Racecourse Road. The park land includes the Flemington Community Centre and the Debney Meadow Primary School.

74. The Debneys Precinct Structure plan prepared by Message Consultants for the DHHS and the Council (June 2017) is intended to be implemented in two stages being:

- Stage 1 will be the redevelopment of the Flemington Estate by DHHS.
- Stage 2 will be enhancements to the land owned by the Council.

75. The Amendment proposes to make this structure plan a reference document in Clause 21.06 of the MVPS. Furthermore the work required to develop the strategic objectives and actions for stage 2, which is focused on the parkland, is to be developed by the City of Moonee Valley.

76. The Amendment does not propose any significant change to the planning controls affecting Debneys Park other than rezoning of two parcels to address anomalies. These are:

- the primary school land from a Public Park and Recreation Zone to the Public Use Zone 2;
- part of the Debney's Park from a General Residential Zone – Schedule 1 to the Public Park and Recreation Zone;

77. Whilst I note that the Council has raised a concern regarding this aspect of the Amendment being potentially premature until the future of the primary school on the land is known, I consider the current Amendment is the appropriate time to correct a zoning issue that appears to have no reasonable basis to be retained. Any future plans for the Debney Meadows Primary School may warrant further modifications to the zone boundaries if the curtilage of the school was to expand or even to relocate altogether, but given no detailed information has been made available to suggest this is imminent, I consider the Amendment is appropriate in this regard, at this stage.

Minister as the Responsible Authority

78. The Amendment proposes that the Minister for Planning is to become the responsible authority for administering and enforcing the MVPS as it relates to the Estate, defined under the Schedule to Clause 61.01. This has also been proposed for Debney's Park to the north of the Estate.

79. The justification for this aspect of the Amendment has been that a streamlined approval process is required to ensure the efficient and timely delivery of the renewal project and that the decision making is consistent and co-ordinated with all government agencies. Given the Minister for Planning is being requested by

DHHS to become the responsible authority for all sites that form part of the Public Housing Renewal Project, it is considered that there is the opportunity for uniform requirements and standards (where appropriate) to be imposed across all sites.

80. The role of the Minister as the responsible authority for a social housing estate for a period of renewal and redevelopment is not a new concept. For several other projects of this type across metropolitan Melbourne the Minister has taken on the role for a finite period and undertaken the task of making key planning decisions with the input from the municipal authority and other stakeholder groups.

81. In my view there are a number of key reasons why the decision making associated with the planning stage of the renewal project should be state led including:

- The burden of a project of this nature could result in substantial delays in the project delivery;
- The project is focused on delivering key State planning policy and requires the involvement of State government agencies to ensure all aspects of the social housing renewal are considered. This process can be more efficiently managed if undertaken by the Minister for Planning and his department;
- The delivery of this project is of significance to the State and forms part of the broader government plan for providing improved social housing to the community.

82. Debney's Park is not proposed for housing redevelopment and therefore may undergo relatively confined changes (but for the potential relocation of the community centre) as a result of the proposed Structure Plan. However it does form part of the overall precinct and it is expected that new built form positioned adjacent to the southern and western boundaries of the open space are to be carefully considered as part of the development plan overall. As such I consider there is merit in the Minister for Planning being the responsible authority for the whole of the precinct for the medium term to ensure any decisions that may affect the parkland are undertaken in a co-ordinated and integrated manner. Given this

important public open space is owned by Council, any upgrade works to the parkland that may occur in stage 1 will need to be undertaken in close consultation with Council.

83. More significant upgrade works and improvements to the recreation and sporting facilities within the park are to be the subject of stage 2, once the Council has undertaken further work. At the point in time when stage 2 of the Structure Plan is developed and a program of works identified, it may be that the role of the Minister as the responsible authority is drawing to a conclusion.

84. In this respect it is expected that on completion of the renewal project the responsible authority role will be handed back to the Council for the ongoing administration and enforcement of the MVPS as it applies to the Estate. Again this has been the approach taken for other sites of this type and is usually carefully managed.

Modifications and Recommendations

85. Like any Amendment of this size and application, there will always be elements that might benefit from further refinement and there can be some potential outcomes that come to light which were an unintended consequence of the provisions.

86. Following a detailed review of the zone and overlay provisions that form the Amendment together with some of the matters raised in written submissions, I consider revision of some clauses of Schedule 8 would be appropriate to provide greater clarity and improve the assessment process of a future development plan.

87. It is important to highlight that any development plan or future permit application(s) must be assessed against all elements of the MVPS as previously discussed. At present the LPPF in particular provides strategies and objectives around urban design outcomes, neighbourhood character response, and safety, health and wellbeing. This policy guidance will be directly applicable to the project and therefore I consider repetition of some of these objectives in

Schedule 8 should be resisted in the interests of ensuring the new controls remain targeted and concise.

88. The following provides a summary of my recommendations where they relate to modifications to Schedule 8 to improve the understanding of the various requirements and ensure all appropriate documentation is considered:

Provision	Recommended change
Acoustic Impact Assessment	The built form requirements make mention of the need for <i>“appropriate noise attenuation measures to minimise noise impacts on proposed dwellings from the Tullamarine Freeway, the upfield railway line, Racecourse Road and any non-residential uses on the site”</i> . To appropriately address this requirement, it may be necessary that a preliminary acoustic report be required as a document that forms part of the Development Plan package.
Separation between buildings	I note that the only reference to building separation relates to a 20 metre minimum separation between new building and the existing residential towers. In my view the setbacks between buildings requires consideration beyond just the interface between new built form and residential towers. I have considered the urban design recommendations of Mr Shephard in this regard and support the modifications suggested to Schedule 8 to address this issue.
Potential for higher built form on the site	I note that one of the built form objectives makes mention of <i>“higher built form on street corners”</i> . However it is unclear what this constitutes and exactly what types of street corners may be appropriate for the higher built form. I recommend that the design objective be modified to read <i>“higher built form on internal street corners where it can be demonstrated that there are no negative impacts on surrounding open space or adjacent built form”</i> .
Overshadowing	There are a series of specific built form requirements that specifically relate to overshadowing and are intended to guide the orientation of development and open space areas. I support these provisions however I consider some refinement in the wording of these clauses is necessary such as defining what constitutes <i>“communal outdoor open space”</i> , and what is <i>“reasonable”</i> levels of sunlight. Given the potential impacts of overshadowing, I consider this clause would benefit from some guidance as the overall objectives relating to overshadowing (see Appendix B for further information)

89. I have recommended minor refinement to the wording of various clauses that form part of this Amendment to ensure the intent of the clause is clear and appropriately linked to policy. These recommendations are provided in the form of a tracked changes version of Schedule 8 provided at Appendix B.

Existing Residential Towers

90. The proposed Schedule 8 does not make any reference to the approach that might be appropriate for the existing residential towers on the Estate if they were to be demolished. This is clearly not a short term proposition given none of the background documents suggest that the existing towers are being considered for redevelopment. However there will be a time when the structural life of the towers requires replacement to be examined.

91. Although no evidence has been presented to suggest such a review has been undertaken, it may still be appropriate to build into Schedule 8 the requirements around how this option should be considered. I have considered the recommendations of Mr Shephard in this regard and support them.

92. Furthermore, I also recommend that Schedule 8 be amended to state that should redevelopment of the existing high rise residential towers occur, an amended development plan should be prepared to address all other requirements and consider the extent to which the new built form will integrate with the rest of the Estate.

Future work

93. The preparation of Stage 2 of the Debneys Precinct Structure Plan, to be undertaken by the Council, is an important document that is intended to guide the extent to which Debney's Parkland can be further enhanced as an important public asset. I note several submissions have raised the issue of this parkland being central to the health and wellbeing of existing residents, which becomes even more important as the residential population on the Estate grows.

94. I therefore consider that some clear timeframes around the preparation and delivery of this document should be identified. At present Clause 21.06-7 of the

MSS refers only to the task of developing stage 2 of the plan (in consultation with DHHS). I recommend that this be amended to ensure that the strategic work is undertaken within the life of the renewal project, to ensure that key recreation facilities to be upgraded or added to the parkland be developed within the short term to coincide with the growth of the adjacent population. Such a timeframe should be considered by the Council before a commitment is reached.

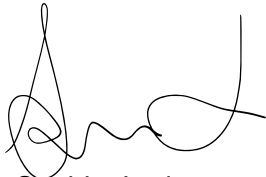
06 Conclusions

95. Having considered the key planning issues that are relevant to the Amendment I am of the opinion that the approach to the proposed framework will efficiently facilitate the renewal of the Flemington Public Housing Estate and the adjacent Debney's Park. In undertaking my review of all relevant documentation I have concluded that:

- The SPPF and LPPF, including Plan Melbourne, provides strong support for the renewal of the existing Estate with particular focus on increasing the provision of social housing close to a defined major activity centre and responds to the changing needs of the community;
- The application of the Mixed Use Zone to the Estate is provide appropriate for the project, allowing for higher density housing and a mix of non residential uses. It is a zone that is in line with the overall project objectives and can be retained across the site in the long term;
- The application of the proposed Development Plan Overlay Schedule 8 will provide the necessary framework for the creation of a detailed development plan across the Estate, providing the necessary guidance as it relates to the preferred urban design outcomes, building heights and setbacks, overshadowing of public spaces, traffic and car parking layouts, vegetation retention and landscape treatments and staging;
- The application of the Parking Overlay will provide for local parking rates that are appropriate for the residential needs of the Estate in line with empirical evidence and reduce the extent to which car parking dominates the usable land across the Estate;
- The proposal to have the Minister for Planning as the responsible authority will allow for a consistent approach to decision making across the Estate and parkland and ensure an efficient and co-ordinated approach to the planning approval stage;

- The rezoning of the Debney Meadows School site to a Public Use Zone 2 is appropriate given the anomaly to the zone boundaries that currently exist.

96. I am therefore supportive of the Amendment subject to the modifications outlined in my report.

A handwritten signature in black ink, appearing to read 'Sophie Jordan', with a stylized, cursive script.

Sophie Jordan
Director



Appendices

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Appendix A – Summary of expertise

Name and professional and business address

Sophie Millicent Jordan
Director, Sophie Jordan Consulting Pty Ltd
Level 1, 580 Church Street
Richmond VIC 3121

Qualifications and experience:

- Bachelor of Planning and Design (Hons) University of Melbourne, 1996
- 1997 Town planner, City of Stonnington
- 1998-2001 Senior planner, City of Melbourne
- 2001-2003 Senior planner, Hassell
- 2003 – June 2005 Senior planner, Urbis Pty Ltd
- July 2005 – June 2008 Associate Director, Urbis Pty Ltd
- July 2008 – Dec 2011 Director, Urbis Pty Ltd
- January 2012 – present Director, SJ Consulting Pty Ltd

Area of expertise:

- Residential developments including medium density housing projects through to larger high rise apartment complexes;
- Special needs residential accommodation including student accommodation, retirement villages, nursing homes and social housing projects;
- Large scale commercial projects including office development within inner Melbourne;
- Large scale retail development within metro Melbourne and regional victoria;
- Preparation of Urban Design Frameworks for regional town centres;
- Public Housing Estate redevelopment and social housing projects
- Gaming applications, including the VCGR approval processes; and
- Heritage applications, including Heritage Victoria approval processes.

Facts, matters and assumptions which the report relies upon:

- Reviewed the exhibited documentation as part of the Amendment including all background reports and proposed reference documents;
- Reviewed all relevant planning controls and policies contained within the Moonee Valley Planning Scheme (MVPS) including Plan Melbourne;
- Reviewed written submissions lodged during the exhibition period;
- Reviewed the City of Moonee Valley Council report relevant to the Amendment dated August 2017;
- Reviewed relevant Practice Notes and Ministerial Directions;
- Review reference documents to the Moonee Valley Planning Scheme ; and
- Undertaken inspections of the site and surrounding precinct affected by the Amendment.

Documents taken into account in preparing this report:

Refer to paragraph 3. of the report for a summary of the documents that have been taken into account. The assessment and review outlined in the report has relied on these documents to inform my opinion.

Identity of any person who assisted in the preparation of the report

None

Summary of my opinions

Refer to report and conclusions for a detailed summary of opinions.

Expert Declaration

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

2025/05/01/2025/05/01/2025/05/01

Appendix B - Tracked Changes Version of Development Plan Overlay Schedule 8

