Date: 18 April 2018

Proposed Amendment GC81 to the
Port Phillip Planning Scheme
Fishermans Bend

Stage 2 - Montague Precinct Submissions on behalf of the City of Port Phillip
## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contents</td>
<td>2</td>
</tr>
<tr>
<td>Introduction</td>
<td>3</td>
</tr>
<tr>
<td>Submissions</td>
<td>9</td>
</tr>
<tr>
<td>Specific changes requested</td>
<td>30</td>
</tr>
</tbody>
</table>
Introduction

Overview

1. Montague, and particularly the area south the tram line, has great potential to become one of Melbourne’s most celebrated neighbourhoods. The Government’s September 2016 Vision speaks to this opportunity. However, Council submits that:

   ▪ changes are required to the exhibited Amendment GC81 to realise this Vision; and
   ▪ certain changes that have been provided by Ms Hodyl in her evidence ought not be made.

2. Today’s submissions will explain:

   ▪ how Council has analysed and tested elements of Amendment GC81 that relate to Montague;
   ▪ the changes Council proposes because of that testing; and
   ▪ the cumulative effect of these changes.

3. As was the case with Council’s Stage 2 Overarching Submission, Council has informed itself by detailed urban design work that it has been undertaking and this is conveyed in an Urban Design Report for Montague for the benefit of the Advisory Committee (circulated with this submission).

4. The key outcomes that Council proposes for Montague are as follows:

   ▪ Buckhurst Street is to be reimagined as a "high street" anchored by community facilities, characterised with a very high landscape quality and a range of fine grain retail, convenience shopping, local services, cafés and restaurants.
   ▪ An expanded Montague North Park which contains a stand-alone Sport and Recreation Hub shielding the open space from the Westgate Freeway.
   ▪ Creation of a 'high line' style elevated park above the Route 109 tram line.
   ▪ The reimagina­tion of Montague Street, Normanby Road and City Road as boulevards providing generous footpaths, a consistent planting of large canopy street trees and improvements to cycling infrastructure.
• Development of mid-rise\textsuperscript{1} infill development in Montague South that retains and adapts bluestone laneways, heritage and character buildings, and the existing fine grain subdivision pattern.

• Development of higher rise\textsuperscript{2} development on larger sites in Montague North across a range of architectural typologies.

• Integration of these areas, particularly Montague South into the established areas of South Melbourne and Port Melbourne.

\textsuperscript{1} As defined by Council at paragraph 142 of its Stage 2 overarching submissions.

\textsuperscript{2} Ibid.
5. As part of its analysis, and as noted in its Stage 2 Overarching Submissions, Council has prepared two 3D built form testing models to inform its position on Amendment GC81.

6. The first model is based on the outcomes provided for by DDO30. It is a simple extrusion model of potential 3D building envelopes that shows the various height, setback and overshadowing controls relative to land ownership patterns as well as existing and proposed streets and laneways to understand the possible built form outcomes allowed for by Amendment GC81. It provides a different perspective to Ms Hodyl’s model which is predominantly based on the FAR controls, and which does not reflect the laneway locations shown in the Framework. Thus, Council’s 3D model provides a good reference point to the maximum development outcome including FAU, while Ms Hodyl’s essentially shows the minimum (i.e. FAR only)\(^3\).

7. The second model illustrates the cumulative effects of Council’s proposed changes to Amendment GC81 as they relate to heights, setbacks and urban structural elements such as the location of parks, community hubs, streets and laneways. So, in other words, this second model shows the development outcomes that are possible per Council’s proposed changes to the planning controls.

8. In both models, floorplate assumptions were applied to create realistic building envelopes as per those described at paragraph 134 of Council’s Stage 2 Overarching Submission and the Urban Design Report that accompanied that submission.

**Key issues**

9. Council submits that the key issues in relation to Montague are:
   - More refined statements are required about the built form outcomes and architectural typologies that are anticipated for Montague.
   - Further to this, the DDO30 fails to recognise the unique outcomes sought for each precinct, including for Montague and the future neighbourhoods within them.
   - As currently proposed under Amendment GC81’s CCZ1 and DDO30, development to the north of Montague North Park (which is currently shown as a private development site) has three undesirable outcomes:
     - It has the potential to significantly overshadow that park.
     - It misses an important opportunity to co-locate important public sporting infrastructure with public open space.

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\(^3\) It is important to note that Mr Sheppard’s assessment is based largely on Ms Hodyl’s 3D assessment supplemented by some limited modelling carried out by David Lock &Associates.
- It consequently misses the opportunity to use public buildings to assist in creating an important landmark building\(^4\).

- Council’s submissions in Stage 1 and Ms Thompson’s evidence recommends new sites as open space in Montague South along Thistlethwaite Street. Mr Sheppard disagrees with these recommendations.

- The investigation area nominated for the Montague Art and Cultural Hub includes a large number of sites which are too small to accommodate the hub, or already have a permit for development which would preclude this option.

- The current nomination of lengthy primary active frontages along Normanby Road and Montague Street belies their likely future character and will consequently detract from the achievement of the Vision for Buckhurst Street to be the primary spine.

- An activity centre is required in the Montague South Core. Council notes that there are only a few sites in this area that are large enough to accommodate a medium to full sized supermarket. Consequently, there needs to be a means of protecting the opportunity for such a facility to be accommodated, given that it is likely to transpire after residential development proceeds.

- Many existing laneways within Montague South are narrow and do not form a legible movement network. Some of these laneways have the potential to be activated pedestrian focussed streets, but this is unlikely to occur if they are used as access points for large number of vehicles.

- There is no clearly defined future urban structure proposed in Amendment GC81 for Montague.

- Allowable built form within currently proposed building envelopes along Buckhurst Street has the potential to severely overshadow the proposed green spine and create undesirable mismatches in building scale on surrounding streets which will ultimately damage the character of the proposed neighbourhood activity centre.

- Building heights in the block bound by City Road, Whiteman Street, Cecil Street and the Westgate Freeway have the potential to cast shadow over areas that are currently protected from overshadowing by mandatory overshadowing controls in the adjoining part of South Melbourne contained within DDO8.

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\(^4\) In Council’s Stage 2 Overarching Submission, this site is identified as one of the sites that should be subject to a design competition.
Summary of Council’s position on the key issues

Built form outcomes and architectural typologies

10. The character area / neighbourhood breakdown that is currently proposed for Montague in the MSS be modified to allow for more refined guidance to be provided about the built form outcomes and architectural typologies that are anticipated for Montague.

11. Further to this, a precinct-specific DDO schedule should be created for Montague (as well as for the other precincts which will be the subject of later submissions), including statements relating to the preferred built form outcome and architectural typologies for each neighbourhood within the precinct.

Montague North Park

12. The Montague North Park is proposed on existing Crown land, part of which is proposed to be sold for private development. Council submits that the whole of that Crown land should be retained in public ownership and used for the purposes of a park and a Sport and Recreation Hub.

Montague South public open spaces

13. The sites recommended as open space by Ms Thompson along Thistlethwaite Street should be shown in Montague South.

Art and Cultural Hub

14. The existing Continuing Education School (a heritage building) on the north-west corner of Montague Street and Buckhurst Street should be specifically shown as a proposed Art and Cultural Hub. The Hub should be co-located with the existing school, or located on the site as a stand-alone facility if the school relocates.

Retail development and active frontages

15. A ‘Core Retail Area’ should be earmarked in the block contained within Gladstone Street, Kerr Street, Ferrars Street, Thistlethwaite Street and Montague Street, with Buckhurst Street as its main street.

16. The DPO should be used to enable a suitable site for a medium to full sized supermarket to be identified and protected from development which would prejudice its subsequent delivery somewhere within the Core Retail Area. The DPO should require that the future land use of this anchor tenant is appropriately knitted into the desired character of its surrounds through a master planning exercise.
17. Within the Core Retail Area, Georges Street should be classified as a Primary Active Frontage while Rosherville Place and Tates Place should be classified as Secondary Active Frontages.

18. Normanby Road and Montague Street should be classified as Secondary Active Frontages.

19. Johnson Street and the area in the northern part of the proposed Montague North Park should be deleted as Secondary Active Frontages.

Urban Structure Plan

20. For the reasons explained and expounded in Council’s Stage 2 Overarching submissions (at paragraphs 65 – 72 and 109), a future urban structure plan should be included within the CCZ1 as per Council’s proposed plan.  

Built form along the north side of Buckhurst Street

21. Consideration be given to a different approach to the traditional street wall and tower setback approach for Buckhurst Street between Montague Street and Ferrars Street to create a diversity of heights at the street interface and maximises sunlight penetration.

Building heights

22. Discretionary building heights should scale down along the south side of Gladstone Street eastwards from the existing Gravity building to create a transition in heights from the existing Gravity building down to 12 storeys at Kerr Street, opposite Montague Park.

23. Discretionary heights should be set at 8 storeys (rather than the current 12 - 20 storeys) on the area of Buckhurst Street that is west of Montague Street.

24. Heights in the block bound by City Road, Whiteman Street and the West Gate Freeway (including Cecil Street) should be limited to between 12-24 storeys to prevent shadows from being cast on parts of South Melbourne which are currently subject to mandatory overshadowing controls under DDO8.

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5 Mr Sheppard’s addendum report agreed with Council.
6 Sometimes collectively known as 400 City Road.
Submissions

Built form outcomes and architectural typologies

25. Council has made a range of general submissions regarding the need for more refined statements about the built form outcomes and architectural typologies between different precincts and the neighbourhood within them. This precinct based submission makes further submissions about where they should apply and how they ought to be given effect for Montague to achieve the Vision.

26. Council proposes that the character area / neighbourhood breakdown that is currently proposed for Montague in the MSS\(^7\) be modified in the manner shown in the below diagram.

![Diagram of Montague precincts]

Figure 2. Changes to Montague sub-precincts proposed by Council

27. As well as proposing changes to the boundaries of these sub-precincts, or neighbourhood areas, Council also proposes that further information is added to that diagram about which building typologies are preferred in each of the neighbourhoods. This is shown below.

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\(^7\) Currently at page 40 of 40 of the proposed changes to the MSS as per GC81 which is not too legible.
28. Given that this is really discussing built form outcomes, Council submits that this ought to be the basis for exercising discretion under the DDO. On this basis, Council considers that this is their rightful place in the Planning Scheme.

29. Accompanying this, a precinct-specific DDO schedule should be created for Montague (as well as for other precincts which will be the subject of submissions later), including statements relating to the preferred built form outcome and architectural typologies for each neighbourhood within the precinct.

### Montague North Park

30. As per Council’s Stage 1 Submission, the proposed Montague North Park is located on State owned (Crown) land. Approximately 11,000 square metres of the land in question has been designated for public open space, with the remainder of approximately 9,000 square metres allocated for development (presumably for sale) and for development to be between of 6 storeys and 24 storeys.

31. Mandatory equinox overshadowing controls are proposed to apply to Montague North Park between 11am and 2pm. This is illustrated at figures 12-15 on page 18 of the Montague Urban Design Report, and is also set out in the diagrams below.
32. The 24-storey tower element was tested by Council to determine if the overshadowing controls could be met. This analysis found that:

- a tower of 24 storeys significantly overshadows the park between 11am and 2pm; and
- any tower element above 7 storeys in height overshadowed the park above the street wall.

33. The expert evidence of Ms Hodyl acknowledged that the proposed building heights did not align with the proposed overshadowing controls. Thus, at page 44 of her expert report, Ms Hodyl recommends that the overall building height should be revised from 24 storeys to 12 storeys. However, it would transpire that even then, only a very small portion of the site could be developed to 12 storeys while complying with the mandatory overshadowing requirement. Council submits that the solution is not to change the overshadowing control. Rather, the solution is to repurpose the land that is given over to private development.

34. Council submits that given the various constraints involved in the redevelopment of Fishermans Bend, every opportunity should be taken to try and achieve multiple objectives with a single action. In that regard, Council submits that locating a facility such as the Montague Sport and Recreation Hub on the north-west corner of the state-owned land has multiple benefits in addition to avoiding the overshadowing.

35. Firstly, it would create built form on the site to help ameliorate the impacts of the adjoining Westgate Freeway without overshadowing the park at the Equinox.

36. Secondly, it would create a major civic gateway to the precinct as you enter via Montague Street from Docklands and Southbank.
Thirdly, it solves the major problem of finding a suitable site for the Sport and Recreation Hub, which, per the Mesh Report, will be near impossible to facilitate via the FAU scheme.

Fourthly, it provides much needed additional open space in the Montague Precinct which is the most underprovided for in terms of open space per head of population in Fishermans Bend (particularly for large spaces).

Finally, the Sport and Recreation Hub is a land use that has strong synergies with the park.

The diagram below illustrates the likely impact on the park.

![Diagram](image)

**Figure 17. Indicative massing and footprint of the Sport and Recreation Hub (based on the Mesh report) and expanded Montague North Park**

Mayors Park in Clifton Hill is an exemplar of the possible character of this park which has a Sports and Leisure Centre, public tennis / netball courts set within a park setting that is also on a busy road (Hoddle Street).

**Open space in Montague South**

Ms Thompson proposes some additions to the open space network in Montague South on Thistlethwaite Street. Mr Sheppard disagrees with Ms Thompson on these recommendations on the basis that a couple of larger parks would be preferable over a series of smaller but more regular and more urban open spaces, and because these spaces have the potential to be substantially overshadowed.

While Mr Sheppard’s view might be true in some contexts, Council considers that the adopted 2016 Vision for a gritty, urban character in Montague South is consistent with the strategy to create smaller and more regular urban open spaces.
Further, the approach favoured by Mr Sheppard appears to not pay sufficient regard to the extent of land fragmentation in Montague South and the subsequent and inherent complexities in achieving larger spaces.

Thus, Council agrees with Ms Thompson’s recommendations in relation to open space in Montague South. Council’s recommendations regarding public open space are illustrated at pages 22 to 25 of the Montague Urban Design Report.

**Art and Cultural Hub**

The Montague Art and Cultural Hub is shown as an investigation area that includes sites on Buckhurst, Montague and Gladstone Streets. All the sites shown on Gladstone Street are too small to accommodate the Hub. There are two remaining potential sites on Buckhurst Street within the investigation area that could accommodate the Hub. One of these has a planning permit for two 40 storey towers has been issued and the other site is the current location of the Continuing Education School.

Council submits that the Continuing Education School site has great synergies with the proposed Art and Cultural Hub. The Hub could be co-located with the existing school, or located on the site in stand-alone fashion should the school relocate in the future.

**Retail development and active frontages**

As per Council’s Stage 2 Overarching Submission, it is submitted that the Core Areas are too large to create vibrant activity centres and that a ‘Core Retail Area’ should be identified in each precinct to concentrate fine grain and anchor retail uses.

For Montague, Council considers that the ‘Core Retail Area’ should be earmarked in the block contained within Gladstone Street, Kerr Street, Ferrars Street, Thistlethwaite Street and Montague Street with Buckhurst Street as its main street.

Further, Council continues to submit that the DPO should be used to enable the identification and protection of key anchor uses, and ensure these uses can be effectively master planned into its surrounds.

Within the Core Retail Area for Montague, the challenge will be to find a suitable site for a medium to full sized supermarket and to knit this large format use into the fine-grained gritty character of Montague South.

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8 Council had previously proposed different locations for these, but now agrees with Ms Thompson in these specific instances.
52. This will be especially challenging given that Montague South has a fragmented subdivision pattern and a number of permits already issued. If a large number of these were to be built, there is the potential to severely limit the ability for Buckhurst Street to accommodate a medium to full sized supermarket. Council submits that this is a critical ingredient of the retail mix for this street. Importantly, it would provide an anchor for other retail and hospitality based businesses to leverage off.

53. Facilitating vehicular access to the fragmented sites to the south of Buckhurst Street has the potential to severely hinder the ability to create activated bluestone laneways such as Georges Street (nominated by Council as a Primary Active Frontage), and to a lesser extent Tates Place and Rosherville Place (nominated by Council as Secondary Active Frontages).

54. It is noted that in the case of Georges Street, an emerging character of laneway activation has already started to occur. Council considers that there is a major opportunity to make these laneways the key feature of Montague South.

55. Council is also seeking a change to the designation of primary active frontages so that Buckhurst Street is prioritised over Normanby Road and Montague Street. The extent of active frontages is shown for Montague in Map 1 of the CCZ Schedule (Document 66 Part E). The existing proposed active frontages can also be more easily seen at page 27 of the Montague Urban Design Report.

56. Normanby Road and Montague Street, which are both shown as having ‘Primary Active Frontage’, are wide arterial roads that carry large amounts of traffic. Council submits that the character of these streets is, and will remain, more suited to a ‘Secondary Active Frontage’ designation. This is not to say that Council disputes that these streets will have an important retail and commercial function. However, they are likely to be suited to a more coarsely grained character.

57. Further, designating Normanby Road and Montague Street as Primary Active Frontage streets may detract from the desire to establish a ‘high-street’ type character along Buckhurst Street.

58. A Secondary Active Frontage is also proposed along the northern edge of the Montague North Park. Council submits that this is not a highly viable location for retail and commercial uses. Mr McPherson and Mr Sheppard both agree with this proposition.

59. Lastly, Council does not support the nomination of Secondary Active Frontages along Johnson Street as this is likely to be a relatively marginal street in the scheme of things.

60. The Council’s desired changes to the active frontages are illustrated at page 29 of the Montague Urban Design Report.
Urban Structure Plan

61. To tie the above considerations into a holistic plan, Council has argued for the introduction of a layered urban structure plan into the planning controls and specifically into the CCZ1. Council has prepared such a plan for the Montague Precinct extracted from the broader plan it has planned for the Fishermans Bend area within Port Phillip (see below).
Laneways

62. As has been noted by many parties, the location of laneways was not initially proposed to form part of the maps forming part of the CCZ1. However, it is noted that the Minister now plans to include the Precinct Actions Plans from the Framework in the CCZ1 which do show the indicative location for laneways.

63. Council considers that the inclusion of indicative locations for lanes in the planning scheme as well as changes to the proposed lane network are imperative to the orderly planning of the area. This is particularly the case in Montague South where an existing, but incomplete network of laneways exists.

64. Many of the existing laneways in Montague are quite narrow (many are around 3 metres and some as narrow as 1.1 metres, as shown below). These will need to be widened if they are to fulfil a vehicular function and to provide adequate separation distances between buildings.

![Figure 5. Existing lane width in Montague South](image)
65. To demonstrate this issue, Council has shown (below) what could emerge in one block in Montague without intervention to create a more co-ordinated outcome.

66. A more co-ordinated outcome is shown below.
67. Council considers it highly unlikely that the above (or any type of) coordinated outcome will be possible with the proposed policy based approach. Consequently, it is Council position that further work is required as part of precinct planning to investigate and formalise a specific plan for laneways in Montague South. In other areas, a more indicative plan could be developed to offer plan based guidance with a greater degree of flexibility.

68. Furthermore, as in Melbourne’s CBD, the more celebrated laneways do not have a primary access function albeit a limited initial extent of such laneways may have some dual purpose.

**Heights and Core / Non-Core Area designation**

Buckhurst Street Core Retail Area

69. Proposed policy in Clause 21.06-8 Table 3 (Preferred character) seeks to encourage buildings along Buckhurst Street that are sited and designed to minimise overshadowing and to encourage lower street wall heights.

70. Council supports this ambition. However, Council submits that what is proposed falls short of this because the heights and setback controls do not facilitate this outcome.

71. More specifically, a 20-storey height is proposed to apply to the area north of Buckhurst Street between Montague Street and the Montague Community Park at Ferrars Street which is currently under construction, while a 12-storey limit is proposed on the south side of the street. A 6-storey street wall is proposed on either side of the street owing to its width.

72. The potential building envelopes created by these heights are found at page 36-37 of the Montague Urban Design Report (Figure 32 and 31) and are reproduced below.
The proposed 6-storey street wall almost completely overshadows the green spine planned for the southern side of the street. Coupled with the lack of tower width controls, the built form outcomes have the potential to create slow moving shadows resulting in overshadowing for a large portion of the day of one of the key streets in the whole of the Fishermans Bend.

While it is acknowledged that the proposed 20-storey height is lower than approved but not constructed developments in this block and the constructed Gravity Tower, the proposed scale is still substantially higher than the 12 storeys proposed for the southern side of Buckhurst Street and the 8-storey development proposed on the northern side of Gladstone Street (shown below with the Gravity Building shown in black, extracted from page 37 of the Montague Urban Design Report).
This scale imbalance will be further increased by the number of sites on the southern side of Buckhurst Street that will be unable to develop to 12 storeys due to their narrow widths which may in turn encourage site consolidation and consequently erode the desire to retain the fine grain subdivision character.

To address these street impact issues while also maintaining a strong built presence, Council submits that a more diverse and tailored outcome is required for Buckhurst Street between Montague Street and Ferrars Street that comprises a ‘tooth and gap’ approach to the height of buildings at the street interface. This suggested revised approach deviates away from the oft-used approach of street wall with upper level setbacks above a podium by instead allowing buildings of varying heights to be built with a sheer wall to the street. This approach has been used in the Massena Quarter in Paris, as shown in the below images and figures extracted from page 38-39 of the Montague Urban Design Report.
Council submits that the benefits of the 'tooth and gap' approach are as follows:

- It promotes variations in height to allow daylight/sunlight into the centre of the block and to the street.
- It creates varied individual buildings with opportunities for greater variation in scale from a vertical height and depth perspective as well as appearance.
- It allows opportunities for communal open spaces, either on the ground level or on top of the lower levels as they face the street.
- It creates a fine grain street frontage and creates an interesting streetscape on large plots of land.
77. Council submits that the revised approach would work in the following way:

- Apply a maximum building height of 12 storeys to the north-side of Buckhurst Street between Montague Street and Ferrars Street.

- Apply the tooth and gap approach to Buckhurst Street between Montague Street and Ferrars Street:
  - Firstly, it is applied only to sites that have relatively long street frontages (we adopt 50 metres).
  - Those sites provide a percentage (we say 30%) of the building height at the street frontage at a maximum of 4 storeys in height.
  - Then, the remainder of the frontage can be built to a range of heights to a maximum of 12 storeys with the proviso that any elements higher than 4 storeys must not be wider than 30 metres and must be adjacent to a 4-storey element.
  - Finally, a minimum depth of 20 metres is applied for any height as it presents to the street (i.e. anything between 4 and 12 storeys).

78. This is shown diagrammatically below.

![Diagram of Buckhurst Street approach](image)

Figure 38. Buckhurst Street tooth and gap approach proposed by Council
79. For the important spine of Buckhurst Street, this outcome would provide:

- variations in height allowing daylight and sunlight into the centre of the block;
- individual buildings providing opportunities for greater variation in volume, appearance and materials; and
- opportunities for small setbacks to provide pocket parks along the street and a variety of communal open spaces.

80. A major benefit of the so called ‘tooth and gap’ approach is that it has the effect of breaking up the building massing and reducing overshadowing by creating faster moving shadows and shards of sunlight penetration to the street. This is particularly important for the Buckhurst Street green spine.

81. This approach complements the southern side of Buckhurst Street with its finer grain subdivision pattern, series of characterful bluestone lanes and red brick buildings and proposed new public open space on Thistlethwaite Street.
While it is understood that many of these sites have live planning permits, if the permits lapse or are not extended, a different built form outcome can and should be pursued that is more demonstrative of the Vision for this crucial street. We do not accept the argument that permits that are not acted upon should be regarded as creating an emerging character or constitute the ‘bolting of the horse’.

To take the opposite view would be to ignore the exact reason why this ‘recast’ process was commenced in the first place. In this regard, we encourage the Review Panel to reconsider the words from the previous Advisory Committee’s report:

Unfortunately, the current planning and implementation arrangements for the Area are flawed and if continued, would result in poor urban outcomes for new residents and workers, existing residents and works local businesses, the Port of Melbourne and both local and State Government.

For Gladstone Street, discretionary building heights should scale down along the south side of Gladstone Street eastwards from the existing Gravity building to create a transition in heights from the existing Gravity building down to 12 storeys at Kerr Street, opposite Montague Park.

The following plan shows the proposed changes to maximum heights on Gladstone Street and Buckhurst Street between Montague Street and Kerr Street (Figure 45 from page 44 of the Montague Urban Design Report).
Buckhurst Street west of Montague Street

86. West of Montague Street, along Buckhurst Street there are two anomalous sites which have maximum building heights of 12 and 20 storeys respectively in an area which is largely proposed as 8 storeys. These two sites are also the only sites nominated as Core west of Montague Street. This is illustrated at page 45-46 of the Montague Urban Design Report and the figures on that page.

87. Council submits that Montague Street provides the logical point to transition to lower heights and to the Non-Core area of Montague South. Thus, Council does not support the proposed building heights in this location and submits that an 8-storey discretionary height and Non-Core designation would represent a better outcome.
Proposed change to Core Area

88. Council does not support Ms Hodyl’s recommendation in her expert evidence to expand the boundary of the Core Area in Montague and alter the FARs for the Core Areas in Montague and Sandridge.

89. Council considers that the proposed increase in the Montague Core FAR to 6.3:1 is too close to the proposed Sandridge Core FAR (decreased to 7.4:1), and erodes the different character and role of these distinct areas, as sought by the Vision.

90. Further, it is also noted that it is likely that the small sites along Gladstone Street proposed to be included in the Core Area will struggle to meet the revised proposed FAR of 6.3:1.

400 City Road

91. Amendment GC81 proposes 24 storeys fronting City Road, with unlimited heights on the northern portion of the block bounded by Whiteman Street and Cecil Street.

92. Development at these heights in this location will overshadow both Market and York Streets in South Melbourne Central which are protected by mandatory winter solstice overshadowing controls between 11am and 2pm in DDO8, which applies to area to the south of City Road.

93. The purpose of this control is to preserve sunlight access to the streets surrounding the South Melbourne Market.

94. The overshadowing potential of these developments as allowed for by Amendment GC81 are shown below (refer pages 47-48 of the Montague Urban Design Report and the various overshadowing diagrams illustrated on page 48 of that report).
27

Development at this scale would also overwhelm the lower scale heritage areas to the south and represents a distinctly different approach than what is proposed by Amendment GC81 in relation to other interface areas further south-west along City Road and along Williamstown Road, where a 4-storey mandatory height limit is proposed.

96. It is also noted that several significant heritage buildings are located on the triangle comprising 400 City Road. It is submitted that the proposed heights would render DDO8 of no effect or purpose. In particular, note the shadows cast significantly over Market Street near the South Melbourne Market at 2pm.

97. Owing to these factors, Council submits that heights should be limited to ameliorate this overshadowing potential (ranging from 12 to 24 storeys). The outcomes of this in terms of overshadowing potential is shown below.
Figure 53. Overshadowing impacts on Market Street at heights proposed by Council at the Winter Solstice at 11 am
The changes that are required are set out below.

Figure 54. Building height and overshadowing controls proposed by Council.
Specific changes requested

99. The character area / neighbourhood breakdown that is currently proposed for Montague in the MSS be modified in the manner shown in these submissions and relocated to a precinct-specific DDO schedule for Montague as built form outcomes.

100. Expand the size of the Montague North Park to comprise the full extent of the government owned land and nominate the Montague Sport and Recreation Hub for this site.

101. Illustrate the sites recommended as open space by Ms Thompson in Montague South along Thistlethwaite Street.

102. The heritage building on the north-west corner of Montague Street and Buckhurst Street (the existing Continuing Education School) should be specifically shown as a proposed Art and Cultural Hub.

103. Amend the maps in CCZ1 and DDO30 to change:

- Montague Street and Normanby Road to secondary active frontages;
- Add Georges Street as a Primary Active Frontage and Tates Place, Rosherville Place and part of Buckhurst Lane as Secondary Active Frontages; and
- Remove the Secondary Active Frontages from Montague North Park and Johnson Street.

104. Apply the DPO to Council’s proposed Core Retail Area comprising the two blocks bound by Montague Street, Thistlethwaite Street, Kerr Street, Ferrars Street and Gladstone Street.

105. Include the Council-proposed Future Urban Structure Plan within CCZ1.

106. Show indicative lanes for Montague as per this submission, pending the outcome of precinct planning.

107. Investigate the role and function of laneways in Montague South through precinct planning to determine if widening is required and make consequential changes to the Planning Scheme to give statutory effect to the outcomes of this work.
108. Amend the building heights and street wall controls in DDO30 to reflect the following changes to maximum building and street wall heights, including the following text to give effect to the tooth and gap approach for part of Buckhurst Street:

- Require larger sites (with any street frontage over 50 metres) to provide:
  - At least 30% of the building height at the street frontage must be 4 storeys in height. The remaining height can be up to 12 storeys with elements higher than 4 storeys no wider than 30 metres. Any element above 4 storeys must be adjacent to a 4-storey element.
  - A depth of 20 metres from the street where sheer buildings only are allowed, and no pop-ups or tower elements are permitted.

- Reduce building heights to:
  - 20 storeys abutting the existing Gravity building on Montague Street.
  - 18 storeys on the south side of Gladstone Street (between Montague and Kerr Streets) stepping down to 12 storeys at Kerr Street.
  - 12 storeys along the north side of Buckhurst Street (between Montague and Kerr Streets) and Montague Street, south of the 20-storey area.

109. Reduce the heights of all west of Montague Street between Gladstone Street and Thistlethwaite Street currently shown as 12 and 20 to be a discretionary maximum of 8 storeys and reclassify these sites as ‘Non-Core’.

110. Reduce building heights at 400 City Road and the area bounded by Cecil street, City Road and the West Gate Freeway to 12-24 storeys.

111. Amend Table 2 - Public Open Space hierarchy and overshadowing requirements in DDO30 to include an overshadowing control for the entire width of the southern footpaths on York and Market Streets, South Melbourne and footpaths between 11am and 2pm at the Winter Solstice.

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