

DRAFT AMENDMENT GC81
FISHERMANS BEND REVIEW PANEL

**MINISTER’S RESPONSE TO REQUESTS FOR AMENDMENTS TO THE DRAFT DESIGN AND DEVELOPMENT OVERLAYS
BY MELBOURNE AND PORT PHILLIP CITY COUNCILS (ALL)**

	CoPP requested change	CoM requested change	Provision Reference	Minister’s Response
1.	Requests precinct specific sub-objectives.	Requests for minor corrections.	Design objectives (ALL)	<p>Agree to reword Design Objective 5 as per CoM proposed drafting:</p> <p style="padding-left: 40px;">“To encourage buildings to be designed so that they are capable of being adapted to facilitate to reduced car dependence and increased commercial floor space”</p> <p>Disagree with CoPP request for proposed sub-objectives. The Part C controls were prepared with regard to the Ministerial Direction on form and content of planning schemes which seek to ensure objectives are concise.</p>
2.	Requests an exemption from the mandatory built form requirements where there is an approved Development Plan.	Requests for minor corrections.	Requirements (Montague, Sandridge and Wirraway)	<p>Disagree with the inclusion of the requested exemption where there is an approved DPO. The use of the DPO is no longer pursued as part of this amendment. The use of the DPO may be further explored in the future for large landholdings, where appropriate as explained in the Minister’s precinct specific</p>

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				<p>submissions.</p> <p>Agree to corrections to paragraph 1 and paragraph 5 as per CoM proposed drafting.</p>
3.	<p>Requests the following additional definitions:</p> <ul style="list-style-type: none"> a) 'character building' b) 'tower' c) 'Additional shadow' d) 'Low, Mid and High Rise' typologies 	<p>Requests the following additional definition:</p> <ul style="list-style-type: none"> e) 'publicly accessible plaza' 	<p>Definitions</p> <p>(Montague, Sandridge and Wirraway)</p>	<p>Agree to corrections to the definition of 'street wall' as follows:</p> <p>"Street wall means any part of the building constructed within 0.3 metres of a lot boundary fronting the a street, or laneway, existing or proposed public open space."</p> <p>Disagree with the additional definitions requested by the CoPP and CoM.</p> <p>The Review Panel has requested that the use of definitions be limited and used where necessary (Refer Document 294).</p>
4.	<p>Requests changes to the building typology/ preferred character statements for Montague, Sandridge and Wirraway.</p>	<p>Requests changes to the building typology/ preferred character statements for Lorimer.</p>	<p>Table 1: Building typologies</p> <p>(ALL)</p>	<p>Disagree with proposed revisions to the building typologies and preferred character statements in Table 1.</p> <p>The Part C controls were prepared having regard to the exhibited statements in the proposed Municipal Strategic Statements, draft Fishermans Bend Framework and Urban Design Strategy. The Minister considers that any further detail regarding preferred character and typology could be pursued as part of the precinct planning process.</p>

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5.	Requests changes to the built form outcomes.	Requests changes to the built form outcomes.	Table 2: Building height (ALL)	Agree to include an additional built form outcome in Table 2 as per CoPP: “Reinforce a differentiation in height between core and non-core areas”
6.	Requests updated diagrams.	N/A	Diagrams (ALL)	Agree to updated diagrams as per CoPP drafting. These diagrams are currently in preparation. The additional detail and refinements to the diagrams will assist with decision making and are therefore supported.
7.	N/A	Requests changes to the built form requirements and outcomes, including a map to illustrate differential preferred street wall heights.	Table 3: Street wall height (Lorimer)	The suggestion by CoM to map preferred street wall heights is supported for Lorimer due to the variation and complexity of the preferred built form requirements. The preferred street wall height map is currently in preparation. The Minister does not agree with the CoM suggested changes to the built form outcomes.
8.	Requests changes to the built form requirements and outcomes.	N/A	Table 3: Street wall height (Montague, Sandridge, Wirraway)	The Minister agrees to drafting improvements and also to revised built form outcomes listed in Table 3 for all precincts as per the -CoPP drafting: “Street walls respond to the preferred future character and building typologies in Table 1 and Map 1. Street walls that ensure: <ul style="list-style-type: none"> ▪ An appropriately scaled and distinct street wall effect.

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				<ul style="list-style-type: none"> ▪ Provide a high level of pedestrian amenity, having regard to access to sunlight and views. A human scale. ▪ An appropriate level of street enclosure having regard to the width of the street with lower street wall heights to narrower streets. ▪ Skyviews from the street or laneway and do not overwhelm the public realm. ▪ An appropriate transition to adjoining heritage places when viewed from the street. ▪ Adequate daylight and sunlight in the street or laneway. ▪ <u>An appropriate transition in height at the interface with existing low-scale residential development.</u> <p>Street walls on On a corner site, to make ensure an appropriate transition back to the preferred street wall height.”</p> <p>The Minister disagrees with the CoPP suggested changes to the built form requirements.</p>
9.	Requests changes to the built form requirements and outcomes.	Requests changes to the built form requirements and outcomes.	Table 4: Setbacks above the street wall (ALL)	<p>The Minister agrees to drafting improvements and agrees to the following revisions to the built form outcomes in Table 4:</p> <p>“Setbacks above street walls that ensure:</p> <ul style="list-style-type: none"> ▪ Comfortable wind conditions in the public realm. ▪ Adequate daylight and sunlight into streets and laneways. ▪ <u>Buildings do not dominate views</u> Skyviews from the street or laneway and do not overwhelm the public realm. ▪ An appropriate setback to significant elements of any heritage place on, or adjoining the site. ▪ Upper floors are visually recessive to minimise

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				visual bulk". The Minister disagrees with the suggested changes to the built form requirements by CoM and CoPP.
10.	Requests changes to the built form requirements and outcomes.	Requests changes to the built form requirements and outcomes.	Table 5: Side and rear setbacks (ALL)	The Minister agrees to drafting improvements and proposed changes to the built form outcomes. The Minister disagrees with the suggested changes to the built form requirements.
11.	Requests changes to the built form requirements and outcomes.	N/A	Table 6: Minimum building separation within a site (Montague, Sandridge, Wirraway)	The Minister agrees with the suggested drafting improvements and agrees to the following revisions to the built form outcomes for Table 6: <p><u>“Building separation ensures:</u></p> <ul style="list-style-type: none"> ▪ <u>To ensure H</u>high quality internal amenity outcomes within buildings having regard to outlook, daylight, overlooking, and offsetting direct views between buildings within the same site. ▪ Internal amenity is achieved by building separation rather than screening. ▪ <u>To ensure T</u>all buildings do not appear as a continuous wall when viewed from street level. ▪ <u>Well-spaced developments that ensure adequate daylight and sunlight to streets, laneways and open space.</u> ▪ <u>Visual bulk is minimised.”</u> <p>The Minister disagrees with suggested changes to the built form requirements.</p>

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12.	Requests minor corrections and re-ordering.	Requests detailed changes to the requirement.	Overshadowing (ALL)	<p>The Minister agrees with the minor corrections for Montague as per CoPP drafting:</p> <p>“The existing residential zoned land south of City Road and east-west of Montague-Boundary Street between the hours of 11.00am and 2.00pm on 22 September. [DDO M 2.0p30]</p> <p>The Minister disagrees with the suggested reordering of the schedule requested by CoPP. All requirements are of equal importance in the assessment of an application.</p> <p>The Minister disagrees with the CoM proposed changes to the overshadowing requirement.</p>
13.	Requests changes to the built form outcomes.	N/A	Table 7: Wind effects on the public realm (Montague, Sandridge, Wirraway)	<p>The Minister agrees to the inclusion of the following additional overarching objective:</p> <p>“Developments ensure a safe and pleasant pedestrian environment is maintained at street level.”</p> <p>The Minister disagrees with the deletion of the built form outcomes requested by CoPP.</p>
14.	Requests changes to the built form requirements and outcomes, including specific built form requirements and outcomes for different land uses (ie. canopies for retail uses and a sense of address for residential uses).	Requests changes to the built form outcomes.	Table 8: Active Frontages (ALL)	<p>The Minister agrees to the drafting improvements and proposed changes to the built form outcomes as per CoPP drafting.</p> <p>The Minister disagrees with changes to the built form requirements based on land use.</p>

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15.	Requests changes to the built form requirements and outcomes.	N/A	Table 9: Adaptable buildings (ALL)	The Minister agrees to drafting improvements and proposed changes to the built form outcomes as per CoPP drafting. The Minister disagrees with suggested changes to the built form requirements.
16.	Requests changes to the built form requirements and outcomes.	CoM has requested changes to the built form outcomes only.	Table 10: Building finishes (ALL)	The Minister agree to the inclusion of the following built form outcome in Table 10: “ Buildings provide visual interest. ” Disagree with changes to the built form requirements proposed by the CoM and CoPP.
17.	Requests requested the South Melbourne Market be included on Map 4 (Overshadowing).	N/A	Map 4 (Montague)	Disagree with the inclusion of South Melbourne Market in Map 4. The Part C controls have been drafted to ensure an appropriate transition in height and scale to the residential interface with South Melbourne and Port Melbourne. The existing built form outcomes which have been included throughout the Montague DDO are considered sufficient.