

Urban Design Forum Australia



Activity Centre Program submission



Balfe Park Precinct East Brunswick. Photo: Derek Swalwell

Recommendations for Activity Centres and Walkable Catchments

1

Link density uplift with increases in community amenity

Through locking in community benefit upfront, such as affordable housing, open space and community infrastructure, we can capture value and create vibrant places, not dormitories.

2

Commit to place-based masterplans in each centre

By introducing place-based masterplanning into the Activity Centre process in partnership with Local Government, we can lock in precinct-wide outcomes that benefit the community and respond to the specific needs of each place.

3

Introduce clear, design-led density and built form controls

Through introducing thoroughly tested density controls, with supporting built form requirements we can provide certainty for developers and community, while responding to context and enabling high-performance buildings.

4

Adopt microzoning in catchments to better focus growth

By adopting a targeted approach to rezoning opportunity sites rather than a blanket approach, we can ease community concern, encourage land assembly and deliver homes instead of fuelling speculation.

5

Ensure assessment processes deliver design quality

Through creating greater clarity between primary, fixed controls that affect yield and secondary controls supported by design review, we can enable clarity and better design outcomes.

6

Take time to do it right, together with local collaborators

By setting up transparent processes and working with local government, communities, and design and development industries we can ensure the Activity Centre program delivers outcomes we are all proud of.



Introduction

Who are we?

Urban Design Forum Australia is an independent non-profit industry organisation that supports public interest outcomes in cities. We believe that well-designed and effectively governed cities are essential to solving the major challenges of our time. Our members come from private consultancy, state and local government, the development industry and academia.

Our particular strength as a community of built environment professionals is the ability to translate policy concepts into spatial and project design consequences at a range of scales. As practitioners our work regularly involves a feedback loop between policy ambition, design testing, scenario mapping and refinement as we project and explore both the intended and unintended consequences of policy.

We understand the importance of this given that the physical attributes of the built environment directly impacts the livability of our cities and regions, and in turn the health, wellbeing and prosperity of our communities.

Urban Design Forum has been actively engaged with the Victorian Government over the past 12 months, to provide impartial, expert advice regarding the current suite of planning reforms. We have met with the Department of Transport and Planning's Activity Centre team and are keen to continue to engage with the team where helpful to ensure the best outcomes from this rushed process.

Activity Centre Program

As part of the Victorian Housing Statement, the Victorian government's Activity Centres Program aims deliver 60,000 new homes close to services, jobs, and public transport in an initial 10 activity centres across Melbourne. The Activity Centres Program is based on 'City of Centres: Development of typology-based built form controls' background report which aims to establish a process which can be rolled out in activity centres across Melbourne. We understand that there is great pressure to update planning controls coming from the National Housing Accord and the Victorian government's aims to reform planning with the intent to increase the supply of housing.

What the current proposal does well

We commend the Victorian government, the Department of Transport and Planning and the Activity Centres team for the inclusion of the following elements of the Program, and support their retention and further development:

- The aim to introduce more homes close to transport, services and jobs
- Linking density to transport accessibility
- Introducing a simplified funding mechanism for infrastructure
- Supporting the delivery of affordable housing in activity centres
- Increasing certainty through clearer rules and controls with supporting process incentives
- Improving the process of structure planning
- Basing built form typologies on a set of urban design principles that include 'sunny streets' and 'sky views'
- Masterplanning requirements for large development sites
- Introducing mandatory solar protection to parks and streets and wind standards to the public realm

Our response

While supporting the stated ambitions of the Activity Centre Program, we believe there are significant opportunity to target the program to ensure the Program meets its ambitions, and that community can benefit from this transformation.

The Activity Centre Program, with its substantial increase in density and shift to automated activity centre planning and deemed-to-comply provisions, are some of the most significant changes to planning in Victoria in the last 20 years. However this proposed transformation of the city's form and function is taking place without any significant public conversation and runs the risk of significant backlash.

As it stands, our concern is that development uplift is being released without first locking in the location and funding for community benefits such as open space and infrastructure that make density liveable. Further, we are concerned the deemed to satisfy pathway will not be a sufficient incentive relative to the potential speculation through a discretionary process, particularly while the Development Facilitation Pathway remains in place. This sends mixed messaging to the development industry. We continue to advocate for density controls as the principle tool to secure certainty.

The submission identifies significant opportunities to enhance strategic elements of the Activity Centres Program to address these critical threats, by learning from best practice, both locally, interstate and internationally.

We welcome the opportunity to work with the Activity Centres team to ensure that a replicable methodology can be established that prioritises place-specific outcomes.

1

Link density uplift with increases in community amenity

What is currently proposed

The Activity Centre Plans prioritise and provide clear guidance for built form such as heights, setbacks, upper-level setbacks and landscape setbacks, in addition to sun access and wind management, and there is mention of provisions for development contributions and affordable housing provisions in planning. However, the Plans are unclear on key elements that activity centres work such as parks, public realm upgrades, transport upgrades, consolidated parking, retail, workspaces, and community infrastructure. If creating truly mixed-use and vibrant activity centres is important, further consideration needs to be given to ensuring employment uses remain and expand to complement the increase in housing.

Key takeaway

Through locking in community benefit upfront, such as affordable housing, open space and community infrastructure, we can capture value and create vibrant places, not dormitories. In other words, ‘start with the park’.

Learning from elsewhere



In Green Square in Sydney, the City of Sydney locked in public benefit such as streets, open space, infrastructure and affordable housing and worked with developers to deliver this upfront, in line with their specifications.

The risks of the current approach

Without locking in key elements that make Activity Centres work, such as parks, public realm and non-residential uses, we risk creating dense apartment precincts that don't function as neighbourhoods. These Activity Centres are anticipated to accommodate an additional 15,000 people (at 2.5 people per household) without these people will be supported with the uses and spaces they need. The proposed Activity Centre controls anticipate a significant yield uplift, so we are at risk of missing this once in a generation opportunity to designate land for acquisition for community uses and capturing value uplift. If we don't do this now, local and state governments will have to play catch up at a later date, dramatically increasing costs to government.

Recommendations

- 1.1** Establish a clear pathway for the development contributions necessary to support the infrastructure required for a significantly expanded population in each activity centre.
- 1.2** Introduce clear affordable housing targets either through inclusionary zoning (as seen in West Melbourne) or through density bonuses for providing affordable housing (rather than an optional voluntary agreement).
- 1.3** In the Activity Centre Plans, specifically identify targets, opportunities and locations for parks, public realm upgrades, transport upgrades, consolidated parking, retail, workspaces, and community infrastructure, as is typical for other high level planning documents such as structure plans and PSPs.
- 1.4** Alternatively, empower and fund each affected local Council to prepare the work themselves as soon as effectively possible to ensure these vital Activity Centre components can be realised in time for the planned population growth.
- 1.5** Establish public realm guidelines and ensure that each development project undertakes upgrades of the interfacing public realm, in line with local guidelines.

2

Commit to place-based masterplans in each centre

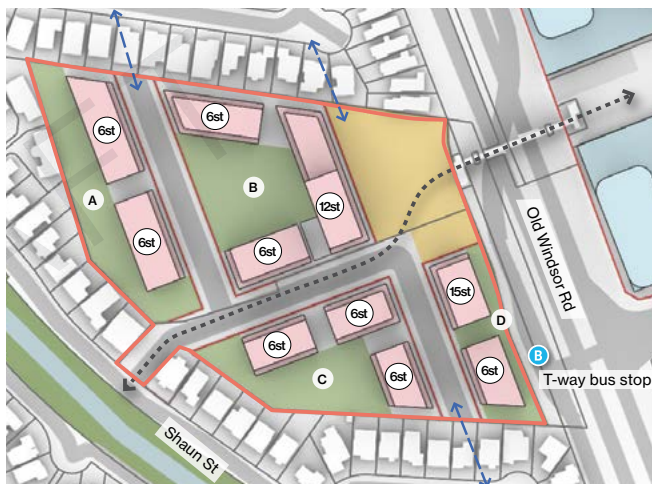
What is currently proposed

The current Activity Centre process, looks to automate the development of built form controls for activity centres across Melbourne. It proposes a three-stage approach of mapping out replicable controls based on density index and typologies; adapting replicable controls to suit the Activity Centre; and finally testing built form controls and making place specific adaptations. However this approach is housing and density led, not considering other elements that make up a neighbourhood (see 1. Linking density with community amenity) nor the specific place, identity, character or development context of each unique activity centre. Encouragingly, masterplanning is proposed for large sites – giving the potential for site responsive sites and community benefit to be included.

Key takeaway

By introducing place-based masterplanning into the Activity Centre process in partnership with Local Government, we can lock in precinct-wide outcomes that benefit the community and respond to the specific needs of each place.

Learning from elsewhere



For the NSW Government's recent TOD program, with similar aims to the Activity Centre program, detailed masterplanning was undertaken which identified through block links and open space (Bellavista State-Led Rezoning, DPPI).

The risks of the current approach

While it is commendable to improve the structure planning process for Activity Centres, the current approach does not respond to the specifics of each activity centre. Firstly, density controls are not linked to development demand, encouraging speculation rather than housing delivery. Secondly, the controls proposed do not respond to the urban structure, topography, form, identity or character of each place, potentially producing generic outcomes rather than places people belong to and are proud of. Finally, each Activity Centre is considered as a series of development sites, rather than a cohesive place, meaning that we lose the opportunity for land consolidation, new parks, retail streets, employment districts, community uses and consolidated parking.

Recommendations

- 2.1** Undertake an economic analysis that forecasts floor space requirements in each activity centre, and an analysis of development feasibility, to inform density controls. Discretion promotes speculation.
- 2.2** Swap the order of the city of centres process, so that it begins with an analysis of each place, then a place-based masterplan that identify key open spaces, connections, non-residential uses before identifying opportunities for built form.
- 2.3** Introduce a place-based masterplanning phase in partnership with local government to utilise local institutional knowledge. Emphasise the importance of the place by embedding local character and identity into the Plans.
- 2.4** Introduce land assembly incentives, in order to ensure community benefit accrues from co-ordinated development such as new streets, lanes and green spaces on private land.
- 2.5** Investigate consolidated precinct parking solutions to liberate smaller sites from on-site parking, while minimising the impact of parking structures on the quality, safety and activation of streets and open spaces.

3

Introduce clear, design-led density and built form controls

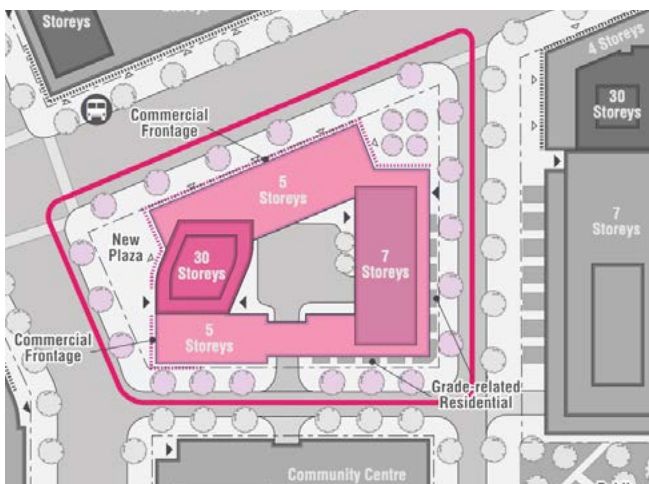
What is currently proposed

Aside from some Activity Centres that have introduced built form controls based on structure plans that were already underway, the majority of Activity Centres are proposed to have built form controls – heights and setbacks – applied based on whether they fit into Type 1, 2, 3 or 4 on the density index. In most cases these heights and setbacks will be ‘deemed-to-comply’, with heights ranging from 21 meters to 66 meters. These height and setback controls are then checked against the site context, and architectural testing is undertaken to confirm if the building envelopes are feasible. These controls are planned to be rolled out to other Activity Centres in the future.

Key takeaway

Through introducing thoroughly tested density controls, with supporting built form requirements we can provide certainty for developers and community, while responding to context and enabling high-performance buildings.

Learning from elsewhere



Toronto’s Tall Building Guidelines prescribe a clear difference between street buildings and point towers, with maximum floorplate requirements of 750sqm to ensure tall, slender and well-spaced towers that are good neighbours.

The risks of the current approach

While we commend the focus on providing more certainty for developers and residents in terms of yield, the heavy reliance on setback controls risks creating poor built outcomes as each project will build out the ‘jelly mould’ of the building envelope, and lock us into poor quality ‘podium-tower’ apartments. This typology promotes podium parking due to unusable floor plate depths. A combination of Floor Area Ratio controls and preferred heights provide more certainty as the yield is fixed, and give flexibility for the design to respond to the specifics of each site, and the performance of the apartment building. Another risk is the case studies that have been used to inform the architectural testing appear to be of a poor standard (deep floor plates, stepped form), rather than referencing national best practice.

Recommendations

3.1

Introduce Floor Area Ratio controls and preferred heights to provide certainty to developers and the community, and give flexibility to create apartment buildings that are efficient, high performance, respond to the specifics of each site, and create a more varied streetscape. Consider introducing Floor Area Uplift for community benefit such as affordable housing or spaces for community and the arts. Similar controls exist across NSW, with widespread community and professional understanding of the benefits of this approach.

3.2

Introduce controls that consider apartments up to 8 storeys or 25 metres as ‘street-orientated’ buildings (fire engineering requirements become restrictive over 25 metres, increasing costs), and apartments over 8 storeys as ‘point towers’ with maximum floorplate dimensions and greater separation requirements. This approach is common in Canadian cities, has been employed widely in NSW, and creates higher performance apartment buildings that are better neighbours.

3.3

Use award-winning, high-performance apartments (efficient structure, good daylight access, cross-ventilation etc) as case study references to form the basis for architectural testing. Let’s not base our future on poor quality benchmarks.

4

Adopt microzoning in catchments to better focus growth

What is currently proposed

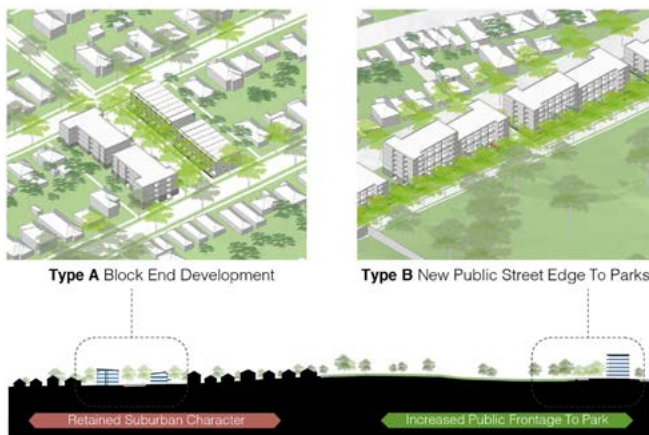
What is currently proposed

In order to encourage more homes close to the transport, services, infrastructure and jobs provided by Activity Centres, ‘walkable catchments’ have been identified, 800m or 10 minutes walking distance of the core of Activity Centres. In these areas, townhouses and apartment buildings of 3-6 storeys are proposed to be built over time, with small blocks able to build 3-4 storeys, and larger sites 5-6 storeys. The only detail available publicly is this time is the catchment boundary, and there is an assumption that this increase in density will apply to the entire catchment area.

Key takeaway

By adopting a targeted approach to rezoning opportunity sites rather than a blanket approach, we can ease community concern, encourage land assembly and deliver homes instead of fuelling speculation.

Learning from elsewhere



In the ‘Density Done Better’ study by Government Architects NSW and McGregor Westlake Architects, housing targets were achieved by intensifying only 10% of existing suburbs in place-specific locations.

The risks of the current approach

We support the idea of increasing the density of ‘walkable catchments’, however, there are several challenges with a blanket approach to this increase, with no targeted locations identified for this intensity or place-based analysis. This is missing an opportunity to undertake a more detailed analysis of existing locations (which can be systematised) and the identification of specific sites for ‘microzoning’ for increased density, in specific places that can accommodate that increase in density. If this was introduced, community and developers would have certainty of where intensity could occur, land assembly would take place in these locations, and contextually appropriate development is more likely to take place.

Recommendations

- 4.1** Undertake systematised analysis of existing locations to identify sites for ‘microzoning’ rather than increasing the intensity of the entire neighbourhood.
- 4.2** Tie microzoning opportunities to land assembly incentives and specific locations where public value can be maximised such as through new pedestrian links, streets or open spaces.
- 4.3** Adopt a systematic approach to ‘on-site’ public benefits, to ensure quality, public-ownership and ongoing maintenance.

5

Ensure assessment processes deliver design quality

What is currently proposed

The Activity Centre Plans introduce the concept of ‘deemed to comply’ provisions which ensures a streamlined planning process for complying applications, which the intention to also remove appeal rights. The model provides developers with greater certainty of the type of built form that will be supported. If a building ‘fits’ within the envelope as outlined in the Plans, then it will not be subject to reservation or discretion, and therefore can be constructed in a timely and efficient way. Other controls are specified as ‘mandatory’ or ‘discretionary’.

Key takeaway

Through creating greater clarity between primary, fixed controls that affect yield and secondary controls supported by design review, we can enable clarity and better design outcomes.

Learning from elsewhere



The Office for Design and Architecture South Australia provides independent design review of projects of state significance and is tied to an expedited planning process following a pre-application review.

The risks of the current approach

We are concerned the deemed to satisfy pathway will not be a sufficient incentive relative to the potential speculation through a discretionary process, particularly while the Development Facilitation Pathway remains in place. Additionally, if a project does follow the ‘deemed to comply’ pathway for heights and setbacks, it is unclear whether an assessment on the merits of an individual planning permit application, beyond whether it fits within the envelope will take place. There is also a missed opportunity to improve the process of assessment through design review or other design excellence initiatives. There are risks in moving to a ‘check box’ assessment, such as not responding to local context and character, the inability to promote good design through the assessment process.

Recommendations

5.1

Introduce a two-tiered system of ‘primary’ planning controls that affect the price of land (e.g. deemed-to-comply Floor Area Ratio, affordable housing and open space requirements) and ‘secondary’ planning controls that encourage exemplary urban design outcomes (similar to City of Melbourne’s Central Melbourne Design Guide). This would provide more certainty for developers than the proposed ‘deemed-to-comply’ height and setback controls, which does not dilute the attractiveness of the discretionary pathway for speculators.

5.2

Introduce a formalised design review process for buildings over 5 storeys, managed by design review panels at a local council level, or a series of metropolitan Melbourne sub-regions administered by the OVGA. Each panel would refer to a clear terms of reference that is made publicly available, giving greater guidance for developers and community in terms of what is expected.

5.3

Introduce a design excellence strategy for significant projects and masterplanned sites, which could include design competitions, learning from the City of Sydney’s design excellence strategy.

6

Take time to do it right, together with local collaborators

What is currently proposed

The current process aims to provide a standardised approach to Activity Centres across Melbourne, with some engagement with the local councils regarding the Activity Centres that sit within their local government area. Through the ‘deemed-to-comply’ process, third party appeal rights are waived. Given the pressure provided by the National Housing Accord, and state ambitions around housing supply, the process of developing and implementing the new Activity Centres controls has been expedited.

Key takeaway

By setting up transparent processes and working with local government, communities, and design and development industries we can ensure the Activity Centre program delivers outcomes we are all proud of.

Learning from elsewhere



Deliberative processes as part of City of Vancouver’s Housing Strategy allowed residents to help decide where density would be located in their neighbourhoods.

The risks of the current approach

The planning reform process underway in Victoria are set to make some of the largest changes to our planning system in 20 years. While we all understand the importance of the need for more housing supply and to support housing affordability, in the rush to bring in these changes we risk increasing land prices without locking in the community benefit that should come from this increase in density, rushing through controls that will produce poor built form outcomes. In the rush to establish these controls, we also miss the opportunity to local governments, community members and the design and development industries in a thorough and transparent approach to the development of these controls.

Recommendations

6.1

Take the time to develop a transparent process to the development of the Activity Centre controls, that has a clear and public purpose, established milestones, stakeholder engagement, transparent sharing of background work.

6.2

Given the significant change these controls will make, commit to a three-year review to the controls in order to adapt over time and respond to unintended consequences.

6.3

Work closely with local councils and design and development industry representatives in the development and implementation of the controls, drawing on local knowledge and expertise.

6.4

Involve the community in the upfront planning of Activity Centres, given them ability to decide where density is located in their neighbourhood, given that they are no longer able to participate in the third-party appeal process.

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