

**SUBMISSION IN RESPONSE TO PLANNING FOR
MELBOURNE'S GREEN WEDGE AND
AGRICULTURAL LAND CONSULTATION PAPER**



TO THE VICTORIAN DEPARTMENT OF ENVIRONMENT,
LAND, WATER AND PLANNING.



**Australian
Institute of
Architects**

VICTORIAN CHAPTER

Submission issued February 2021

ABOUT THE INSTITUTE

The Australian Institute of Architects (Institute) is the peak body for the Architectural profession in Australia. It is an independent, national member organisation with around 12,000 members across Australia and overseas including 3,300 members in the Victorian Chapter.

The Institute exists to advance the interests of members, their professional standards and contemporary practice, and expand and advocate the value of Architects and Architecture to the sustainable growth of our communities, economy and culture.

The Institute actively works to maintain and improve the quality of our built environment by promoting better, responsible and environmental design.

PURPOSE

- This submission is made by the Australian Institute of Architects (the Institute) to the Victorian Department of Land Environment, Water and Planning. It responds to the request for submissions in relation to *the Planning for Melbourne's Green Wedge and Agricultural Land* consultation paper.
- At the time of this submission the National/Chapter President is Ms. Alice Hampson FRAIA¹ and the Victorian Chapter President is Mr. Bill Krotiris RAIA
- The Chief Executive Officer is Ms. Julia Cambage and the Victorian State Manager is Mr. Tim Leslie FRAIA.

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1 INTRODUCTION

The Australian Institute of Architects (the Institute) is the peak body for the Architectural profession in Australia, representing around 12,000 members. The Institute works to improve our built environment by promoting quality, responsible, and sustainable design. Architecture influences all aspects of the built environment and brings together the arts, environmental awareness, sciences and technology.

By combining creative design with technical knowledge, Architects create the physical environment in which people live, work and learn. Therefore, through its members, the Institute plays a major role in shaping Australia's quality of life.

The Institute places a high value on our environment and matters impacting it. At a national level the Institute has a Climate Change and Sustainability Taskforce, and also a Sustainable Architecture Forums at each State /Territories Chapter. In addition, the Australian Institute of Architects is a full member of the Australian Sustainable Built Environment Council (ASBEC).

The Institute has formally adopted and is promoting a policy that the Australian Government establishes a national plan towards zero carbon buildings by 2030.

Our current positioning, as articulated in our 2021 Federal Pre-budget submission, promotes better planning to foster thriving cities, urban areas and regions and to enhance liveability, wellbeing, sustainability and productivity.

The Institute therefore welcomes the opportunity to make a submission on this consultation.

The first part of our submission highlights the need and proposes solutions to address the prevention of urban sprawl and Green Wedge encroachment. The second part of this submission responds to Section 04 of the consultation document, *Improving the design of development in Green Wedges*.

2 OUR RESPONSE

2.1 General response to the protection of Green Wedges and urban sprawl.

2.1.1 The prevention of future urban sprawl to protect Green Wedges

The Australian Institute of Architects places a high value on all matters impacting the environment and the creation of “a great place” be it urban or rural.

Green Wedges - mitigate climate change and promote and contribute to our physical and mental wellbeing. Agricultural land use in Green Wedges - adjacent to urban areas, rather than hundreds of kilometres away - also helps to reduce the ‘carbon miles’ associated with food production. Considered and strategic locating of agricultural production adjacent to urban areas, may also increase public awareness of food production. This public awareness is critical as the protection of the physical environment is essential for food security, human survival and our wellbeing.

The Australian Institute of Architects notes that the consultation paper has tended towards a discussion of transitional land uses within Green Wedges. The position of the Institute is to recognise the risk this creates for increasing the density of activities and hard built forms (buildings/essential service infrastructure and sealed/ hard surfaces) over a longer timescale as these activities accrete in the Green Wedge. As far as possible, transitional land uses that see large numbers of people in large permanent buildings should be avoided. An example is ordinary schools².

Instead, only very limited transitional uses should be permitted. Permitted transitional uses could be those that provide specific opportunities for human incursion and environmental engagement, enrichment and appreciation rather than simply exploiting the opportunity to obtain low cost - large allotments.

These transitional uses that might take place within the Green Wedge may be limited to nature reserves and education centres, small scale campgrounds, low impact recreation (sky walks) and wellbeing recreation such as golf courses. Their entry points or facilities location should be located to the perimeter of the Green Wedge space.

Through good design these uses would set about to minimise impact (e.g. inclusion of fauna bridges and wildlife corridors). To minimise impact of easements required for utilities and their required maintenance facilities could also be required to undertake ‘off grid’ operation with respect to electricity (stand-alone power), sanitation (all waste system and even composting toilets) and water.

2.1.2 Addressing the competing demands for land use within urban growth boundaries.

Stringently controlling proposed transitional land uses, and even altogether preventing inappropriate developments, raises the question of where certain uses should occur. In

² Noting that there could be some permitted specialist education/ training purposes such as agricultural, environmental, indigenous horticulture or land management training centres.

order to prevent the type of development in Green Wedges, that require high levels of built form such as ordinary schools, places of worship, certain clubs, conferencing venues, health centres (that do not inherently need to be in bush or rural land), sufficient land needs to be dedicated and also protected within the urban growth boundary for these purposes. This, in turn, requires considered and innovative master-planning.

Permissible densities and improved planning processes.

One important measure to address competing land uses and prevent residential urban sprawl and encroachment into Green Wedges is to review the permissible residential dwellings densities in our cities and suburbs. For example, where many current developments seldom result in greater than 20 dwellings per hectare, consideration could be given to mandating minimum density in new developments of 40 dwellings per hectare.

Careful and considered master planning and high-quality design of built form is critical to ensure that higher densities are accompanied by high levels of liveability, amenity, sustainability, commodity that promote physical and mental wellbeing, social inclusion and cohesion.

A further important consideration is to ensure that comprehensive planning controls do not give rise to lengthy red-tape processes for obtaining planning permits in inner or outer suburbs. Inefficient and elongated processes can simply “push- the problem elsewhere”, with respect to residential development and/or lead to poor decision-making.

To this end, clear standards and criteria, where possible, should be developed and promoted. This should be accompanied by investments in adequate levels of human and digital technology resources at different levels of governments and authorities where assessments as inputs to planning applications are formulated, and decisions are made.

The processes towards achieving planning permits should also be transparent and understandable and promote an increased awareness and understanding of planning controls. This is in contrast to situations where decision-making processes are not perceived to be transparent which – promote distrust and lead to an adversarial relationship between private interests and the public good.

A potential role for fiscal mechanisms

Land is a finite resource. Beyond regulation and planning controls, the resolution of competing land uses and freeing up of land supply within the urban growth boundaries might be responsive to carefully designed and implemented fiscal mechanisms.

Government could review the regime of land taxes and other levies to determine where perverse incentives may be operating that encourage speculative land banking in the urban growth boundary. The review would propose land tax and levies options that encourage active use of land to fit the needs of the community across a range of uses and discourage the locking away of needed supply for speculative purposes.

In turn, this land could be used to fund land acquisitions by government in order to set aside sufficient urban land for a range of near-term and longer-term uses including education, health, community and recreation infrastructure (including parks and nature reserves), as well as subsequently making this land available for private developments aligned to a range of pre-determined uses set out in master plans.

2.2 Response to Section 04 - Improving the design of development in Green Wedges

The Australian Institute of Architects (the Institute) agrees to design guidelines where they will give certainty to owners and developers and enable architects to make responsible recommendation for development.

2.3 Response to Section 4.1 - Implementing design and development guidelines

2.3.1 General comments

It is noted that the consultation document proposes,

'that design standards do not include specific requirements, such as numeric standards, but rather offer guidelines on what is appropriate development design in Green Wedge areas'.

However, to provide greater certainty, there are instances where it is possible to stipulate certain measurable design criteria - such as height, site coverage, replacement tree height, number of access points, or side and rear setbacks which become 'as-of-right' features (not challengeable by local authority or third party) in a development application.

Otherwise, the Institute supports the proposal that design guidelines be established for all sites where there are no specific applicable standards as the guidelines will enable review of sites within a context of site coverage, form and detail design features.

2.3.2 Comments on the Options dot points.

Comments on Options dot point 1 and 2

Consultation could also be undertaken with the Australian Institute of Architects regarding the development of relevant practice notes and decision guidelines to help ensure the formulation of feasible, realistic transparent recommendations.

Comments on Options dot point 3

Reliance on formulation of Green Wedge Management Plans (GWMP's) by local authorities needs to consider the resourcing levels of local authorities to carry out the work in determining matters such as setbacks, siting and site coverage at the local level and inform changes to planning requirements. If local authorities are under-resourced to assess Planning & Environment Act compliance, this may result in unreasonable delays and variance between each GWMP.

Formulation of the Green Wedge Management Plans should be undertaken by the Department of Environment, Land, Water and Planning (DELWP) based on current best practice that applies to all GWMP's. Only those specific characteristics that require area specific criteria should be the responsibility of Local Authority. Green Wedge Management Plans could be developed in consultation with the Australian Institute of Architects or other professional bodies with relevant interests in planning, design and infrastructure.

Comments on Options dot point 4

The Australian Institute of Architects conditionally supports the proposal to introduce a new particular provision in the Victorian Planning Provisions (VPPs) that contains design guidelines and standards for development in Green Wedge areas similar to existing provisions in Clauses 54, 55, 56 and 58 of the VPPs. This support is conditional upon the ability to deliver greater certainty in outcomes on the basis of:

- Demonstrating compliance with the design guideline such that if it was the only condition upon which a permit was needed this would determine no requirement for a planning permit, *or*
- Compliance with design guideline would mean that the Council or any third-party objector cannot raise objection to these matters in any submissions.

It is stressed that design guidelines should reflect the different characteristics of each Green Wedge Area and sub-areas within, noting the comment on dot point 5 below. The design criteria would not be the same for all Green Wedge sites or even across each Green Wedge.

To support a clearer understanding and improved ease of implementing design guidelines it is recommended that a table or matrix be developed. The table would cross-tabulate Green Wedge/sub areas within Green Wedges on one axis with the design guidelines criteria - such as building height, site coverage - as developed for each area on the other axis. In this way, the development control can quickly and clearly provide the standards/determinants required to achieve compliance. The table would also display the standards/determinants which, if achieved, exempt the requirement for a planning permit, or cannot be challenged by a third party.

Comments on Options dot point 5

The Australian Institute of Architects supports amending the schedule to Green Wedge Zones and recommend extending this approach per our comments similar to dot point 4 above. This may be achieved by establishing sub-areas within each Green Wedge to reflect land areas where there is substantively different characteristics, requiring different design responses. These design guidelines and areas should also be represented in a matrix so that design development can simply and efficiently be assessed, and certainty provided to all parties.

2.4 Response to Section 4.2 - Design requirements

2.4.1 General comments

The Australian Institute of Architects agrees with the description of the reasoning and methodology for this section on Design Requirements. The recommendations we make for specific design standards or criteria do not assume that only one standard exists (which may be the case, at times). However, the advantage of a specific standard or criteria would exempt the requirement for a permit and/or objection to that specified aspect of the design. Developed through robust consultation and analysis of research and high-quality

evidence, specific standards or criteria would create a base level which give greater clarity and certainty to applicants and to adjoining neighbours and surrounding land users. The resulting benefits would also include reduced time required to achieve planning approval and reduced variations to development proposals.

2.4.2 Comments on the twelve elements.

Element 1 – Green Wedge character

The Australian Institute of Architects recommends the creation of guidelines or principles which demonstrate how to achieve development that is responsive to the surrounding landscape typology.

Element 2 – Site layout

The Australian Institute of Architects advises that the guidelines are too general and should be made more specific. Examples of more specific guidelines include:

- no closer to road than adjacent neighbour
- no closer to road than 9m
- no closer than 5m if associated with indigenous planting of mature species (greater than 3m tall) at 1m centres.
- set-back alignments as developed by the responsible authority within development control guidelines

Element 3 – Site coverage

The Australian Institute of Architects advises that the guidelines appear to be too general, and instead, that the responsible authority establishes a maximum site coverage and minimum permeable surface area, and /or alternative specific land management tools, to enable certainty in development option consideration.

Element 4 – Building Height

The Australian Institute of Architects advises that a statement of maximum height should be provided or a guideline of how to establish height in relation to location should be developed.

Element 5 – Side & Rear Setbacks

The Australian Institute of Architects advises that a base statement of standards or how to achieve design outcomes should be developed,

Element 6 – Landscaping

The Australian Institute of Architects advises that the guidelines are too general in nature. Examples of how greater specificity could be provided include:

- formulation of a specific tree and vegetation protection policy such as an Environmental Protection Overlay
- guidelines for tree type to be specific to site as determined by local authority whereby they provide a schedule of trees for specific areas and sub areas
- local authority could establish a nursery within which they develop a resource of mature trees and vegetation suitable to each area for sale to land developer/public

Element 7 – Detailed Design

The Australian Institute of Architects advises that it does not support dictation of style and character of buildings by parties other than the owner. It is the inappropriate uses within the Green Wedge that create undesirable outcomes, breach the intent of the Green Wedge and detract from an area rather than the appearance of the building itself.

Architecture is defined as ‘the art and science of building’. Good architecture may often be designed to contrast with the landscape to enhance its contribution to the surrounding environment and can therefore be a critical aspect of the development.

The Australian Institute of Architects agrees that light spillage should be controlled. This is dependent upon the location of the development site within the Green Wedge area, such as in a remote area. The responsible authority should develop design guidelines to dictate issues of management of light spillage specific to each area or sub area.

Element 8 – Sustainable Transport

Noting our earlier comment in the first part of this submission, the Australian Institute of Architects does not support the establishment of new schools, to meet the needs of urban populations, in Green Wedge Zones or Peri-Urban Areas, especially where good agricultural land would be taken over. While public transport may be available and even where the school may have its own bus system if the site is not within walking distance (400m for primary school and 800m for secondary school) for all pupils, it does not promote good sustainable design nor health design³ and such land use should generally not be permitted.

Element 9 – Access

The Australian Institute of Architects agrees that no greater than one access point should generally be allowed. The exception is when it deemed necessary for safety or for traffic management and especially as part of ensuring evacuation in bushfire prone areas. The assessment should be supported by evidence from traffic engineers and/or fire authorities. Safety should be the first consideration.

Element 10 – Vehicle Parking Facilities

The Australian Institute of Architects agrees with the recommended design requirement with the provision of the following additional details to the requirement:

- In all carparks, trees (at mature height at least 6m) should be planted at the rate of one tree per four car spaces.
- The location of the trees should be within a 1m x 1m area (shared between four cars) at the front of each car space on the border with adjacent car.

Element 11 – Safety

The Australian Institute of Architects agrees with the recommendation and has no further comment.

³ e.g Environment and health benefits of situating schools in proximity to residential development to promote use of active transport such as walking or cycling rather than motorised transport

Element 12 – Infrastructure

The Australian Institute of Architects agrees with the proposal, subject to the preparation of a statement of infrastructure capacity by the responsible authority relevant to each site so that there is an outline of constraints and opportunities for each site *prior* to site purchase and/or development. Where possible, consideration could be given to stand-alone systems for power, water and sanitation.