



14.1 Notice of Motion Councillor Marcus Pearl - Guidance note: Domain Area DDO26 – Discretionary Controls

I, Councillor Marcus Pearl, give notice that I intend to move the Motion outlined below at the Ordinary Meeting of Council on 17 August 2022:

That Council: -

1. Requests officers to prepare a Guidance Note that:
 - 1.1. Is an explanatory document which outlines Council's position on discretionary controls based on VCAT decisions, Panel reports and as agreed to by applicants in other applications.
 - 1.2. Relates to the area that is commonly referred to as the Domain area of DDO26 which covers the area between Dorcas Street (north), St Kilda Road (east), Albert Road (South) and Kings Way (west). The area includes all of sub precinct 2 and parts of sub precincts 1 and 4 of DDO26.
 - 1.3. Addresses the following matters: setback from laneways; visitor parking and loading; consideration of development height if side and rear setbacks cannot be achieved; tower widths / podiums and active frontages.
- 1.4. Would be available to planning permit applicants.

SUPPORTING INFORMATION:

Background:

1. Council focussed extensive resources into the strategic planning for this part of the municipality, culminating in the introduction of DDO26 via Amendment C107 to the Port Phillip Planning Scheme in June 2016.
2. Following the introduction of DDO26 the area in the direct vicinity of the future Metro station experienced an influx of planning permit applications for apartment development, of which a high percentage have been subject to decision or review at VCAT.
3. Council has been successful at the Victorian Civil and Administrative Tribunal (VCAT), whereby VCAT has agreed with Council's position to ensure proposals met discretionary built form controls, including:
 - on-site loading
 - upper level setbacks above the podium / street wall
 - side setbacks and separation distances
 - setbacks from narrow lanes
 - provision of pedestrian walkways
 - construction to a side boundary, when acceptable