

Treasury Square: How not to plan a city

By Cr Rohan Leppert APIA Deputy Chair, Planning, City of Melbourne



Treasury Square - The blue area represents the site. Note the low rise of EM contrasted against the high rise of the city

What's wrong with this picture, as reported by The Age on 27 May?

'Mirvac and Cbus Property were shortlisted out of 11 interested parties to develop the mixed-use project on Tuesday. [Public] submissions on planning controls for the site close on Friday.'

This back-to-front process, where the State Government shortlists buyers of public land before it decides what the use and building envelope for the site should be, may yet become the textbook example of how not to plan a city.

As many East Melbourne residents now know, the State Government will sell its Treasury Square site, where Wellington Parade South meets Flinders Street, to the highest bidder. The land is currently held by VicTrack but will be sold in order to help pay for the State's ambitious major transport project agenda – a worthy aim if it didn't have such an embarrassing planning process attached.

The proposed key planning controls are Capital City Zone (which allows a range of uses) and Design and Development Overlay 10. The zone is no surprise, but the overlay was not designed for irregularly shaped blocks like Treasury Square. The overlay facilitates a podium-and-tower typology and has no height limit except as overshadowing rules dictate. The Planning Minister has, however, specifically exempted the site from Council's new 'sunlight to parks' rules, meaning that any new building will be free to overshadow the Birrarung Marr upper terrace.

The site is also the only site in the central city proposed to have no dedicated 'urban design in the central city' controls or policies applying to it, due to a spectacular oversight by the drafters of the planning scheme amendment.

This is an important strategic site that sits in front of an uninterrupted hard edge to the Hoddle Grid. Flinders Street is a famous heritage streetscape; think of the 'Herald' and 'Lindrum' signs atop the buildings. This site is far too important for an unpredictable building typology and no meaningful 'urban design' guidance. Any site of this prominence should have built form controls developed for the context it sits within (ideally, a master plan for the broader precinct). Then – and only then – should the site be considered for sale.

Instead, shortlisted buyers of the site have seen the proposed unfettered planning controls and are staying in the hunt. The shortlisting process is so advanced now that the State knows it can't restrict the planning controls too much without the shortlisted buyers walking. And so we have a sham process, where the State's inherent conflicts of interest as owner, seller and planning regulator of the land are utterly irreconcilable. What chance do we have now of a site-sensitive planning outcome when the buyers are identified before the planning controls are gazetted? It shouldn't be this way.

The precedent that this asset-sale-disguised-as-planning-process will set is grim, especially as we enter a recession and the State looks for ever more revenue measures. No matter one's ideological position on the sale of public land, surely we can agree on one thing: selling and developing public land next to the Hoddle Grid will change the cityscape forever.

I'm not afraid of change, but we only get to sell and plan this site once. The Government owes it to us, and future generations, to start this process again and do it properly. Plan first, then sell.