

The Hon. Sonya Kilkenny,
Minister for Planning & the Suburbs
Level 20, 1 Spring Street
Melbourne VIC 3000

**RE: The removal of upper-level
setback requirements within the
Victorian planning scheme**

Dear Minister Kilkenny,

The Department of Planning and Transport and Planning recently announced draft controls for the ten announced Activity Centres across Melbourne. We congratulate the Minister on the ambition to deliver increased density and more homes where people want to live.

However, as advocates, architects, and urban design professionals, we have serious concerns with the prescriptive design controls within the plans. Most notably: the requirement for upper-level setbacks across all buildings.

All of the research and practice demonstrates the negative impacts of these mandated planning controls. These include but are not limited to:

- [Decreased thermal efficiency](#) across the whole building
- [Increased embodied carbon](#) within the building
- [Higher levels of defects](#), including timber-rot and mould
- [Reduced streetscape interface](#) and forgoing amenity and passive surveillance
- [Reduced project viability](#) and fewer, more expensive homes

The evidence is overwhelming: requiring upper-level setbacks is no way to build a sustainable, affordable city. These are outdated planning controls that offer little benefit to Victorians, and as such should not be included within the Plan for Victoria.

Upper-level setbacks require architects and urban designers to compromise on both external built form and internal apartment design across projects. Upper-level setbacks force highly-compromised and complex apartment layouts with lower amenity, as well as fewer family-size apartments across our city.

In order to deliver the levels of housing supply Victoria needs, and to deliver a Melbourne that is beautiful, progressive, and forward-thinking, upper-level setback requirements have to be removed from planning schemes city-wide.

We thank you for your consideration on this matter, and look forward to engaging with you and your team further as the Plan for Victoria progresses.

Yours sincerely,

Signees over the page

Jonathan O'Brien, Lead Organiser, YIMBY Melbourne

Sophie Whittakers, Managing Director, Austin Maynard Architects

Andrew Maynard, Director, Austin Maynard Architects

Dan McKenna, CEO, Nightingale Housing

Jeremy McLeod, Design Director, Breathe

Kerstin Thompson, Architect, KTA

Declan East, Designer

Mark Stranan, Architect, Austin Maynard Architects

Claire Ward, Architect, Austin Maynard Architects

Bridget Brown, Architect, Austin Maynard Architects

Arna Marie Sagen, Architecture student

Willy Hooegeveen, Architect

Ethan Gilbert, Co-lead Organiser, YIMBY Melbourne

Ryan Shinton, Accountant, Milieu Property

Toby Dean, Community Engagement, Nightingale Housing

Joel Berghofer, Designer and builder

Leonids Spilbergs, Student architect

Sean McArdle, Architect and ESD Consultant, Sustainable Built Environments P/L

Scott Doyle, Designer

Simon Nankin, Development Manager, Nightingale Housing

David Allt-Graham, Registered Architect

Anne Astorino, Interior Designer

Ray Dinh, Architect, Austin Maynard Architects

Dennis Graf, Associate Engineer, Beca

David Hodge, Urban Planner

Jamie Mann, Architect

Beau Daley Roberts, Heavy Infrastructure Engineer

Efe Ozyaba, Development Manager

Jonathan McPike, Project Manager / Business Development, DT Global

Sercan Celenk, Transportation Engineer – Railway Signalling, Jacobs

Anna Peters, Development & Origination Director, Gersh Investment Partners

Jay Iwasaki, Ecologist

Ben Delaney, Civil engineering student

Nicholas Dour, Architect, Nicholas Dour Architects

Cameron Goodison, Building Designer / Draftsperson, Spatial Studio

Tom Spinks, Director, Tillage

Lauren Geschke, Architect, Hassell

John Malina, Architect

Qutaibah Al-Atafi, Architect

Kevin Hui, Architecture Education, Archimarathon

Michael Ricardo, Plumber

James Brooks, Economist, Committee for Economic Development Australia

Johannes Lupolo-Chan, Senior Associate, Cox Architecture

Lucas Gauci, Architectural Designer, Point Architecture

Ben Sheehan Architect, Cumulus Studio

David Robinson, Architect

Mia Zar, Planner

Chris Stribley, Architect, Cera Stribley

Penny Barnes, Urban Designer

Oscar McLennan, CEO, Ys Housing

Victoria Reeves, Architect, Kennedy Nolan

Henry Russell, Architect,

Darcie Vella, Graduate of Architecture, Kerstin Thompson Architects
Jarrod Malbon, Architecture,
Hannah Wilson, Architect, Kerstin Thompson Architects
Atreyu de Lacy, Executive Director, TTW Engineers
Tobey Pauling, Student Architect, KTA
Atreyu de Lacy, Executive Director, TTW Engineers
Richa Sud, "Engineer, Sustainability Lead", TTW
Tatjana Medvedev, Architect/urban designer, Mecene pty Ltd
Talía, Architect, KTA
Dean Spencer, Associate Director (structural), TTW
Luca Foerster, Data Analyst, Luca
Blaine Cooper, Architect,
Christine Chen, Architectural Graduate,
Kerry Kounnapi, Architect, KKAP - Kerry Kounnapi Architecture Practice
Sophie Weiner, Sustainability Consultant, Arup
Karen Abernethy, Architect, Karen Abernethy Architects
Chloe Antonio, Architect, Chloe Antonio Architecture
Tamara, Head of Operations, Breathe Architecture
Carl Panczak, Director,
Eliza Tieman, Project Architect, Contech
Sarita Mistry, Architectural Graduate
Sarita Mistry, Architectural Graduate
Elizabeth Campbell, Architect
Julia Rich, Graphic Designer and Marketing Officer, Julia
Rachel Salter, Architect
Paul Violett, Architect,

Zachary Chong, Student (architecture),
Matilda Parolini, Architect
Matija Dolenc, Graduate of Architecture
Luke Wilson, Associate Principal, Jackson Clements Burrows
Ben Robertson, Architect, Tecture
Sarah Lucas, Graduate of Architecture,
Charlie White, Graduate of Architecture
Ian Moore, Architect, Ian Moore Architects
Catherine Serafini, Designer, D'interni
Jacqueline Nguyen, Architect, Breathe
Rahel Goldmann, Urban Planning student (RMIT),
Darren Minto, Client Relationship Manager, Crafted Hardwoods
Jim Sidiropoulos, Designer,
Nicla D'Argento, Graduate Architect,
Chris Mark, Architect, Ha Architecture
Dexter Percival-Cobb, Student of Architecture,
Jordan Cisek, Project Manager, Nightingale Housing
Doug Westland, retired Architect, JWP
Ali Whelab, Design Lead, Breathe
Evan Lau, Architect,
Mel Biggin, Principal Architect, Studio Polychrome
Caitlin, Supplier, The Flooring Co.
Ben Edwards, Architect, Studio Edwards
Otto Henkell, Architect, Apparte
David Harrap, Principal Architect, Forum
Will Davey, Architect, Keep studio

Brayden Dodds, Designer

Gabrielle Phillips, Architect

Elaura Carter, Business Development Manager, Donnelly & Co. Consulting Engineers

Joshua Hall, Student of Architecture

Aaron Roberts, Architect, Edition Office

Yasmine Ghonime, Interior Designer, YSG

Kai Cheong, Architect, ClarkeHopkinsClarke Architects

Greta Hinchin, Architecture Assistant

Murray Barker, Architect, Murray Barker

Rachel Nolan, Architect, Kennedy Nolan

Sophie Dyring, Architect, Schores Projects

Georges Rich Architect

Hayley Jaffer, Architect

Elliot Lind, Architect

Graeme Tait, Civil Engineer

J Coleman, Economist

Lynn Chew, Architect, KTA

Rachel Ang, Architect

Peter Neil, Retired lawyer

Gerald Lock, Architect, Co-lab Architecture

Adam Grundmann, Architect, BG Architecture

Andre Bonnice, Architect & Director, Simulaa

Neil Jarvis, Architect

Greg Anson, Architect Director

Thomas Mckenzie, Architect, Winwood Mckenzie

Roger Schmidt, Principal Architect, Schmidt and Pang

Nat Pornvarojanabun, Architect
Hayden Chan, Planner
Jack Murray, Graduate of Architecture
Samuel Clegg, Architect
Liam O'Boyle
Ben Chester
Benna Roy
Matthew Allen
Sasha Lonzi
Wilton Deany
Thomas Attard
Oscar Dobson
Alison Lemer
Tom Carmody
Matthew Luke
Ben McLeod
Bonnie Lampard
Fane Bastin
Alec Johnson
Oren Bahari
Geoffrey Connolly
Charles Ranken
Kerrie loveless
Idan Ben-Barak
Aidan Barac-Dunn
Josh Thomas

Gavin Lowes

Callum Bengier

Aileen Corbett

Sheree

Laura Harding

Tobias Cohen

Emily Nolan

Lee Tan

Jonathan de Kock

David Balding

Jack Walsh

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