

Contact: Ian Pitt QC
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Our Ref: IP:MF180499
Your Ref:



27 April 2018

Ms Kathy Mitchell
Chief Panel Member
Fishermans Bend Review Panel
1 Spring Street
MELBOURNE VIC 3000

Also by email: planning.panels@delwp.vic.gov.au

Dear M'selle,

Fishermans Bend Review Panel – Industry Business Hub Plan No. 607275B

1. We have been instructed, this week, to seek to make a submission on behalf of Industry Business Hub Plan No. 607275B [Industry Business Hub] as agent for the owners and occupiers of the land and building at 87 Gladstone Street, South Melbourne.
2. The Industry Business Hub is the Owners Corporation for the building at 87 Gladstone Street, South Melbourne and it was not notified of draft Planning Scheme Amendment GC81 [the Amendment].
3. The Industry Business Hub requests that the Review Panel consider this submission that affects the 70+ businesses operating at 87 Gladstone Street, South Melbourne.
4. The Industry Business Hub submits that the Review Panel should adopt the response to submissions in the expert evidence of Joanna Thompson, 153-4, that the Amendment be changed so that the proposed public open space in Gladstone Street is relocated further south opposite the proposed open space on Thistlewaite Street.
5. The Industry Business Hub contends that Ms Thompson's recommendation is fully justified having regard to the following matters:
 - 5.1. The submission of the Port Phillip City Council (p67 – Attachment 4) supports the proposition that the Gladstone Street open space is unlikely to be delivered by 2050 given the multiple ownership, particulars of which are contained in the Roll

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List appended to and forming part of this submission, recognising that the building is only seven years old.

- 5.2. Montague is identified as having the second highest potential residential population and its location is such that it is clearly an early candidate for large scale redevelopment, well before 2050 and 87 Gladstone Street, South Melbourne would not be available to meet the demand arising many years before 2050.
 - 5.3. The large number of owners and occupiers would have the consequence that if it were proposed to compulsorily acquire the land at 87 Gladstone Street, South Melbourne for a public purpose then each would have a claim for compensation including up to 70 separate claims for disturbance in addition to the market value of the acquired interest of each owner and occupier.
 - 5.4. As recognised by the Council, the nature of the building at 87 Gladstone Street, South Melbourne is consistent with the Council's vision for Montague and the existing uses are uses which have been and are actively encouraged in Montague including architects, designers, IT businesses, psychologists, social enterprises, fashion, printing and others, being small scale innovative businesses responding to the digital age.
6. Given the general acceptance that the land at 87 Gladstone Street, South Melbourne in sub-precinct M6 would not be available to meet the demand for open space at the time that it is required, there could be no justification for imposing planning blight on the land at 87 Gladstone Street, South Melbourne by designating it as a site for future public open space and that the alternative identified in Ms Thompson's evidence should be endorsed.

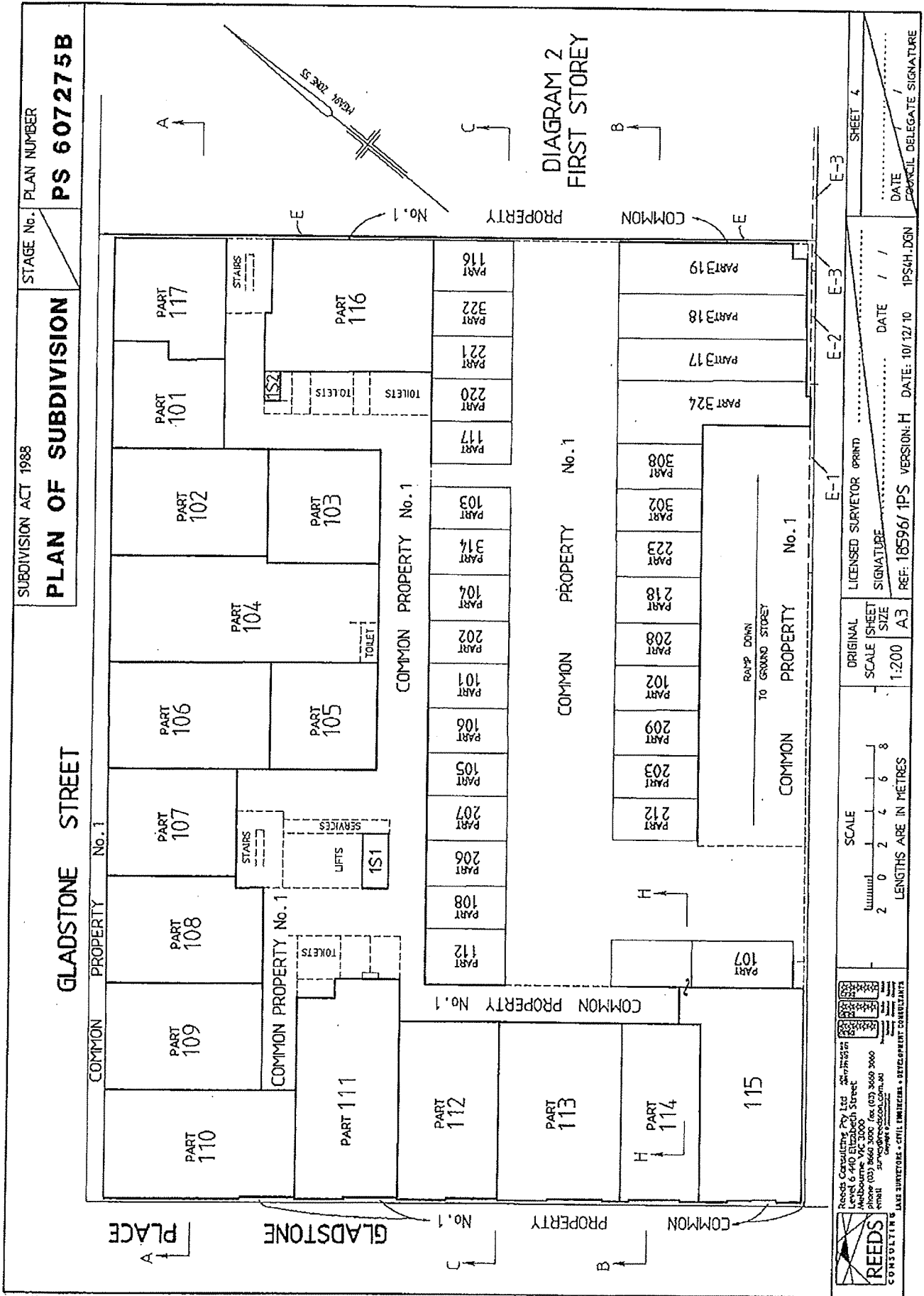
Yours faithfully
BEST HOOPER



Ian Pitt QC
Special Counsel

Enc:

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SUBDIVISION ACT 1988
PLAN OF SUBDIVISION
 STAGE No. / PLAN NUMBER
 PS 607275B

GLADSTONE STREET

PLACE A

RAIL ZONE ST

DIAGRAM 2
 FIRST STOREY

SCALE
 0 2 4 6 8
 LENGTHS ARE IN METRES

REEDS CONSULTING & DEVELOPMENT CONSULTANTS
 REEDS CONSULTING Pty Ltd
 Level 6 410 Elizabeth Street
 Melbourne VIC 3000
 phone (03) 8660 3000 fax (03) 8660 3000
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LICENSED SURVEYOR (PRINT)
 SIGNATURE
 DATE / /
 REF: 18596/1PS VERSION: H DATE: 10/12/10 IPS4H.DGN
 SHEET 4

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ENLARGEMENT
DIAGRAM 2 (PART)
FIRST STOREY

SUBDIVISION ACT 1988
PLAN OF SUBDIVISION

STAGE No. PLAN NUMBER
PS 607275B

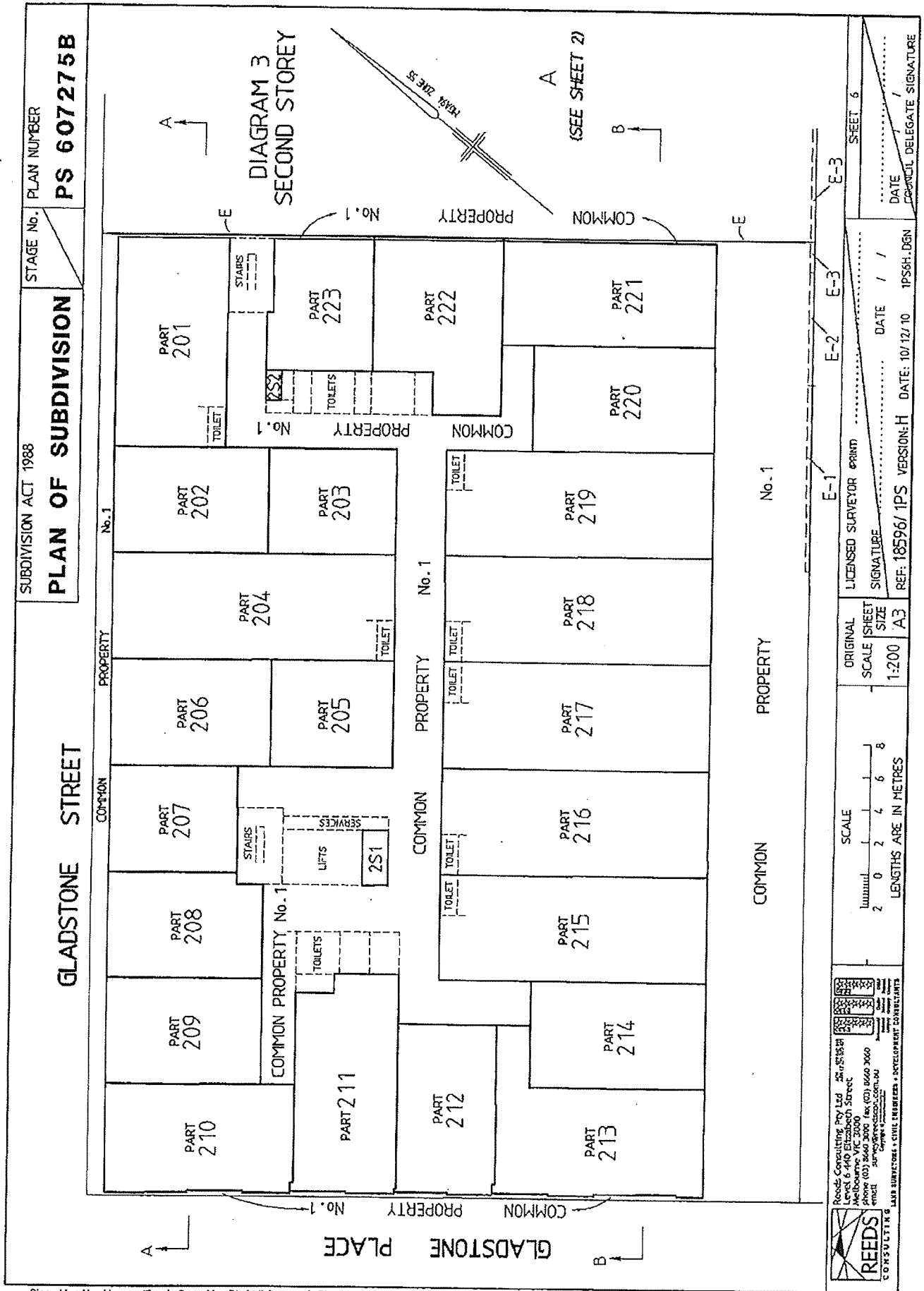
Diagram showing property boundaries, common areas, and individual lots with dimensions and labels like PART 112, PART 114, etc.

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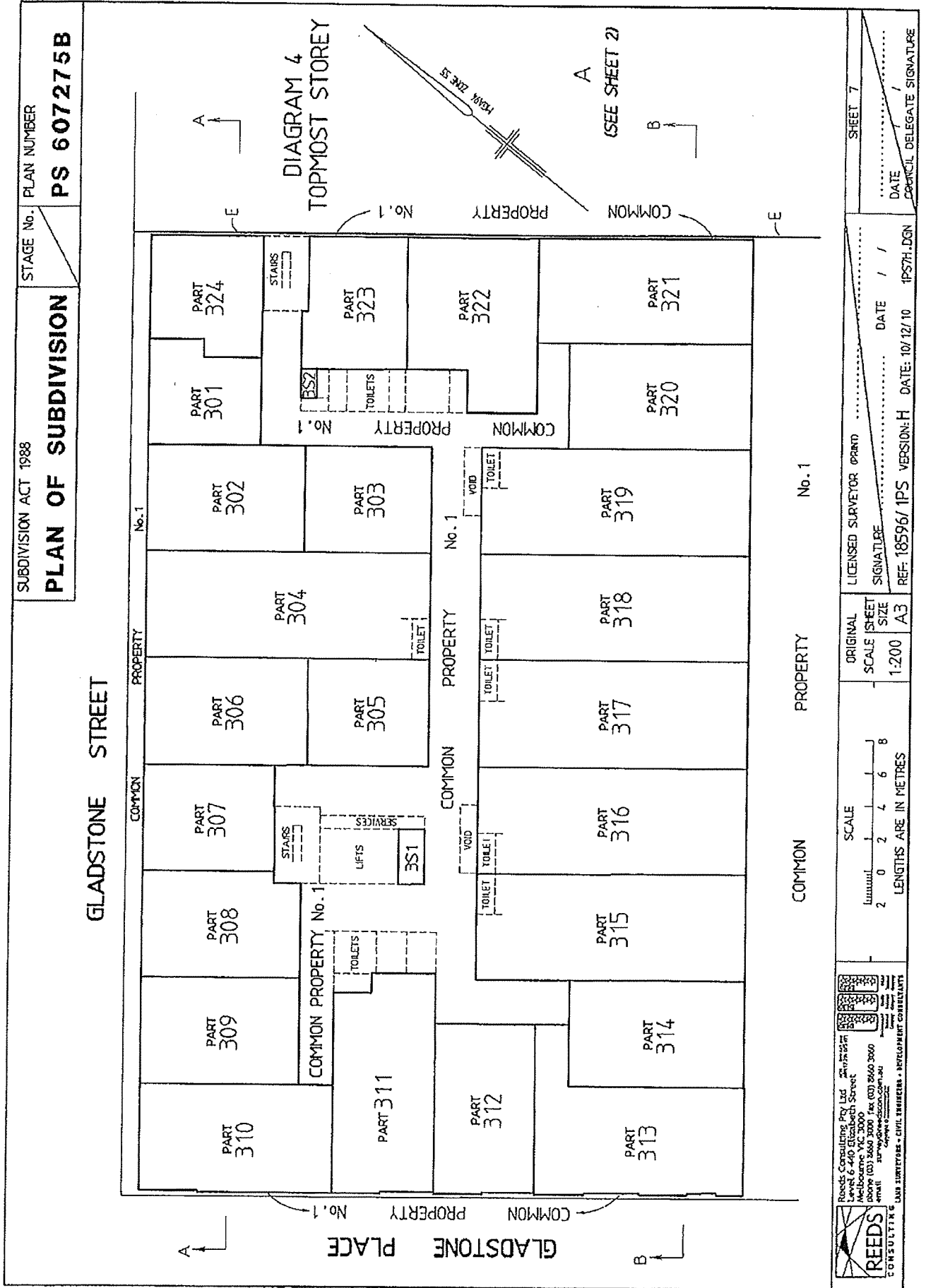
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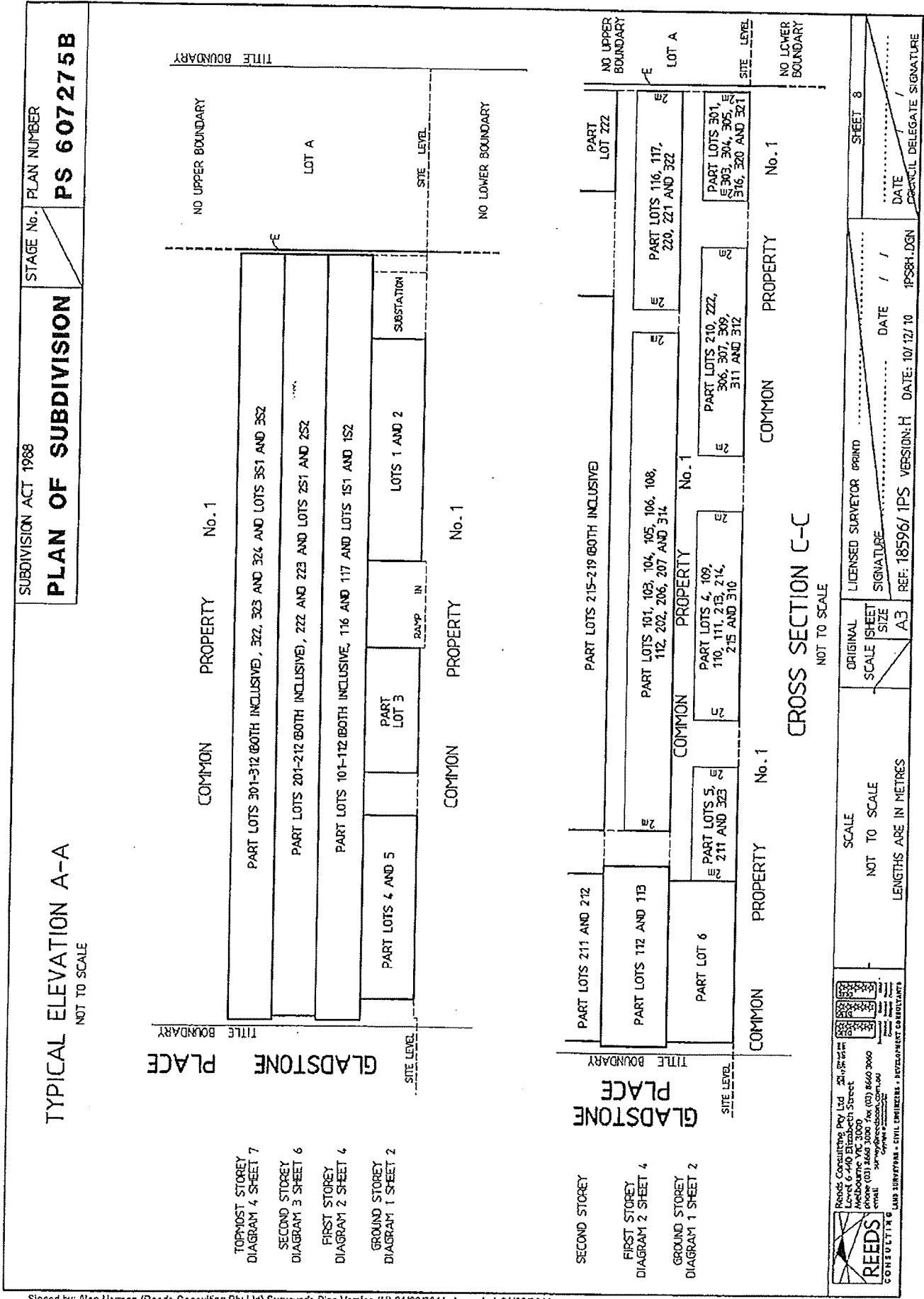
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SUBDIVISION ACT 1988
PLAN OF SUBDIVISION
 STAGE No. /
PS 607275B

TYPICAL ELEVATION A-A
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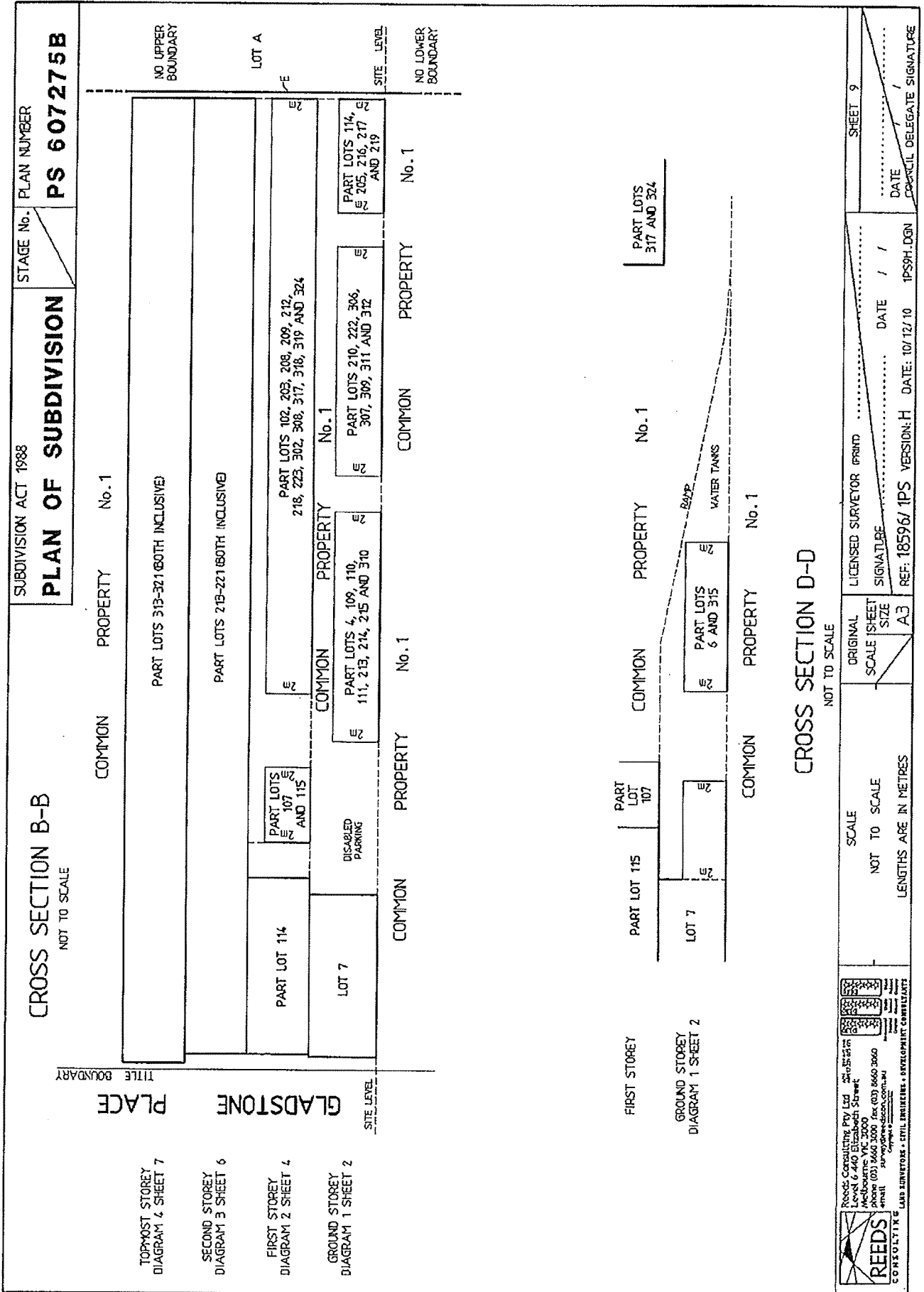
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SCALE: NOT TO SCALE
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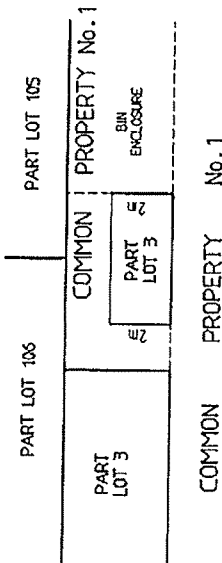


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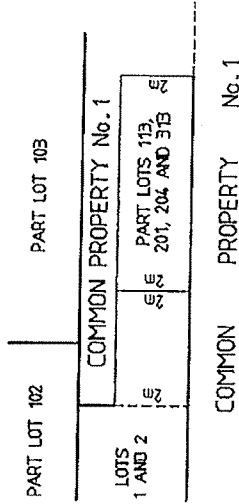
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SUBDIVISION ACT 1988
PLAN OF SUBDIVISION
 STAGE No. / PLAN NUMBER
 / **PS 607275B**

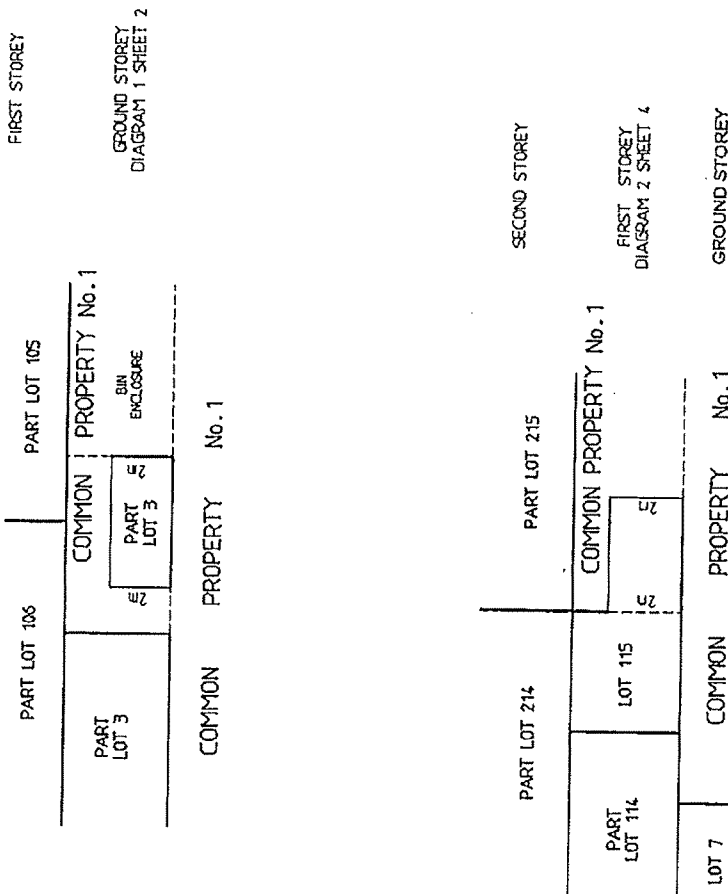
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CROSS SECTION G-G
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CROSS SECTION H-H
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**Plan of Subdivision PS607275B
Certification by Council (Form 5)**

SUBDIVISION (PROCEDURES) REGULATIONS 2000

SPEAR Reference Number: S008699B
Plan Number: PS607275B
Council Name: Port Phillip City Council
Council Reference Number 1: P796/2010
Council Reference Number 2: S81/2010
Surveyor's Plan Version: H

Certification

This plan is certified under section 6 of the Subdivision Act 1988

Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988

Has not been made

Digitally signed by Council Delegate: Maria Tomasetig
Organisation: Port Phillip City Council
Date: 21/01/2011

Signed by: Maria Tomasetig (Port Phillip City Council) 21/01/2011



Department of Sustainability and Environment

Owners Corporation Search Report

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**OWNERS CORPORATION 1
PLAN NO. PS607275B**

The land in PS607275B is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Property 1, Lots 1, 1S1, 1S2, 2, 2S1, 2S2, 3, 3S1, 3S2, 4 - 7, 101 - 117, 201 - 223, 301 - 324.

Limitations on Owners Corporation:

Unlimited

Postal Address for Service of Notices:

102 HARBOUR ESPLANADE DOCKLANDS VIC 3008
OC010047R 04/03/2011

Rules:

Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3)
Owners Corporation Act 2006

Owners Corporation Rules:

NIL

Additional Owners Corporation Information:

OC010047R 04/03/2011

Notations:

NIL

Entitlement and Liability:

NOTE - Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 1	67	67
Lot 1S1	1	1
Lot 1S2	1	1
Lot 2	65	69
Lot 2S1	1	1
Lot 2S2	1	1
Lot 3	65	68
Lot 3S1	1	1
Lot 3S2	1	1
Lot 4	117	109
Lot 5	57	57
Lot 6	130	124
Lot 7	104	98
Lot 101	41	42
Lot 102	59	59
Lot 103	40	45
Lot 104	92	95
Lot 105	42	42
Lot 106	59	61
Lot 107	49	50
Lot 108	57	58

Land Parcel	Entitlement	Liability
Lot 109	57	59
Lot 110	68	71
Lot 111	71	73
Lot 112	59	62
Lot 113	74	76
Lot 114	48	49
Lot 115	77	79
Lot 116	71	73
Lot 117	41	48
Lot 201	86	84
Lot 202	60	59
Lot 203	45	48
Lot 204	110	101
Lot 205	61	47
Lot 206	49	60
Lot 207	51	50
Lot 208	58	58
Lot 209	61	59
Lot 210	72	71
Lot 211	75	73
Lot 212	58	60
Lot 213	79	83

Land Parcel	Entitlement	Liability
Lot 214	61	64
Lot 215	91	96
Lot 216	94	96
Lot 217	98	96
Lot 218	98	96
Lot 219	98	96
Lot 220	67	67
Lot 221	78	79
Lot 222	63	68
Lot 223	43	48
Lot 301	43	42
Lot 302	62	59
Lot 303	61	48
Lot 304	110	99
Lot 305	50	47
Lot 306	49	60
Lot 307	53	50
Lot 308	61	58
Lot 309	72	64
Lot 310	74	71
Lot 311	75	73
Lot 312	60	60



Department of Sustainability and Environment

Owners Corporation Search Report

Land Parcel	Entitlement	Liability
Lot 313	80	84
Lot 314	61	64
Lot 315	104	102
Lot 316	99	96
Lot 317	104	102
Lot 318	104	102
Lot 319	105	103
Lot 320	70	67
Lot 321	82	79
Lot 322	64	68
Lot 323	45	48
Lot 324	50	55
Total	5,000	5,000

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.

Statement End.