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**Request to be heard?:** Yes

**Precinct:** Montague

**Full Name:** Johan Moylan

**Organisation:** EPC Pacific Pty Ltd

**Affected property:** 123 Montague Street, South Melbourne

**Attachment 1:** 171214\_123\_Mon

**Attachment 2:**

**Attachment 3:**

**Comments:** Refer to the enclosed.

14 December 2017

Fishermans Bend Planning Review Panel  
C/- Planning Panels Victoria  
1 Spring Street  
**MELBOURNE VIC 3000**

**Planning & Property Partners Pty Ltd**

ABN 63 343 015 948

Duckboard House

Level 2, 91-93 Flinders Lane

Melbourne VIC 3000

Telephone: +61 3 8626 9000

Facsimile: +61 3 8626 9001

admin@pppartners.com.au

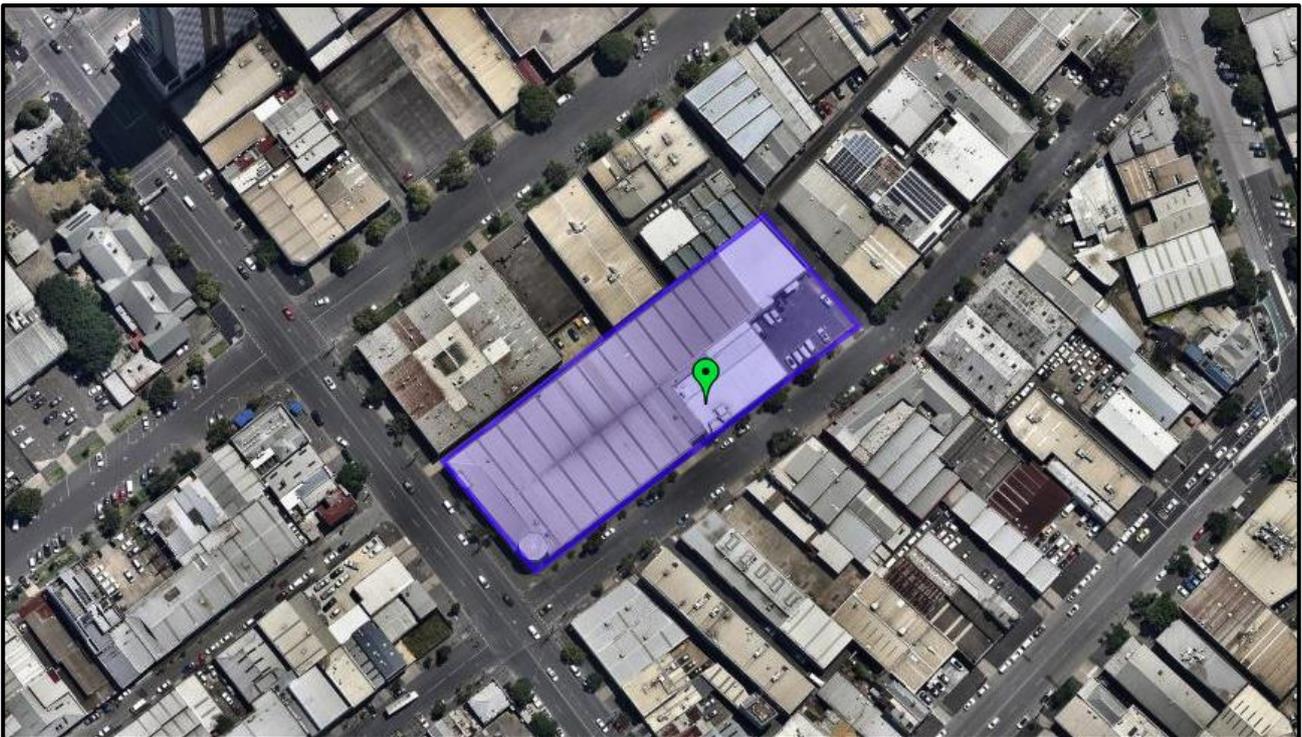
Via email: [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au); [fishermansbend@delwp.vic.gov.au](mailto:fishermansbend@delwp.vic.gov.au);

Dear Sir / Madam,

**DRAFT PLANNING SCHEME AMENDMENT GC81 SUBMISSION  
123 MONTAGUE STREET, SOUTH MELBOURNE**

We act for EPC Pacific Pty Ltd, the land owner of 123 Montague Street, South Melbourne (the Site).

This letter is a formal submission to Draft Planning Scheme Amendment GC81 (the Amendment) within the Port Phillip Planning Scheme and confirms our client's interest in the Site and Fishermans Bend.



*Source nearmap Pty Ltd depicting image from 23 November 2017*

The Site is materially impacted by the Amendment and our client has many concerns relating to specific provisions and assumptions that have been made to support their inclusion. The following matters are a summary of our client's concerns:

1. The timing since the release of draft planning scheme documents and the scheduled Advisory Committee to adequately prepare and respond.
2. The justification and analysis behind the targeted 80,000 residents and 80,000 (inclusive of the Employment Precinct) jobs up to 2051.

3. No definitive commitment or timing to deliver the proposed northern or southern light rail connections.
4. Mandated building heights and setbacks combined with maximum floor area ratio (FAR) requirements is overtly prescriptive.
5. The ability for other additional targeted commercial land use to be realistically delivered, marketed and tenanted.
6. The cap on floor area ratio (FAR) is set low, meaning that proposals seeking to make efficient and effective use of their site will need to trigger the floor area uplift (FAU) mechanism.
7. The ability to achieve a FAU is limited to very specific items and does not clearly establish a nexus or need method to the uplift. Further, the limited transparency to the securing of the benefit and its implementation.
8. The inclusion of explicit mandatory requirements within the proposed Design and Development Overlay Schedule 30 (DDO30) fails to recognise a performance-based planning provision that allows for architectural expression and site responsive design, with planning permit applications appropriately assessed on their merits.
9. The mechanism and realistic ability for the proposed planning scheme provisions to provide the planning tools for the acquisition of land nominated for new streets, laneways or public open space.
10. The timing to acquire land nominated for new streets, laneways or public open space.
11. The location of the Neighbourhood Future Open Space within the Montague Precinct identified as M11 on our client's Site and how this location aligns with the *Fishermans Bend Strategic Framework Plan 2014 (Amended 2016)* is far from clear.
12. No mechanism to utilise the designated land area (1,539) of the future open space M11 to secure a FAU benefit.
13. The mandatory parking requirements (i.e. maximum of 1 space to each 100sqm of 'office' and maximum of 0.5 spaces to each 'dwelling') contained within the Parking Overlay (PO).

We reserve the right to expand on the above matters outlined in this letter throughout the Advisory Committee process and respectfully ask that all correspondence be directed to this office.

Should you have any queries in relation to this submission, please contact me directly on 8626 9081.

Yours faithfully



**Johan Moylan**  
**Planning & Property Partners Pty Ltd**