
Request to be heard?: Yes

Precinct: Montague

Full Name: Antonio Calabro, Director, SAC Building Workshop

Organisation: Jopsal Pty Ltd

Affected property: 37-47 Thistlethwaite Street, South Melbourne

Attachment 1: Fishermans_Bend

Attachment 2:

Attachment 3:

Comments: Refer attached.

15 December 2017

Planning Panels Victoria
1 Spring Street
Melbourne Victoria 3000

Dear Sir/Madam,

**Submission to Fishermans Bend Draft Framework
37-47 Thistlethwaite Street, South Melbourne**

We act on behalf of the owners of the abovementioned site and refer to the draft Fishermans Bend Strategic Framework Plan which is currently on public exhibition. The below sets out our submission in relation to the proposed Amendment GC81 to the Port Phillip Planning Scheme and the proposed Fishermans Bend Strategic Framework Plan.

The rezoning of Fishermans Bend in 2012 demonstrated the Government's commitment to the urban renewal of the precinct. Plan Melbourne reiterates this vision, identifying Fishermans Bend as an expansion of the Central City. Prior to November 2016, planning policy enabled and encouraged the intensive redevelopment of land within the Fishermans Bend urban renewal area. The introduction of new controls by the Minister for Planning in November 2016 fundamentally impacted development potential within Fishermans Bend, creating uncertainty for developers. The recent announcement of Amendment GC81 has further contributed to uncertainty over the realisation of the long-standing vision for Fishermans Bend as an expansion of the Central City. The draft controls will further impact development potential of the site and may limit the ability of the area to be developed into a vibrant, mixed use precinct.

We are of the view the proposed draft controls will have significant implications on our site and the broader area, as set out below.

1. Subject Site

The site at 37-47 Thistlethwaite Street, South Melbourne (subject site) is located within the southeastern portion of the Montague Precinct, within the Capital City Zone Schedule 1. The site is irregular in shape with an area of approximately 1,242sqm and a frontage of approximately 38 metres to Thistlethwaite Street (refer to site location map below).



Source: Googlemaps

2. Proposed Draft Framework Plan and Controls

The draft framework and proposed controls under Amendment GC81 will significantly limit the development potential of the subject site. The draft controls identify the site as located within the **Montague Precinct (non-core activity area)**.

The key proposed controls include the following of relevance:

- **Floor Area Ratio (mandatory):** 3.0 : 1
- **Maximum building height (discretionary):** 8 storeys
- **Dwelling density (discretionary):** 198 dwelling per hectare
- **Street wall height (mandatory):**
 - Streets or laneways less than 12m wide: 4 storeys and 15.4 metres
 - Streets or laneways between 12-22m wide: 6 storeys and 23 metres
- **Walls on side or rear boundaries (mandatory):** 6 storeys and 23 metres (except where an 8 storey street wall height is proposed)
- **Side and rear setbacks (mandatory):** Varies according to height from 3-10 metres
- **Building separation within a site (mandatory):** Varies according to height from 6-20 metres

The key implications of the draft controls are summarised below.

3. Key Implications of the Draft Controls on Development Potential

The key aspects of the draft controls of particular relevance to our site are set out below, including height and setback controls, Floor Area Ratio, dwelling density and public transport infrastructure.

3.1 Height controls

We are of the view the discretionary nature of the proposed height controls is appropriate, however there is a lack of justification for the proposed 8 storey height limit. Additionally, the realisation of the intended outcome of 8 storeys onsite is likely to be restricted due to the proposed Floor Area Ratio and setback controls (discussed further in Sections 3.2 and 3.3 below).

The precinct is an urban renewal area and land along Thistlethwaite Street, including the subject site, is strategically located within proximity of public transport and existing infrastructure and can therefore accommodate higher residential densities.

While we support the principal of a transition in building height from the established South Melbourne area to the south of City Road into the Fishermans Bend precinct, we are of the view that greater flexibility in building height along Thistlethwaite Street can be accommodated. This is particularly given the anticipated substantial scale of built form to the north within proximity of the site of upto 18 storeys, along with a considerable increase in height on the opposite (northern) side of Thistlethwaite Street where the height limit increases to 12 storeys. We are of the view that a greater building height could potentially be accommodated on the south side of Thistlethwaite Street while still maintaining an appropriate built form transition between City Road to the south and the anticipated 18-20 storey built form further to the north.

Furthermore, the industrial nature of sites within Fishermans Bend generally benefit from a lack of sensitive interfaces. This context lends itself to intensive redevelopment, thereby protecting existing residential areas with established character elsewhere within Melbourne.

The future height limits for the precinct should be discretionary and subject to analysis of design principles to determine appropriate future building heights on the site.

3.2 Setback controls

The setback controls within DDO30 are mandatory and appear to be ambiguous in their drafting. We consider that setbacks should be discretionary and assessed on a site specific and merits basis, to encourage innovative and high quality architecture. The implementation of mandatory controls is likely to result in a uniform built form outcome and regular tower envelopes to comply with minimum setbacks.

We also note the wording of the draft controls appears ambiguous, where reference to 'building setbacks' in DDO30 do not clearly stipulate whether the setbacks are above street wall. We suggest further detailed review of the drafting of controls is undertaken.

3.3 Floor Area Ratio and Dwelling Density

We object to the inclusion of mandatory FAR requirements imposed under the Capital City Zone Schedule 1. The site is identified as a 'non-core area' within the Montague Precinct and is proposed to have a 3.0:1 floor area ratio (FAR). Implementing the FAR would significantly limit the total allowable floor area to approximately 3,726 square metres for this site.

We understand that the future dwelling yield (being 198 dwelling density/hectare within the Montague non-core area) has been determined based on an overall population estimate of 80,000 people. However, there appears to be a lack of sound strategic justification for the proposed ratio and dwelling densities and they appear to be based on population densities that have been underestimated.

We are of the view the proposed FAR and maximum dwelling densities proposed, combined with the proposed 8 storey building height within this area, will unreasonably restrict the scope to which the site can be developed and would not enable the highest and best use of land within this significant strategic growth area to be realised.

This outcome would fall significantly short of the intended mixed-use higher density development as originally aspired for within the broader Fishermans Bend area. It does not represent the sites potential as a prime opportunity to provide future housing within close proximity to infrastructure and public transport.

Furthermore, there is a risk that restrictive controls could result in many sites within the area to be unviable for development, which would further delay the realisation of the vision for Fishermans Bend.

Fishermans Bend has long been identified in strategic planning document for significant population growth, providing the benefit of reducing the pressure on development in Melbourne's middle suburbs and on the fringe. The Montague precinct is strategically located to adjoin the central city (Southbank) and South Melbourne areas and is a prime location to accommodate substantial population. Furthermore, due to the industrial nature of the area, sites within Fishermans Bend benefit from a lack of sensitive interfaces. This context lends itself to more intensive redevelopment.

3.4 Public Transport Infrastructure

Public transport infrastructure has not been appropriately prioritised as a key component to Fishermans Bend growth. We are of the view that adequate public transport infrastructure and certainty on timing and delivery is vital to ensure that infrastructure is delivered upfront to respond to needs of future residents and workers within the urban renewal area.

3.5 Procedural Fairness

We are also concerned with the time allotted to provide submission noting that the draft Framework Plan and associated planning controls were released on 21 October 2017. We are of the opinion this timeframe, along with the hearing dates listed for this matter, are extremely limited and condensed given the Christmas and end of year period. This does not allow sufficient time for appropriate representation to be engaged for this matter and we therefore are of the view there is a question of procedural fairness that should be addressed.

4. Conclusion

In summary, given the strategic significance of the subject site and the substantial implications of the proposed controls for Fishermans Bend, we submit that:

- The discretionary nature of the proposed building heights should be retained;
- The remaining planning controls should be discretionary in nature as opposed to mandatory to allow for flexibility and assessment on a site-specific basis;
- We suggest that further consideration is given to the justification of the density controls, noting the population estimate these are based on appears inadequate. The maximum dwelling densities and mandatory nature of the FARs are unreasonable and should be reconsidered in line with the development potential in this urban renewal area;
- Public transport infrastructure should be prioritised to support future growth;
- There is a question of procedural fairness with respect to timing associated with the exhibition and panel hearing process that we encourage the Panel to address.

We look forward to your considered review of the above submission and trust it is valuable for consideration of the draft Fishermans Bend controls.

Should you have any queries then please do not hesitate to contact the undersigned on 9867 5188.

Yours Sincerely,



Antonio Calabro
SAC Building Workshop (on behalf of Jopsal Pty Ltd)

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