

8 May 2018

## **Amendment GC81—Fishermans Bend**

### **ADDENDUM 3 TO EXPERT URBAN DESIGN EVIDENCE OF MARK SHEPPARD**

[1] On 3 May 2018, I was requested by Norton Rose Fulbright to provide a response to Ms Hodyl’s Addenda 6 and, in particular, her criticism of my modelling. This addendum provides my response.

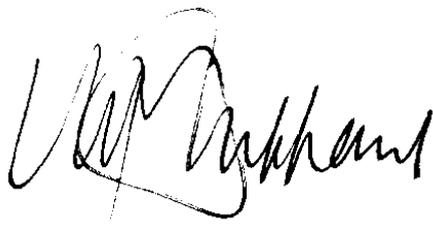
### **Modelling of individual sites**

- [2] Ms Hodyl notes that the assumptions she and I have made are closely aligned. I do not consider the minor differences in building depth and floorplate size noted in her paragraph 15 to be material to an analysis of the appropriateness of the proposed controls.
- [3] Ms Hodyl criticises my modelling for ‘largely ignoring’ the preferred character statements in the draft MSS. I reject this claim. The character statements refer to the diversity of building ‘typologies’ sought across whole sub-precincts, not within individual sites. They do not require individual sites to contribute to more than one building type. The building types I have modelled for each site are within the range of types sought for those sub-precincts.
- [4] Ms Hodyl states that she has “modelled a greater range of site coverage within core areas to respond to the preferred character”. This is evident from her modelling, which shows ground level courtyards. However, the proposed planning provisions do not require these outcomes (except the proposed local policy, which encourages a range of building typologies on large sites only), and I consider that they are highly unlikely to occur given the need for car parking to be accommodated above ground and the significantly greater efficiency of doing so in as few levels as possible. I also consider that there is limited benefit to a developer in providing ground level courtyard space, which will have poorer amenity (sunlight, daylight and outlook) than a higher level space.
- [5] Ms Hodyl criticises the narrow tower width I have modelled for 118 Bertie Street. However, I have clearly stated that that tower width is unlikely to be viable, and have only modelled it in order to demonstrate the fact that, even with a narrow tower, it is not possible to accommodate the maximum possible GFA on that site.
- [6] I accept Ms Hodyl’s criticism of the tower floorplate dimensions modelled at 365-391 Plummer Street, and have adjusted this in my revised modelling.
- [7] Ms Hodyl correctly identifies where I have assumed new laneways and roads to be located. I appreciate that these alignments are not always consistent with her assumption that they be split across two adjacent sites. However, I have located them as closely as I can to the positions shown in the draft Framework Plan, and explained those locations in my evidence, noting that the poor legibility of these diagrams means that there is some ambiguity in relation to their intended location. In any event, they are said to be flexible, and in none of the cases mentioned does it make a material difference to my analysis of the appropriateness of the proposed planning provisions. I note that my revised modelling of 870-884 Lorimer Street and Lorimer Place incorporates all proposed laneways.
- [8] At paragraph 31, Ms Hodyl correctly identified that my original modelling of 870-884 Lorimer Street and Lorimer Place sought to minimise shadowing of the proposed park to the south, which is encouraged by the proposed local policies and DDO’s design objectives, but not strictly required. In any event, in my revised modelling I have applied the requirements strictly in order to test the potential outcomes on these sites. This demonstrates that compliant buildings could cause substantial shadowing of the park. Although Ms Hodyl states that she would not support a street wall of the height I have modelled “immediately adjacent to the park”, I note that these sites are adjacent to the tram corridor, not the park, and my revised modelling complies with the planning provisions as currently proposed.

<sup>[9]</sup> I acknowledge my modelling error in relation to 30-38 Thistlethwaite Street as identified by Ms Hodyl at paragraph 37. This adds another site to the list of those that cannot achieve the maximum GFA.

## My recommendations for changes to maximum building heights

<b>Montague Core</b>	Ms Hodyl does not address the fact that there are numerous approvals for 30 and 40-storey buildings. While most have not yet been acted upon, the introduction of more restrictive planning controls such as those proposed are likely to trigger commencement to activate those permits. Further, I note that even at 20 storeys, Document M6 demonstrates that the buildings on the north side of Normanby Road begin to overshadow the southern footpath from some time before midday, and there is little material difference between the shadow cast by 20 and 30-storey buildings on the north side of a 30m wide street such as Buckhurst Street.
<b>Adjacent to proposed open space with solar access protection</b>	I have already explained my view that reducing the maximum heights duplicates the proposed shadow controls and potentially unnecessarily restricts development. In response to the proposition that reverting to the 'default' maximum height for that area could unreasonably raise expectations, I suggest that this should be dealt with via a finer-grain set of density controls, which will be what ultimately sets expectations of floor area.
<b>Gladstone Street</b>	I accept that heights on the north side of Gladstone Street do not need to be increased to achieve the proposed maximum FAR. My original evidence related to the exhibited FAR controls, which allowed for additional yield in the form of non-dwelling floor area. My recommendation continues to be relevant if the detailed modelling that I recommend be undertaken as part of the precinct plans results in increased densities.
<b>Southern periphery</b>	Ms Hodyl appears to partially accept my recommendation in relation to the southern periphery. I continue to be of the view that the mandatory nature of the proposed controls (either the current version or that which she now supports) is not warranted when assessed against Planning Practice Notes 59 and 60.
<b>Sandridge Core</b>	Ms Hodyl has not explained why the transition to lower surrounding precincts cannot occur within the non-core area, or how the lower heights proposed within the core relate to a uniform maximum FAR.
<b>Lorimer</b>	It is not clear what the rationale is for stepping building heights down towards the river, within the broader policy context of accommodating growth in this precinct.
<b>Wirraway non-core</b>	I do not accept that an 8-storey maximum height will create a materially different character to a 6-storey maximum height. Further, a maximum height of 6 storeys does not take account of the challenging geotechnical conditions. In any event, the latest version of the DDO mapping provided by the Minister appears to increase the height to 8 storeys.



**Mark Sheppard**  
Principal