
Request to be heard?: No - Copy of Directions and

Precinct: General

Full Name: Andrea Zohar SJB Planning Pty Ltd

Organisation: Herzog Group

Affected property: Various sites in South Melbourne Port Melbourne and Southbank

Attachment 1:

Attachment 2:

Attachment 3:

Comments: see attached



The Hon Richard Wynne MP
Minister for Planning
Level 16, 8 Nicholson Street
EAST MELBOURNE VIC 3002

Uploaded to: <https://engage.vic.gov.au/fishermans-bend-draft-framework>

Date: 15 December 2017

**Re: Amendment GC81 to the Melbourne and Port Phillip Planning Schemes
Proposed planning controls for Fishermans Bend**

Dear Minister

We act on behalf of the Herzog Group. Our client seeks to make a submission regarding the proposed Amendment GC81 (“Amendment”) to the Melbourne and Port Phillip Planning Schemes to introduce a new Framework Plan for Fishermans Bend and a suite of new planning controls.

Our client owns multiple large parcels of the land in the Fishermans Bend, as listed below.

- 55 Brady Street, South Melbourne (Sandridge Precinct) - Pleshette Pty Ltd
- 20 Woodruff Street & 203-211 Ingles Street, Port Melbourne (Sandridge Precinct) - Barraport Investments Pty Ltd
- 250 Ingles Street, Port Melbourne (Sandridge Precinct) - Seventh Relnor Pty Ltd
- 69 Fennell Street & 65 Fennell street & 5 Anderson Street, Port Melbourne (Sandridge Precinct) – Seventh Relnor Pty Ltd
- 380 City Road & Cecil Street, Southbank (Montague Precinct) - Barraport Investments Pty Ltd
- 13 – 19 Meaden Street, South Melbourne (Montague Precinct) - Topell Pty Ltd
- 85 Buckhurst Street & 75 – 77 Buckhurst Street, South Melbourne (Montague Precinct) - Barraport Investments Pty Ltd
- 323 Williamstown Road, Port Melbourne (Wirraway precinct) – Shelco Pty Ltd

Our client welcomes the efforts of the Department to finalise planning controls for the Fishermans Bend Urban Renewal Area which for years (since 2012 when it was re-zoned to Capital City Zone) has suffered from a lack of direction in planning controls creating uncertainty for property owners.

With that said, our client has reviewed the exhibited documentation associated with the Amendment and accordingly makes the following general submissions.

- The purpose of the Planning Scheme at Clause 1.02 (amongst others) seeks to *“provide a clear and consistent framework within which decisions about the use and development of land can be made”*. The proposed suite of controls and Framework Plan fail to satisfy this purpose.
- The proposed planning controls are overly complex and provide excessive duplication of controls/policy provisions.

- The Framework and planning controls would impose a strict, rigorous and largely mandated use and development framework. Given the transitional nature of this urban renewal area - one that is targeted to achieve increased population growth and higher density land use and development outcomes – this appears counterintuitive.
- The Floor Area Ratios (FAR's) are an overly complicated tool that are difficult to understand. A simplification of policy and controls is essential for the orderly use and development of the area.
- The cap on floor area ratio (FAR) will result in the inefficient use of land parcels, and is too reliant on developers requiring the use of a floor area uplift.
- The Amendment is underscored by a lack of funding and no commitment to new public transport / infrastructure. This has a dual negative effect of constraining the development potential of land holdings, and limiting market interest given the inherent uncertainty of future accessibility to and in the area.
- The parking rates/requirements in the Parking Overlay are too narrowly drawn, do not reflect existing conditions, are entirely dependent on the delivery of public transport infrastructure (for which there is no committed funding or timeframe) and do not provide decision-makers discretion to consider the previous factors.
- The Amendment does not include any transitional provisions.
- The Amendment retains the Minister for Planning as the responsible authority for determining most planning applications. In order to provide time and cost efficiencies in the planning process, and given the City of Port Phillip and City of Melbourne's role and involvement in producing the draft planning controls, these Councils should have limited referral powers in the future.
- Almost all our client's land holdings have been identified on high-level maps for a range of future public open space, laneways, road widening, or areas of future infrastructure. The process for requiring private land for public use is entirely silent on matters of compensation. The Amendment must include planning tools and timing for any acquisition and compensation.
- The maps identifying areas for new streets, laneways and public open space are high level and provide no guidance or certainty for land owners as to the extent of land to be acquired.
- Clarification as to what it means to be in an area of "investigation hub" for education and community, arts and cultural, or sport and recreation.

Our client also seeks to make the following site-specific observations:

Site address	Precinct	Site-specific Submission
55 Brady Street, South Melbourne	Sandridge	· Clarify the rationale why the southern tip of the site is marked for 12 storeys, while the balance is marked for 24 storeys.
20 Woodruff Street & 203-211 Ingles Street, Port Melbourne	Sandridge	· This entire site is identified for public open space. Refer to above general comments relating to acquisition and compensation.

Site address	Precinct	Site-specific Submission
250 Ingles Street, Port Melbourne	Sandridge	<ul style="list-style-type: none"> This site is marked within the Fennell Street road widening and new laneways through the site. Refer to above general comments relating to acquisition/compensation.
69 Fennell Street & 65 Fennell street & 5 Anderson Street, Port Melbourne	Sandridge	<ul style="list-style-type: none"> The Framework marks part of the site for a new bridge/road, while the CCZ1 marks a proposed 12m wide road extension from Boundary Road. Clarification is required as to how this parcel of land will be affected by future infrastructure works. Refer to above general comments relating to acquisition/compensation.
380 City Road & Cecil Street, Southbank	Montague	-
13 – 19 Meaden Street, Southbank	Montague	<ul style="list-style-type: none"> The site is not identified on the core/non-core plan in Schedule 1 of the Capital City Zone or Schedule 30 of the Design and Development Overlay.
85 Buckhurst Street & 75 – 77 Buckhurst Street, South Melbourne	Montague	<ul style="list-style-type: none"> Rationale for reduced building heights, i.e. current controls provide for 30 storeys, while the proposed controls provide for 12 storeys.
323 Williamstown Road, Port Melbourne	Wirraway	<ul style="list-style-type: none"> There is no urban design or strategic planning rationale for a mandatory maximum building height of four (4) storeys. A discretionary maximum building height of say four (4) storeys would be a more strategically sound outcome to “manage” this residential interface. Refer to General comments relating to laneway acquisition/compensation.

We reserve the right to raise further matters throughout the Advisory Committee process.

Should you have any questions regarding the above do not hesitate to contact the undersigned on 8648 3500.

Yours sincerely



Andrea Zohar
Associate
azohar@sjbplanning.com.au