

SongBowdenPlanning

FISHERMANS BEND PLANNING REVIEW PANEL

STATEMENT OF PLANNING EVIDENCE

DRAFT AMENDMENT GC81

Date of Inspection:	19 March 2018
Report Prepared for:	Mills Oakley on behalf of 4 land owners
Report Prepared by:	David Song
Date of Statement:	11 April 2018

1. Introduction

1.1 I have been requested by Mills Oakley, acting on behalf of four landowners within the Fishermans Bend Urban Renewal Area (FBURA)¹, to consider the town planning implications of Draft Amendment GC81 to the Port Phillip and Melbourne Planning Schemes. Draft Amendment GC81 seeks to introduce new planning controls for FBURA and implement the draft *Fishermans Bend Framework* (Framework).

1.2 The views expressed in my statement are my own opinions and are not provisional opinions. A summary of my qualifications and expertise to carry out this assessment is contained in Appendix 1 to this statement.

1.3 I have been instructed by Mills Oakley to:

- review Draft Amendment GC81 and relevant background documents;
- state my opinion on whether there is adequate strategic justification for proceeding with Draft Amendment GC81;
- provide my opinion about whether the proposed planning provisions give effect to *Vision for Fishermans Bend (Vision)* and the draft *Framework*; and
- provide my opinion on how Draft Amendment GC81 and the draft *Framework* have the potential to specifically impact upon the four sites I have been requested to consider.

1.4 In preparing this statement, I have:

- inspected the four sites, the surrounding land and the broader FBURA area²;
- reviewed existing provisions of the Port Phillip and Melbourne Planning Schemes;
- reviewed Draft Amendment GC81 and considered the background documentation that supported the amendment request.

1.5 This statement assumes that the Advisory Committee and the reader are generally familiar with Draft Amendment GC81 and the relevant background documents identified.

¹

a) 577 Plummer Street & 299 Bridge Street Port Melbourne, *Delta Group Pty Ltd*

b) 44-54 White Street, South Melbourne, *Kador Group Holdings Pty Ltd*

c) 277-281 Ingles Street Port Melbourne, *APN Property Group*

d) 400-430 City Road Southbank, *Wadhawan Holdings Pty Ltd*

² On 19 March 2018

2. Summary of opinions

- 2.1 My assessment of the Draft Amendment GC81 is that the controls and vision intended have been formulated on the basis that this important urban renewal area requires a well-considered planning framework in order to create a lively and sustainable new precinct. I support such action in-principle.
- 2.2 However, my critical analysis is that there are deficiencies in the drafting which in my view are inherent within planning controls where those controls have been sought to be introduced in an overly expeditious manner. Simply put, I believe the focus should be on achieving a quality planning outcome rather than hastily moving forward.
- 2.3 In summary, I consider that the Draft Amendment GC81 has significant planning shortcomings and failings for the following reasons:
- There is a very real prospect that the lack of certainty in respect to the delivery of infrastructure will compromise the aspirations of the well-intended *Vision* for the FBURA.
 - The population targets set out in the *Vision* are untested and to this extent it is unclear whether the proposed planning controls included in the Draft Amendment will deliver the density required for a major urban renewal precinct of State significance.
 - The rapid progression of the Draft Amendment and the proposed planning controls within it, which in my view are flawed, suggest to me that the Amendment is more focussed on timely delivery of these new controls than it is upon delivering a sound planning framework for this important precinct.
 - It undermines the confidence of investment in the FBURA when planning controls and the framework do not stand to proper scrutiny and this can lead to declining investment.
- 2.4 I will elaborate on these key planning considerations throughout this statement.

3. Planning history in Fishermans Bend

- 3.1 Relevant to my planning consideration of the Draft Amendment GC81, I have examined the planning history for Fishermans Bend in order to gain an understanding of how the precinct has evolved.
- 3.2 In 2012, towards the end of the previous State Government's term, the industrial precinct of Fishermans Bend was identified as an Urban Renewal Area and declared by the then Minister for Planning, as a project of State Significance under the *Planning and Environment Act 1987* (Act).
- 3.3 Despite the land being mostly privately owned, the largely industrial area of Fishermans Bend was rezoned to Capital City Zone (CCZ) via a Ministerial Amendment in the absence of any considerable strategic planning for the precinct³.
- 3.4 While the rezoning of Fishermans Bend to the CCZ was intended to facilitate the transition of the area to a genuine mixed-use precinct with a residential and commercial focus, what transpired was a large number of high rise and high density residential permit applications being sought by the private sector⁴.
- 3.5 The *Fishermans Bend Strategic Framework Plan*, July 2014 [the FBSFP] was launched on 28 July 2014 and approved via Amendment GC07 to the Port Phillip and Melbourne Planning Schemes on 7 August 2014.
- 3.6 In April 2015, the Victorian Government, recognising the need to better manage development and land use outcomes for the FBURA, introduced interim built form planning controls to Fishermans Bend via Planning Scheme Amendment GC29.
- 3.7 At that time, the Victorian Government also appointed an independent Ministerial Advisory Committee (MAC) to review the process thus far and advise the Minister for Planning on the future planning and consultation for FBURA. In October 2015, the MAC produced its first Report to the Minister. The Report included 40 recommendations to guide future planning of FBURA. From the 40 recommendations made by the MAC, 34 in full and six in part were adopted.
- 3.8 One of the first recommendations that the Minister acted upon was the establishment of the Fishermans Bend Taskforce (Taskforce). The Taskforce comprises members from the Department of Environment, Land, Water and Planning, City of Melbourne and City of Port

³ Fishermans Bend Advisory Committee, Report 1, October 2015

⁴ Page 21, Part A Submission of the Minister

Phillip, and Development Victoria and is tasked with ‘*developing a blueprint for Fishermans Bend that will transform it into a place for everyone*⁵’.

- 3.9 In November 2016, while permanent planning controls are being developed by the Taskforce, the Minister for Planning updated the interim planning controls. Amendment GC50 (later updated by GC59) amended the Melbourne and Port Phillip Planning Schemes, to maintain mandatory height controls introduced by Amendment GC29, and apply mandatory setbacks, podium heights and tower separation controls to the FBURA.

4. Vision and Framework for Fishermans Bend

- 4.1 Draft Amendment GC81, as identified by the Minister in his Part A submissions, has been prepared to implement a suite of permanent controls that give effect to the draft Framework and realise the Vision for Fishermans Bend.

- 4.2 The Minister for Planning proffers in his Part A submission that

The draft Framework represents a significant first step in changing the development trajectory and reorienting it towards the Vision, by further articulating the State policy intent for Fishermans Bend and guiding future development and investment decisions by developers, government and the community [pg.11].

- 4.3 The Draft Amendment seeks (as identified by the Minister for Planning – Part A submissions) to introduce the following key elements of the Framework to the Port Phillip and Melbourne Planning Schemes:

- An amended Schedule 1 and 4 to the Capital City Zone, which identifies the preferred land use and form including new floor area ratios and maximum height controls.
- Identifies, secures and delivers public infrastructure through the Capital City Zone.
- Updates built form controls at Schedule 30 to Clause 43.02 to align built form controls with the draft Framework.

⁵ Fishermansbend.vic.gov.au

5. Delivering on the Vision

5.1 Delivering on Density – Floor Area Ratio (FAR)

5.1.1 It is clear that what underpins the Framework and the Amendment is the desire of the Government to temper current development patterns in the FBURA to align with the Government's overall population target of 80,000 for the FBURA.

5.1.2 This has been advanced in the Minister's Part A submissions, which explains that:

The Amendment is necessary to reorient the trajectory of development in Fishermans Bend. On its current trajectory, development will simply not achieve the Vision for the area.

In particular, it will not achieve an inclusive and healthy community providing for a range of diversity of dwelling options for all types of households and affordable housing.

It will be a very high-density environment of repetitive residential towers with little diversity in building typology, nominal employment generating uses and little or no street activation due to high levels of podium car parking.

5.1.3 Under the Amendment, the FAR control mechanism has been identified as the preferred approach to realigning development patterns with the Government's vision and design objectives for the FBURA.

5.1.4 To achieve this 're-alignment' a tailored FAR (Floor Area Ratio) scheme is proposed, in that maximum FARs have been calculated to allow sufficient development yield to deliver the Government's population targets of 80,000 residents and 40,000 jobs, based on the noted assumptions identified in the Urban Design Strategy.

5.1.5 The Framework asserts that the FAR scheme provides for:

- certainty of future overall population growth and densities
- alignment between population growth and distribution and infrastructure provision
- land use mix, including employment opportunities
- diversity of housing types, including mid-rise apartment developments
- design flexibility with a range of design options possible on each site.

5.1.6 I am generally supportive of the concept of a FAR control insofar as it may be able to bring a flexible planning tool that can control the scale of development that is delivered on each site (or precinct) without the uniformity of building height and setback controls.

5.1.7 However, I have fundamental concerns in respect to the integrity and rigour of the FAR scheme as proposed under the Draft Amendment. My reasons for these concerns are outlined as follows:

1. There is limited justification for the Government's population targets

5.1.8 It is a re-occurring theme in the background material that the Government has set a predetermined population target for the FBURA. This is clearly acknowledged in the expert witness statement prepared by Hodyl + Co on behalf of DEWLP, which identifies:

79) The population targets were provided to Hodyl + Co by DELWP at the commencement of the Urban Design Strategy. The scope of the Urban Design Strategy was to put in place clear design and planning objectives and recommendations for appropriate planning mechanisms based on the need to accommodate within the Capital City Zone precincts a residential population of 80,000 by 2050 and an employment target of 40,000 by 2050.

80) This population target has therefore directly informed the approach to developing density controls for the precincts...

5.1.9 I understand from the Ministers Part B submissions that population targets originate from the draft Vision released in 2013, and its successive updates. I also acknowledge that these population estimates feature within Clauses 22.27 and 22.15 of the Melbourne and Port Phillip Planning Schemes. In my review of the 2013 draft Vision documentation I find very little detailed evidence as to how the population target of 80,000 was arrived at.

5.1.10 It therefore concerns me that the proposed FAR is seeking to achieve an outcome (in respect to population) without proper basis. In other words, if the 80,000 target is ill-conceived and unsupported by empirical evidence, then the controls which are based upon this target must also be highly questionable.

5.1.11 In responding to the criticisms of the population targets the Ministers Part B Submission proffers that:

20. A common refrain in submissions is that the claim that 80,000 is plainly too little because Melbourne is expected to accommodate 100,000 additional residents per annum until 2050; the claim is glib and misleading.....

... Bearing in mind the totality of development potential across Melbourne and Plan Melbourne's aspirational scenario in which the inner metro area delivers 15% of all new dwelling additions, a contribution [of the FBURA] of almost one fifth of the inner metro allocation represents a significant component of Melbourne's housing needs over the next 35 years....

5.1.12 I consider that the role of FBURA must be understood in the context of its designation as a project of State significant under s.201F of the Act. The FBURA presents an *unparalleled opportunity* for a major urban renewal on the doorstep of Melbourne's central City.

5.1.13 The FBURA is designated as one of several priority precincts in Plan Melbourne, and there is strategic imperative for the FBURA to accommodate significant growth and change, to the extent which has not been seen in this State before. It therefore concerns me that the proposed planning controls in Draft Amendment GC81 have the potential to be overly restrictive in a precinct where the Plan Melbourne expects it to do a great deal of the "heavy-lifting".

2. The population targets fail to account for the uncapped yield associated with the Floor Area Uplift (FAU) provisions.

5.1.14 The proposed FAU scheme allows a developer to exceed the otherwise mandatory floor area controls, in exchange for making a contribution of an agreed public benefit. However, the population targets fail to account for the uncapped yield. This is explored in further detail later at Section 5.3 of my evidence.

3. There remains uncertainty that maximum FAR's can be reached on sites where large portions of land are required to be set aside for roads and public parks.

5.1.15 I explain my reasons for this concern in respect to each of the four specific sites I have been asked to consider, see Appendix 2.

5.2 Delivering on Infrastructure

Public Sector Funding

5.2.1 The FBURA was conceived in the absence of any special financial or governance arrangements to drive the timely provision of infrastructure. There was a clear expectation of the government of the time that the private sector (through a Development Contributions Plan Overlay that was never fully realised) would fund and drive infrastructure delivery in the FBURA.

5.2.2 The MAC's first Report to the Minister identified that this 'hands off' approach to infrastructure delivery in the FBURA was unlikely to achieve good urban renewal outcomes and identified a need to provide a financial plan which considers all potential sources of funding.

5.2.3 This aligns with the infrastructure policy aims of the State Planning Policy Framework (Clause 19) which identifies that:

- *Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.*
- *Planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.*
- *Growth and redevelopment of settlements should be planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.*
- *Strategic planning should facilitate efficient use of existing infrastructure and human services.*
- *Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.*
- *Planning authorities are to consider the use of development contributions (levies) in the funding of infrastructure.*

5.2.4 The MAC's 2017 Report is explicit in its recommendations in this regard, that a well-conceived financial plan *'is one of the most important signals to the investment market that the Government is serious about the Vision and ambition for the Area'*⁶.

⁶ Page 10, MAC Report 2017

5.2.5 While the 2017 MAC Report suggests that the preparation of a funding plan is well advanced, I am not aware of any draft financial plan for the FBURA nor does there appear to be any timelines for plans to be released.

5.2.6 The infrastructure that will be required to realise the Vision for Fishermans Bend is enormous and cannot be understated.

5.2.7 Objective 1 of the Framework envisages that in a Fishermans Bend of 2051...

... people will be connected through integrated walking, cycling and public transport links that will make choosing sustainable transport options easy. Digital high-speed data networks will also enhance connectivity. Activity cores will be located near public transport, and include community services and public spaces to ensure that people can access their daily needs close to where they live and work. Less than one in five trips will be made by private car.

5.2.8 The Fishermans Bend of today, reflects the area's history as an industrial and commercial hub⁷. There are significant challenges in the provision of infrastructure to support the renewal of the precinct, including (but not limited to):

- The extensive private ownership of land within the FBURA (approximately 90%).
- The poor transport connections to the CBD and within the FBURA precincts.
- A substantial shortfall in existing public open space and community facilities.

5.2.9 The Framework acknowledges that:

Fishermans Bend is unique; unlike other urban renewal areas, the developable land is predominantly privately owned.

A partnership with the private sector must be established to obtain favourable outcomes for Fishermans Bend.

This draft Framework must balance certainty of delivery with flexibility enabling the private sector to innovate and respond to site or market conditions in ways that deliver the agreed vision.

5.2.10 The realisation of the Vision for Fishermans Bend and the Framework relies heavily on a successful partnership between the private sector and the Government to deliver quality infrastructure in a timely and co-ordinated manner.

⁷ Page 25, Report 2, MAC

5.2.11 In this setting, in the absence of any comprehensive funding plan for the FBURA that accounts for all funding streams, I consider that the Amendment fails to deliver an outcome where the FBURA is *planned in a manner that allows for the logical and efficient provision of infrastructure*.

Private Sector Delivery

5.2.12 I also have real concern that the model of infrastructure delivery and land acquisition proposed under the Draft Amendment will not deliver the infrastructure that is critical to achieving the Vision for Fishermans Bend, in a timely or co-ordinated manner.

5.2.13 Under the Draft Amendment, vital land for public infrastructure, including new road and pedestrian connections, new public transport routes and open space areas is to be acquired through mandatory controls in the CCZ.

5.2.14 The application of a Public Acquisition Overlay (PAO) is the accepted planning mechanism to acquire land and deliver identified infrastructure outcomes in Victoria. In my review of the Draft Amendment documentation prepared by the Minister, there is little justification provided as to why the accepted and tested model of applying the PAO would be ineffective or inappropriate in the FBURA.

5.2.15 Setting aside the very real issue of orderly planning and due compensation, in my opinion what is proposed under the Draft Amendment, unlike the PAO model, is an ad hoc, piecemeal approach to infrastructure delivery that relies heavily on the desire of individual land owners to redevelop land within the FBURA.

5.2.16 The Framework and the control within the Capital City Zone provides no little guidance and/or control on the timing of delivery of key infrastructure. The practical implications of this, is that key infrastructure projects such as, the road links, parks at the like, may never be realised in the event that a land owner decides not to redevelop.

5.2.17 I am also note that this model of land acquisition within the Schedule 1 and 4 to the CCZ places significant constraint on the existing established businesses with the FBURA. As drafted, Schedule 4 prohibits all development (where a permit is required) unless land is set aside for public purposes in accordance with Map 2 and 3. This is an unworkable and unreasonable imposition on existing business within FBURA.

5.2.18 I also note that adding to the level of uncertainty regarding the provision of infrastructure in the FBURA, is the confusing and unclear drafting of Schedule 1 and 4 to the Capital City Zone (CCZ).

5.2.19 The provision reads:

A permit must not be granted to construct a building or construct or carry out works where the provision for any new streets, laneways, or public open space generally in accordance with Map 2 and Map 3 is not provided.

5.2.20 As drafted, in my opinion the Schedules require the setting aside of the land for public purposes, without clearly or overtly requiring the identified infrastructure to be constructed by the land owner / developer. I acknowledge this interpretation contrasts with the views of the Minister in his Part B submission, where it has been implied that the developer will deliver the infrastructure through the imposition of permit conditions on development approvals⁸.

5.2.21 The Minister in his Part B submission, states:

[54] The Minister accepts that this approach is a new one but novel approaches will be necessary in the challenging setting of Fishermans Bend where planners are retrofitting infrastructure provision after land has already be rezoned.

5.2.22 Nevertheless, I find that the provision is unclear and requires further refinement in its drafting to provide clarity regarding the responsibility and obligations for the delivery of this infrastructure.

5.2.23 It is also apparent to me that the Maps 2 and 3 add further uncertainty to the application of control. On review of Maps 2 and 3, while the general location of roads and parks are depicted, there is a clear lack of detail. For example, the size of the parks, dimensions or even overall areas are not detailed. I am of the opinion that including a mandatory requirement in the control without fully disclosing the detail of what is in fact 'mandatory' is not proper or orderly planning.

5.2.24 I am also of the view that the Draft Amendment as proposed does not equitably share the costs associated with the provision of infrastructure in the FBURA. In my review of the Draft Amendment is that it is evident that some sites have significant obligations under the CCZ to provide roads and parks, while other land holdings have no such constraints.

5.2.25 The *Urban Design Strategy*, justifies the approach, noting that as the FAR is applied across a site's gross developable area, the acquisition of land for public open spaces and road links can occur with no loss of density.

5.2.26 The Ministers Part B submissions provides the following further clarification:

53 [c] Because all sites are equally subject to the FAR regime for their precinct, irrespective of their area, configuration, orientation or interface conditions, and hence share a uniform formula for development yield, equity between landowners is preserved, even where some sites provide some land for new streets, lanes or open space. This proposition is conveniently illustrated in the Urban Design Strategy.

5.2.27 In my opinion, this is a simplistic proposition, and an ambitious one at best. In my review of the Urban Design Strategy and the Part B submission of the Minister, this proposition fails to consider real world development scenarios, which include (but not limited to):

- The costs for delivery of public parks, road linkages and community infrastructure, noting that the Minister's Part B submission and supplementary submission (28 March 2018) affirm the position that landowners / developers are responsible for delivery.
- Loss of design flexibility in the design response. The rigid requirements of CCZ road connections, public open space and the like predetermines development outcomes, such as built form location, height, setbacks and the like. In my opinion there is no evidence presented by Hodyl + Co to suggest this predetermined design response, achieves an improved urban design outcome. In my opinion a more flexible framework, may allow for greater urban design outcomes and ultimately, yield.
- Additional development costs associated with increased building height necessitated to achieve maximum FAR outcomes.
- The Urban Design Strategy fails to thoroughly address how character, urban design and amenity outcomes will be balanced and assessed in cases where achieving the maximum FAR would result in a built form far beyond the preferred discretionary height controls.

5.2.28 While there is no question that additional infrastructure is required to realise the Vision for FBURA, it is a reasonable expectation that all landowners/developers equitably share the costs of vital infrastructure. In summary, I find that the proposed Draft Amendment GC81 raises more questions than it does provide answers in respect to the delivery of timely infrastructure.

⁸ Paragraph 11 [e], Minister for Planning, Part B submissions

5.3 The uncertainty of the Floor Area Uplift (FAU) scheme

5.3.1 With respect to the FAU scheme, the Framework explains that the proposed FAU scheme allows a developer to exceed the otherwise mandatory FAR controls, in exchange for making a contribution of an agreed public benefit.

5.3.2 The Framework explains that the FAU scheme will create additional opportunities to realise the Vision.

5.3.3 I am of the opinion that there are several shortfalls for the FAU scheme as proposed.

5.3.4 My views on this generally align with that of Mr Milner in his evidence for the City of Melbourne, in that, the FAU scheme creates an uncertainty regarding population growth in the FBURA and consequently, erodes the planning and provision for infrastructure. The developer uptake of the FAU scheme is, as acknowledged by the Minister of Planning, an unknown, and the increases in population as a consequence of FAU is also unknown.

5.3.5 The Minister of Planning, in his Part B submission states that this level of uncertainty is acceptable, given that:

a) First, some of the additional infrastructure required to support a population larger than 80,000 is likely to be provided in order to obtain the uplifts to provide that population...

b) Second, any increases in the population beyond 80,000 will not occur overnight. Use of the FAU scheme will be monitored throughout the life of Fishermans Bend. This will enable the appropriate body to take steps to address any emerging shortfall in infrastructure before it becomes critical.

5.3.6 While I acknowledged that a FAU scheme could deliver community benefits, in the context of an *unparalleled* urban renewable project, where the realisation of the Vision is (amongst other things) tied to the timely delivery of infrastructure, the level of uncertainty introduced by the FAU scheme is alarming.

5.3.7 I also have real concerns that the FAU scheme has potential to undermine the realisation of the urban design and liveability objectives of the Vision. The Framework advocates that regardless of any FAU sought, all development will still be required to meet character and amenity objectives of the Framework. In my opinion the FAU scheme is likely to significantly test the discretionary elements of the built form controls under the Amendment.

5.3.8 For the reasons identified above, I am of the opinion the Draft Amendment leaves too many unanswered questions with respect to the delivery and timing of infrastructure. The FAU scheme only compounds land owner/developer uncertainty.

5.4 Delivering on Public Space

5.4.1 One of the clear directions of the Vision is the provision of public parks within 200m walking distance for all residents. While I clearly see merit in residents being provided with public space for outdoor recreation purposes I also have reservations about the justification behind a 200m walking distance.

5.4.2 I understand from reviewing the Fishermans Bend Public Space Strategy 2017 prepared by Planisphere (Public Space Strategy 2017), that the primary drivers for the public open space acquisition (as shown in Map 3 to the Schedule 1 and 4 to the Capital City Zone) is a desire to ensure:

- The quantum of open space meets the needs for the future population of the FBURA.
- Provides all residents and workers open space within 200m walking distance.

5.4.3 While I acknowledge the analysis undertaken within the Public Space Strategy 2017 regarding the quantum of public open space needed in the FBURA, it is unclear to me how the 200m walking distance benchmark has been arrived at and tested.

5.4.4 Applying a 200m walking distance does not appear to take into account road infrastructure and other barriers which may impede access to the park. Accumulatively the 200m walking distance coupled with the 'safe walking distance' requirement suggested by Ms Thompson in her evidence may, in reality, mean that for some sites parks will actually have to be much closer than 200m away.

5.4.5 In my view, being able to walk for 5 minutes and a distance of approximately 400m, to find a park would be an entirely acceptable outcome having regard to the living standards of residents in the FBURA.

5.5 Delivering a Land Use Mix

5.5.1 One of the clear objectives of the Vision and the Framework is to drive job growth in the FBURA and I generally accept that there should be policy aimed at encouraging the market to deliver commercial floor space in the FBURA.

5.5.2 However, I am concerned that the well-intended proposed policy which seeks to promote employment generating floor space may be too burdensome in situations where there are questions regarding the delivery of infrastructure. That is, if the infrastructure has not been delivered the potential is that commercial investment will not occur, resulting in situations where core sites have empty/vacant floor space.

6. Conclusion

6.1 Although there is no doubt in my mind that the FBURA requires a well-considered and sound planning framework, I have serious doubts regarding the content of the Draft Amendment which I have outlined herein.

6.2 Appendix 2 to my evidence provides my analysis of the impacts that Draft Amendment GC81 has upon the four sites that I have been asked to specifically consider.

David Song
Director

SongBowden Planning Pty Ltd

Appendix 1

EXPERT EVIDENCE SUMMARY OF EXPERIENCE FOR DAVID SONG

NAME AND ADDRESS

David Song is a Director of SongBowden Planning Pty Ltd and practices from Level 2, 700 High Street, Kew East, Victoria.

QUALIFICATIONS AND EXPERTISE

Professional Qualifications:

- Bachelor of Arts (Urban Studies), Victoria University of Technology, 1996.

Professional Experience:

- Director, SongBowden Planning Pty Ltd 2011 – present.
- Director, Aspect Town Planners Pty Ltd 2004 – 2011.
- Engaged as a town planner for 20 years, including 4 years in local government and 16 years in consulting.

AREAS OF EXPERTISE

- Advice and assessment of land use and development proposals throughout Victoria for planning authorities, government agencies, corporations and developers (including for medium density housing projects).
- Preparation of evidence for other VCAT and Panel Hearings, including in relation to medium density housing projects in the Melbourne metropolitan area.
- Review of residential development guidelines for various planning authorities and local government agencies.
- Strategic planning (including preparation and project management of strategic plans for commercial, residential and industrial areas in metropolitan Melbourne).
- Statutory planning (including facilitating the development approvals' process on behalf of permit applicants and preparation of planning scheme amendments).

EXPERTISE TO PREPARE THIS REPORT

My training and experience, including my involvement with many other medium density housing developments in the Melbourne metropolitan area, qualifies me to comment on the town planning issues associated with the proposal.

INSTRUCTIONS WHICH DEFINED THE SCOPE OF THIS REPORT

I received instructions from Mills Oakley to consider and comment on the town planning issues associated the Draft Amendment GC81.

FACTS MATTERS, AND ASSUMPTIONS RELIED UPON

- Inspected the subject land and surrounds on several occasions.
- Reviewed the Draft Amendment GC81 material.

IDENTITY OF PERSONS UNDERTAKING THE WORK

I prepared this report with the assistance of Morgan Livingstone in my office.

SUMMARY OF OPINIONS

In summary, I consider that:

- There is a very real prospect that the lack of certainty in respect to the delivery of infrastructure will compromise the aspirations of the well-intended *Vision* for the FBURA.
- The population targets set out in the *Vision* are untested and to this extent it is unclear whether the proposed planning controls included in the Draft Amendment will deliver the density required for major urban renewal precinct of State significance.
- The rapid progression of the Draft Amendment and the proposed planning controls within it, which in my view are flawed, suggest to me that the Amendment is more focussed on timely delivery of these new controls than it is upon delivering a sound planning framework for this important precinct.
- It undermines the confidence of investment in the FBURA when planning controls and the framework do not stand to proper scrutiny and this can lead to declining investment.

I have made all the inquiries that I believe are desirable and appropriate and that no matters of significance, which I regard as relevant, have to my knowledge been withheld from the Review Panel.

David Song
Director

SongBowden Planning Pty Ltd