
Request to be heard?: Yes

Precinct: Lorimer

Full Name: Thanh Nguyen

Organisation: South Wharf Towers Pty Ltd

Affected property: 85-93 Lorimer Street, Docklands

Attachment 1: Fishermans_Bend

Attachment 2:

Attachment 3:

Comments: See attached submission letter.

15 December 2017

Planning Panels Victoria
1 Spring Street
MELBOURNE VIC 3000

Dear Sir/Madam

85-93 Lorimer Street, Docklands

We act on behalf of South Wharf Towers Pty Ltd in relation to the above site (“the subject site”). We are writing to request that the Planning Review Panel (“the Panel”) consider how the draft Fishermans Bend Framework (“the Draft Framework”) will affect the ability to carry out the development approved by Planning Permit MPA14/0006 (“the permit”).

1. Permit and application history

The permit was issued by the Minister for Planning on 14 July 2015, allowing for the construction of two towers above a shared podium.

The development approved by the permit was designed around the Fishermans Bend Strategic Framework Plan which was released in July 2014 (“the 2014 Framework”). Notable aspects of the 2014 Framework that affected the development and design included:

- Provision of a public park across the northwestern portion of the site. This results in 2,100 sqm of land being vested in the City of Melbourne pursuant to Condition 7.B.(a) of the permit.
- Construction of a 17.5m-wide carriageway along the eastern site boundary and the vestment of this land in the City of Melbourne (Conditions 7.A.(a) and 7.A.(b))
- Construction of a 6m-wide carriageway along the southern boundary of the site “for half of the new shared street for bicycles and pedestrians” and vestment of that land in the City of Melbourne (Conditions 7.A.(c) and 7.A.(d)).

2. Relevant changes in the Draft Framework

Of relevance to the subject site, the key changes proposed are to the interfaces to the subject site due to a revised transport network plan. These are outlined in the table below and graphically in the images below.

ITEM DESCRIPTION	2014	2017
Southern boundary	New Shared Street 12m (cycle and pedestrian priority, no vehicular connections to Lorimer Street).	New indicative laneway
Hartley Street	Existing street (no change identified)	Proposed tram route.
Western interface to the new park	Potential laneway	No access way
Eastern boundary	Potential Tram/Bus Bridge	Proposed road

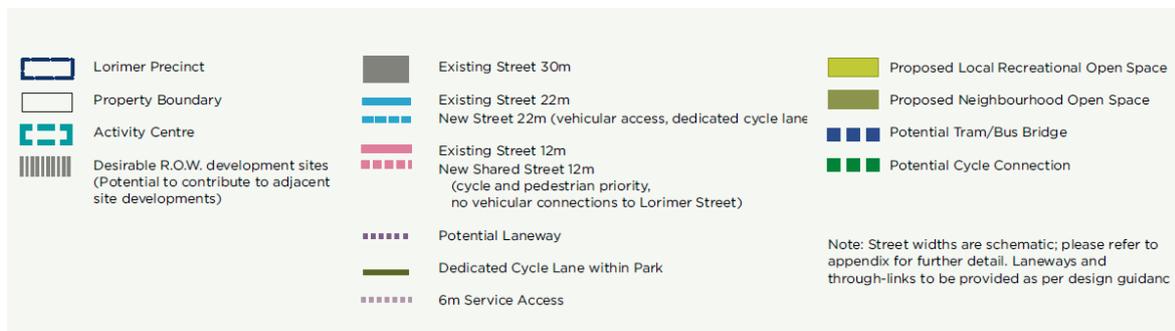


Figure 1 - The 2014 Framework

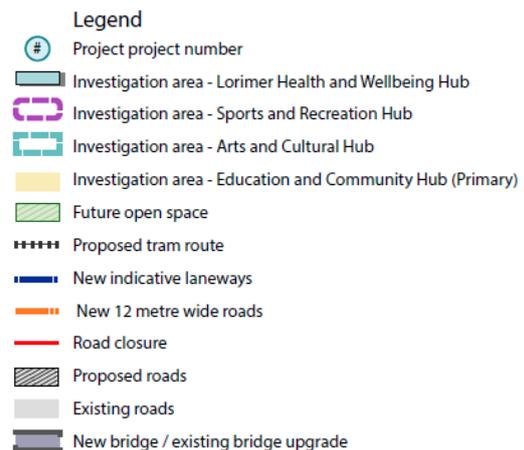
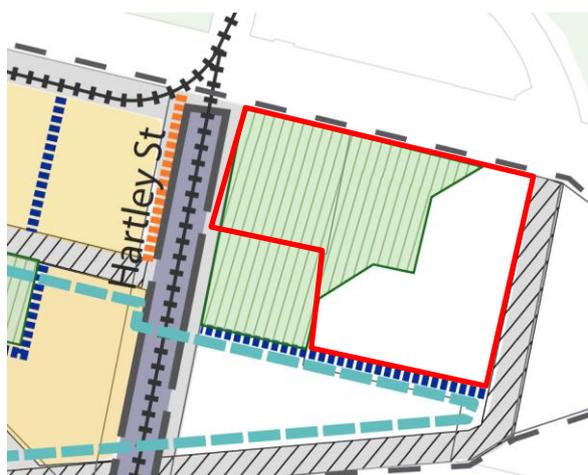


Figure 2 - The Draft Framework

The draft framework at page 18 records that there is a permit on the subject land. However, the draft framework does not provide any guidance as to how existing permits will be affected by changes to the framework. We would like to advise however, that we have connected with the Fishermans Bend Taskforce ('FBTF') who have now confirmed for us that in relation to assessing and approving the landscape concept plan referenced in Condition 1 (m) of the permit, they do not need to be involved and are agreeable to the City of Melbourne making the necessary assessment and approval of the landscape design required to satisfy the relevant planning permit conditions.

3. Submission

We kindly request that the FBTF and Planning Review Panel:

Note that the site has an existing permit and consider how the Draft Framework will affect our ability to act on the existing permit.

Give guidance in relation to what weight the Responsible Authority should be giving to the Draft Framework when there is an existing permit condition requirement that is inconsistent with the framework, or where the Draft Framework makes an existing condition nonsensical.

Our concern is that the Draft Framework could cause permit holders such as ourselves to be waiting for a long period to discharge permit conditions whilst a decision is made. This is a particular concern where permits are due to expire in the near future and the permit holder is prevented from commencing construction and discharging conditions due to the uncertainty created.

We are seeking for the panel to provide guidance on what must be done where existing permit conditions are irrelevant or inconsistent with the framework.

Yours faithfully



Thanh Nguyen

Project Manager

Gowdie Management Group Pty Ltd