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**Request to be heard?:** Yes

**Precinct:** Lorimer

**Full Name:** Anthony Msonda-Johnson (Senior Associate at Roberts Day)

**Organisation:** Claric 178 Pty Ltd

**Affected property:**

**Attachment 1:** Submission\_to\_Fi

**Attachment 2:**

**Attachment 3:**

**Comments:** Refer to attachment.

Attention: Chairperson of the Fishermans Bend Planning Review Panel

**RE: 95-97 LORIMER STREET, DOCKLANDS  
SUBMISSION TO THE FISHERMANS BEND FRAMEWORK – DRAFT 2017**

Roberts Day act on behalf of Claric 178 Pty Ltd, the landowner of 95-97 Lorimer Street, Docklands, and have been instructed to lodge a submission in respect to the Fishermans Bend Framework – Draft 2017.

The land at 95-97 Lorimer Street is approximately 2,200 square metres in size and is used for warehousing / light industrial purposes, with associated at grade car parking and no notable on-site vegetation. Our client presently leases the site to a third party.

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Our client has participated in various government initiated public consultation processes regarding the Fishermans Bend Urban Renewal Area, with submissions lodged with Places Victoria in 2013 regarding the draft Vision for the Fishermans Bend Renewal Area and to Melbourne Council's proposed Lorimer Structure Plan in 2015.

According to past, present and the draft versions of the Framework Plan for Fishermans Bend, the land at 95-97 Lorimer Street is identified as future open space for the community within Fishermans Bend. Our client has had and continues to have concerns that the Fishermans Bend Framework Plan does not set out any process or timeframes for landowners who are to have their land acquired as a result of the designation of their land for open space within the Fishermans Bend Framework Plan.

As a result of the creation of the Fishermans Bend Urban Renewal Area, the land at 95-97 Lorimer Street was rezoned from Business 3 Zone to Capital City Zone – Schedule 4 (CCZ4). Our client has advised that following the change to the site's zoning, their Council Rates and Land Tax has increased due to the intended development opportunity associated with the purpose and intent of the CCZ4. However, as stated above, the Fishermans Bend Framework Plan nominates open space for the site, thereby prohibiting a built form outcome to be approved on the site.

Furthermore, as a result of the open space designation for the site, our client is unable to provide any certainty to their tenant in respect to the ongoing use and occupation of the site for industrial purposes. This is because the Fishermans Bend Framework Plan does not provide any clarity in respect to the process and timing for government to acquire the site from our client. This in turn is creating financial hardship for our client having regard to their inability to secure long term leases for the site whilst also incurring higher Council Rates and Land Tax reflective of the intended development outcome for land zoned CCZ4, which the Framework Plan would intend can never be realised on the site.

In light of the above, our client believes any updated version of the current Fishermans Bend Framework Plan should, as a minimum, include a clear process and timing for the acquisition of land that is designated as future open space within Fishermans Bend. Any updates proposed to the Fishermans Bend Framework Plan should not be limited to guiding land use and built form outcomes on unencumbered sites within Fishermans Bend. The Framework Plan must provide guidance for encumbered sites also, so those landowners who will have their sites acquired in the future can make informed commercial decisions, similar to those landowners who have unencumbered properties and benefit from future land use and development opportunities.

We thank you for the opportunity to make a submission to the Fishermans Bend Framework – Draft 2017. Should you have any queries, please contact the undersigned on 96.

Yours sincerely,  
ROBERTS DAY PTY LTD

A handwritten signature in black ink, appearing to read 'Anthony Msonda-Johnson', with a long horizontal flourish extending to the right.

Anthony Msonda-Johnson  
Senior Associate