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**Proposed Amendment GC81 to the
Port Phillip Planning Scheme
Fishermans Bend**

**Stage 2 – Sandridge Precinct Closing Submission on behalf of
the City of Port Phillip**



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Introduction

Overview

1. These closing submissions only address matters that are specific to Sandridge. Matters that apply more broadly across the various precincts and the main contentions made by landowners will be dealt with in the City of Port Phillip overall closing submissions.
2. So far as Sandridge is concerned, Council's Sandridge Urban Design Report (**Sandridge Report**) is a comprehensive document that builds on the Council's endorsed submission of 13 December 2017. The Sandridge Report critically assesses Amendment GC81 against the Vision and further develops the ideas within the Framework. It is a refinement of work that the Taskforce has done. It represents work completed over the last 6 months by highly experienced urban designers, place makers and strategic planners.
3. All the matters contained within the Sandridge Report were carefully crafted having regard to the Terms of Reference and to assist the Review Panel in completing its brief. For this reason, Council implores the Review Panel to be mindful of the Sandridge Report in relation to all aspects relating to properties in Sandridge that have been raised. In some instances, the Sandridge Report has no implication on a property. In other cases, it has a material implication, such as for example, the Delta properties at the intersection of Plummer and Bridge Streets and the Toyota site.
4. We respectfully submit that while many parties have an understandably narrow interest in the outcomes, apart from the Taskforce, Council is the only other submitter which has weighed all the various considerations and what they mean to the creation of the Sandridge Precinct within the broader Fishermans Bend as a whole.
5. The Sandridge Report does what no other party has done in the totality of this hearing, and that is, to set out clearly both diagrammatically and in text form, the changes that are sought to Amendment GC81. It (along with the other detailed reports Council has prepared) has the capacity to significantly advance the timing and progression of the planning for Fishermans Bend.
6. The Sandridge Report contains 10 key recommendations which are set out and explained in detail throughout the report but also summarised at pages 66 – 69. Those 10 key recommendations provide very clear direction on what Council submits should and needs to be done to achieve the Vision. The key recommendations are also illustrated in the body of the report where the recommendation requires a map or plan change.

7. It is important to note that although Mr Sheppard did provide a response to Council's Overarching Urban Design Report in his Addendum dated 10 April 2018, neither he nor any of the other experts have provided a response to the Sandridge Urban Design Report.
8. Notwithstanding, many of the recommendations contained in the Sandridge Report flow from the Overall Urban Design Report which was tendered as part of the Council's Stage 2 submission.
9. In that respect we note that Mr Sheppard agrees with Council's Recommendation 8, which is to include a plan in the controls showing the proposed Sandridge Urban Structure. Council is the only submitter that has provided such a plan. As proposed by Council, it overlays and draws out the key interactions between:
 - Core areas with a more refined Core Retail Area within it;
 - Primary and Secondary Frontages;
 - the proposed open space network;
 - proposed key boulevards, streets, laneways and bridges;
 - proposed public transport infrastructure including alignments for the future metro (including its station in Sandridge) and tram line;
 - the Art and Cultural Hub;
 - the Education and Community Hub;
 - the Sports and Recreation hub; and
 - the Health and Wellbeing Hub.
10. The Urban Structure Plan as proposed by the Sandridge Report at page 55 (Figure 43) provides a better (indeed we would say the only) fulsome visual representation of the collection of initiatives set out in the Framework, albeit with changes encompassing the Council's submissions.
11. Further, Council notes that Mr Sheppard agreed (under cross-examination) with the Council's promotion of mid-rise neighbourhoods to the west of the Sandridge Core, (Sub-precincts S2 and S1) and with Council's definition of mid-rise as between 5 – 12 storeys, but with a few examples which rise to 15 storeys.

12. Noting this, Council submits that this necessitates a change to those sub precinct S2 and S1 discretionary building heights to 12 storeys as illustrated at figure 55 on page 65. Otherwise the policy intent and the planning controls do not match.
13. For the areas where taller buildings are desired such as in the Sandridge Core, Mr Sheppard agreed slender and well-spaced towers are preferable to squat slab like buildings. Council submits that to achieve this, maximum tower dimensions, particularly in relation to the width of towers (as per Council's Overarching Urban Design Report), are required.
14. Lastly, Mr Sheppard also agreed with the need to provide additional local streets in the three very large blocks between Fennell Street and Woodruff Street and the reorientation of laneways to generally run perpendicular to Fennell Street to maximise solar orientation and to create more versatile city blocks. In the case of the laneways, Mr Sheppard also agreed that it was sensible to show the indicative locations of these laneways in the controls, subject to their refinement as part of the development of Precinct Plans.
15. Given the above, it is worth noting that Mr Sheppard appeared not on behalf of Council, but instead on behalf of many of the developers within the Precinct.

Response to issues

Parks

16. Mr Sheppard supports the consolidation of smaller, elongated parks into larger parks in Sandridge. Council has undertaken that consolidation at the intersection of Plummer Street and Bridge Street to create a new Civic Square and in respect of the creation of the Sandridge North Park. Ms Thompson supported the intent behind these recommendations also, albeit in slightly different locations. However, Ms Thompson also agreed under cross examination that her placement of parks only considered public open space planning considerations and not other considerations.
17. Council submits that its proposals for these two parks has considered the imperative for open space but in an integrated manner having regard to the broader suite of place making and urban design considerations. Council's other considerations in making its open space recommendations included, but were not limited to: creating terminating vistas and anchoring key streets with civic markers, co-locating open space with community infrastructure and preserving key city blocks for development to facilitate an intensity of activity in the key locations around the future Metro Station.

Community Hubs

18. Council has identified specific locations for the various hubs, including the Health and Well-being Hub, which Council suggests should be relocated from Wirraway to Sandridge, in

preference to broad investigation areas. The idea of identifying specific sites is consistent with the other significant issue, namely the funding of these facilities via a DCP. Identifying a specific site (which occurs in virtually all other structure planning in Victoria) also provides far greater certainty to the community, developers and government. Most importantly, it ensures that these facilities will be in the best possible locations rather than ad hoc locations depending on who might put their hand up to seek an FAU. Ms Heggen and Mr Rogers both agreed this was a better approach than identifying investigation areas.

19. The Art and Cultural Hub proposed by Council at the intersection of Plummer Street and Bridge Street is a key initiative which would achieve multiple objectives with one move. It obviates the need for multiple land acquisitions. It also provides a hub directly adjacent to open space, and it creates an important landmark vista down the realigned Plummer Street. We expect it will also be the location of an important tram stop in due course.

20. We respectfully submit that the Review Panel should not have any sense of sympathy with the submissions of Delta. While we acknowledge their concerns, if it is (as it must be) accepted that this State-declared Strategic Redevelopment Area will be transformed both in terms of land use and built form, then it simply must be case that a demolition transfer station and mechanical repair shop for 150 tonne vehicles is not on any view consistent with the Vision for this important location. It is also submitted that the Council's proposal for the Delta site also results in a better outcome for this landowner. That is, the acquisition of the whole of the Plummer Street site and the retention of development opportunities for the southern Bridge Street site.

21. As for the other area to the north, Council's proposed location for the Sandridge North Park on Toyota's land would locate the Health and Wellbeing Hub adjacent to the park within a mixed-use building on the Goodman land. This fulfils many orderly planning principles involving the co-location of civic uses.

22. In turn, it would create an important northern anchor to the Sandridge Activity Centre in the longer term, connected by a green spine along Bertie Street to the cluster of hubs adjacent to the proposed expansion of North Port Oval. There is an undeniable order and logic in this sort of planning which will further entrench this key landmark at the southern end. That is what place making is all about.

23. Council submits that this approach will provide a clear physical framework upon which Fennell Street and Bertie Street can develop over time, noting that the Metro Station at the junction of these key streets will, in the longer term, complete the urban structure of Sandridge.

Building heights and Core / Non-Core designations

- 24. Council has proposed a slightly different regime of maximum discretionary building heights. Some heights are taller, while other areas are lower.
- 25. As noted earlier, the rationale for the changes is set out in the Sandridge Report but in short, it consolidates the tallest forms in the ‘retail core’ area and provides for a transition to the west towards Wirraway, where an urban outcome which is different to the central area is explicitly called for in the Vision. Furthermore, the changes to the building heights (not the FAR) responds directly to that part of the Vision which calls for a scale of buildings outside the commercial centre which are lower and transition to low scale developments adjacent to Port Melbourne and Garden City. (see page 23 Framework)
- 26. Further to the north, Council’s proposed reorganisation of heights and Core / Non-Core designations in the northern part of the Sandridge seek to ensure that taller buildings are reorientated towards the centre of Sandridge rather than the West Gate Freeway, and that campus style large format uses suitable for office, tertiary education and health related uses can establish in locations that are still close to public transport without disrupting the intensity of activity and fine-grain outcomes sought for the blocks immediately surrounding the future Metro Station. Importantly, the changes ensure that the FAR can still be met on the Toyota land if the Sandridge North Park is relocated to their land.
- 27. Finally, on the issue of building heights generally, we also urge the Review Panel to recall and further consider the analysis of the skyline assessment that the Overarching Urban Design Report refers to.

Identification of core retail area

- 28. The Sandridge Report identifies a core area for retail with an accompanying rearrangement of primary active frontages along Fennell Street and Bertie Street. We have elsewhere commented on the need for a planning tool such as the DPO to ensure that large format uses can be accommodated at ground level within these areas. We repeat the need for such a planning tool.

Urban structure

- 29. Council submits that the cumulative effect of its proposed parks, community hubs, heights, along with the clustering of retail and commercial activity, provide some of the ‘meat’ to fit the ‘bones’ of the urban structure that is required for Sandridge to reach the potential outlined for it within the Vision.

Mark Sheppard

38. As outlined in the introduction to this submission, Mr Sheppard was in broad agreement with most of Council's propositions in relation to Sandridge.
39. Further, Council also notes that Mr Sheppard did not take issue with the planning tools proposed as they relate to the use of FARs in conjunction with height, setback and overshadowing controls. Instead, Mr Sheppard suggested that refinements *may* be required to appropriately 'tune' those settings (particularly the FAR) to ensure that the development opportunity is 'optimised'. He was critical that the FAR in the non-core part of Sandridge was too low. His expert evidence is in stark contrast to the landowners he represents which have suggested that Amendment GC81 should not proceed at all.

Stuart McGurn

40. Mr McGurn's evidence was very brief in so far as it related to planning issues. His evidence was clearly not informed by any proper or reasonable analysis of the vitally important contextual aspirations for Fishermans Bend as expressed in the Vision and the sub-precinct statements found in the MSS (we say the same about Mr Roger's evidence for Toyota). In that context, his (indeed their) evidence was too focussed on the sites they represented, rather than assisting the Panel by providing a contextualised planning analysis.
41. Given Council's well ventilated concern on the likely (as opposed to the planned) population, the concerns expressed by landowners in relation to FAR and population are totally unfounded, especially when one considers the significant potential for FAU in Sandridge.
42. Given that the rest of Mr McGurn's evidence related to urban design (noting that he is not an expert in this field), and that evidence was proven under cross-examination by Ms Brennan to be inaccurate, Council considers that it should be afforded little, if any weight.

David Song

43. Mr Song's assessment in relation to the Delta site agreed that the realignment of Plummer and Fennell Streets was a necessary outcome (as did Mr Walsh in his traffic evidence for the site).
44. Once that position is accepted, then it remains to try and minimise the impact on Delta as an impact cannot be avoided completely. But the minimisation of the impact on Delta should not be in deference to its existing use which is not consistent with the long-term Vision for the precinct. The objective should be to minimise the impact on Delta's property rights not their use rights.

45. For the Plummer Street site, it makes sense to acquire the entire site given that parts of the existing buildings must be acquired for the tram and road realignment. The mechanism to be used is a matter for general submissions, though we agree that either a PAO or the declaration method is appropriate in this case. The Framework identifies the realignment and road widening as a “medium-term” action.
46. We submit that the acquisition of this whole site by the State Government will also go a long way to addressing the concerns raised in submissions by Mr Morris QC noting that this would result in Delta being compensated for the need to relocate its business activities from this location.

Brendan Rogers

47. Mr Rogers gave evidence on behalf of Toyota.
48. Toyota is a valuable large-scale business which uses its land for commercial office and headquarter-type operations. Its future use is directly consistent with the aims for Sandridge.
49. However, the form of development in this location is expected to change over the longer-term time frame. Mr Roger’s concerns were not realistic and were almost scaremongering. No one is going to knock on Toyota’s door and say “it’s time to move on” or “let’s carve out a local road through your building”. That will only occur when there is a very large redevelopment of the Toyota site. We envisage that this is a long-term prospect.
50. We also remind the Panel that in relation to the use of the DPO over Toyota’s land, Mr Rogers ultimately accepted that it may well be advantageous to use a DPO to provide some flexibility to this large site.
51. Council submits that the Toyota site presents long term opportunities.
52. Coupled with provisions that enable reasonable modifications to land to facilitate existing use of land, which is the proper response to Mr Roger’s otherwise unfounded concerns, we do not anticipate that Toyota will ever be required to halt its operations and that any actions suggested by Council’s recommendations in the Sandridge Report can be considered as part of a large redevelopment of the Toyota site.
53. The proposed changes will only need to be brought about once Toyota decides to make a more transformational change in relation to its land. Certainly, and for the avoidance of any doubt, Council does not consider that this site ought to be compulsorily acquired (in contrast with the more immediate need on the Delta site).

Ms Dunstan

54. In relation to the matters raised by Ms Dunstan, it is submitted that her evidence in respect of the Toyota site related to an easily resolvable matter, namely that the location of the new road on its land (the northern most road) should be attended with a level of flexibility. During the course of our questioning of Ms Dunstan we suggested and she agreed that an alternative course would be to identify the location of certain of the proposed new roads as indicative with the final location to be determined further along the process. The same might be said in relation to the three new roads in the larger blocks north, north-east and north - west of the North Port Oval. These are easy matters to address through the drafting of the provisions.
55. That concludes Council's closing remarks for Sandridge.

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