

10 April 2018

Amendment GC81—Fishermans Bend

ADDENDUM TO EXPERT URBAN DESIGN EVIDENCE OF MARK SHEPPARD

- [1] I have previously provided five statements of expert evidence in relation to this Amendment (all dated March 2018)—one statement in relation to overarching matters, and separate statements commenting on the urban design provisions for each of the four precincts—to inform its review by the Planning Panel.
- [2] Since drafting my statements of evidence, I have had the opportunity to review further material that has been circulated by the parties, including:
- Supplementary submissions circulated by the Minister on 28 March 2018
 - Stage 2 submissions circulated by the City of Port Phillip on 9 April 2018
- [3] This Addendum provides my comments on the above material.
- [4] I do not propose to comment on all of this material, but I make comments below where changes are proposed or where the information provided is relevant to my opinion about urban design matters.

Revised CCZ schedule—operation of FAR controls

- [5] The revised CCZ makes a fundamental change to the way that the FAR controls are proposed to work. Whereas the minimum non-dwelling floor area in core areas was previously able to be provided in addition to the maximum FAR, it is now required to be provided within the maximum FAR. This will reduce the growth that can be accommodated at Fishermans Bend. As noted in my overarching evidence, I do not consider that sufficient work has been done to determine whether the proposed densities limits are optimal.
- [6] The change also removes the incentive to provide additional employment floor area. I am not qualified to comment on whether this is appropriate or not.
- [7] I note that the analysis of individual sites contained in the appendices to my precinct evidence is based on provision of the maximum FAR *plus* the minimum non-dwelling FAR, in accordance with the exhibited controls. Whereas I concluded that a number of the sites assessed would be unable to accommodate this combined floor area within the proposed built form controls, at least one of these sites would be able to accommodate the revised maximum FAR (351-387 Ingles Street, and probably 870 Lorimer Street). The four other sites I have assessed as not being able to achieve the maximum FAR would still not be able to under the revised controls.
- [8] Similarly, whereas I concluded that there is capacity on some of the sites to provide considerably more than the maximum FAR within the proposed built form controls, indicating that the FAR control unnecessarily limits the housing and jobs that can be provided within the area, this will be even more so under the revised FAR control.

Revised CCZ schedule—varied FARs

- [9] The revised CCZ schedule includes varied maximum FARs, including:
- A reduction of the FAR in the Sandridge core from 8.1:1 to 7.4:1.
 - An increase of the FAR in the Montague core from 6.1:1 to 6.3:1
 - An increase of the FAR in the Montague non-core area from 3.0:1 to 3.6:1
- [10] These changes flow from Ms Hodyl's evidence (Recommendation 7), which seek to 'rebalance' the residential populations as a result of increasing the extent of the Montague core.

^[11] The changes illustrate the way in which the densities are driven by the overall population targets, rather than amenity or the preferred built form character. There is no suggestion that the amenity or character outcomes in the Sandridge core as originally proposed were problematic, but the FAR has been reduced purely to avoid the residential population exceeding 80,000 (at a 75% build out).

Additional precinct maps in CCZ schedules

^[12] I understand that it is now proposed that the 'Infrastructure Delivery' plans from the draft Framework will be included with the CCZ schedules (with the core boundaries added). One of the consequences of this is that laneways that were previously required by the proposed local policies (but not the CCZ) are now required to be positioned generally in accordance with those shown in the maps (as indicative 12m wide streets and laneways). While I support the introduction of a finer-grain street network, I prefer the greater flexibility provided by the previous arrangement. Notably, the minor streets and lanes shown in the maps are inconsistent with Ms Hodyl's evidence that they should not be required to be so closely spaced in both directions.

^[13] The Sandridge precinct map deletes four new public open spaces, as does the proposed new MSS map for Sandridge. This does not align with Ms Thompson's recommendations. It is not clear what the rationale for their deletion is. Notably, all four are still shown in the proposed new DDO map for Sandridge.

^[14] Further, the Sandridge precinct map converts what was previously shown as a new 12m wide road just inside the southern boundary of 118 Bertie Street (submitter no. 182) to an indicative laneway, which is largely on the adjoining property. This address the concern I raised in my Sandridge evidence about the unviability of development of that property under the previously proposed controls.

^[15] In the Wirraway precinct map, the proposed new Rocklea Drive pedestrian and cycle bridge has been moved eastward, and the investigation area for an education and community hub has been expanded to as far as Salmon Street on the north side of Plummer Street. These changes do not raise any urban design concerns at this broad-brush planning scale.

DDO maps

^[16] New DDO maps are proposed that combine building heights, new streets and parks, and overshadowing requirements.

^[17] The new Wirraway map increases the maximum height for most of the Wirraway non-core area (all of the non-core area north of Plummer Street and the north side of Tarver Street) from 6 storeys to 8 storeys. I support this change, although I note that it will have little effect without an increase in the FAR for the Wirraway non-core area. Further, I continue to be of the view that there needs to be further work undertaken to resolve the optimum density and height controls.

^[18] The extent of the land with a discretionary maximum height of 4 storeys appears to have been slightly varied—extending slightly closer to Williamstown Road east of Smith Street, and further from it to the west. It is unclear why this has occurred. In any event, I continue to support an alternative built form treatment to Williamstown Road, with the 'underlying' Wirraway non-core discretionary maximum height carried through to Williamstown Road, complemented by a maximum street wall height of 4 storeys and a minimum 10m setback above.

^[19] The new Wirraway map also increases the maximum height on the southeast corner of Plummer and Prohasky Streets (320 Plummer Street) from 10 storeys to 12 storeys. However, this is a moot point given that an approved development for that site of 12-15 storeys is already under construction.

^[20] The new maps convert heights from metres to storeys. This has the effect of potentially allowing taller buildings where there are commercial floors above the street wall. It also removes any incentive to 'squeeze' more floors into a maximum height in metres through shallow floor-to-floor dimensions, which could occur at the taller

heights. Given the relatively non-sensitive nature of building heights in the vast majority of Fishermans Bend, and the discretionary nature of the controls, I support this change.

[21] The period of the day during which overshadowing of parks is sought to be avoided is identified for neighbourhood parks, but not for the precinct park. It is not clear why.

SIN 11 Precinct Plans

[22] SIN 11 indicates that the Precinct Plans “*will focus on the design of the public realm for each precinct, rather than focus on private land*” (paragraph 6). I consider that this would miss an opportunity to undertake more detailed design of the preferred built form, in conjunction with the landowners, to inform refined density and height controls. There would be benefit in the public and private realms being considered in an integrated fashion, rather than as separate exercises. I comment further on the potential scope of the precinct plans below.

Ms Hodyl’s Addenda 5, 14 March item (f), paragraph 16 and (g), paragraph 17

[23] The paper by Robert Gifford and Family-friendly guidelines for Toronto referenced by Ms Hodyl confirm that, to the extent that there is evidence that high-rise housing is unsuitable for children, it acknowledges that family-friendly housing can occur at the lower levels of taller buildings. This supports my proposition that building height in the proposed family-friendly precincts need not be limited to low-medium rise across the whole of the precinct.

Ms Hodyl’s Addenda 5, 15 March item (h), paragraph 32

[24] I agree with Ms Hodyl that it would be appropriate for a lesser and discretionary 5m tower street setback where that street runs alongside the West Gate Freeway, because there is limited potential for adverse impacts of a lesser setback in this circumstance.

Ms Hodyl’s Addenda 5, 21 March item (b), Figures 11-17

[25] The blocks illustrated in Figures 11 and 15 include towers without street setbacks above a street wall and at closer separations than would be possible under the proposed DDO. Similarly, one of the towers in each of Figures 12 and 14 lacks street setbacks above a street wall. Therefore, I do not consider that these examples represent useful comparisons for the proposed densities in Fishermans Bend. I consider Figure 13 a more useful comparison, because its towers are generally set back from a street wall and well-separated from each other.

[26] Figure 16 is reasonably representative given its low-medium rise forms. Notably, it provides good examples of a central communal open space above a podium, as shown below:



Examples of central communal open space above a podium at 72-92 and 100-108 Bay Street, Port Melbourne

Urban Structure and Retail submissions by the City of Port Phillip

- [27] The CoPP raises concerns about the lack of detailed retail planning, and submits that this should form part of an Urban Structure Plan and DPO schedules to preserve opportunities for anchor retail uses. It also raises a concern about the length of primary active frontages.
- [28] I agree that there is a lack of detailed planning underpinning this Amendment. I consider that the Precinct Plans should contain an urban structure plan as suggested by CoPP, but should go further to provide resolved direction regarding streets, open spaces, land use (including the location of major retail and other attractors, and the extent of active frontages) and built form. Each of these plans would effectively become a Precinct Structure Plan (PSP). They should include greater detail for the activity centres (in the same way that urban design frameworks are provided for activity centres provided in growth area PSPs). Such PSPs would provide a clearer basis for mechanisms for delivering new streets, parks and community facilities.
- [29] Until that planning has occurred, I consider that it is premature to determine whether a DPO is the right tool to implement it. It may be that requiring development to be generally in accordance with the PSP is sufficient. This is acknowledged at paragraph 80 of the CoPP submission.

Built Form submissions by the City of Port Phillip

- [30] The CoPP proposes that key development sites and placemaking opportunities be nominated and subject to design competitions and design review processes. It also proposes the identification of key sites, key corners, landmarks and gateways in policy and the DDO. I agree, and note that there is considerable overlap between the proposed locations and the potential landmark buildings locations proposed in my evidence. The location and design parameters for these sites should be considered by the detailed precinct planning.
- [31] The CoPP also submits that further guidance is required in relation to the preferred skyline. I consider that the proposed maximum heights will deliver appropriate variation between each precinct. Heights of 30 or more storeys are appropriate for a metropolitan activity centre, which is the role promoted by the CoPP in the Sandridge core. However, I consider that the appropriateness of the maximum heights should be reviewed as part of the detailed precinct planning.
- [32] The CoPP promotes “*mid-rise neighbourhoods*” outside the Sandridge core, Montague north and the southern part of Lorimer. It defines mid-rise as 5-12 storeys, but provides examples which rise to 15 storeys. In general, I agree with this proposition, although I consider that a small number of taller towers may be appropriate in the Wirraway and Montague south cores, particularly at block corners rather than set back from the street wall in conventional podium-tower arrangements. Further, I agree with Council that taller, more slender and well-spaced towers can be preferable to squat slab-like mid-rise forms. Again, I consider that more work is required to determine the right outcomes for each part of Fishermans Bend.
- [33] Notably, Council identifies that mid-rise development typically has high site coverage, with private open space provided on roof and podium-tops, and balconies. This reinforces my opinion that the site coverage requirement in the Wirraway and Sandridge non-core areas should be varied to allow communal open space to be provided on podium-tops. Council’s Urban Design Report (April 2018) also proposes (at page 57) that the communal open space be allowed to be provided at first floor level. It is unclear whether this means that the site coverage controls should be amended so that the 30% of the site not ‘covered’ by building can be on top of a podium. It is also not clear why such a condition should be limited to the first floor.
- [34] The CoPP proposes the consolidation of smaller parks into larger parks in Sandridge and Montague. This is consistent with a principle pursued by Ms Thompson. I support this aspiration. As noted in my evidence, the fragmentation of the proposed open space may be the result of the delivery mechanism, which attempts to avoid the need to purchase land for public open space by limiting it to small enough parcels that can be delivered as part of development.

[35] In its Urban Design Report (April 2018), the CoPP flags that it is concerned about the large size of three street blocks in Sandridge, and recommends they be reduced through the introduction of an additional local street. I assume that this refers to the blocks on the south side of Fennell Street, between Bridge Street and Boundary Street, highlighted below. I agree that these three blocks appear too large, particularly for an activity centre.



[36] Council also raises concerns about how the proposed laneway policy will work. These issues are good examples of the matters that would be addressed by more detailed precinct planning.

Mark Sheppard
Principal