



community alliance of port phillip
submission in response to the
draft **fishermans bend** framework

december 2017





Submission in response to the Draft Fishermans Bend Framework

This submission is from the Community Alliance of Port Phillip (CAPP).

CAPP was formed in 1997 and has over 150 members and supporters. CAPP provides:

- a forum for community engagement in the City of Port Phillip to advance and support representative and participatory local government;
- a commitment to enhancing the resilience of our community; and
- monitoring of the delivery of local services to ensure best practice in progressing equity and wellbeing for all.

CAPP has an ongoing commitment to sound planning principles and has taken part in many community-based campaigns to ensure these can be achieved.

Introduction

CAPP is excited by the opportunity to provide feedback on the Fishermans Bend Draft Framework and to participate in ongoing discussions of the largest urban renewal project in Australia.

CAPP acknowledges the enormity of the undertaking and the excellent work done in reaching this point of planning for the future of Fishermans Bend.

CAPP endorses the 2016 Fishermans Bend Vision and we are broadly supportive of the Draft Fishermans Bend Framework. We commend the forward thinking it represents in the future shaping of Fishermans Bend. Action taken in developing the Fishermans Bend precincts can, and should provide a model of excellence for other urban renewal projects right across Australia. It should also provide leadership for local councils as they tackle issues such as the provision of an adequate supply of social and community housing, increasing residential densification, sustainable transport and environmental damage and waste.

City-shaping infrastructure, such as integrated environmental systems, public transport, schools and public spaces predetermine the form and character of the city we build and the needs and capacities of the communities we house. Lead with these and the development market will follow. Precinct-by-precinct staging will allow essential infrastructure to be delivered economically and effectively. CAPP sees community infrastructure as a high priority and endorses many of the proposals made in the Framework to ensure adequate infrastructure.

CAPP is pleased to see that the Framework notes that Fishermans Bend is not a blank canvas, recognising Indigenous people in the Caring for Country statement and the historical and social context, but CAPP is disappointed not to see these statements translating into clear guidelines and actions. There could be much greater recognition and incorporation of the existing building fabric of the area, including the light industry heritage of Fishermans Bend. Providing greater respect for the history and heritage of the area could lead to exciting and innovative urban design.

CAPP is concerned that there is no financial plan presented with the Framework. It is imperative that this is addressed with urgency. The State Government must be the key funder of this major project. State Government in partnership with the City of Melbourne and the City of Port Phillip must ensure that the financial resources are provided up front to ensure investment in essential infrastructure from the outset.

Good governance processes are also critical for many of the proposals and CAPP recommends greater clarity around governance as a priority in refining the Framework. This is particularly important given that the Fishermans Bend Urban Renewal Area (FBURA) extends across two municipalities, both of which need to be involved in developing governance arrangements with the State Government.

CAPP wishes particularly to comment on seven main areas within the Framework. These are:

- Housing - social and community housing and affordable housing
- Social and community infrastructure
- Integrated sustainable transport
- Density and heights of developments
- Industry and commerce
- Public open space
- Climate change and environmental issues

Although CAPP does not in this submission provide specific comment on Amendment GC81, we are aware that many of our suggestions would require changes to the proposed planning controls. We note that the City of Port Phillip has provided detailed feedback on Amendment GC81 and we are generally supportive of their proposed suggestions and amendments.

One overarching concern for CAPP is that the Framework does inadequate justice to the 2016 Fishermans Bend Vision by not providing clear and adequate mandatory requirements

on developers to ensure all eight sustainability goals can be achieved. With many proposals framed as policy or as ‘encouragement’ to developers, there is a danger that the best proposals in the Framework will not eventuate. It is CAPP’s view that it is of benefit to all concerned – State Government, our two Councils, developers and the community – that a level playing field of clear requirements is established from the outset so that developers can factor mandatory requirements for public amenity, affordable housing and sustainable environmental measures into their costings. If this is done, it will also serve to reduce the land prices that developers are prepared to pay, with developers modifying their available spend to meet mandatory requirements for the creation of ‘a thriving place that is a leading example for environmental sustainability, connectivity, diversity and innovation’ (Framework, p19).

Housing – Social and Community Housing and Affordable Housing

CAPP agrees that inclusive and healthy communities should meet the needs of people of all ages, cultures and backgrounds as well as people with differing financial resources. Therefore CAPP strongly recommends that the Fishermans Bend development include a minimum of 10% social and community housing plus 20% affordable housing to ensure the area develops as a richly diverse and inclusive community.

It appears to CAPP that the Framework conflates social and community housing and other types of affordable housing. CAPP sees these as two distinct types of housing: social and community housing is low cost secure rental accommodation that once developed is transferred to a registered housing provider with titles placed in a housing trust. Other affordable housing includes housing that may be purchased where the value of the property needs to be regulated to ensure that it remains affordable in perpetuity, for example for key workers and other low-moderate income households. These distinctions and the auspicing and management required for these different types of housing are not currently clear in the Framework.

The Framework is largely silent as a result, on how affordable housing that is not social and community housing, will be managed, both in terms of initial selection, ongoing management and keeping such housing affordable in the long term. CAPP believes important questions need to be addressed: How would such affordable housing be kept affordable in perpetuity? Would a registered housing provider also manage privately owned affordable housing units to ensure this? If not, what mechanisms will be used to keep such housing affordable into the future? This is critical if the targets for affordable housing in Fishermans Bend are not only to be reached, but also to be maintained.

CAPP believes that Floor Area Uplift (FAU) is not a strong enough mechanism to ensure delivery of an adequate proportion of affordable and social and community housing in Fishermans Bend. We believe that urban renewal in Fishermans Bend should include requirements for inclusionary zoning in order to achieve the desired aim of building a healthy and inclusive community. Inclusionary zoning is a stronger and more certain mechanism for the government to signal to developers the importance of a diverse mix of

residential development in Fishermans Bend. Bringing in inclusionary zoning in Fishermans Bend would also provide planning leadership and a precedent for local councils seeking to address housing affordability in new developments more broadly across the metropolitan area.

In order to reach acceptable targets for social and community housing CAPP believes it is imperative that the government also seek to purchase sites to be developed specifically for social and community housing in each of the residential precincts. In addition, the land that the State has already purchased from General Motors provides one such opportunity for inclusion of social and community housing developments, and perhaps student housing, alongside the centres of knowledge and innovation intended for the area – although CAPP is aware that there may be problems in the short term with soil contamination that would require remediation.

A clear governance structure for social and community housing within principally private housing developments needs to be detailed to ensure that social and community housing residents are not disadvantaged in decision making as well as the housing provider/trust holding the titles for social and community housing units being appropriately represented on owners' corporations. There should also be consideration of rules to limit the power of developers controlling the owners' corporation when they retain ownership of rental properties.

CAPP does not believe that the establishment of a Fishermans Bend Housing Trust is required as there is already one large local Housing Trust – Port Phillip Housing Trust – which could be given this role, and a successful local registered housing association – Port Phillip Housing Association, as well as two other housing providers – St Kilda Community Housing and South Port Housing Group. Working with an existing local trust and local housing providers would immediately bring experience, skills and knowledge for the benefit of managing social and community housing in Fishermans Bend and would maximise the financial leverage of the Trust in developing further housing projects.

Finally, it is critically important that a mechanism is put in place for regularly reviewing progress towards the achievement of both affordable and social and community housing targets, in order to ensure success.

Social and Community Infrastructure

CAPP commends the proposals for the four new primary schools in Fishermans Bend but emphasises the critical need for these to be built and opened in a timely way, in line with the influx of new residents. CAPP queries the adequacy of planning for only one new secondary school for the area, given that over 3000 12-17 year olds are predicted to live in Fishermans Bend by 2050 (Fishermans Bend Community Infrastructure Plan 2017) and believes it would be prudent to be planning for at least two secondary schools in order to meet future needs.

CAPP supports the concept of community hubs for provision of health and wellbeing services (2), community and education services (5), art and cultural activities (4) and sports and recreation (4) across Fishermans Bend precincts. CAPP recommends however that a central Fishermans Bend library be developed with meeting spaces for hire for all in the community (including local and other businesses). Community Hub libraries would then become smaller branches of the central library, similar to what occurs already in both the City of Port Phillip and the City of Melbourne. CAPP recommends that the model for the central library be the hugely successful Docklands library, described on its website thus:

“The Library at The Dock is a community hub enabling people to come together to create, explore, connect, belong, learn and participate. The library is Australia’s first 6-Star Green Star rated public building and is made from engineered timber and reclaimed hardwood. The Library at The Dock was delivered through a unique tri-partnership model between Places Victoria, Lend Lease and the City of Melbourne. The Design Architect for the project was Clare Design with Hayball as the Architect of Record. The library offers a collection to suit the needs of the local community, workers and visitors to Docklands. In addition to the traditional library collection, there is a recording studio, creative editing suites, community spaces and a performance venue to hold up to 120 people. A gallery and exhibition space celebrates Docklands’ rich heritage.”

The nature and governance of the community hubs needs more detail than currently provided, and CAPP wishes to confirm that the hubs will include adequate provision for kindergartens and aged care services, (e.g. communal meals and social activities). CAPP recommends that all community hub services be not-for-profit, community-based or Council run services. To establish and develop a real sense of community in the new Fishermans Bend, the purpose of these services needs to be community-oriented, and not operated for-profit.

CAPP notes that while Objective 3.4 and its associated strategies refer to service provision and dwelling design for an ageing population, there is no provision for residential aged care services or supported independent accommodation for older residents in the social and community infrastructure proposals. CAPP believes that this should be addressed in refining the Framework. The now widely accepted concept of ‘ageing in place’ surely demands that careful thought goes into how this might be realised in plans for Fishermans Bend, not only to allow people to age in their own homes, but also to be cared for, if needed, in residential facilities in their own area.

CAPP supports the provision of land for community gardens as a means of providing gathering places for residents. However there is no discussion as to how or where these gardens will be established.

Finally, the placement of transmission lines in urban renewal projects are an important consideration from the outset. CAPP believes it would be cost effective (in the long term) and more efficient to put all transmission lines in Fishermans Bend underground from the beginning, enabling the creation of a much more attractive environment for all – a particularly important aspect for a densely populated inner urban area.

Integrated Sustainable Transport

The proposed additions to the tram and rail network are central to the future liveability of the area and access for the community to and from the city and to other parts of the City of Port Phillip. There needs therefore to be greater certainty and commitment to finances and time lines for these proposals. CAPP would like to see the new tramlines operational within five years and for consideration to be given to 'greening' the tram tracks, to promote permeability and contribute to reducing urban heat island effects.

CAPP strongly supports the two additional tram routes proposed and also believes that both underground metro train routes are essential, as one will service the employment precinct and the other the residential precincts. These lines will also give access to and from the western suburbs and should be extended to Newport station, thus reducing pressure on the Westgate Bridge. The train services should be operational within fifteen years.

CAPP believes that direct connections across the Yarra River to Docklands are imperative and therefore enthusiastically supports the building of the bridges for pedestrians, bicycles and trams. The bridges across the Westgate Freeway also provide access to the employment precinct for those who live inside Wirraway. With both bicycle and pedestrian access there will not be the need for greater car access.

It is CAPP's position that the enhancement of the 109 tram must include increasing the number and frequency of services and increasing the capacity of individual trams. CAPP requests that consideration be given to a spur into Fishermans Bend for the 109 tram.

CAPP endorses the recommendations for Fishermans Bend to be a great place to walk for people with a range of abilities and needs.

CAPP supports the overall approach to sustainable transport in the Framework, but recognises that car parking is always a controversial issue and the proposals contained in 1.6.1 and 1.6.2 while creative, are complex and require greater consultation.

Density and heights of developments

CAPP is of the view that the introduction of fixed densities and floor area ratios is a major ray of light in terms of development. It is the first substantial move to re-capture the public value that was lost in the original rezoning. It essentially caps density and trades it in for public goods. As well as being a tool that will not only win back open space and public facilities, it can also shape the built form of the city. However if the current zoning is a hindrance to development according to the Fishermans Bend vision, CAPP can see no reason why that zoning should not be reversed.

Some urban design principles featured in the 2016 Fishermans Bend Vision statement have been largely lost in the draft Framework. These are discussed below. CAPP would like them to be reinstated.

- Maintaining ‘fine grain’ development within the larger scale, and retaining the historical traces of the past, in land- and built-form. They are not the ‘biggest ingredients in the cake recipe’, but without them the result is dull and lifeless. We love giant metropolises like New York, civilised cities like Barcelona, and smaller towns everywhere. Some have giant towers, most have large buildings, but no interesting city anywhere in the world lacks small buildings as prominent ingredients in its mix. No interesting city has entirely expunged its past. The developer’s ideal of the fully bulldozed site must be disrupted! Or it will be a dull city indeed.
- High density residential buildings need to be designed not to be self-contained in their internal amenity – even their communal amenity. They need to depend on the surrounding city’s public and commercial realms for their amenity. If the sales appeal of a development depends on its urban context it will demand more of that context. This sort of ‘common sense’ should be imposed on the developer and investor as it is almost entirely overlooked when residential units are bought off the plan. The public streets must be more important than the private views. Urban culture and street life is the key, not vertical gated communities.

CAPP believes that the development modes for Fishermans Bend should prioritise the creation of genuine new houses, communities and living environments. The number of high rise developments that have already been approved is unfortunate and CAPP believes that permits already granted should be expunged as they are contrary to the Vision and draft Framework, particularly in Montague South, where FARs should all be uniformly 4:1, not as on at least one site 6:1.

High rise tower development is the model least likely to produce a liveable, sustainable, diverse and vibrant city. High rise units in “vertical gated communities” are a convenient format for institutional and overseas investment, but are notorious for their low occupancy rates, uniformity of product type and disengagement from the urban realm – no way at all to build a community, or a vibrant city. Planning guidelines must be powerfully tailored to encourage the desired diversity of building development types.

CAPP is pleased to see that proposed building heights vary across the precincts, as do the Floor Area Ratios, but is concerned that proposals for 24 storeys, and indeed ‘unlimited’ heights in some areas remain excessive. CAPP believes that maximum heights should not exceed 12 storeys in any of the precincts, with the exception of those lining the Westgate Freeway where creation of a ‘wall’ to the Freeway may indeed be desirable.

CAPP is pleased to see the proposed use of Floor Area Ratios in the Framework. Floor Area Ratios (FAR) give certainty to the building designer and give greater flexibility to produce better designed buildings. CAPP is of the view that it is a good way to manage density and controls the amount of building on each site. Floor Area Uplift (FAU) also gives flexibility to development, and will ensure some public benefits, but CAPP does not believe this mechanism is adequate to ensure appropriate levels of affordable housing across Fishermans Bend. There must be an assurance that the FAU mechanism does not undermine the FAR in any development site.

CAPP recommends that vertical zoning also be considered for the higher rise developments with a requirement for the ground (and lower) floors to provide adequate retail and commercial activity to ensure a lively streetscape and integrate with the local area.

CAPP is pleased to see the introduction of minimum building separation distance controls. In relation to the proposed setback controls however, CAPP would like it confirmed that all habitable – i.e. living, kitchen and bedroom areas – will be required to have access to direct daylight.

Finally CAPP shares the concern expressed in the City of Port Phillip's submission that the proposed development controls and outcomes – based on 75% of the total development potential by 2050 and before any calculation of extra development yield via the FAU mechanism – will result in densities that exceed both population projections and also the capacity of planned infrastructure. If the potential population is in fact well over 100,000 post 2050, then infrastructure planning needs to recognise this from the outset and careful monitoring will be necessary to manage overall population density.

Industry and Commerce

Fishermans Bend needs clean 21st century urban industry, creative industries and light industry for everyday living needs such as small local shops, car repairers, print shops etc. None of these can survive in the inner city without industrial zoning or rent protection. CAPP agrees that Fishermans Bend does provide a unique opportunity to grow and diversify Melbourne's economy.

In fact CAPP believes that the whole of Fishermans Bend should be an 'innovation precinct'. But without planning, and appropriate planning provisions this will not occur. Just like affordable housing, Fishermans Bend needs affordable industry. The employment precinct does retain protected industrial areas but if it is left completely separate as proposed, it will suck all the creative and small commercial life out of the rest of Fishermans Bend just by providing better support for this separate precinct. CAPP recommends that due recognition be given to the current character of small service industries already operating in the area. We note that in Fact Sheet: *A better place to do business*, under the heading *Protecting and enhancing local business*, existing businesses are encouraged to engage with the Taskforce should they wish to better understand the opportunities. To ensure this occurs, it is CAPP's view that there should be *pro-active* engagement with these industries, as there appears to be nothing proposed in the Framework that will protect small industrial sites and low-rent industrial space and land values and land tax are a disincentive to current businesses remaining in the area. A major part of the heritage of the area is its industry, both small and large.

CAPP is disappointed to see that there is no plan for any housing within the employment precinct. Clusters of housing in the employment precinct would result in a 24/7 vibrant urban area rather than one that is deserted at the end of the working day, much as residential units in Melbourne's CBD have greatly enlivened it in recent times. In light of contamination issues in this precinct CAPP recommends that this issue be flagged for future consideration with firm controls.

Public Open Space

The importance of public open space in the future of Fishermans Bend cannot be over-emphasised because of its contribution to liveability and sustainability goals.

CAPP commends the proposals in the Framework to establish new overshadowing controls to protect public open spaces/parks and to provide access to open space within easy walking distance for residents and workers. CAPP also recommends that privately owned open space be opened up for public use as much as possible, e.g. Melbourne Grammar School ovals.

CAPP is supportive of the City of Port Phillip's proposal that public open space contributions be increased to 10% open space, to ensure delivery of adequate public open spaces for the predicted population of residents and workers across Fishermans Bend.

CAPP's understanding is that any additional open space provided by the FAU is *additional* to the 8% proposed in the Framework and that all developers will be made aware of this requirement through the planning controls.

Climate Change and Environmental Issues

CAPP supports Goals 4-8 – a climate adept, water sensitive, biodiverse, low- carbon and low waste community.

If the Fishermans Bend development responds to the topography and natural features of the area, and to the realities of climate change by designing climate resilience then measures such as flood mitigation systems and bio systems must be organised early and integrated at a precinct level. They cannot by their very nature be retro-fitted and applied bit by bit along the way.

CAPP is not an expert on the required stretch targets to ensure that climate change has minimal effect on Fishermans Bend but our lay person's view is that the 2050 targets should be more ambitious.

CAPP now comments on particular aspects of these Goals.

A climate adept community is imperative so that this community is ready for climate change and does not require the adaptation measures which will be required for much of the rest of the City of Port Phillip. CAPP members are very aware of the effects climate change is already having, and will continue to have on our community, so we do not want our Council burdened with additional adaptation costs in Fishermans Bend when they could be avoided by good planning.

To assure ourselves that Fishermans Bend will truly be a climate adept community CAPP would like to see more evidence that expert advice has been sought and incorporated into the Framework. While Goal 5 with objective 5.1 is to design the urban form to accommodate sea level rise and storm events CAPP is unsure if these measures are sufficient. CAPP recommends that further work on appropriate measures should be included in the ongoing development of the precinct plans.

To achieve many of these goals the development of infrastructure must be enabling. CAPP commends the Catalyst Project Sewer Mining Treatment Plant and the establishment of an integrated water system to provide access to high quality potable and recycled water. The infrastructure to achieve this objective, particularly the third-pipe infrastructure, must be built within five years, with the responsibility for the build with the Fishermans Bend Authority. There should be a mandatory requirement for all new buildings to include water efficient fittings and third pipe infrastructure to ensure the success of this innovative catalyst project.

Goal 6 – a biodiverse community is an ideal opportunity to recognise our indigenous heritage and research the flora that was present before white settlers took the land of the Bunurong, Waiwurung and Wurundjeri Peoples. CAPP assumes that recommended flora will be compatible with the potential effects of climate change.

CAPP applauds the goal for Fishermans Bend to achieve zero net emissions as a target in Goal 7, but finds the target date of 2050 to be lacking in ambition. If we are building a new community surely this ambition can be achieved earlier.

CAPP is also of the view that designing buildings to best practice standards (Objective 7.2) should be supported by a requirement for new developments to achieve a 5-Star Green Star standard. The 4-Star standard currently proposed is not high enough to provide the appropriate leadership in sustainability goals claimed, and appropriate for Fishermans Bend.

Objective 8.2 – Leading-practice waste and resource recovery management within buildings. For this to occur it is not enough to say that food waste receiver systems (8.1.2) in all new commercial and residential buildings will be *encouraged*, it must be mandatory for success.

Conclusion

The Community Alliance of Port Phillip is grateful for the opportunity to comment on the Fishermans Bend Framework.

We welcome a new diverse community to the City of Port Phillip and we wish these residents to live in an exciting and innovative urban environment with ease of access to services.

Fishermans Bend is an opportunity for the state of Victoria to shine and we aspire to Fishermans Bend being seen as a world class example of urban renewal that sets the benchmark for future urban growth.

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