STATEMENT OF EVIDENCE AS TO THE DRAFT FISHERMANS BEND FRAMEWORK

TOYOTA LAND HOLDINGS AT 61, 140 AND 155 BERTIE STREET, PORT MELBOURNE

URBIS

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PREPARED FOR TOYOTA MOTOR CORPORATION AUSTRALIA LIMITED

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EXECUTIVE SUMMARY

In 2018, Toyota Motor Corporation consolidated their national corporate headquarters at No. 155 Bertie Street, Port Melbourne, within the Fishermans Bend urban renewal area. Their associated sites at No. 140 and No. 61 Bertie Street, Port Melbourne are also located within this area.

The Fishermans Bend Framework Plan, policy and controls proposed to be implemented under Amendment GC81 will significantly impact Toyota's operations and the projected future of their Port Melbourne sites. I have reviewed the implications of the proposed policy on Toyota and have made the following recommendations:

- **Recommendation 1:** Allow flexibility for Toyota to masterplan for the future on their 155 Bertie Street site by removing the mandatory controls around the proposed road alignment.
- **Recommendation 2:** Change the mechanism to acquire new streets and public open space to ensure clarity on who will deliver and pay for the asset by applying the Public Acquisition Overlay and implementation of a Development Contributions Plan.
- **Recommendation 3:** Amend the decision guidelines within Schedule 1 to the Capital City Zone to remove the guideline which states '*where part of a site is developed, whether an agreement has been entered into to ensure that the floor area ratio across the site will not be exceeded and whether the development is sited so that adequate setbacks are maintained in the event that the site is subdivided or otherwise altered to create a separate future development site'*.
- **Recommendation 4:** Designate the entire 155 Bertie Street site within the core area.
- **Recommendation 5:** In Schedule 30 to the Design and Development Overlay, make the mandatory controls discretionary to allow for flexibility and innovation in design.
- **Recommendation 6:** Allow for minor shadowing that does not cause significant amenity impact on Neighbourhood Parks between 11am and 2pm at the equinox to be considered.
- **Recommendation 7:** Expand the decision guidelines of the Parking Overlay to accommodate the parking needs of existing businesses whose functions are in line with the vision for employment and high-tech business growth within Fishermans Bend.
- **Recommendation 8:** Remove the Development Plan Overlay.
- **Recommendation 9:** Review the drafting of the policy to simplify the wording and remove contradictions in controls. This could be significantly improved by removing mandatory controls that have multiple exemptions.

These recommendations are further expanded upon within the body of this report.

1. INTRODUCTION

1. My name is Brendan Rogers and I am a Director of Urbis Pty Ltd which conducts its business at Level 12, 120 Collins Street, Melbourne. My qualifications and experience are described at Appendix A.

2. I have been requested by Clayton Utz on behalf of Toyota Motor Corporation Australia Limited to prepare a town planning report regarding the exhibited draft Fishermans Bend Framework and proposed planning controls under Amendment GC81 to the Port Phillip and Melbourne Planning Schemes. I have been specifically asked to provide comment on the proposed Planning Scheme Amendment GC81 with respect to any issues and implications relevant to Toyota's land holdings at 61, 140 and 155 Bertie Street, Port Melbourne.

3. I am familiar with Toyota's operations and recent upgrade works to its 155 Bertie Street office building as I was the Director responsible at Urbis for undertaking the development approval work for Toyota on this project. As such I am familiar with the area and some of Toyota's current operational considerations.

4. In the context of my brief and the fact that the Panel has received extensive commentary on the details of the broader Amendment, I have not included discussion on the vision or broader detail of the proposed Planning Scheme Amendment or Framework Plan.

5. I acknowledge that the planning provisions set out in the Amendment allow for significant redevelopment within the Sandridge Precinct, and will remove the current mandatory height controls from the majority of the Fishermans Bend Area. The Amendment does, however, introduce a number of new controls, including a number of mandatory elements, and the focus of my review is the implications of the new controls for Toyota and its land holdings.

6. In preparing my evidence I have considered the new Fishermans Bend Framework Plan and the proposed planning controls as they relate to the Toyota Land Holdings within the Sandridge Precinct. I have considered this from the perspective of the current operations of Toyota and how these may evolve over the long term. I have also reviewed this from the perspective of the implications if Toyota decided to sell part or all of the land for development by others in the medium to long term, particularly in relation to the issue of clarity and certainty as to the implications of some of the provisions,

2. SUBJECT SITES AND SURROUNDS

2.1. CONTEXT

7. Toyota Motor Corporation Australia Limited (Toyota) has two main sites in the Fisherman's Bend Urban Renewal area, located at 61 and 155 Bertie Street, Port Melbourne, and a smaller parcel at 140 Bertie Street that is currently used in conjunction with 155 Bertie Street. The existing building at No. 155 Bertie Street forms the national corporate headquarters for Toyota, the technical, design and regional office is located at No. 61 Bertie Street.

8. The company recently invested $30 million in consolidating its head office operations in Melbourne, including the consolidation of its corporate headquarters at 155 Bertie Street. This has involved relocating hundreds of roles from Sydney and a significant upgrade to their headquarters building (CHQ), which has confirmed their commitment to focus their operations in Port Melbourne. The upgrading of the CHQ has contributed to positive economic flow on affects to the immediate area and Melbourne. It has meant Toyota has increased their permanent workforce at Port Melbourne from 360 to 560 employees in early 2018 and has also provided capacity for the growth of the business as well as for contractors working on specific projects, with a maximum capacity of 660 employees on site at the completion of works. The investment in the site and consolidation of its national headquarters confirms Toyota's strong commitment to retaining their business in the area.

9. Toyota's business is centred around the sales and distribution of cars including technical, design and service related funcitons and as you would expect, the function of the business is also heavily reliant on the use of cars throughout the day. The new headquarters has been designed to allow ample space for employees to park their cars but also for corporate vehicles to be stored on site. This space is critical for the successful operation of the business today, as employees travel from their homes throughout Melbourne to reach work, and are required to be mobile and visit various locations throughout the city during the day. The size of Toyota's sites provide substantial opportunity for future growth.

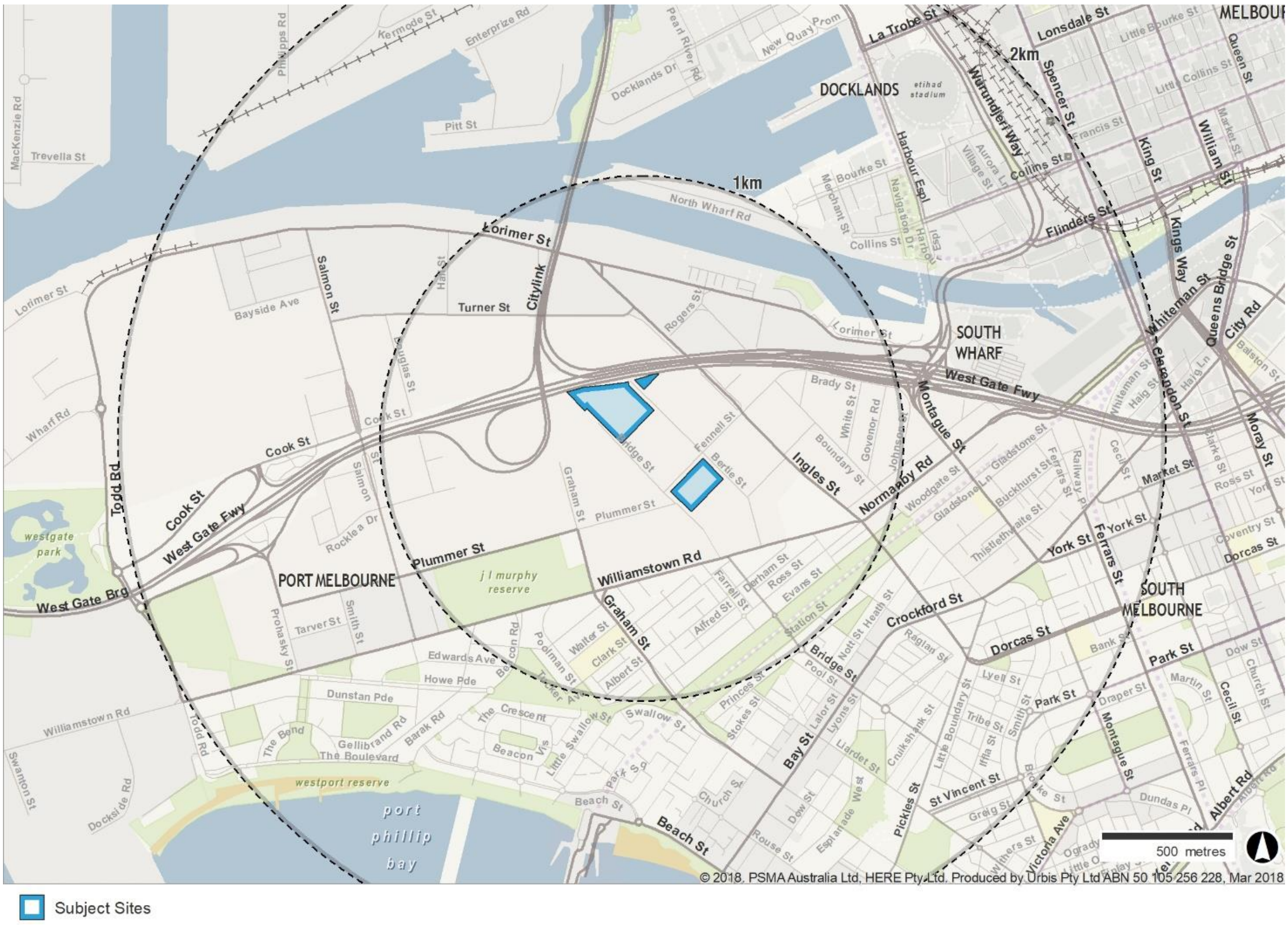
10. At present, the sites sit within what is largely an industrial area, today dominated by large floorplate warehouses and various industry. As they currently sit, there are no immediate sensitive interfaces.

11. In relation to the planning context of the broader area, Toyota's sites in Port Melbourne are in the northern portion of the Sandridge Precinct, within the Fishermans Bend Urban Renewal Area. The West Gate Freeway creates an impermeable edge to the precinct's north, separating it from the Lorimer Precinct and the CBD to the north. There are limited connections to the north across the Freeway, although both Bertie and Bridge Streets provide connections to the south, with links to east-west connections in Fennell Street and Williamstown Road.

12. The sites are approximately a 5-kilometre drive from the centre of the CBD and can be most conveniently accessed from the city via the Wurundjeri Way bridge. By car, this journey is approximately 15 minutes.

13. Public transport access to the site from Melbourne's CBD at present is more difficult and can be most conveniently be achieved via the Route 109 tram which involves a 15 minute walk from the North Port Stop to No. 155 Bertie Street with a total trip time of over half an hour. Bus route 235 provides an alternate public transport mode with a similar travel time. This route also involves a 10 minute walk at the end of the journey. For those wishing to connect to the train network their journey would involve at least two forms of public transport and a substantial walk to reach the nearest station.

Figure 1: Location Plan and Proximity to the CBD



2.2. SANDRIDGE PRECINCT

14. The Fishermans Bend Framework Plan defines five distinct precincts within the urban renewal area. Toyota's sites are identified within the Sandridge precinct where the vision is to become:

> *One of Melbourne's premium office and commercial centres, balanced with diverse housing and retail.*

15. Under the Framework it is intended that this precinct will become an extension of Melbourne's CBD with new public transport planned to provide "excellent" access from the CBD.

16. The proposed policy and controls for this area allow for the highest buildings, floor area ratios and dwelling densities within Fishermans Bend under the new provisions. The proposed local policy also requires the highest minimum floor area ratio not used for a dwelling. It appears that these controls and policies are intended to allow for the type of activity and character that can be found within the CBD, albeit on a smaller scale.

17. In implementing these controls, it is understood that the intent for the precinct it that it becomes an area of substantial activity with active street frontages, higher levels of density and a critical mass of employment opportunities.

2.3. 61 BERTIE STREET, PORT MELBOURNE

18. No. 61 Bertie Street houses Toyota's technical, design and regional offices. The site has a street frontage and rear boundary of 110.72 metres and length of 175.06 metres. The total site area is approximately 1.94 hectares.

19. The site is bordered by three roads, Bertie Street to the north east, Bridge Street to the south west and Fennell Street to the north west.

20. It is currently occupied by two buildings, a two-storey building used for technical and design functions, facing Bertie Street and another two storey building located on the corner of Bridge and Fennell Streets. This building is used as Toyota's Victorian regional office.

21. The remainder of the site, along the northern frontage, is made up of open area car parking accommodating approximately 120 car spaces of staff and visitor use. The car park can be accessed from all three street interfaces.

2.4. 140 BERTIE STREET

22. No. 140 Bertie Street is a 2,256 square metre triangular shaped site located on the north east side of Bertie Street. The site is directly opposite 155 Bertie Street and is used for Toyota's visitor car parking.

2.5. 155 BERTIE STREET, PORT MELBOURNE

23. No. 155 Bertie Street is the location of Toyota's national corporate headquarters and forms a very large 3.95 hectare irregular shaped lot with a frontage to Bertie Street to the north east of 134.52 metres and frontage to Bridge Street to the south west of 186.5 metres. The West Gate Freeway borders the northern edge of the site.

24. The site is developed with a three-storey office building located on the north eastern side, fronting Bertie Street. The building was opened in 2004 and refurbished in 2017 to provide a state of the art facility for Toyota's corporate headquarters to accommodate the consolidated roles from Sydney and Melbourne, which has been implemented over 2017 and 2018. The building has a gross floor area of 11,169 square metres.

25. To the rear of the office building is an at-grade car park. The car park can be accessed from both Bertie and Bridge Street and provides parking for employees and visitors as well as space for corporate vehicles.

26. At the north side of the site adjacent to the West Gate Freeway is a grassed area for use by employees and a satellite building that now includes a small workshop and office space that was used to house employees during the refurbishment of the CHQ building. It is now used for office growth space and project areas. A portion of the ground floor of this building has been retained as a workshop for corporate vehicles. The new controls include a nomination of this building as having some heritage significance in regard to a portion of the building structure.

27. The site has a maximum capacity for up to 660 employees, within the current CHQ and satellite building.

Figure 1: Aerial view of subject sites

Subject Sites

3. POLICY AND CONTROLS IMPACTING THE SUBJECT LAND

28. I have based my assessment of the proposed policy and control framework on the implications that it has for a corporation such as Toyota in their ongoing business operation and investment decisions. I have not reviewed all aspects of the proposed policy and controls on a first principles merits basis.

29. In reviewing the policy and control framework, I have considered how the proposed controls will impact the ability of Toyota to carry out its business, taking into account the recent investment it has made and how it could potentially evolve its operations over the next 10 to 15 years and beyond.

30. I have also considered the controls from the point of view of providing clarity and certainty for Toyota as a land owner, whether this be in regard to continuing to expand the existing business or when all options are weighed up, considering the redevelopment and/or sale of the site in part or in whole.

3.1. KEY ISSUES

3.1.1. Implementation of new road and public open space within the subject sites

Recommendation 1: Allow flexibility for Toyota to masterplan for the future on their 155 Bertie Street site by removing the mandatory controls around the proposed road alignment which state that *'a permit must not be granted to construct a building or construct or carry out works where the provision for any new streets, laneways, or public open space*' (Schedule 1 to the Capital City Zone).

Recommendation 2: Change the mechanism to acquire new streets and public open space to ensure clarity on who will deliver and pay for the asset. It is suggested that the Public Acquisition Overlay is applied in lieu of the proposed control in the Capital City zone and that consideration be given to how the Development Contributions Plan under the Overlay is implemented to provide for the funding of the acquisition. This can build in compensation for the financial burden on landowners with public assets nominated on their land and deliver funds for the construction of the new assets.

31. A major impact to Toyota in regard to the new controls on the future of use of their site at 155 Bertie Street is the 22 metre wide road shown on Map 2. The alignment of the new road cuts directly through the middle of the site on a northeast/southwest axis, slicing straight through the middle of Toyota's newly refurbished headquarters.

32. At No. 61 Bertie Street, an area of public open space is proposed on the northern corner, and the northern edge of the site is impacted by the proposed widening of Fennell Street.

33. Within Schedule 1 to the Capital City Zone, the control states:

> *A permit must not be granted to construct a building or construct or carry out works where the provision for any new streets, laneways or public open space generally in accordance with Map 2 and Map 3 is not provided.*

34. Requiring private land to be set aside for public use via a mandatory control in the zone with no information or certainty as to timing or who is responsible for the future construction of infrastructure creates significant uncertainty and makes it very difficult to plan for the future development of a site.

Implications on 155 Bertie Street

35. The lack of discretion in this control as it relates to the 155 Bertie Street site creates significant limitations on what Toyota can do with their site, particularly if they want to further develop. The control

restricts any building or works within the area set aside for roads. This would technically restrict any works that Toyota may wish to make to their existing building, no matter how minor, if the works were to encroach into the proposed road area. This is a nonsensical approach with no consideration for the existing business and will unreasonably restrict Toyota from expanding and developing in a practical way.

36. The Framework Plan has not contemplated the potential of a future Toyota campus at 155 Bertie Street in the medium to long term. I am advised that Toyota met with the Fishermans Bend Taskforce in the early consultation on the Framework Plan and advised of its plans to continue to consolidate its headquarters at 155 Bertie Street and requested the removal of the proposed street alignment.

37. Toyota is the type of business that the Planning Policy Framework is seeking to attract to the area. In this instance, Toyota has made a commitment to consolidate its headquarters in Melbourne, with a very substantial investment. One which I imagine the State Government would be very pleased about. A site of this size provides the opportunity for Toyota to plan for long term growth on a consolidated campus so it is short sighted in my opinion that the Framework Plan and proposed controls would exclude this possibility. In my view, the location of the site, which backs onto the Westgate Freeway, and with both Bertie and Bridge Streets terminating at this point, warrants consideration of potential alternative development scenarios.

38. The control does not allow any flexibility in alternate design outcomes which may potentially suit Toyota's requirements, building on its existing use which is could involve a master plan which responds to the vision for Fishermans Bend. This control essentially requires a very recently refurbished office building to be demolished to allow for the proposed road network to be realised. In my opinion, there should be provision made for discretion in this particular location within the Fishermans Bend area, such that a common-sense approach can be taken, realising that whilst it is important for a functional future road network to service the expanded development and population under the vision for Fishermans Bend, it should not be at the expense of a viable alternative that would facilitate the future growth of a major existing employer, particularly where a viable alternative exists. The Option A4 massing model in **Appendix B** shows how a campus style development could work on this site.

39. An alternative planning option would be to identify this site in the Framework Plan as the Toyota CHQ campus site, and potentially include reference to a potential future east-west connection through the site whilst removing the mandatory requirements under the controls. This would allow Toyota to plan for its future use and development with confidence, but also maintains the option for an east-west connection in the future as part of the planning framework, if Toyota were to leave the site in the future.

Clarity and mechanisms for the delivery of new local streets and open space infrastructure

40. I do not support the proposed mechanism for the acquisition of the land for local roads and open space, and I comment on this below. I also consider there is a lack of clarity on how the proposed infrastructure will be developed and no information on the timeframe for delivery or who is responsible for this. Whilst it is not set out in the planning controls, I note that there appears to be an assumption in the discussion in the Part B submission submitted by Ms Brennan on behalf of the Minister that the developer will be required to assume responsibility. However, there is no guidance within the policy on what is expected in terms of timeframes and desired outcomes, and I am not aware of any planning control that can require a land owner to develop their land at a particular point in time.

41. I consider that the proposed mechanism for acquiring the local road and public open space, through mandatory controls in the zone, is inequitable and inappropriate. If public infrastructure is required but is located on private land, its acquisition and delivery should be undertaken in a way that provides certainty to the land owner on how they are to be compensated, and who is responsible for the new works.

42. The Pubic Acquisition Overlay (PAO) is an accepted instrument to identify land to be acquired by a public authority to deliver a particular outcome in a fair and reasonable manner with mechanisms built around it to ensure that landowners impacted by the overlay can be appropriately compensated. I suggest that applying a PAO over the affected areas is a more appropriate tool to allow for certainty and fair compensation for Toyota as the land owner. It also ensures that the new infrastructure does not rely on a private land owner's decision on development to facilitate its provision.

43. The acquisition and delivery of the roads and open space could also be built into the Development Contributions Plan (DCP) and introduced into the planning scheme via an amendment process. A DCP can ensure that land owners are appropriately compensated via allowances and dispensations for those affected. The DCP can put a value on land to be contributed for local streets and open space, and balance this against any contributions a land owner may be responsible for, or fund an acquisition of

land where required. This approach would also provide affected landowners with more certainty through a transparent and equitable mechanism for compensation.

Equity of Floor Area Ratio redistribution to compensate for local streets and open space

44. I question the equity for Toyota of the proposed Floor Area Ratio redistribution to account for the land that they hand over land for a public road and open space. The Minister and Ms Hodyl have suggested that the policy requirements and controls are a fair approach which will not cause unreasonable detriment to land owners given that the area to be set aside for public infrastructure can still be used as part of the total site area when calculating potential gross floor area based on the floor area ratio requirements. I believe that there are significant shortfalls to this logic as there remain various detrimental outcomes that impact Toyota's ability to use and develop their sites. These include:

    a. Lack of flexibility in design. The road cutting straight through the middle of 155 Bertie Street limits opportunities for master planning a campus-style site across the whole site, and predetermines the remaining areas of land they have left to work with to the north and south of the proposed road. Furthermore, if Toyota's existing building is to remain, so that the road will never come into fruition, the remainder of the land where the road is proposed is essentially redundant for any future development.

    b. The need for additional plot ratio in core areas is only relevant when a building incorporates residential land use. For any non-residential development, there is no limit on applying for additional floor area that would exceed the specified floor area ratio in core areas. In this case, there is no benefit provided by transferring the floor area ratio allowance, but the loss of land is a loss in opportunity and flexibility for alternate development outcomes.

    c. The policy results in double dipping with Clause 52.01 Public Open Space Contribution and Subdivision. Under 52.01, a person who proposes to subdivide land within Fishermans Bend is subject to an 8% contribution for public open space. This is coupled with the expectation that they set aside land on their own property for public infrastructure on top of this.

    d. The approach ignores the cost of delivery, noting that the Part B submission by the Minister suggests that the roads and open space should also be delivered by the developer.

    e. The proposed approach ignores the issue of control over the delivery of streets and open space. If this is left to the developer there is no ability for government to bring forward particular areas at critical times. In other words, there is no ability via this method to co-ordinate the delivery of these assets

    f. The location of new neighbourhood parks, which are protected by overshadowing controls could further inhibit the development potential of land that is already impacted by the loss of space. This is not the case for Toyota where the proposed open space is located at the north-east corner of the 61 Bertie Street site.

    g. The proposed approach ignores the value of the land itself and how the land owner may intend to use the additional land. For example, the site area may be just as important, if not more important than the same density delivered by additional height. This is particularly relevant for Toyota where it currently has the potential to masterplan its sites for a long-term future headquarters at 155 Bertie Street. This could include facilities such as show rooms and storage areas which require large building footprints, not height.

3.1.2. Impacts of Floor Area Ratio requirements

Recommendation 3: Amend the decision guidelines within Schedule 1 to the Capital City Zone to remove the guideline which states '*where part of a site is developed, whether an agreement has been entered into to ensure that the floor area ratio across the site will not be exceeded and whether the development is sited so that adequate setbacks are maintained in the event that the site is subdivided or otherwise altered to create a separate future development site'*. This is an extremely impractical approach to control plot ratio and lots should be assessed on a site by site basis. In conjunction with this, review how Floor Area Ratio is calculated, given that the use of gross developable area appears to relate primarily to accounting for acquisition of roads and open space.

45. I consider the proposed approach to monitoring the extent of Floor Area Ratio that has been used across a large site, such as Toyota's, where the Gross Developable Area of the whole site is used as the denominator, is problematic.

46. The only location where this seems to be addressed is in Schedule 1 to the Capital City Zone, in the decision guidelines for determining building and works applications. This section includes a point that the extent of floor area ratio that has been used across a site, or remains for a site, may need to be included in a Section 173 agreement. The decision guideline states:

    Where part of a site is developed, whether an agreement has been entered into to ensure that the floor area ratio across the site will not be exceeded and whether the development is sited so that adequate setbacks are maintained in the event that the site is subdivided or otherwise altered to create a separate future development site.

47. I have concern as to how this provision can be realistically and successfully be implemented when considering the practicalities of issuing planning permits over time.

48. For staged development, this provision suggests that an agreement will be required to ensure that the floor area ratio across a site will not be exceeded. This approach appears clumsy and difficult to administer with excessive unnecessary red tape. There are multiple issues arising from this in that:

    a. There is no information on how the responsible authority will monitor floor area ratio for the gross area of a site. It would seem ridiculous to suggest that a Section 173 agreement needed to be created every time a portion of a site was developed that recorded the remaining plot ratio available. Another option would involve the establishment of a register to keep track of floor area ratio, provision of public benefit, non-residential use in core areas as well as any permit amendments which may alter the floor area ratio. There is a need for clarity and transparency. Based on the information available at present there appears to be a lack of clarity as to how a landowner will know what their development rights are unless they are a master developer?

    b. If a site is subdivided and multiple land owners purchase each parcel, how is it determined how much each land owner can build? Future purchasers cannot come in with any certainty as to what they can build if the wider area has already been partially developed.

       To effectively implement this, a master plan approach is required from the beginning and an agreement such as Section 173's would need to be executed on title to ensure maximum plot ratio is not exceeded. There are numerous variables that would appear to make this approach quite challenging. What if, for example, one site decides never to develop. In the meantime, another site may decide to build only commercial and therefore be able to build a higher floor area ratio. A third site may then benefit from additional plot ratio allowances but how does the responsible authority calculate these and ensure a land owner is not unreasonably restricted by the requirements of any agreement.

49. I consider that it would be a far simpler and more practical approach to provide controls that apply to individual development sites, not gross developable areas.

50. The implications of the floor area ratio controls are discussed in Section 4 of this report.

3.1.3. Designation in ‘core’ vs ‘non-core’ areas

> **Recommendation 4:** Designate the entire 155 Bertie Street site within the core area given that the whole site is in single ownership, is in proximity to the proposed metro station and has a direct interface with the Westgate Freeway.

51. In reviewing the policy framework that applies to the three parcels of land owned by Toyota I noted that it is only the northwest portion of 155 Bertie Street that is located within the non-core area under the proposed controls. I find it somewhat arbitrary that a portion of 155 Bertie Street is designated core and a portion is designated non-core, which I assume relates primarily to the distance of the land from the proposed alignment of the future metro rail line.

52. I requested that our design team identify a 400m radius from the centre point of the indicative future metro station, which is shown on Figure 3 below. This reveals that the majority of the core area on 155 Bertie Street falls within the 400 metre radius but not the total area. It also reveals that the whole of the site would fall within a 600m radius of the future metro station. The site is also in a single ownership and extends through to the Westgate Freeway alignment to the north, and is bound by the Bridge Street alignment to the west. In my view consideration should be given to including the whole of 155 Bertie Street in the Core Area.

Figure 3: Proximity to Proposed Rail

3.1.4. Built form controls

Recommendation 5: In Schedule 30 to the Design and Development Overlay, make the mandatory controls discretionary to allow for flexibility and innovation in design.

Recommendation 6: Allow for minor shadowing that does not cause significant amenity impact on Neighbourhood Parks between 11am and 2pm at the equinox to be considered.

53. I have considered the implications of Schedule 30 to the Design and Development Overlay for future development on Toyota's sites and the appropriateness of the controls in achieving good design outcomes. In this review, I note that there were several challenges experienced in understanding how the controls are to be interpreted given the complexity of the drafting. I have also aimed to address this later in this report, within Section 3.1.8.

54. My principal concerns with the Design and Development Overlay (DDO30) are the prescriptive nature of the provisions and the overly complicated policy and control framework. I believe that the mandatory controls are likely to result in formulaic outcomes and will limit innovation. This creates additional challenges for sites like Toyota's two land parcels that abut the Westgate Freeway.

55. From an overall perspective, I consider the proposed controls are complex and overly wordy making it difficult for the user to interpret the intentions given the number of minor variations involved. This makes it very difficult for Toyota and other land owners to clearly interpret what could be achieved on their site from a built form perspective. The planning controls appear to attempt to contemplate the variables and the form of development that may be acceptable, based on an urban design vision, and to deliver this via a set of planning controls. I consider the result is an overly prescriptive approach to controls rather than establishing a more performance based approach. I do not agree with the philosophy that because there is limited built form context to respond to we need to be very prescriptive in the nature of the built form controls.

56. An example of the overly prescriptive design guidance is that provided for active frontages which is convoluted and restricts creative design outcomes. For example, I question the requirement for a pedestrian entry every 15 metres in core areas? I cannot see how this policy is beneficial when other design aspects can adequately contribute to creating an active frontage. From my perspective, there is no need for this control given the other guidelines in this policy requiring, among other things, '*activated building facades with windows and doors', 'individual street entrees to dwellings or home offices'* and *'provision of direct pedestrian access from the street to ground floor uses*'.

57. The mandatory nature of the controls relating to podium heights and setbacks from side and rear boundaries do not allow for site specific design considerations such as Toyota's interface with the Westgate Freeway. The controls include some discretion for the setback of towers above the street wall, if the building is above 68 metres and interfaces the Westgate Freeway, i.e. the tower setback can reduce from 10m to 5m, but there appears to be limited examples, and as noted below, I question why a 5m setback may be required as an absolute when adjoining the freeway. There is a no discretion provided for street wall heights and setbacks above this, beyond a specific set of examples included in the controls. The lack of discretion creates the need to build in multiple exceptions to the mandatory requirements. This becomes very convoluted in my opinion and will almost certainly lead to missed opportunities and misinterpretation.

58. The land at 140 Bertie Street is a good example to consider in relation to this. This is a relatively small remnant parcel of land that Toyota use for visitor parking. The site abuts the Westgate Freeway, and the potential for a site specific design approach to any redevelopment will be limited by the proposed controls. This is a site where the standard street wall / podium height is unlikely to be the best design outcome, particularly on the northern interface which abuts the freeway. The current restriction of 23m for a wall on the boundary and a mandatory minimum setback above this of 5m seems to have no real basis in this instance. In my view the issue of maximum podium /street wall heights and minimum setbacks above this should be reviewed for all properties adjoining the Westgate Freeway alignment. For properties along the southern edge there is excellent access to northern light, and there would

appear to be limited urban design problems generated by reductions in setbacks from this boundary, whilst making more efficient use of sites like 140 Bertie Street that are otherwise constrained by the freeway interface.

59. In my view the controls relating to street wall heights could build in discretion if there was a requirement that it could only be varied if a number of very clear built form outcomes had to be achieved.

60. I also note that the controls as written make no allowance for buildings to be built to one boundary, above a podium, up to an agreed height, or for a tower to be built to the corner similar to what is allowed for in the CBD, where the agreed maximum height under DDO10 is now 80m. A key objective of the Framework Plan and controls is to provide for a diversity of design outcomes and product. In the case of the Toyota site at 61 Bertie Street the opportunity for a tower to be built up to the proposed park interface or to the corner of Fennell and Bridge Streets may be a good urban design outcome. This would of course be subject to the appropriate wind testing. Under the controls as written this option is not available.

61. The prescriptive overshadowing controls don't allow any discretion in cases where, while some overshadowing may occur, it does not unreasonably impact the amenity of the park. Specifically, a Neighbourhood Park is proposed to the south east of 155 Bertie Street, separated by a 22-metre-wide proposed road. The proposed preferred height limit to the north of the park is 42.2 metres (approximately 11 - 12 storeys). A review of how buildings of this height will impact the park has been undertaken. This has revealed that even at 12 storeys a building that is setback above a podium to the north is likely to partially shadow a small portion of the park at the equinox.

    In my view the test should relate to whether there is an unreasonable impact. There is potential to introduce design guidance in relation to this.

3.1.5. Implications of the Parking Overlay

> **Recommendation 7:** Expand the decision guidelines of the Parking Overlay to accommodate the parking needs of existing businesses whose functions are in line with the vision for employment and high-tech business growth within Fishermans Bend.

62. In principle, the proposed Parking Overlay has merit for the long term future of Fishermans Bend and vision to ultimately create a liveable, sustainable urban environment.

63. It is reiterated that Toyota is a car company and have invested a large amount of capital into their national headquarters as they are planning on continuing to expand their employment base as the business grows. At present, they just have enough car spaces to accommodate their needs. However, it is expected that more spaces will need to be provided in the future to allow Toyota to continue to successfully function.

64. Given the current lack of public transport and the fact most staff cannot conveniently access the site by any means other than car, it cannot be expected that Toyota can continue to operate successfully and continue to be a desirable place to work without the short to medium term provision of parking for all staff along with space for their fleet vehicles.

65. There is nothing that I can see in the current documentation that gives any certainty that public transport infrastructure will be implemented in Fishermans Bend within the next 15 years. It is therefore unreasonable to suggest that existing businesses can continue to operate and grow without a reasonable level flexibility in the interim period.

66. Whilst I understand there to be flexibility within the Parking Overlay, on the provision that when parking is to exceed the maximum numbers, a car parking plan is provided to the satisfaction of the responsible authority, there remains significant risk to Toyota that they will be restricted in the expansion of their business. This is given the overriding vision and objectives for Fishermans Bend to reduce the reliance on cars and therefore reduce the provision of car parking spaces.

67. I suggest that the decision guidelines for car parking plans are expanded to accommodate the needs of existing businesses whose functions are in line with the vision for employment and high-tech business growth within Fishermans Bend. This will provide greater certainty to Toyota that they may continue to expand in their current location and reduce the risk of the responsible authority refusing any application for car parking without considering the implications on the existing business.

3.1.6. The appropriateness of Schedule 2 to the Development Plan Overlay

Recommendation 8: Remove the Development Plan Overlay.

68. No. 61 Bertie Street is proposed to be covered by the Development Plan Overlay and falls within the 'Sandridge Central' precinct. This precinct covers multiple landholdings in proximity to the future metro station and is intended to be a vibrant hub around the future metro station.

69. I do not think that it is appropriate to include the requirement for a development plan within this amendment for the following reasons:

    a. Given that there are multiple land owners within the Sandridge Central precinct, it is not practical to require the coordination of a development plan prior to the issue of a permit for use or development. The control requires coordination and cooperation from all affected landowners to:

        i. Want to be involved with the creation of a master plan

        ii. Agree to a location for a public square and/or plaza, potentially on one land holding

        iii. Agree to and finalise building envelopes, plot ratios, public benefits etc.

        This level of detail is captured again at the planning permit stage and goes above and beyond what could practically be achieved.

    b. Whilst it is noted that a development plan may be prepared and implemented in stages, I question the equity in this approach as some landowners who may decide to include their site in the future may be impacted by what has already been allowed in sites that have been given earlier approval, leaving certain landowners responsible for providing certain outcomes required in the DPO.

    c. A development plan must "include a statement which provides details of the public benefit to be provided in exchange for additional floor area or dwelling density". This requirement can only be undertaken by individual proponents and will depend largely on how far each land owner has progressed in their design development, if at all. It cannot be expected that this level of detail can provided with confidence at the development plan stage and given the planning provisions required to be met for a development application, this issue should and will be covered on a site by site basis.

    d. On a wider scale, other aspects of the development plan require an overall perspective e.g. "investigate opportunities to create pedestrian flows through the area to allow easy access to the transport interchange". Again, this is not practical when there are multiple landowners involved.

70. Based on the above and the prescriptive provisions of the proposed policy, I do not consider that the Development Plan Overlay is needed. It would be challenging to implement in an effective way, and it may in fact inhibit development in this area, at least in the short to medium term, given the coordination required for multiple land owners to agree on an equitable master plan. Further, the controls already imposed by the local policy, zone and DDO30, many of which double up with the requirements of the DPO, will serve to ensure that desired outcomes can be met.

3.1.7. Fishermans Bend Framework Plan – Community Infrastructure Requirements

71. The Fishermans Bend Framework provides an overview of the vision for the area and sets out the various objectives. It also provides an outline of the population and employment targets and some limited guidance on the timeframes for infrastructure delivery. What is evident from my review of this is that there is no guidance available in regard to the delivery of the open space area on the 61 Bertie Street site, or elsewhere along Bertie Street. It also indicates that the metro rail proposal is a long-term project. As I understand it, the Framework document will be a reference document as it forms the basis for what the new planning controls seek to deliver.

72. An issue that is not well explained by the Framework document is the investigation areas for both the "Arts and Cultural Hub" and the investigation area for the "Education and Community Hub", which both include impact on the 61 Bertie Street site. There is no real guidance that I can see as to how these investigation areas will be treated when a planning application is being considered. A review of the

background documents indicates that there are long term lead times on a number of these elements, so greater clarity is required in regard to this matter.

3.1.8. Drafting and interpretation of the controls

Recommendation 9: Review the drafting of the policy to simplify the wording and remove contradictions in controls. This could be significantly improved by removing mandatory controls that have multiple exemptions.

3.1.8.1. Accuracy of the mapping

Schedule 1 to the Capital City Zone

73. In several instances, such as along Bertie and Boundary Streets, new open space is proposed within the existing road reserve. Whilst the Street and Laneway Layout (Map 2) shows road closures where some open space is proposed, it does not show the implementation of the new open space on these streets.

74. On Map 2, it is extremely difficult to tell the difference between a 'Proposed 22m wide road' and a 'Proposed 18m wide road' given the similarities in colour, and what would apply to 155 Bertie Street.

Schedule 30 to the Design and Development Overlay

75. The maps within DDO30 are also very difficult to read for the following reasons:

    a. The map cuts half way through Toyota's site and other sites on this access. There appears to be space on the A4 page to lay out the maps as a single image in landscape.

    b. No. 155 Bertie Street is split into 'Core' and 'Non-Core' areas as shown on Map 1. However, there is no clear definition as to exactly where the core area stops and the non-core area begins. In my view, this would be easily resolved if the inclusion of the whole site the core area was adopted.

    c. Similarly, there are various heights proposed within both of Toyota's sites with no clear definition as to where one height limit area starts and ends. Differentiating the colours, even with the added pattern, is also difficult given the small size of the key.

    d. Map 3 cuts off the western portion of No. 155 Bertie Street.

3.1.8.2. Issues interpreting the controls

Floor Area Ratio

76. I consider the Floor Area Ratio provisions are difficult to interpret given:

    a. The local policy identifies minimum non-residential ratios but the status of this in regard to maximum floor area ratios under the controls is as a policy only.

    b. The zone refers to maximum floor area ratios for precincts, but provides an unlimited discretion for additional floor area for non-residential development in core areas, with no real guidance as to how this discretion will be assessed.

Schedule 30 to the Design and Development Overlay

77. The drafting of this control is overly wordy, and in some instances quite confusing, and I note the following:

    a. Some instances appear to contradict each other. For example, the reference to building wall heights on side and rear boundaries at page 3 of the DDO30 control states:

        "*Walls built on or within 200mm of a side or rear boundary must not exceed 23 metres. A permit cannot be granted to vary this requirement."*

        But then the very next point states:

        "Where a 30 metres street wall height is proposed, a building may be built to 30 metres on a side or rear boundary. A permit cannot be granted to vary this requirement."

This is poor wording and very confusing in my view and raises questions as to side and rear walls on boundaries if there is a street wall height between 23 metres and 30 metres, if this is in fact possible.

b. The wording of the '*setbacks above street wall'* requirement for buildings over 68 metres states that "*buildings must be setback 10 metres above the street wall. A permit cannot be granted to vary this requirement*". Whilst I understand that most proponents will wish to reduce the tower setback, there is also no flexibility in the wording, and by omitting the words 'at least' it suggests the only setback allowed is one of 10 metres.

c. The *side and rear setback* requirements apply to any part of a building above 23 metres but then the provisions refer to a building above 30 metres. This wording is confusing.

d. In the *building separation within a site* provisions the controls for buildings with a height of greater than 30 metres and buildings with a height of up to 68 metres contradict themselves by nominating two separation distances 'if one of the buildings does not include any habitable room windows/balconies fronting onto the separation distance'.

Schedule 1 to the Parking Overlay

78. Clause 2.0 of Schedule 1 to the Parking Overlay discusses the requirement for a permit under this control. The wording of this requirement is very convoluted and should be simplified to ensure ease of use and correct interpretation.

79. The wording for when a permit is not required makes little sense and needs to be read multiple times to fully grasp. From my understanding, no permit is required to reduce the number of car parking spaces provided that a parking plan which provides the alternate parking provision in Clause 6.0 is provided with any application. There is no requirement to provide a parking plan if no car parking is provided. It makes little sense to me that if for example five car parking spaces are proposed that you would need to provide alternate parking in line with Clause 6.0. However, if no car parking is proposed, there is no further requirement.

80. Furthermore, it appears that to provide more than the maximum parking provisions, the proponent also needs to provide a parking plan with alternate parking in accordance with Clause 6.0. I question why there is the same requirement to both increase or decrease the maximum car parking numbers.

81. Given that to encouraged to reduce car parking provision, why is it necessary to provide a parking plan for proposals that seek to provide less than the required parking numbers.

82. There is also some confusion with the wording for 'alternative parking'. This leads the reader to interpret this as a requirement for alternative *car* parking provision i.e. additional car parking provided offsite. Given that 'alternative parking' is intended to relate to car share, motorcycle and bicycle spaces, different wording should be used to avoid confusion.

3.1.8.3. Appropriateness of required permit conditions

83. Schedule 1 to the Capital City Zone requires several mandatory conditions to be included on any permit granted, and some of these create real challenges for Toyota's land. One of these conditions states:

> *Where a permit is granted to construct a building, other than alterations and additions to an existing building, where the building is within 50 metres of a potential future metro alignment shown on Map 2 of this schedule, a condition must be included to the effect that:*
>
> > *Prior to the commencement of buildings and works, plans must be submitted to the satisfaction of the responsible authority in consultation with Transport for Victoria showing that the proposed footings and foundations will not compromise delivery of the proposed future metro alignment.*

84. I support the fact that the requirement allows discretion for alterations and additions however, it does create some challenges at this stage for certainty in regard to future development potential of the land at 61 Bertie Street. To my knowledge there is significant uncertainty regarding how a proponent can satisfy the requirements of this condition. In the exhibited material there was no information available as to the proposed depth or exact alignment of the metro. Hence, for any future development at No. 61 Bertie Street it is difficult to determine with any certainty what sort of building can conceivably be constructed. This makes it extremely difficult for Toyota to make informed decisions regarding the future of this site, and there is a real possibility that it will impact the future development potential of its site at 61 Bertie Street in regard to the scale of future buildings that may be possible on this site.

4. BUILDING MASSING REVIEW

85. I have considered the development potential on each of Toyota's sites, based on the mandatory plot ratio controls and discretionary height limits. The purpose of this review was to understand how the plot ratio and height controls work together and the sort of building scale and footprint that could be expected were either of the sites to be redeveloped in the future.

4.1. BUILT FORM MASSING SCENARIOS

86. To assist my review of this I requested our urban design team to prepare some potential massing diagrams based on the proposed controls for the land parcels at 155 Bertie Street, 140 Bertie Street and 61 Bertie Street. I requested that they consider a number of scenarios as set out below and reflected in the attached layout and concept massing diagrams included in **Appendix B**.

The following height and plot ratio controls affect each site:

	155 Bertie Street		**140 Bertie Street**	61 **Bertie Street**
	Core Area	*Non-Core Area*	*Core Area*	*Core Area*
Height (preferred)	42.2m	80.6m	Unlimited	Unlimited, 80.6m, 99.8m
Plot ratio (mandatory)	8.1:1	3.3:1	8.1:1	8.1:1
Non dwelling plot ratio	3.7:1	N/A	3.7:1	3.7:1

4.1.1. 155 Bertie Street (Site A)

87. Option A1 –

This massing option illustrates a simple low to medium rise massing that could accommodate the maximum floor area ratio identified for both the core and non-core areas and would minimise shadowing to the proposed new park to the south. It also keeps all development off the proposed street alignment. I note that the building envelope contemplated by this scenario would need to be revised to reduce or set back the higher elements of the buildings across the southern boundary given the current massing would cast a shadow on the Neighbourhood park to the south at 2pm at the September Equinox.

The options do not contemplate any additional non-residential floor area beyond the maximum allowance of 8.1:1 in the core area.

88. Option A2 –

This massing option assumes the overall parcel is subdivided into super lots and then applies the maximum floor area ratio for the core and non-core areas, using the gross developable site area per super lot to calculate this. It illustrates that in a super lot scenario the proposed road alignment could potentially sit in multiple ownerships. This option includes separate and lower level podiums and slightly higher built form to reach the maximum plot ratio in the core area, and a more varied mix of built form in the non-core area. The built form illustrated along the southern boundary, whilst not excessive, would not be allowed under the proposed controls as it casts a shadow on the proposed neighbourhood park at 2pm on 22 September (the equinox).

89. Option A2A –

This massing option is identical to Option A2 except that it removes the proposed street alignment from the super lot boundaries and the floor area ratio calculations. This reveals that the overall reduction in floor area, based on a floor area ratio of 8.1: for the core area portion, and 3.3:1 for the non-core area, is not significant, and could be balanced with additional non-residential floor area in the core area. Any additional built form height would need to be along the Bertie Street frontage, as the current modelling casts a shadow on the proposed park to the south at the equinox, and as such could not accommodate any additional height.

90. Option A3 –

This massing option contemplates a scenario where the existing head office building is retained in the long term and a series of buildings are developed over time as part of an expanded Toyota headquarters site, that may include joint venture partners or aligned businesses in a campus style arrangement. This option illustrates that if the core area is retained in its current configuration the extent of development is unlikely to achieve the maximum floor area ratio in the core area as the height of buildings that would be required along the southern edge to achieve this would significantly shadow the proposed neighbourhood park.

4.1.2. 61 Bertie Street (Site B)

91. Option B1 & B2 –

These two massing options are similar and explore the implications of calculating the floor area ratio for the building massing on the retained land using the gross developable area of the overall land area under Option B1, whilst Option B2 calculates the building envelopes excluding the open space and road widening area from the Floor Area Ratio calculations. This illustrates that significant additional height is allowed under the height controls under either option, but an application could be made for additional floor area and height if the development involved a non-residential land use. These options illustrate that under both scenarios the maximum stated plot ratio of 8.1:1 for the site would only result in mid-scale buildings in this location at the heart of the Sandridge Precinct directly adjoining the proposed new metro station.

4.1.3. 140 Bertie Street (Site C)

A small commercial building envelope has also been shown on the 140 Bertie Street site which is common for all options. It shows that the maximum floor area ratio of 8.1: 1 can be achieved with a relatively modest building scale.

One option has been prepared for this site because of the nature of the controls. What this shows is due to the prescriptive nature of the controls, there are limited massing options available.

4.1.4. Key Take Outs from the Building Massing Review

92. The massing exercise illustrates that:

a. the maximum floor ratio on both sites can be achieved with a relatively modest scale of development.

b. The scale of the Toyota sites can accommodate multiple buildings, and the ultimate development potential of the sites would involve multiple stages.

c. The potential for the retention of the existing CHQ building in the long term is a realistic possibility for Toyota as a long term future occupier of 155 Bertie Street.

d. The site at 155 Bertie Street could be master planned for a campus style development, without the need for an east-west local street through the middle of the site, in a manner that would work with the existing Toyota CHQ building.

e. The proposed mandatory controls are likely to result in a sub-optimum redevelopment outcome for the site at 140 Bertie Street, particularly in relation to the interface with the freeway.

f. There are real difficulties with the proposed strategy for the delivery of local streets and open space if land that is identified to include such elements is developed in stages, and these stages do not affect any land identified as open space or local streets.

g. The issue of the prohibition of any additional shadowing between 11am and 2pm at the equinox for Neighbourhood Parks should be reviewed to consider whether minor shadowing that does not cause significant impact can be considered.

5. CONCLUSION

93. In summary, my report has focussed on the impacts of the proposed Fishermans Bend policy and controls on the continued successful operation of Toyota's national headquarters at 155 and 140 Bertie Street and their service and maintenance centre at 61 Bertie Street. It has also reviewed the implications of the controls should Toyota seek to develop or sell some or all of their property in the future. My recommendations are detailed throughout this report.

APPENDIX A CV

BRENDAN ROGERS

DIRECTOR

"I love working with clients to unlock the potential of their sites, particularly when it will reinvigorate or reposition a piece of the city."

SERVICES

Planning

SECTORS

Commercial

Industrial

Mixed Use

Retail

Tourism and Leisure

QUALIFICATIONS

Bachelor Town and Regional Planning, First Class Hons, University of Melbourne

Graduate Diploma – Property, RMIT)

AFFILIATIONS

Member – Planning Institute of Australia

Committee Member – Property Council of Australia (Planning and Infrastructure Committee)

Member – Victorian Environment and Planning Law Association

CONTACT

T +61 3 8663 4900
M +61 419 339 829
E brogers@urbis.com.au

Brendan Rogers is an expert urban planner, specialising in major project developments and redevelopments. He has more than 30 years' experience working in town planning and property for the government and private sector in Australia and the UK.

Brendan is especially adept at navigating the complexities of the planning system to unlock the potential of a site and develop strategies that enhance the urban environment. He is also a skilled negotiator who has advised on compulsory acquisitions for major transport infrastructure and given expert evidence at the Victorian Supreme Court.

Some of Brendan's most significant achievements include preparing the planning controls for Melbourne's 220-hectare Docklands area; facilitating the redevelopment of the 10.6-hectare Tooronga Village site, which had been undeveloped for 25 years; and leading the development approval process for the Myer Bourke Street and Emporium redevelopment in Melbourne's CBD. He is also a Division Councillor of the Property Council of Australia, and the Chair of its Planning Committee.

PROJECTS

Chadstone Shopping Centre – Planning advice regarding redevelopment and expansion

Docklands – Planning Advisor to VicUrban for over 15 years

Redevelopment of 447 Collins Street, Melbourne

Emporium, Melbourne – Planning advice regarding redevelopment and expansion

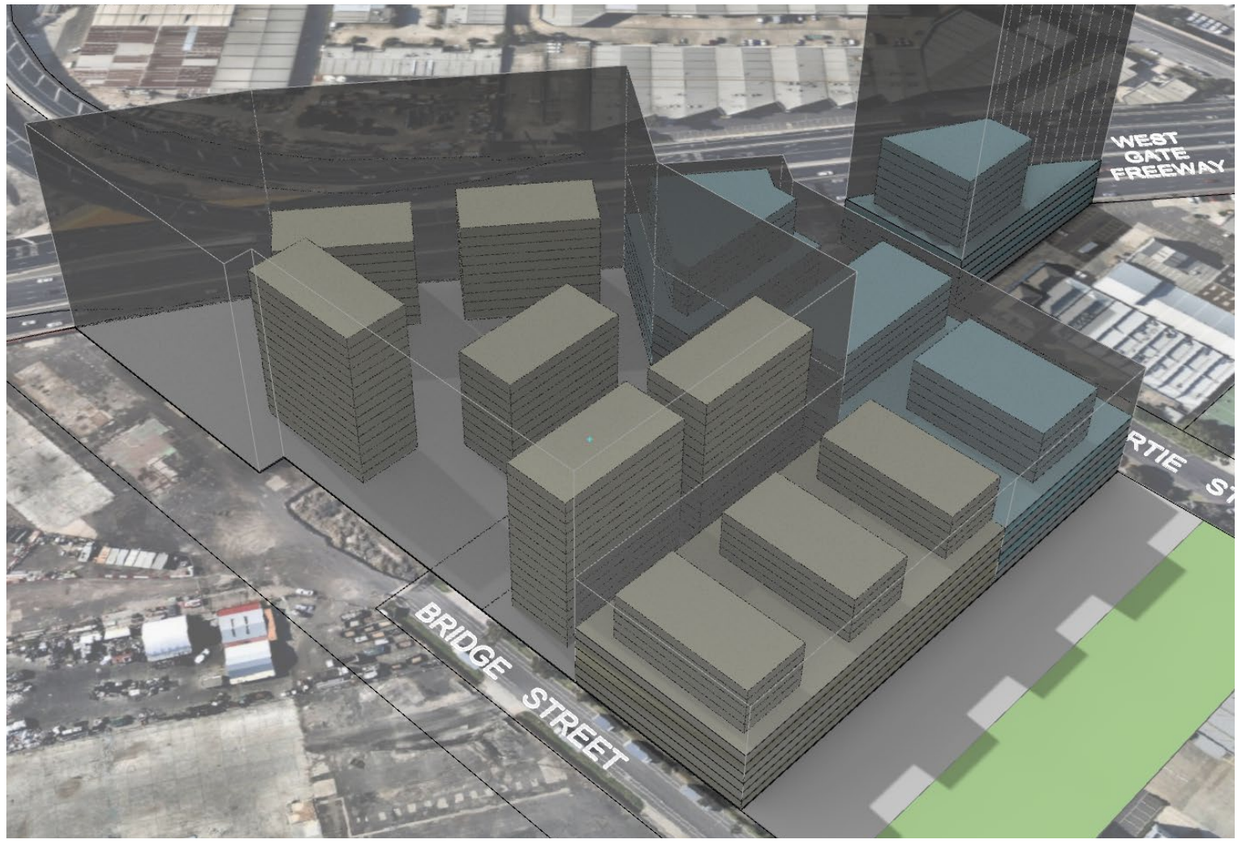
Tooronga Village Redevelopment, Glen Iris

400 City Road, South Melbourne – Mixed use redevelopment of 1.2ha industrial site incorporating over 1,000 apartments

APPENDIX B BUILDING MASSING STUDY

OPTION A1 -
MAX FAR WITHIN PREFERRED HEIGHTS

PLAN - WITH SHADOWS AT 2PM ON 22ND SEPTEMBER (EQUINOX)



AERIAL PERSPECTIVE LOOKING NORTH - WITH SHADOWS AT 2PM ON 22ND SEPTEMBER (EQUINOX)

LEGEND

- SITE A - BOUNDARY (3.965 HA)
- SITE C - BOUNDARY (0.221 HA)
- SITE A - NON-CORE 3.3:1 80.6M (DISCRETIONARY)
- SITE A - CORE 8.1 : 1 42.2M (DISCRETIONARY)
- SITE C - CORE 8.1 : 1 (UNLIMITED)
- RESIDENTIAL
- NON-DWELLING
- OPEN SPACE
- ENVELOPE - PREFERRED HEIGHT

URBIS

TOYOTA - FISHERMANS BEND
MASSING STUDY

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0 20 40 60 80 100

DATE: 28.03.2018
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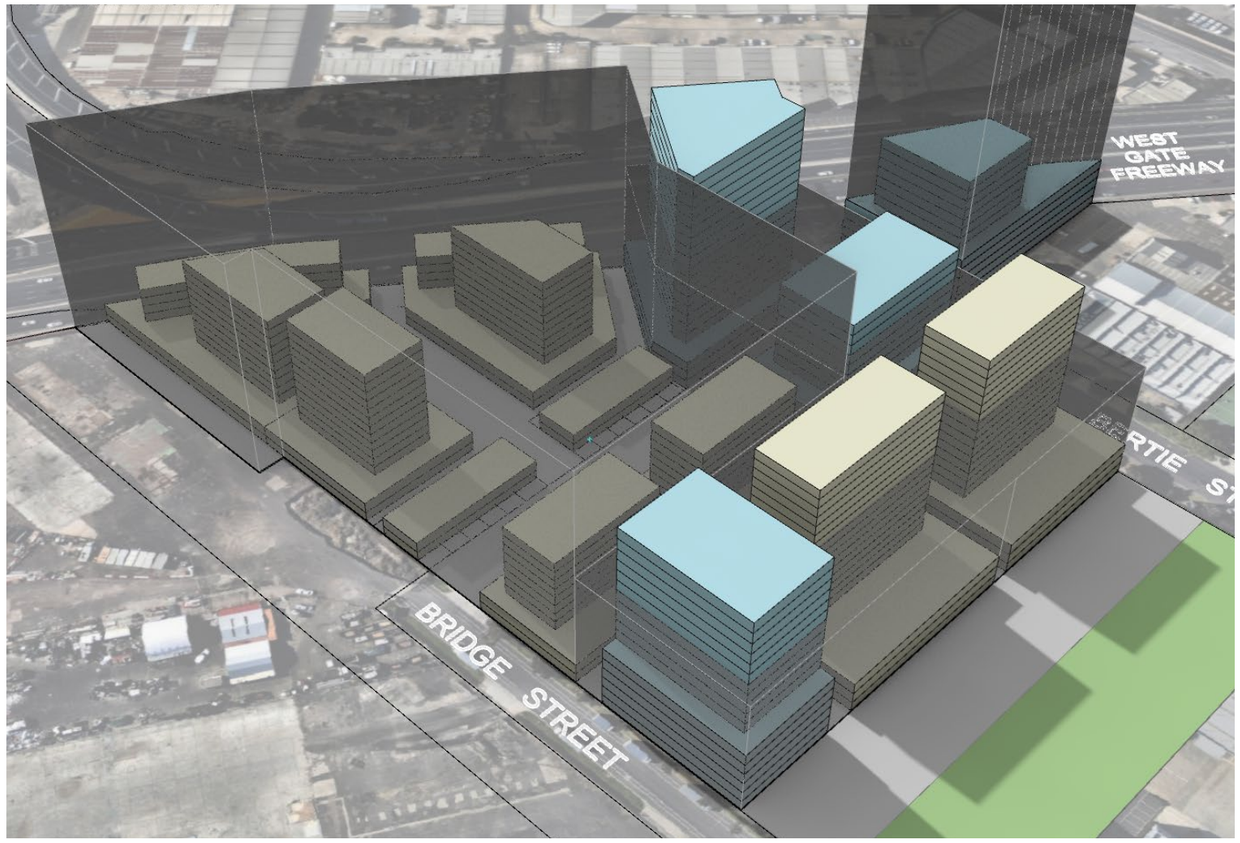
REV: -

OPTION A2 -
SUBDIVIDED SITES WITH MAX FAR

PLAN - WITH SHADOWS AT 2PM ON 22ND SEPTEMBER (EQUINOX)



AERIAL PERSPECTIVE LOOKING NORTH - WITH SHADOWS AT 2PM ON 22ND SEPTEMBER (EQUINOX)

LEGEND

- SITE A - BOUNDARY (3.965 HA)
- SITE C - BOUNDARY (0.221 HA)
- SITE A - NON-CORE 3.3:1 80.6M (DISCRETIONARY)
- SITE A - CORE 8.1 : 1 42.2M (DISCRETIONARY)
- SITE C - CORE 8.1 : 1 (UNLIMITED)
- SUBDIVISION BOUNDARY
- RESIDENTIAL
- NON-DWELLING
- OPEN SPACE
- ENVELOPE - PREFERRED HEIGHT

URBIS

TOYOTA - FISHERMANS BEND
MASSING STUDY

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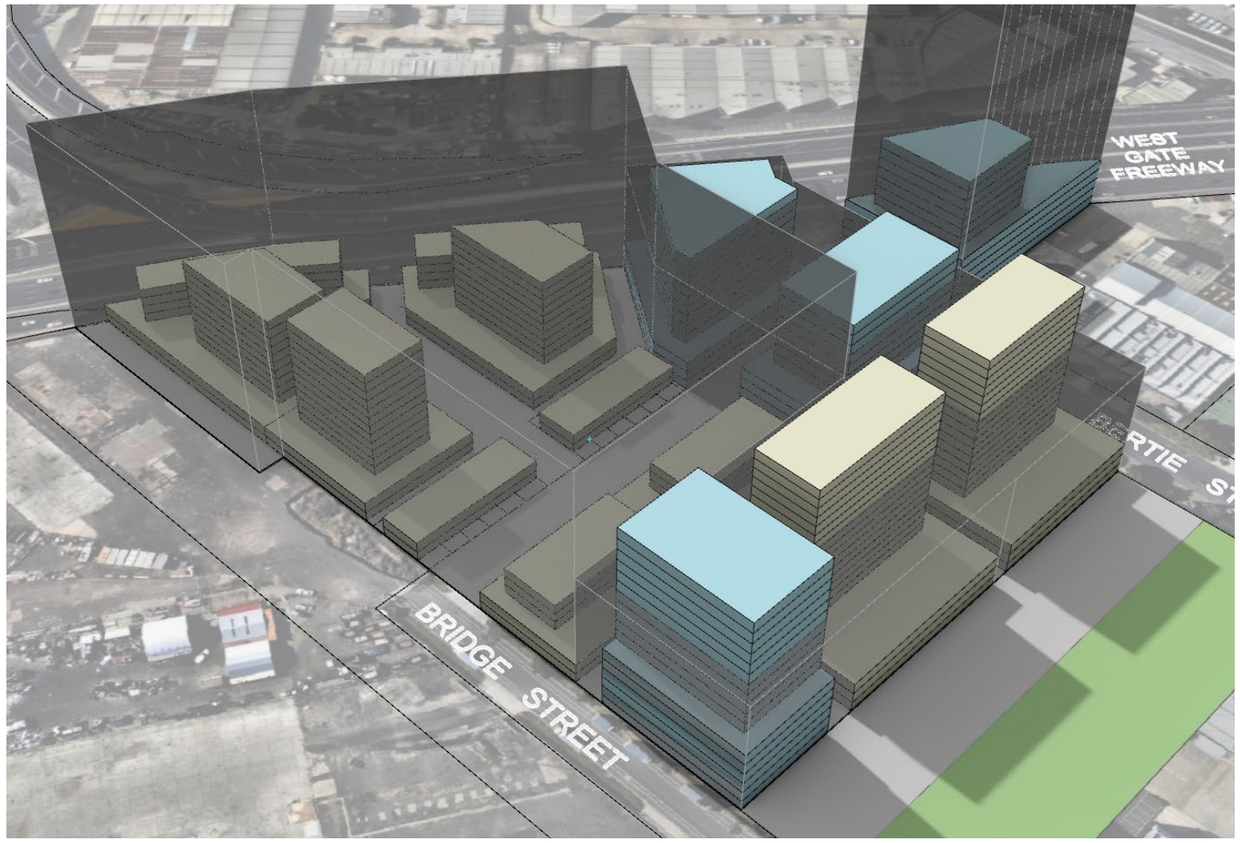
REV: -

OPTION A2A -
SUBDIVIDED SITES WITH MAX FAR AND FUTURE ROAD REMOVED FROM FAR CALCULATIONS

PLAN - WITH SHADOWS AT 2PM ON 22ND SEPTEMBER (EQUINOX)



AERIAL PERSPECTIVE LOOKING NORTH - WITH SHADOWS AT 2PM ON 22ND SEPTEMBER (EQUINOX)

LEGEND

- SITE A - BOUNDARY (3.965 HA)
- SITE C - BOUNDARY (0.221 HA)
- SITE A - NON-CORE 3.3:1 80.6M (DISCRETIONARY)
- SITE A - CORE 8.1 : 1 42.2M (DISCRETIONARY)
- SITE C - CORE 8.1 : 1 (UNLIMITED)
- SUBDIVISION BOUNDARY
- RESIDENTIAL
- NON-DWELLING
- OPEN SPACE
- ENVELOPE - PREFERRED HEIGHT

URBIS

TOYOTA - FISHERMANS BEND
MASSING STUDY

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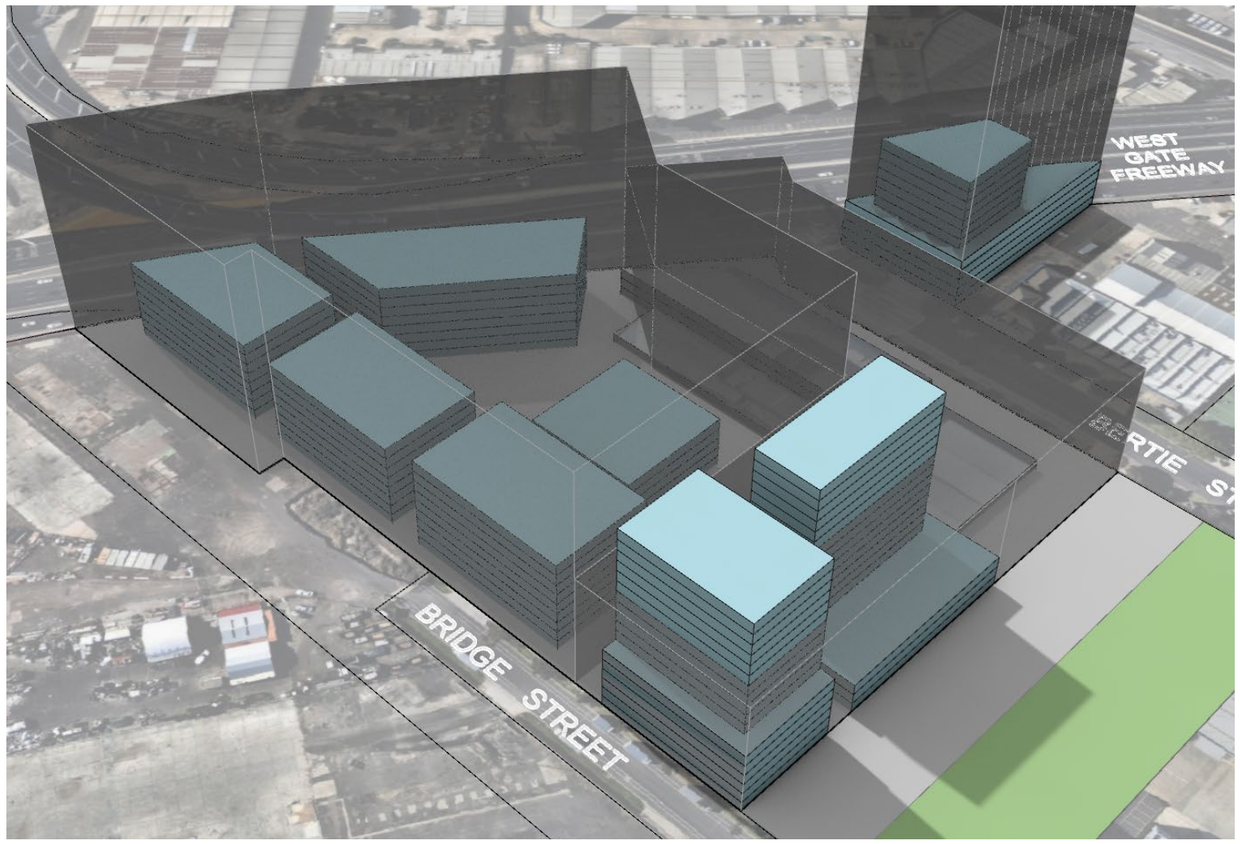
REV: -

OPTION A3 -
EXISTING CHQ BUILDING WITH CAMPUS, REDUCED FAR IN CORE AREA

PLAN - WITH SHADOWS AT 2PM ON 22ND SEPTEMBER (EQUINOX)



AERIAL PERSPECTIVE LOOKING NORTH - WITH SHADOWS AT 2PM ON 22ND SEPTEMBER (EQUINOX)

LEGEND

- SITE A - BOUNDARY (3.965 HA)
- SITE C - BOUNDARY (0.221 HA)
- SITE A - NON-CORE 3.3:1 80.6M (DISCRETIONARY)
- SITE A - CORE 8.1 : 1 42.2M (DISCRETIONARY)
- SITE C - CORE 8.1 : 1 (UNLIMITED)
- RESIDENTIAL
- NON-DWELLING
- OPEN SPACE
- ENVELOPE - PREFERRED HEIGHT

URBIS

TOYOTA - FISHERMANS BEND
MASSING STUDY

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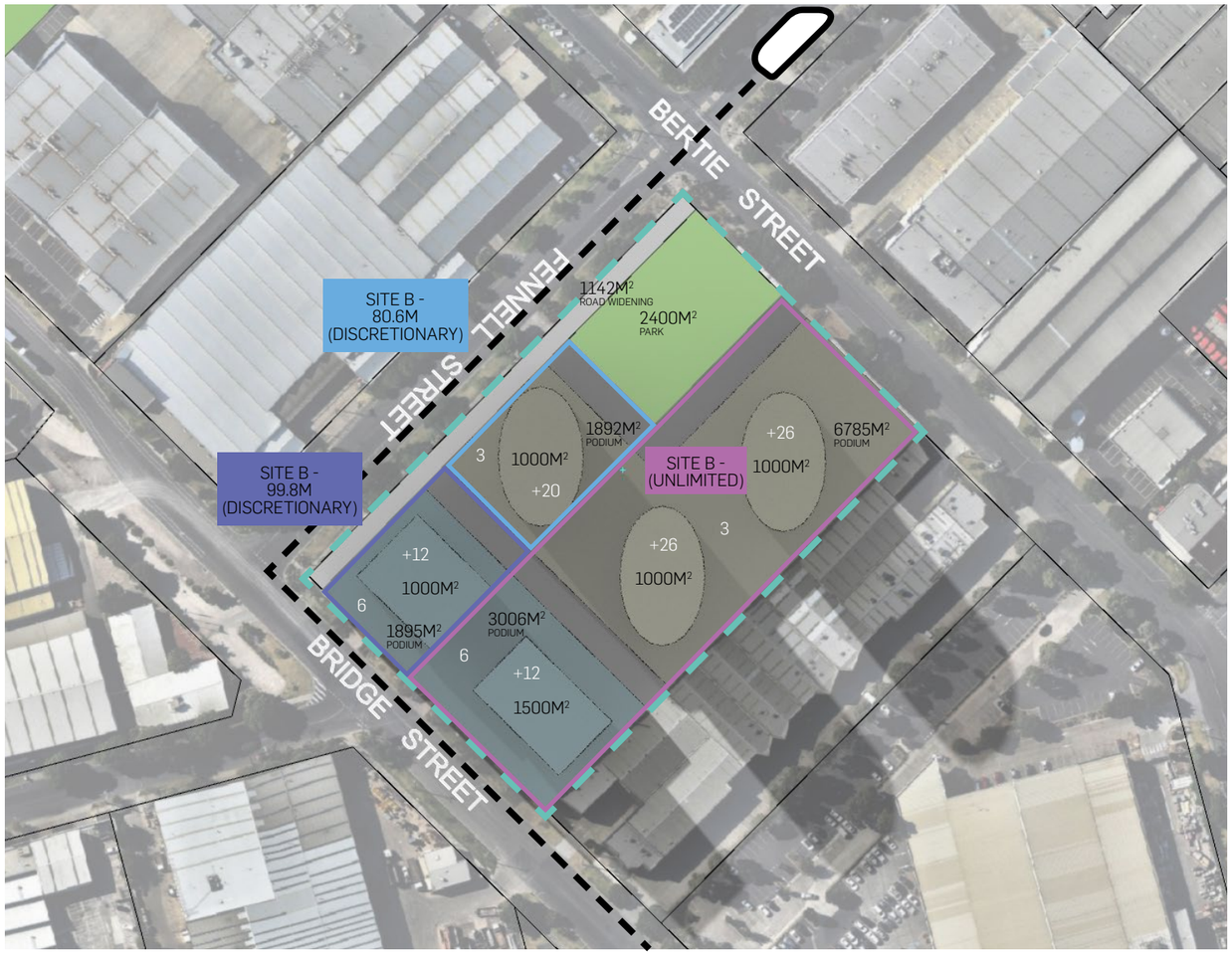
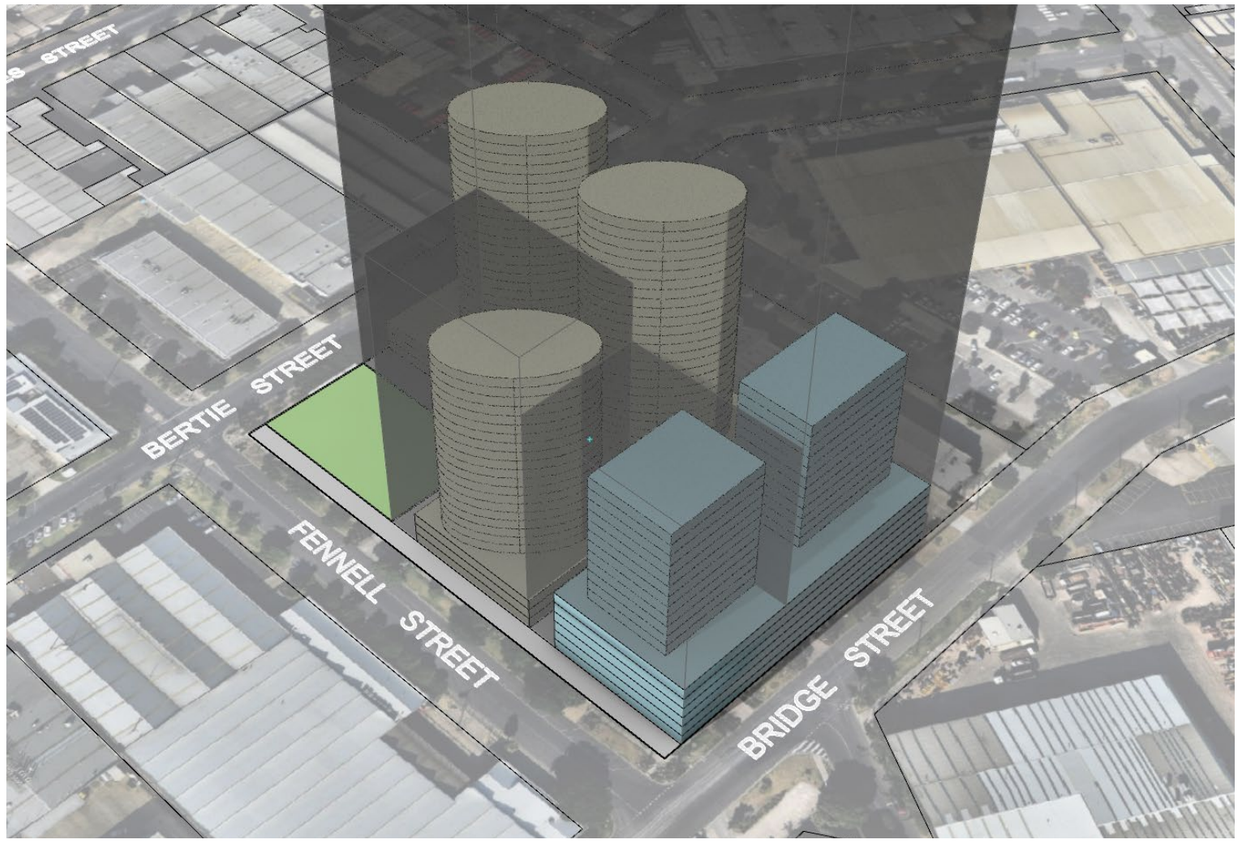
OPTION B1 -
MAX FAR



PLAN - WITH SHADOWS AT 2PM ON 22ND SEPTEMBER (EQUINOX)



AERIAL PERSPECTIVE LOOKING NORTH - WITH SHADOWS AT 2PM ON 22ND SEPTEMBER (EQUINOX)

LEGEND

- SITE B - BOUNDARY (1.938 HA)
- SITE B - CORE 8.1 : 1 99.8M (DISCRETIONARY)
- SITE B - CORE 8.1 : 1 80.6M (DISCRETIONARY)
- SITE B - CORE 8.1 : 1 (UNLIMITED)
- RESIDENTIAL
- NON-DWELLING
- OPEN SPACE
- ENVELOPE - PREFERRED HEIGHT

URBIS

TOYOTA - FISHERMANS BEND
MASSING STUDY

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DATE: 28.03.2018
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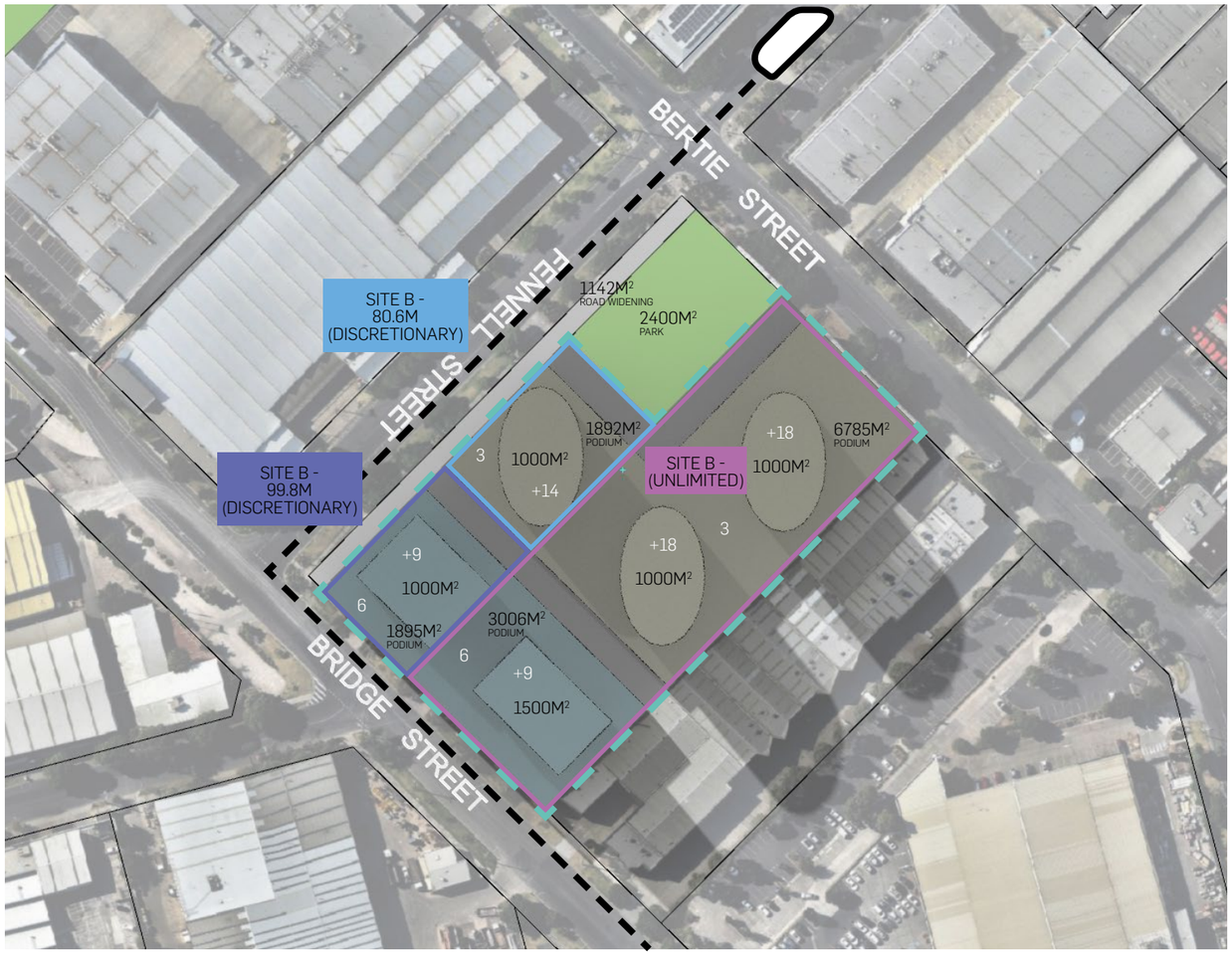
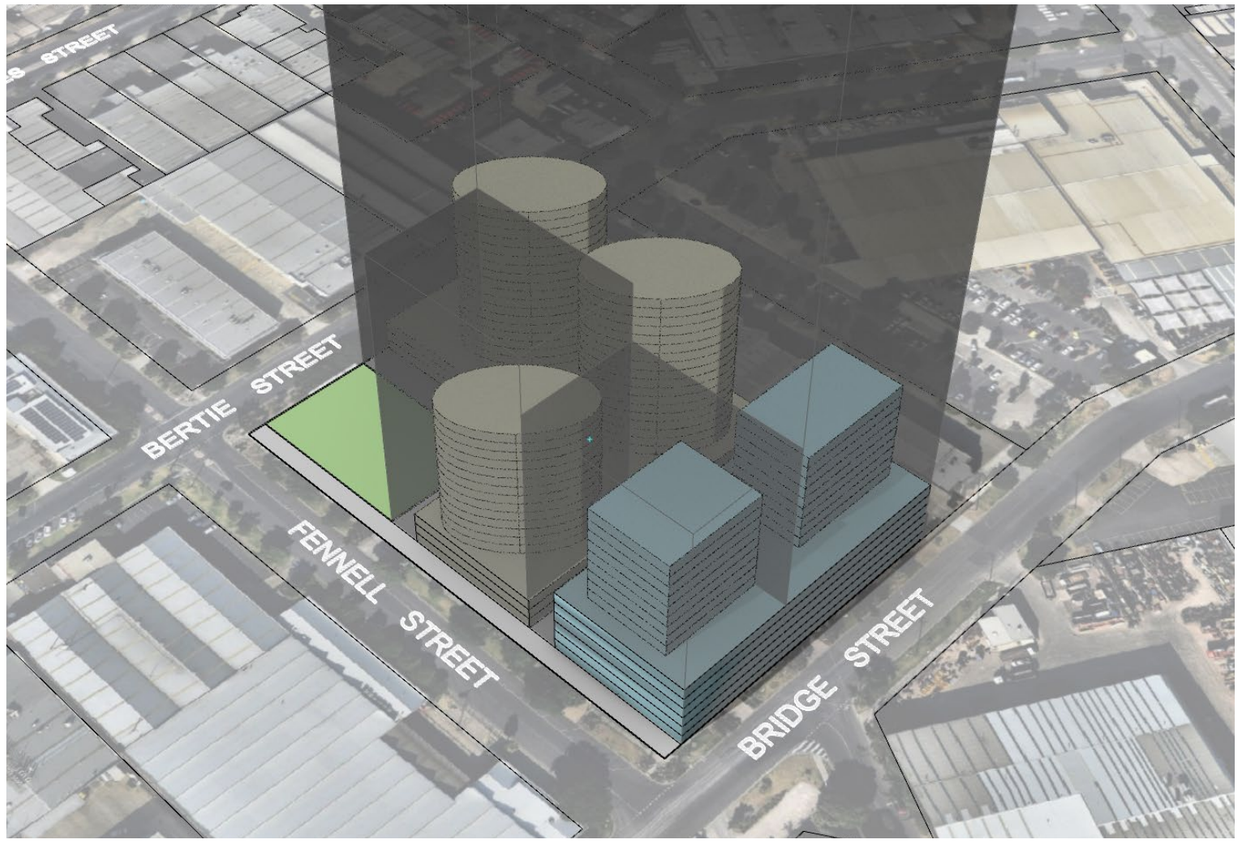
REV: -

OPTION B2 -
MAX FAR WITH ROAD WIDENING & PARK REMOVED FROM FAR CALCULATIONS



PLAN - WITH SHADOWS AT 2PM ON 22ND SEPTEMBER (EQUINOX)



AERIAL PERSPECTIVE LOOKING NORTH - WITH SHADOWS AT 2PM ON 22ND SEPTEMBER (EQUINOX)

LEGEND

- SITE B - BOUNDARY (1.938 HA)
- SITE B - CORE 8.1 : 1 99.8M (DISCRETIONARY)
- SITE B - CORE 8.1 : 1 80.6M (DISCRETIONARY)
- SITE B - CORE 8.1 : 1 (UNLIMITED)
- RESIDENTIAL
- NON-DWELLING
- OPEN SPACE
- ENVELOPE - PREFERRED HEIGHT

URBIS

TOYOTA - FISHERMANS BEND
MASSING STUDY

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JOB NO: MA11558
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REV: -

OPTION A1 - Max FAR within preferred heights		Area	Coverage	Use	Storey Height (m²) (Floor to Floor)	Storeys	Heights (m)	Floor Areas (m²)
Core		**17,169 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**139,072 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**37,587 m²**						
GFA (m²) - (Dwelling)		**101,485 m²**						
Total GFA (m²) - Based on Options		**130,620 m²**						
Total GFA (m²) - Above Allowable		**-8,452 m²**						
Podium A		6,628 m²	38.61%	Resi_P	3.80	6	22.8	39,770 m²
Tower A		1,001 m²	5.83%	Resi_T	3.30	5	16.5	5,005 m²
Tower B		1,001 m²	5.83%	Resi_T	3.30	5	16.5	5,005 m²
Tower C		1,001 m²	5.83%	Resi_T	3.30	5	16.5	5,005 m²
Podium B		6,349 m²	36.98%	Comm_P	3.80	6	22.8	38,095 m²
Tower D		1,238 m²	7.21%	Comm_T	3.80	5	19	6,190 m²
Tower E		1,499 m²	8.73%	Comm_T	3.80	5	19	7,494 m²
Podium C		2,762 m²	16.09%	Comm_P	3.80	6	22.8	16,572 m²
Tower F		1,497 m²	8.72%	Comm_T	3.80	5	19	7,485 m²
			91.67%					
Non-Core		**22,485 m²**						
Floor Area Ratio (Mandatory)	3.30 : 1							
Total GFA (m²) - Allowable		**74,201 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**20,054 m²**						
GFA (m²) - (Dwelling)		**54,147 m²**						
Total GFA (m²) - Based on Options		**74,074 m²**						
Total GFA (m²) - Above Allowable		**-127 m²**						
Non-Core Podium A		1,001 m²	4.45%	Resi_P	3.80	15	57	15,015 m²
Non-Core Podium B		1,001 m²	4.45%	Resi_P	3.80	15	57	15,015 m²
Non-Core Podium C		1,001 m²	4.45%	Resi_P	3.80	10	38	10,010 m²
Non-Core Podium D		1,001 m²	4.45%	Resi_P	3.80	15	57	15,015 m²
Non-Core Podium E		1,001 m²	4.45%	Resi_P	3.80	10	38	10,010 m²
Non-Core Podium F		1,001 m²	4.45%	Resi_P	3.80	9	34.2	9,009 m²
			26.71%					
Site C - Core (Unlimited) - 140 Bertie St		**2,209 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**17,896 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**4,837 m²**						
GFA (m²) - (Dwelling)		**13,059 m²**						
Total GFA (m²) - Based on Options		**17,629 m²**						
Total GFA (m²) - Above Allowable		**-267 m²**						
Podium A		2,209 m²	12.87%	Comm_P	3.80	5	19	11,047 m²
Tower A		940 m²	5.48%	Comm_T	3.80	7	26.6	6,582 m²
			100.00%					

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GFA CALCULATIONS - OPTIONS A1

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OPTION A2 - Subdivided sites with max FAR		Area	Coverage	Use	Storey Height (m²) (Floor to Floor)	Storeys	Heights (m)	Floor Areas (m²)
Core Site A1 - TOTAL		**6,628 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**53,689 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**14,511 m²**						
GFA (m²) - (Dwelling)		**39,179 m²**						
Total GFA (m²) - Based on Options		**53,654 m²**						
Total GFA (m²) - Above Allowable		-35 m²						
P1A		1,745 m²	26.32%	Comm_P	3.80	6	22.8	10,467 m²
T1A		1,346 m²	20.30%	Comm_T	3.80	11	41.8	14,802 m²
P1B		3,268 m²	49.30%	Resi_P	3.80	3	11.4	9,804 m²
T1B		1,161 m²	17.52%	Resi_T	3.30	16	52.8	18,581 m²
			75.62%					
Core Site A2 - TOTAL		**6,349 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**51,429 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**13,900 m²**						
GFA (m²) - (Dwelling)		**37,529 m²**						
Total GFA (m²) - Based on Options		**51,216 m²**						
Total GFA (m²) - Above Allowable		-213 m²						
P2A		2,941 m²	46.32%	Resi_P	3.80	3	11.4	8,823 m²
T2A		1,019 m²	16.06%	Resi_T	3.30	16	52.8	16,311 m²
P2B		2,454 m²	38.65%	Comm_P	3.80	6	22.8	14,725 m²
T2B		1,420 m²	22.36%	Comm_T	3.80	8	30.4	11,357 m²
			84.97%					
Core Site A3 - TOTAL		**4,192 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**33,951 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**9,176 m²**						
GFA (m²) - (Dwelling)		**24,775 m²**						
Total GFA (m²) - Based on Options		**33,736 m²**						
Total GFA (m²) - Above Allowable		-215 m²						
P3A		2,762 m²	65.90%	Comm_P	3.80	3	11.4	8,287 m²
T3A		1,497 m²	35.72%	Comm_T	3.80	17	64.6	25,450 m²
			65.90%					
	TOTAL SITE	**17,169 m²**					**TOTAL GFA**	**138,606 m²**
Non-Core Site A4 - TOTAL		**6,593 m²**						
Floor Area Ratio (Mandatory)	3.30 : 1							
Total GFA (m²) - Allowable		**21,758 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**5,881 m²**						
GFA (m²) - (Dwelling)		**15,877 m²**						
Total GFA (m²) - Based on Options		**21,566 m²**						
Total GFA (m²) - Above Allowable		-192 m²						
P4A		4,187 m²	63.50%	Resi_P	3.80	2	7.6	8,373 m²
T4A		825 m²	12.51%	Resi_T	3.30	8	26.4	6,596 m²
T4B		825 m²	12.51%	Resi_T	3.30	8	26.4	6,597 m²
			63.50%					
Non-Core Site A5 - TOTAL		**15,892 m²**						
Floor Area Ratio (Mandatory)	3.30 : 1							
Total GFA (m²) - Allowable		**52,443 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**14,174 m²**						
GFA (m²) - (Dwelling)		**38,270 m²**						
Total GFA (m²) - Based on Options		**52,515 m²**						
Total GFA (m²) - Above Allowable		72 m²						
P5A		2,059 m²	12.95%	Resi_P	3.80	2	7.6	4,118 m²
T5A		784 m²	4.93%	Resi_T	3.30	12	39.6	9,403 m²
P5B		3,839 m²	24.16%	Resi_P	3.80	2	7.6	7,678 m²
T5B		795 m²	5.00%	Resi_T	3.30	10	33	7,951 m²
T5C		862 m²	5.42%	Resi_T	3.30	4	13.2	3,446 m²
P5C		3,444 m²	21.67%	Resi_P	3.80	2	7.6	6,888 m²
T5D		731 m²	4.60%	Resi_T	3.30	4	13.2	2,924 m²
T5E		731 m²	4.60%	Resi_T	3.30	10	33	7,310 m²
P5D		723 m²	4.55%	Resi_T	3.30	2	6.6	1,447 m²
P5E		675 m²	4.25%	Resi_T	3.30	2	6.6	1,350 m²
			67.58%					
	TOTAL SITE	**22,485 m²**					**TOTAL GFA**	**74,081 m²**
Site C - Core (Unlimited) - 140 Bertie St		**2,209 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**17,896 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**4,837 m²**						
GFA (m²) - (Dwelling)		**13,059 m²**						
Total GFA (m²) - Based on Options		**17,629 m²**						
Total GFA (m²) - Above Allowable		-267 m²						
Podium A		2,209 m²	33.33%	Comm_P	3.80	5	19	11,047 m²
Tower A		940 m²	14.19%	Comm_T	3.80	7	26.6	6,582 m²
			100.00%					

OPTION A2A - Subdivided sites with max FAR and future road removed from FAR calculations		Area	Coverage	Use	Storey Height (m²) (Floor to Floor)	Storeys	Heights (m)	Floor Areas (m²)
Core Site A1 - TOTAL		**6,628 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**53,689 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**14,511 m²**						
GFA (m²) - (Dwelling)		**39,179 m²**						
Total GFA (m²) - Based on Options		**53,654 m²**						
Total GFA (m²) - Above Allowable		-35 m²						
P1A		1,745 m²	26.32%	Comm_P	3.80	6	22.8	10,467 m²
T1A		1,346 m²	20.30%	Comm_T	3.80	11	41.8	14,802 m²
P1B		3,268 m²	49.30%	Resi_P	3.80	3	11.4	9,804 m²
T1B		1,161 m²	17.52%	Resi_T	3.30	16	52.8	18,581 m²
			75.62%					
Core Site A2 - TOTAL		**6,349 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**51,429 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**13,900 m²**						
GFA (m²) - (Dwelling)		**37,529 m²**						
Total GFA (m²) - Based on Options		**51,216 m²**						
Total GFA (m²) - Above Allowable		-213 m²						
P2A		2,941 m²	46.32%	Resi_P	3.80	3	11.4	8,823 m²
T2A		1,019 m²	16.06%	Resi_T	3.30	16	52.8	16,311 m²
P2B		2,454 m²	38.65%	Comm_P	3.80	6	22.8	14,725 m²
T2B		1,420 m²	22.36%	Comm_T	3.80	8	30.4	11,357 m²
			84.97%					
Core Site A3 - TOTAL		**2,762 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**22,374 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**6,047 m²**						
GFA (m²) - (Dwelling)		**16,327 m²**						
Total GFA (m²) - Based on Options		**21,760 m²**						
Total GFA (m²) - Above Allowable		-614 m²						
P3A		2,762 m²	100.00%	Comm_P	3.80	3	11.4	8,287 m²
T3A		1,497 m²	54.20%	Comm_T	3.80	9	34.2	13,473 m²
			100.00%					
	TOTAL SITE	**15,740 m²**					**TOTAL GFA**	**126,630 m²**
Non-Core Site A4 - TOTAL		**4,187 m²**						
Floor Area Ratio (Mandatory)	3.30 : 1							
Total GFA (m²) - Allowable		**13,816 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**3,734 m²**						
GFA (m²) - (Dwelling)		**10,082 m²**						
Total GFA (m²) - Based on Options		**13,320 m²**						
Total GFA (m²) - Above Allowable		-495 m²						
P4A		4,187 m²	100.00%	Resi_P	3.80	2	7.6	8,373 m²
T4A		825 m²	19.69%	Resi_T	3.30	3	9.9	2,474 m²
T4B		825 m²	19.70%	Resi_T	3.30	3	9.9	2,474 m²
			100.00%					
Non-Core Site A5 - TOTAL		**15,892 m²**						
Floor Area Ratio (Mandatory)	3.30 : 1							
Total GFA (m²) - Allowable		**52,443 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**14,174 m²**						
GFA (m²) - (Dwelling)		**38,270 m²**						
Total GFA (m²) - Based on Options		**52,515 m²**						
Total GFA (m²) - Above Allowable		72 m²						
P5A		2,059 m²	12.95%	Resi_P	3.80	2	7.6	4,118 m²
T5A		784 m²	4.93%	Resi_T	3.30	12	39.6	9,403 m²
P5B		3,839 m²	24.16%	Resi_P	3.80	2	7.6	7,678 m²
T5B		795 m²	5.00%	Resi_T	3.30	10	33	7,951 m²
T5C		862 m²	5.42%	Resi_T	3.30	4	13.2	3,446 m²
P5C		3,444 m²	21.67%	Resi_P	3.80	2	7.6	6,888 m²
T5D		731 m²	4.60%	Resi_T	3.30	4	13.2	2,924 m²
T5E		731 m²	4.60%	Resi_T	3.30	10	33	7,310 m²
P5D		723 m²	4.55%	Resi_T	3.30	2	6.6	1,447 m²
P5E		675 m²	4.25%	Resi_T	3.30	2	6.6	1,350 m²
			67.58%					
	TOTAL SITE	**20,079 m²**					**TOTAL GFA**	**65,835 m²**
Site C - Core (Unlimited) - 140 Bertie St		**2,209 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**17,896 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**4,837 m²**						
GFA (m²) - (Dwelling)		**13,059 m²**						
Total GFA (m²) - Based on Options		**17,629 m²**						
Total GFA (m²) - Above Allowable		-267 m²						
Podium A		2,209 m²	33.33%	Comm_P	3.80	5	19	11,047 m²
Tower A		940 m²	14.19%	Comm_T	3.80	7	26.6	6,582 m²
			100.00%					

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GFA CALCULATIONS - OPTIONS A2 & A2A

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OPTION A3 - Existing CHQ Building with Campus, reduced FAR in core area		Area	Coverage	Use	Storey Height (m²) (Floor to Floor)	Storeys	Heights (m)	Floor Areas (m²)
Core		**17,169 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**139,072 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**37,587 m²**						
GFA (m²) - (Dwelling)		**101,485 m²**						
Total GFA (m²) - Based on Options		**65,314 m²**						
Total GFA (m²) - Above Allowable		**-73,758 m²**						
Existing - Podium		6,260 m²	36.46%	Comm_P	3.80	1	3.8	6,260 m²
Existing - Upper Levels		2,700 m²	15.73%	Comm_T	3.80	2	7.6	5,400 m²
P1A		1,745 m²	10.16%	Comm_P	3.80	6	22.8	10,467 m²
T1A		1,346 m²	7.84%	Comm_T	3.80	11	41.8	14,802 m²
P1B		3,268 m²	19.03%	Comm_P	3.80	3	11.4	9,804 m²
T1B		1,161 m²	6.76%	Comm_T	3.80	16	60.8	18,581 m²
			65.66%					
Non-Core		**22,485 m²**						
Floor Area Ratio (Mandatory)	3.30 : 1							
Total GFA (m²) - Allowable		**74,201 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**20,054 m²**						
GFA (m²) - (Dwelling)		**54,147 m²**						
Total GFA (m²) - Based on Options		**73,618 m²**						
Total GFA (m²) - Above Allowable		**-582 m²**						
Building Proposed - South		2,025 m²	11.79%	Comm_P	3.80	9	34.2	18,221 m²
Building Proposed - East		1,593 m²	9.28%	Comm_P	3.80	5	19	7,967 m²
Building Proposed - North		2,343 m²	13.65%	Comm_P	3.80	8	30.4	18,746 m²
Building Proposed - North-West		1,708 m²	9.95%	Comm_P	3.80	8	30.4	13,663 m²
Building Proposed - West		1,878 m²	10.94%	Comm_P	3.80	8	30.4	15,022 m²
			42.46%					
Site C - Core (Unlimited) - 140 Bertie St		**2,209 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**17,896 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**4,837 m²**						
GFA (m²) - (Dwelling)		**13,059 m²**						
Total GFA (m²) - Based on Options		**17,629 m²**						
Total GFA (m²) - Above Allowable		**-267 m²**						
Podium A		2,209 m²	12.87%	Comm_P	3.80	5	19	11,047 m²
Tower A		940 m²	5.48%	Comm_T	3.80	7	26.6	6,582 m²
			100.00%					

OPTION B1 - Max FAR		Area	Coverage	Use	Storey Height (m²) (Floor to Floor)	Storeys	Heights (m)	Floor Areas (m²)
Core		**19,380 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**156,981 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**42,427 m²**						
GFA (m²) - (Dwelling)		**114,553 m²**						
Total GFA (m²) - Based on Options		**157,441 m²**						
Total GFA (m²) - Above Allowable		**460 m²**						
Core (80.6m) - podium - NE		1,892 m²	9.76%	Resi_P	3.80	3	11.4	5,677 m²
Core (80.6m) - tower		1,000 m²	5.16%	Resi_T	3.30	20	66	20,000 m²
Core (99.8m) - podium - SW		1,895 m²	9.78%	Comm_P	3.80	6	22.8	11,370 m²
Core (99.8m) - tower		1,000 m²	5.16%	Comm_T	3.80	12	45.6	12,000 m²
Core (unlimited) - podium - NE		6,785 m²	35.01%	Resi_P	3.80	3	11.4	20,356 m²
Core (unlimited) - tower only		1,000 m²	5.16%	Resi_T	3.30	26	85.8	26,000 m²
Core (unlimited) - tower only		1,000 m²	5.16%	Resi_T	3.30	26	85.8	26,000 m²
Core (unlimited) - podium - SW		3,006 m²	15.51%	Comm_P	3.80	6	22.8	18,038 m²
Core (unlimited) - tower only		1,500 m²	7.74%	Comm_T	3.80	12	45.6	18,000 m²
			70.07%					

OPTION B2 - Max FAR with road widening & park removed from FAR calculations		Area	Coverage	Use	Storey Height (m²) (Floor to Floor)	Storeys	Heights (m)	Floor Areas (m²)
Core		**15,839 m²**						
Floor Area Ratio (Mandatory)	8.10 : 1							
Total GFA (m²) - Allowable		**128,294 m²**						
Floor Area Ratio (Non Dwelling)	3.70 : 1							
GFA (m²) - (Non Dwelling)		**34,674 m²**						
GFA (m²) - (Dwelling)		**93,620 m²**						
Total GFA (m²) - Based on Options		**127,941 m²**						
Total GFA (m²) - Above Allowable		**-354 m²**						
Core (80.6m) - podium - NE		1,892 m²	11.95%	Resi_P	3.80	3	11.4	5,677 m²
Core (80.6m) - tower		1,000 m²	6.31%	Resi_T	3.30	14	46.2	14,000 m²
Core (99.8m) - podium - SW		1,895 m²	11.96%	Comm_P	3.80	6	22.8	11,370 m²
Core (99.8m) - tower		1,000 m²	6.31%	Comm_T	3.80	9	34.2	9,000 m²
Core (unlimited) - podium - NE		6,785 m²	42.84%	Resi_P	3.80	3	11.4	20,356 m²
Core (unlimited) - tower only		1,000 m²	6.31%	Resi_T	3.30	18	59.4	18,000 m²
Core (unlimited) - tower only		1,000 m²	6.31%	Resi_T	3.30	18	59.4	18,000 m²
Core (unlimited) - podium - SW		3,006 m²	18.98%	Comm_P	3.80	6	22.8	18,038 m²
Core (unlimited) - tower only		1,500 m²	9.47%	Comm_T	3.80	9	34.2	13,500 m²
			85.73%					

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