

Report to the Future Melbourne (Planning) Committee

Agenda item 6.2

Melbourne Planning Scheme Review 2018**7 August 2018****Presenter:** Emma Appleton, Manager Urban Strategy**Purpose and background**

1. The purpose of this report is to seek the Future Melbourne Committee's endorsement of the Melbourne Planning Scheme Review Report 2018 (the Review), refer Attachment 2.
2. Section 12B of the *Planning and Environment Act 1987* requires Council to review the provisions of the Melbourne Planning Scheme within one year following the date by which it is required to approve its Council Plan, which was 30 June 2017. Due to the Victorian Government's Smart Planning program, an extension of time to December 2018 has been provided to all Victorian Councils to undertake and implement a review of their planning schemes. On completion of the review, Council must report the findings of the review to the Minister for Planning.
3. Tract consultants conducted the Review on behalf of Council in line with matters as set out in the Department of Environment, Land, Water and Planning's (DELWP) Review of Planning Schemes Practice Note (June 2015) and Continuous Improvement Review Kit (February 2006). It considers the Municipal Strategic Statement (MSS), local policies, and local schedules to the zones, overlays and particular provisions.

Key issues

4. The Review found that:
 - 4.1. In general, the Melbourne Planning Scheme successfully reflects Council's objectives with regard to the future planning of the municipality.
 - 4.2. Significant progress has been made to implement the recommendations of previous reviews, in particular relating to heritage, urban design, and sunlight to public parks.
5. The Review recommended that further guidance was required in the Melbourne Planning Scheme in nine strategic areas:
 - 5.1. Reviewing the Municipal Strategic Statement (MSS) Growth Area Framework Plan designations and Local Area Plans to provide clear and up-to-date direction for future growth.
 - 5.2. Protecting Aboriginal heritage.
 - 5.3. Implementing Development Contribution Plans and / or Infrastructure Contribution Plans.
 - 5.4. Developing an affordable housing policy.
 - 5.5. Progressing Environmentally Sustainable Design (ESD) and environmental initiatives.
 - 5.6. Continuing to pursue tailored schedules to zones to deliver desired land use mix.
 - 5.7. Updating the advertising signage policy to respond to changes in technology.
 - 5.8. Ensuring all parks are appropriately zoned.
 - 5.9. Continuing to work with DELWP to enable off-street bicycle and motorcycle parking rates appropriate to the municipality.
6. The review of the MSS is currently underway, and will clearly articulate the future growth narrative for the municipality, as well as reflect changes to policy, planning and development since the 2014 review.
7. Work on many of the strategic areas is being progressed through 2018–19 Annual Plan Initiatives. Many will require multi-year investment (5.1-5.6, and 5.8 as a consideration of the Transport Strategy Refresh). Updating the signage policy and rezoning parks may be considered in future Council Annual Plans, as appropriate (refer to the Summary of Recommendations, Attachment 3).
8. The Review also recommended policy neutral changes, including drafting changes, removing inconsistent language, deletion of expired clauses and deletion of duplicated policy (refer to Appendix 3 of the Review). There is an opportunity to implement these policy neutral changes when the new Planning Policy Framework structure is implemented as part of the Smart Planning program. Councils are likely to be required to undertake the conversion to the new structure later in 2018 or early 2019.

Recommendation from management

9. That Future Melbourne Committee:
 - 9.1. Endorses the Melbourne Planning Scheme Review Report 2018 at Attachment 2 and notes the Review's recommendations in relation to providing further guidance in the Melbourne Planning Scheme for the following strategic areas:
 - 9.1.1. Reviewing the Municipal Strategic Statement (MSS) Growth Area Framework Plan designations and Local Area Plans to provide clear and up-to-date direction for future growth.
 - 9.1.2. Protecting Aboriginal heritage.
 - 9.1.3. Implementing Development Contribution Plans and / or Infrastructure Contribution Plans.
 - 9.1.4. Developing an affordable housing policy.
 - 9.1.5. Progressing Environmentally Sustainable Design (ESD) and environmental initiatives.
 - 9.1.6. Continuing to pursue tailored schedules to zones to deliver desired land use mix.
 - 9.1.7. Updating the advertising signage policy to respond to changes in technology.
 - 9.1.8. Ensuring all parks are appropriately zoned.
 - 9.1.9. Continuing to work with DELWP to enable off-street bicycle and motorcycle parking rates appropriate to the municipality.
 - 9.2. Notes that 2018–19 Annual Plan Initiatives will progress work on 9.1.1-9.1.6, although many will require multi-year investment.
 - 9.3. Notes that the signage policy and rezoning of parks may be a consideration for future Council Annual Plans.
 - 9.4. Requests management forward the Melbourne Planning Scheme Review Report 2018 to the Minister for Planning.
 - 9.5. Directs management to work with the Department of Environment Land, Water and Planning to implement relevant policy neutral changes to the Melbourne Planning Scheme recommended in the Melbourne Planning Scheme Review Report 2018 and notes they may be implemented as part of transition to the new Planning Policy Framework structure, when introduced.

Attachments:

1. Supporting Attachment (page 3 of 423)
2. Melbourne Planning Scheme Review 2018 (page 4 of 423)
3. Summary of Recommendations (page 423 of 423)

Supporting Attachment

Legal

1. The Review has been undertaken to meet requirements established in Section 12B of the *Planning and Environment Act 1987*.

Finance

2. There are no direct costs associated with the Review.
3. Projects which arise out of the review will have varying financial impacts that will be factored into preparation of future Strategic Planning branch budgets.

Conflict of interest

4. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

Stakeholder consultation

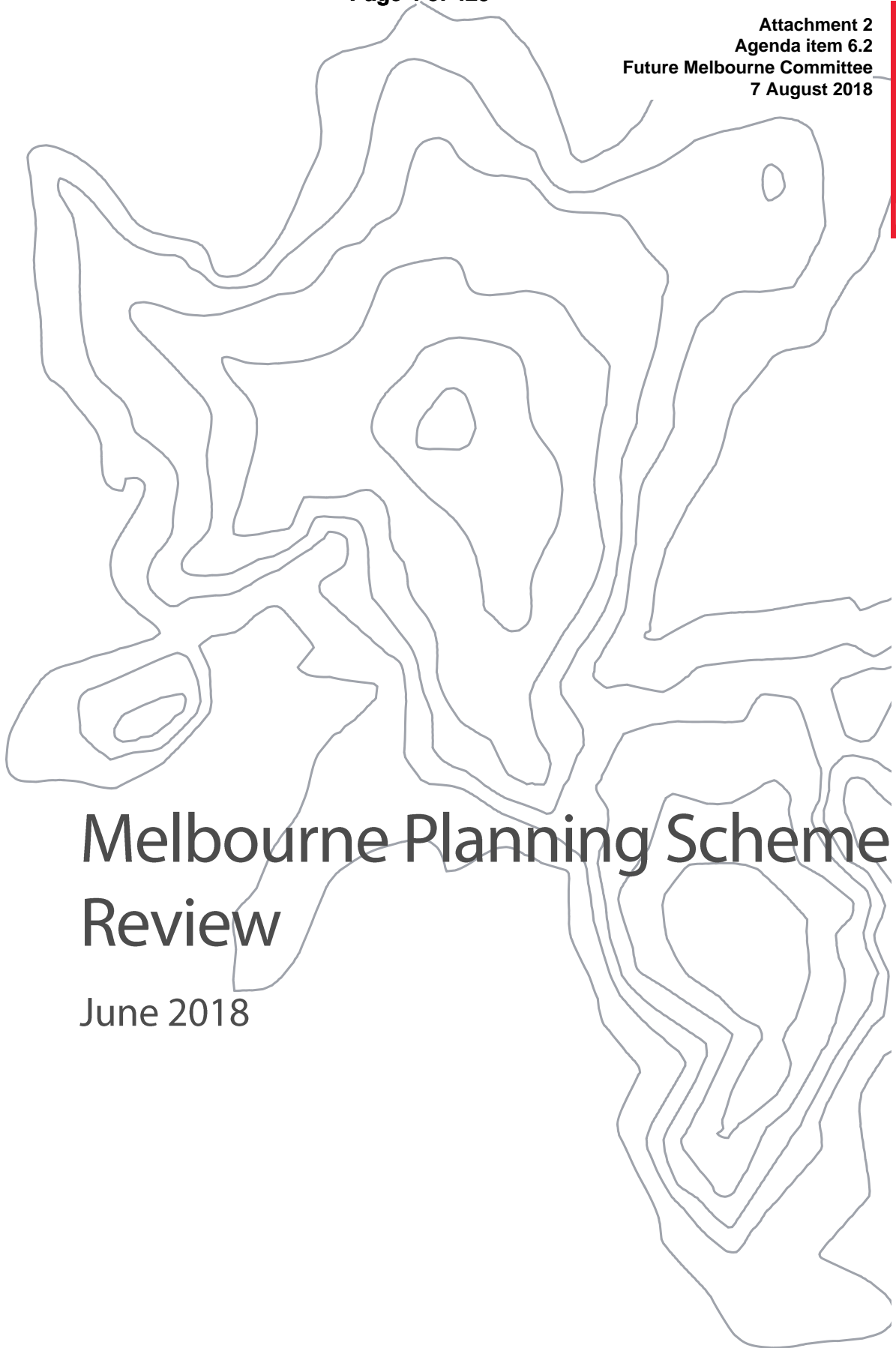
5. Targeted internal and external stakeholder consultation formed part of the Review. This consisted of three internal workshops, an external workshop and an online survey. A summary of the issues raised in consultation is included at Chapter 6 of the Review.

Relation to Council policy

6. The Review has highlighted the Melbourne Planning Scheme's consistency with, and implementation of, the land use and development goals of Future Melbourne Community Plan 2026 and Council Plan 2017–2021 and the recommendations of the Review will further the vision that, *In 2026, Melbourne will be a sustainable, inventive and inclusive city that is vibrant and flourishing*.

Environmental sustainability

7. In undertaking the Review, environmental sustainability policy development has been considered and any policy gaps in the Melbourne Planning Scheme have been identified.



Melbourne Planning Scheme Review

June 2018

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for City of Melbourne

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Appendices

Appendix 1 - Melbourne Planning Scheme Review Engagement Strategy

Appendix 2 – Summary of MPS Recommendations

Appendix 3 - Draft Amendment Documents

Appendix 4 – Further Strategic Work Program

Appendix 5 - Indicative LPPF to PPF Conversion

Appendix 6 - Relevant VCAT, Panel & Advisory Committee Reports

Appendix 7 – Summary of Enforcement matters 2014-2018

Appendix 8 – Residential Zone Height Conflicts

Abbreviations

CoM	City of Melbourne
DDO	Design and Development Overlay
DELWP	Department of Environment, Land, Water and Planning
FBT	Fishermans Bend Taskforce
GAFP	Growth Area Framework Plan
LPP	Local Planning Policies
LPPF	Local Planning Policy Framework
MPS	Melbourne Planning Scheme
MPSR	Melbourne Planning Scheme Review
MSS	Municipal Strategic Statement
PPARS	Planning Permit Activity Reporting System
PPF	Planning Policy Framework
SPPF	State Planning Policy Framework
UOM	University of Melbourne
VAGO	Victoria Auditor General's Office

Limitations

While the 2018 Review will consider the Municipal Strategic Statement (MSS) at Clause 21, a full review and rewrite of the MSS is being undertaken by the City of Melbourne as a separate project. The MSS Review project was developed alongside the 2018 Review project and both projects have informed each other.

This review has been undertaken without review of a current *Further Strategic Work Program* provided by the City of Melbourne. The project team has not reviewed respective City of Melbourne (CoM) team business plans.

The 2018 Review provides broad observations around the performance of the Planning services offered by Melbourne City Council but is limited in its recommendations due to not examining these services in detail.

EXECUTIVE SUMMARY

The City of Melbourne (CoM) is required to review the Melbourne Planning Scheme (MPS) every four years. Monitoring, auditing and reporting of the Planning Scheme is a mandatory requirement under the *Planning and Environment Act 1987*.

This Melbourne Planning Scheme Review has been prepared in accordance with the DELWP Review of *Planning Schemes Practice Note* (June 2015) and *Continuous Improvement Review Kit* (February 2006).

This Review provides Council with:

- An overview of the performance of the Planning Scheme.
- An understanding of what policy changes have occurred since the last review.
- Suggested minor drafting changes to the planning scheme table of contents, clauses 21 and 22 and local schedules to zones and overlays.
- A suggested work program for future action.

The role of the Melbourne Planning Scheme in a capital city

As Victoria's capital city, the CoM clearly fulfils a different role and assumes a different physical form to the rest of the metropolitan area and regional cities. The significance and complexity of Melbourne's role as the capital city has been well captured in previous planning scheme reviews, in the current MPS State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF).

In particular, the central city has historically operated as the state's economic engine room, and is therefore subject to intense development pressure. This manifests in the quantum and magnitude of development proposals received by the City, with commercial land values and holding costs generating additional pressure for timeliness in decision making.

Planning in the CoM is required to operate in a complex and political climate and therefore the MPS is required to balance the capital city role of Melbourne with its localised role. This has resulted in the need for specialised zones, numerous overlays and local planning policies.

Previous planning scheme reviews

The MPS was reviewed in 1998, 2001, 2008 and 2014. There have been a number of individual projects and planning scheme amendments completed by CoM that have addressed issues raised in these review reports. These include the introduction of local policies as well as the Southbank, City North and Arden Macaulay Structure Plans and associated DDO controls. Residual matters that have required further consideration from these reviews include:

- Melbourne's role in Victoria and nationally;
- Clearer links with state government strategic planning policy; and
- Infrastructure funding;
- Advertising signs.

Good progress has been made on the recommendations made in the 2014 review. These include:

- Review of the heritage policies and area-specific heritage reviews;
- Review of urban design issues in the central city and Southbank;
- Review of local heritage policies and overlays;
- Review of bicycle and motorcycle parking;
- Inclusion of Carlton Connect and Dental Hub as part of the Parkville Knowledge Precinct; and
- Review of the Open Space Strategy.
- Housing affordability and apartment design standards;

- Sustainable transport and walkability;
- Aboriginal heritage; and
- Ecologically sustainable buildings and climate change adaptation.

This Review recommends that the outstanding issues raised in the 1998, 2001, 2008 and 2014 review reports be included in CoM's Further Strategic Work Program.

Consultation process and outcomes

This Planning Scheme Review included a comprehensive consultation process involving Councillors, agencies, Council staff and other relevant stakeholders. The consultation phase included a series of targeted engagement sessions taking the form of individual meetings with Councillors, intensive stakeholder group workshops and an online survey/questionnaire.

The online survey/questionnaire received 15 responses; four separate group workshops were conducted with 21 CoM staff and nine external parties; and discussions were held with planning portfolio councillors. Appendix 1 outlines the Planning Scheme Review engagement strategy. The broad range of issues identified during the consultation has informed the further strategic work program and recommendations of this Review.

State strategic context

Since the 2014 review various state level strategic policy projects have commenced that will have implications for the MPS.

The state government's new draft Planning Policy Framework structure appears to have had the most obvious structural and content impact and a restructure of the existing LPPF is likely to be required by the state government in late 2018 or in 2019. Similarly, the outcome of the Land Use Terms Advisory Committee report may require existing definitions contained in local schedules to be updated or deleted.

The Government Land Standing Advisory Committee has the potential to make recommendations for changes to the planning provisions for land owned by the Victorian Government to facilitate priority projects. The Social Housing Renewal Standing Advisory Committee will continue to consider the appropriateness of sites for renewal and redevelopment of existing public housing estates whilst the Major Hazards Facilities Advisory Committee has made recommendations for new controls to be applied to two major hazard facilities in the CoM. The outcome of the Fisherman's Bend Planning Review Panel Amendment GC81 will also be an important catalyst for the MPS regarding future guidance for other urban redevelopment sites and proposed stations associated with the Melbourne Metro Rail Project will substantially alter the public realm and act as a catalyst for development of areas such as Arden and West Melbourne.

Any changes required to the MPS as a result of these initiatives are difficult to anticipate but they will have implications for the MPS through the introduction of new policy, zones and overlays. This Review recommends that CoM continues to monitor and participate in state government planning and regulatory reform processes to influence where an opportunity to do so exists and to prepare for the implementation of changes that affect planning processes and the operation of the MPS.

Local strategic context

Council's ongoing strategic and governance processes have resulted in a range of policies and plans that have implications for the MPS. The significant amount of work that CoM has delivered on since the 2014 MPS Review is demonstrated through the update to Future Melbourne 2026, the preparation of numerous strategies and approved and currently exhibited planning scheme amendments demonstrate.

The relevant content contained within each of these policies and strategic planning policies has been reviewed and considered as part of this Review.

VCAT and Planning Panels

The efficacy of the MPS is regularly tested through VCAT appeals and Planning Panels.

The review of VCAT and Panel outcomes revealed that in some areas, current policies or individual provisions in the Scheme are working well to meet Council's objectives. This was evident through Tribunal decisions where the provisions within local policies such as Clause 22.02 (Sunlight to public spaces), Clause 22.07 (Advertising Signs) and overlays such as DDO10 provided a basis for Council decisions to be upheld upon appeal. However the review also revealed deficiencies in policy areas, including development contributions, and signage, the need for both mandatory and discretionary provisions, transport infrastructure, both car and bicycle parking ratios, noise and referral processes.

There were some commonalities between issues raised in Panel recommendations and VCAT decisions with issues raised during the stakeholder engagement process including debate around discretionary policies and controls, particularly with respect to built form and land use decisions. The ongoing need for structure planning was evident through both stakeholder feedback and Tribunal decisions and Panel reports.

LPPF: Municipal strategic statement

The MSS provides the broad local policy basis for decision making under a planning scheme. The MSS is currently being reviewed by CoM as part of a separate planning exercise. Notwithstanding this, this Review includes a number of recommendations for consideration by Council's MSS team. In particular, the restructure of clauses containing the local area plans and the clarification of references to their priority for urban renewal or development was recommended. Given forthcoming state-wide amendments to the Planning Policy Framework through the state government's *Smart Planning* project, these recommendations were provided as desirable, but potentially unwarranted prior to more substantive amendments.

LPPF: Local planning policies

Council is currently undertaking substantial review of key local policies including their heritage and urban design policies. Accordingly, a number of policy issues identified through this review are currently being addressed by Council.

The Local Planning Policy review recognised that a number of CoM's local policies are currently being substantially updated and reviewed to address policy gaps. The review identified opportunities to refine and strengthen some local policies eg (ESD, Housing Affordability) however it was recognised that a number of these issues are being dealt with by state government so the value in progressing in parallel was questioned. The review recommended changes to local policy, generally for reasons of clarity and consistency, for the benefit of users of the Scheme and decision makers. Examples include the updating of local area plans, and improving the consistency of terminology and expression.

Zones and overlays and other provisions

The zones, overlays and other provisions contained in the MPS were comprehensively reviewed.

The review suggested ways in which identified Council objectives could be better implemented through zone selection, redrafting or the use of schedules. There was substantial discussion and consideration in relation to the selection of zones to achieve specific land use outcomes, where the use of tailored schedules to the CCZ were considered against the selection of an alternative zone. Refinements to the DDOs for consistency was also discussed.

1 INTRODUCTION

This 2018 review of the MPS is a requirement driven by state government legislation. The scope of the review has been informed by state government guidelines and key technical planning documents.

1.1 The requirement to undertake the planning scheme review

The new format MPS including the LPPF was approved by the Minister for Planning in March 1999.

Section 12B of the *Planning and Environment Act 1987* requires Council to regularly review the planning scheme. In September 2007 section 12B of the *Planning and Environment Act* was changed to provide a timeframe in which a Planning Scheme (and not only the LPPF) must be reviewed. Section 12B (a) of the *Planning and Environment Act 1987* now states that a planning authority must review its planning scheme:

... no later than one year after each date by which it is required to approve a Council Plan under section 125 of the *Local Government Act 1989*.

The Council Plan was approved in June 2017 and the Planning Scheme Review commenced in January 2018.

Once finalised and adopted by Council, this report along with the separate review report of the MSS (see section 2.2 below) will constitute the formal "Planning Scheme Review" of the Melbourne Planning Scheme as required under Section 12B of the *Planning and Environment Act*.

This planning scheme review process has included consultation with Councillors, agencies, Council Staff and key stakeholders as well as a detailed desktop review of zones, overlays, policies, relevant reports and strategic documents.

1.2 The scope of the review

The *Continuous Improvement Review Kit 2006* (Department of Transport, Planning and Local Infrastructure) states that a Planning Scheme Review Report must:

- Identify the major planning issues facing the municipality;
- Demonstrate how the Municipal Strategic Statement ("the MSS") implements State Planning Policy;
- Assess the strategic performance of the Scheme;
- Document the strategic work that has been completed or carried out since the approval of the scheme and any additional work required to strengthen the strategic direction of the planning scheme;
- Articulate the monitoring and review which has been carried out;
- Outline the consultation process and its outcomes;
- Make recommendations arising from the review including:
 - suggested changes to the objectives and strategies of the Local Planning Policy Framework;
 - suggested changes to the use of Victoria Planning Provisions tools to achieve the strategies and ensure the objectives and desired outcomes are being met;
 - new strategic work necessary to support future policy development or changes to the provisions of the scheme;
 - suggested changes to improve operational and process practices; and
 - identifying any data on planning permit applications, or other data, that may need to be collected to inform the next review.
- Audit the application and performance of the zones and overlays in the scheme;
- Investigate whether or not the schedules in the scheme have been appropriately applied.

This Melbourne Planning Scheme Review (the *2018 Review*) report directly responds to these matters.

Implementation is made challenging in the context of a dynamic policy framework, where an MSS review is underway, and a restructure of the content of all planning schemes is being undertaken by the state government. This is in addition to the CoM's unique and consistent high level of development pressure within the Capital City context.

1.3 Matters beyond the scope of this review

Matters that cannot be addressed through the MPS are beyond the scope of this review. In acknowledgement of these issues raised through the stakeholder engagement process, a summary of such matters has been provided in Chapter 6.

1.4 The structure of the 2018 MPS Review

Chapters 2, 3, 4 and 5 of this review establish the strategic context for the 2018 Review. Chapter 2 provides an overview of the three previous MPS reviews and highlights the status of recommendations arising from those reviews. Chapters 3 and 4 describe the current state and local strategic planning contexts. Chapter 5 provides a summary of VCAT Decisions, Planning Scheme Amendments and Advisory Committees that impact, or have potential to impact the contents of the MPS.

Chapter 6 describes the engagement process that was undertaken to canvas views of relevant stakeholders.

The latter chapters focus on each section of the MPS, identifying issues encountered within each part of the Scheme. Chapters 7, 8, 9 and 10 provide a chapter by chapter review of the Municipal Strategic Statement, Local Policies, Zones & Overlays, and Other provisions respectively. Each of these chapters provide recommendations that directly relate to the issues identified within each section of the MPS.

Chapter 11 summarises all the recommendations identified within the 2018 review.

1.5 Concurrent MSS Review Project

While the 2018 Review will consider the MSS at Clause 21, a full review and rewrite of the MSS is being undertaken as a separate project. The MSS Review project was developed alongside the 2018 Review project and both projects have informed each other.

The 2018 Review was undertaken having regard to the following key technical planning documents:

- *The Planning and Environment Act (1987)*.
- DTPLI *Continuous Improvement Review Kit* (February 2006)
- DELWP *Reforming the Victoria Planning Provisions – A Discussion Paper* (October 2017)
- Relevant Planning Practice and Advisory Notes as listed at 3.2.1.

1.6 Policy Neutral and Complex Recommendations

This review identifies both complex matters where further strategic work is required, and straightforward ('policy neutral') matters. Appendix 2 includes a series of tables showing all the recommended changes to the MSS, Local Planning Policies, Zones, Overlays and Other Provisions. These tables provide a summarised audit of the MPS, identifying clauses where an update is recommended, and identifying whether the recommended change is *policy neutral*, or where further research is required.

With the Government's current Smart Planning project underway, it is questioned whether there is value in amending the Melbourne Planning Scheme to implement changes that alter the structure and format of the Scheme. However an interim review, which refines the current scheme contents such that they can be more easily translated into any future Scheme format (once confirmed) is seen as a worthwhile exercise and would reduce the complexity of the further translation of the Scheme to the new format.

1.6.1 Further Strategic Work

The Review highlights a number of areas where further strategic work will be required before a planning scheme amendment can be implemented.

1.6.2 Policy Neutral Changes

This Review identifies '*policy neutral changes*' where improvements to the Scheme can be made to promote clarity and consistency without changing the policy directions of the Scheme. Suggested redrafting for a number of clauses is provided at Appendix 3 of this Review.

As policy neutral changes, these adjustments should be considered by Council as part of an expedited process under Section 20 of the *Planning and Environment Act*.

1.7 Implementation Mechanisms

At Section 20, the *Planning and Environment Act* provides several processes for amendments to planning schemes with or without the giving of notice. Two key processes for facilitating a policy neutral amendment without notice are:

- Section 20 Parts 4 or 5
- Section 20A

The preferred avenue will depend upon the nature of the changes sought.

Appendix 2 of this review lists all clauses where changes are suggested, and identifies which of those constitute policy neutral changes. This is to assist Council in identifying those that could be considered for inclusion in an amendment without notice. It is recommended that CoM liaise with DELWP to determine:

- what changes to the Scheme can be expedited in accordance with the requirements of the Act; and
- which avenue is preferred.

Section 20 of the PEA

Section 20 of the *Planning and Environment Act* provides exemptions from the giving of notice as follows:

Part 1

A planning authority may apply to the Minister to exempt it from any of the requirements of section 19 or the regulations in respect of an amendment.

Part 2

If the Minister considers that compliance with any of those requirements is not warranted, or that the interests of Victoria or any part of Victoria make such an exemption appropriate, the Minister may—

- (a) exempt a planning authority from any of those requirements; and*
- (b) impose conditions on that exemption, including a condition which requires the planning authority to give notice of the amendment in any specified manner.*

Part 3

The Minister cannot exempt a planning authority from the requirement to give notice—

- (a) to the owner of any land, of an amendment which provides for—*
 - (i) the reservation of that land for public purposes; or*
 - (ii) the closure of a road which provides access to that land; or*
- (b) to any Minister prescribed under section 19(1)(c); or*
- (ba) under section 19(2) or (3), if the amendment proposes a change to provisions relating to land set aside or reserved as public open space; or*
- (c) to the Minister administering the Land Act 1958 under section 19(1)(d).*

Part 4

The Minister may exempt himself or herself from any of the requirements of sections 17, 18 and 19 and the regulations in respect of an amendment which the Minister prepares, if the Minister considers that compliance with any of those requirements is not warranted or that the interests of Victoria or any part of Victoria make such an exemption appropriate.

Part 5

The Minister may consult with the responsible authority or any other person before exercising the powers under subsection (2) or (4).

Section 20A of the PEA

Under Section 20A, the Minister may prepare an amendment without notice in *prescribed* circumstances. Prescribed amendments are listed in the Planning and Environment Regulations and include:

- (a) *an amendment to correct an obvious or technical error in the Victoria Planning Provisions or a planning scheme; and*
- (b) *an amendment to delete an expired clause in the Victoria Planning Provisions or a planning scheme; and*
- (c) *an amendment to clarify or improve the style, format, language or grammatical form of a clause in the Victoria Planning Provisions or a planning scheme, if the intended effect of that clause or any other clause in the Victoria Planning Provisions or a planning scheme is not changed by that amendment; and*
- (d) *an amendment to remove a clause that duplicates another clause in the Victoria Planning Provisions or a planning scheme .*

Not all of the policy neutral changes can be dealt with through 20A. Whilst there are a number of matters that could be addressed through s20A, using this mechanism does not provide any real benefit if a concurrent planning scheme amendment is needed to address other matters using s20(4) or s20(5) of the Act.

Recommendation 1

CoM should liaise with DELWP early in the process to determine what matters outlined in Appendix 2 are appropriate as a 20(4) or a 20(5) mechanism for implementation of the policy neutral changes.

2 BACKGROUND

2.1 The role of the Melbourne Planning Scheme in a capital city

As Victoria's capital city, the CoM clearly fulfils a different role and assumes a different physical form to the rest of the metropolitan area and provincial cities. The significance and complexity of Melbourne's role as the capital city has been well captured in previous planning scheme reviews, in the current MPS State Planning Policy Framework (SPPF) and LPPF.

In addition to Council's roles and responsibilities, some of the CoM is controlled by various agencies and authorities, large developments over 25,000m² in floor area are determined by the Minister for Planning, and significant competing development priorities are all played-out through the MPS.

Furthermore, in the 2016/2017 12 month period, the CoM captured the highest planning permit application total level of investment of \$5,914,365,357 across Victoria and is in the top 20 percent of the amount of planning permit applications determined (PPARS, DELWP 2018).

As a consequence of the above, planning in the CoM is required to operate in a complex and political climate and therefore the MPS is required to balance the capital city role of Melbourne with its localised role. This has resulted in the need for specialised zones, numerous overlays and local planning policies.

The Melbourne Planning Scheme was reviewed in 1998, 2001, 2008 and 2014. The key recommendations from each review are summarised below.

2.2 The initial Melbourne Planning Scheme Panel Report (1998)

The review of the Melbourne Metropolitan Planning Scheme by the state government appointed panel and advisory committee has been the most significant review of the four reviews. This is mainly due to the need to respond to the direction from the then state government to transition from the old format scheme over to a new format scheme.

The panel and advisory committee report on the new format Melbourne Planning Scheme was released in April 1998. Broadly summarised, the main themes included in the committee's recommended changes to the exhibited new format Melbourne Planning Scheme comprised:

- Redrafting the structure of the MSS to remove reference to Council's strategic document - Melbourne's City Plan '97 and to more clearly express land use objectives and strategies.
- Developing new policies regarding solar access, urban design, plot ratios, Queen Victoria Market and existing and prohibited uses in heritage areas.
- Revising policies on overshadowing of various precincts, building design, amusement parlours, adult sex bookshops, cinemas and adult entertainment, residential areas, and heritage places outside the Capital City Zone (CCZ).
- Deleting policies relating to gaming venues, Lygon Street and small lot sizes.
- Reviewing the role of the Mixed Use Zones.
- Adopting a consistent method of applying the Heritage Overlay to test the assessment, rigour and accuracy of the Overlay.
- Revising Design and Development Overlays to better consider height limits and remove all plot ratios from the schedules.
- Reviewing the application of the Environmental Audit Overlay, Land Subject to Inundation Overlay, and Public Acquisition Overlay.
- Reviewing the application of planning controls along specified rivers and creeks and updating general referral authority requirements.

The Melbourne Planning Scheme was approved generally in accordance with the committee's recommended changes in March 1999.

2.3 The first MSS review report (2001)

The process of reviewing the first MSS was complex. CoM prepared *City Plan 99* which was reviewed and redrafted in 2001 and was rebadged as *City Plan 2010*. These City Plans essentially formed Council's then MSS.

A *MSS Three year Review Report* was also completed in 2001 which enabled the City Plan and a new MSS to be developed as two separate documents. The 2001 review made recommendations around the need to redraft the MSS and a number of changes to local planning policies. Most of these recommendations were then implemented into the Planning Scheme by way of Melbourne Planning Scheme Amendment C60 Part 1 from 2002 - 2004. C60 Part 2 – a revised policy relating to *Sexually Explicit Adult Establishments* was abandoned by Council in 2003.

Planning Scheme Amendment C60 (Part 1) involved:

- Substantial changes in format and content of the MSS to ensure its consistency with state government changes in direction around MSS content and alignment with *City Plan 2010* and *Melbourne 2030*.
- Greater emphasis on sustainable building design in terms of energy use.
- Clearer expression of residential amenity expectations of the Capital City and Mixed Use Zones.
- Updating the MSS to include reference to a number of adopted local area plans to help provide more detailed direction on the character of these areas and expected future change.
- Review of many existing local planning policies to improve their clarity and effectiveness: Urban Design Within and Outside the Capital City Zone; Advertising Signs; Amusement Parlours; Discretionary Uses in the Residential 1 Zone; Gaming Premises; and Sunlight to Public Spaces.
- Strengthening policy regarding the economic role of the central city.
- Clearer expression of the relationship between Melbourne's heritage, city structure and built form as a result of Planning Scheme Amendment C20 that reviewed built form and urban design provisions in the Planning Scheme.
- Introduction of two new local policies relating to Ecological Sustainable Buildings and Bicycle Facilities Parking.
- Deletion of a number of local policies that were better situated in the MSS: Retail Core Use and Development; Parkville Research and Education Strip; Queen Victoria Market; Car Parking in the Capital City Zone; Land Use and Activities in the Mixed Use Zone; and Parks and Gardens Masterplans.

2.4 The second planning scheme review (2008)

Changes in legislation required the 2008 review to examine the entire Melbourne Planning Scheme and not just the MSS. The 2008 review identified a number of main themes with 23 recommendations. Broadly summarised, the main themes included in the changes comprised:

- Aligning the MSS with *Council Plan 2009-2013* and *Future Melbourne*.
- Developing new polices relating to accessible buildings, bicycle facilities, student housing, and ecological sustainable buildings.
- Revising strategies in the MSS and polices regarding advertising signs; urban design in the Docklands Zone and inside and outside of the CCZ including removing plot ratios; heritage places within and outside of the CCZ; sunlight to public open space; excessive permit triggers in the DDOs; built form policies to articulate desired outcomes; and biodiversity protection.
- Strengthening the strategic intent of matters concerning housing diversity, affordability and social housing; resident and worker population growth; strategic growth areas; sustainable built form and transit orientated development; sustainable transport; industrial land supply; combining heritage and urban consolidation; urban infrastructure funding; climate change adaptation; and building accessibility, energy, water and waste efficiency.

The development of a number of new Council's policies and strategies and planning scheme amendments made changes to the Melbourne Planning Scheme as a result of the 2008 review. In particular, Melbourne Planning Scheme Amendment C162 implemented the 2008 review MSS recommendations into the Planning Scheme during 2010 – 2013.

2.5 The third planning scheme review (2014)

The most recent 2014 review found that generally the Melbourne Planning Scheme adequately reflected Council's objectives for the use and development of land in the municipality but identified a number of areas for improvement. These included:

- Strengthened links between the State Planning Policy Framework and Local Planning Policy relating to:
 - *Plan Melbourne*, transport initiatives, residential apartment amenity, 20 minute neighbourhoods, noise and air quality, health planning, Fishermans Bend urban renewal area and Parkville employment cluster.
 - Implementation of the *Aboriginal Heritage Plan 2015-18, CoM*.
 - Consideration of future industrial needs, housing diversity and affordable housing.
- Local policies that required updating:
 - Clauses 22.01, 22.17 and 22.18 Urban Design and related DDO permit triggers (also identified in the 2008 review) and height limits determined by flight paths.
 - Clause 22.02 Sunlight to Public Open Spaces (also identified in the 2008 review)
 - Clauses 22.04 and 22.05 Heritage Polices (also identified in the 2008 review)
 - Clause 22.07 Advertising signs (also identified in the 2008 review) and related clause 52.06 schedules to the CCZ and Docklands Zone
 - Clause 22.20 CBD Lanes.
- New local policies to be introduced following further strategic work
 - Buildings which are accessible to people of all abilities
 - Key issues raised in Council's *Walking Plan 2014-17*
 - Housing diversity and affordable housing
 - Climate change and climate resilience
- New mechanisms (i.e. LPPF, zones, overlays) to be implemented to address:
 - DDO permit triggers and interpretation of architectural features to address Supreme Court decision *SGRC Pty Ltd v Melbourne City Council & Ors* [2014] VSC 238,
 - The provision of affordable housing
 - Buildings which are accessible to people of all abilities
 - Internal amenity of apartments
 - Environmentally sustainable design standards for new development
- Other matters for action:
 - Update the MSS to remove reference to Melbourne Metro and replace with Melbourne Rail Link and include references to the East West Link.
 - Include Carlton Connect hub and Dental Hospital into the Parkville Knowledge Precinct.

2.6 Progress on issues arising from previous reviews

There have been a number of individual projects and planning scheme amendments completed by CoM that have addressed issues raised in the **1998, 2001, 2008 review reports**. These include introduction of local policies, Clause 22.23 Stormwater Management (Water Sensitive Urban Design) and Clause 22.19 Energy, Water and Waste Efficiency into the MPS, as well as the Southbank, City North and Arden-Macaulay Structure Plans and associated DDO controls.

Residual matters that have required further consideration from these reviews include:

- Melbourne's role in Victoria and nationally;
- clearer links with state government strategic planning policy;
- the application of DDOs (e.g. height limits, excessive permit triggers);
- Heritage Overlays; and
- Advertising signs

Good progress has been made on the recommendations included in the **2014 review**. The key strategic projects include:

- **Urban Design (Amendment C308)**
Council has prepared and adopted the '*Central Melbourne Design Guide*' which applies within the central city and Southbank. The Guide underpins a more streamlined and simplified policy framework which is being implemented through Planning Scheme Amendment C308. Amendment C308 seeks to replace Schedule 1 to the Design and Development Overlay and delete Schedule 4 and Clause 22.01 to address ground level urban design and activation issues. At the time of this review, the Guide had been publicly released and a request had been made to the Minister seeking authorisation to prepare and exhibit Amendment C308.
- **Heritage Policies Review and West Melbourne Heritage Review (Amendment C258)** The purpose of Amendment C258 is to revise the local heritage planning policies (Clauses 22.04 and 22.05), incorporate new heritage statements of significance and replace the A to D grading system with the significant/contributory/non-contributory grading system. The Amendment seeks to introduce a new heritage overlay across 20 sites in West Melbourne. At the time of this MPS Review, Amendment C258 had completed exhibition and a review of all submissions was underway.
- **Southbank Heritage Review (Amendment C305)**
The amendment seeks to implement the findings of Southbank and *Fishermans Bend Heritage Review 16 June 2017*. It incorporates the *Southbank Statements of Significance, 2 October 2017*, *Southbank Heritage Places Inventory, 2 October 2017* and the *Former PMG garage, stores & workshops, part 45-99 Sturt Street Southbank Incorporated Document 19 December 2017*. It also inserts reference to *Southbank and Fishermans Bend Heritage Review 16 June 2017* in local policy and makes corresponding mapping changes. The amendment commenced exhibition on 24th May 2018.
- **Central City Heritage Review**
- **West Melbourne Structure Plan and Amendment C309**
The Structure Plan has been endorsed and a request had been made to the Minister seeking authorisation to prepare and exhibit Amendment C309.
- **Transport / Connectivity / Parking**
In 2016, Council completed a review of the bicycle and motorcycle parking - *Off-street Bicycle and Motorcycle Parking Strategy*.
- **Parkville Knowledge Precinct**
Ongoing works and development of the precinct, in particular the redevelopment and associated planning approvals associated with the Carlton Connect site are achieving the aims of the site a one of Melbourne's key National Economic Innovation Cluster.
- **Other**
Strengthening of Clause Strengthen Cl. 22.02 Sunlight to Public Spaces and a review of the Open Space Strategy.

In addition to the work which stems from the 2014 review, CoM are currently reviewing Clause 22.19 Energy, Water and Waste Efficiency and conducting a separate MSS review, of which the findings from this review will feed into.

A comprehensive listing of the status of current and completed projects is provided in the Review of Further Strategic Works list at Appendix 4.

2.7 Conclusion

A number of issues raised in the **2014 review** continued to surface in this review. These include the need to undertake strategic work to address:

- housing affordability;
- apartment standards;
- sustainable transport;

- infrastructure funding;
- aboriginal heritage;
- ecological sustainable buildings; and climate change adaptation

These issues have been identified in the Council Plan and Annual Plan initiatives and the associated recommendations are discussed in greater detail through Chapters 7-10.

3 STATE STRATEGIC CONTEXT

There have been a number of key changes to *the Planning and Environment Act 1987*, Planning Practice and Advisory Notes and new state government policy positions that affect CoM and the MPS since the 2014 Planning Scheme review.

3.1 Planning and Environment Act 1987

The *Planning and Environment Amendment (General) Act 2013* came into operation in October 2013 but the ongoing implementation of the changes have been carried forward since the 2014 review. The key reforms in the 'Amendment Act' include:

- making it mandatory for the Responsible Authority and the Planning Authority to take account of the social effects and economic effects of the use or development of the land
- providing for two types of referral authority – determining or recommending referral authority where referral authorities are able to determine and application or just provide comment
- providing for a Planning Application Committee to work with councils to deliver better local planning decisions
- providing for reporting to the Minister by planning authorities, responsible authorities and referral authorities to improve the transparency of the planning system
- changing the processes for amending planning schemes and assessing planning permit applications in an effort to reduce delays and speeding up information exchange
- improving the decision-making process at the Victorian Civil and Administrative Tribunal
- improving the operation of planning agreements by expanding the options for amending and ending legal agreements
- amending the *Subdivision Act 1988* in relation to public open space and include consequential minor changes to the *Subdivision Act 1988* and the *Local Government Act 1989*
- ensuring that if a planning scheme specifies the level of public open space contribution in Clause 52.01, there is no power to vary or reduce it in the event that section 18(1A) applies
- confirming the right of the amendment proponent to be heard in a Panel hearing
- giving Planning Panels the option of holding 'Directions Panels' whereby a number of Directions Hearings are conducted on the one day.

Part six of the *Building a Better Victoria (State tax and Other Legislation Amendment) Act 2014* came into operation in July 2015. The Act introduced the requirement for:

- a planning permit application to be levied under Section 47 or 96A of the *Planning and Environment Act 1987* for land in the metropolitan Melbourne if the estimated cost of the development for which the permit is required exceeds the threshold amount. The current threshold for the 2017-18 financial year is \$1,029,000.
- the levy to be paid to the State Revenue Office who issue a levy certificate prior to lodging a planning application in one of the 32 metropolitan council areas for a development valued over the threshold.

Also see *Planning Practice Note 82: Applying the Metropolitan Planning Levy May 2016*.

The *Planning and Environment Amendment (Recognising Objectors) Act 2015* came into operation in October 2015 and amends the Section 60 and 84B(2) of the *Planning and Environment Act 1987* to require responsible authorities and the Victorian Civil and Administrative Tribunal (VCAT) to consider the number of objectors to a permit application in considering whether a proposed use or development may have a significant social effect.

Also see *Planning Advisory Note 63: Planning and Environment Amendment (Recognising Objectors) Act October 2015*.

Discussion

Since the 2014 Review there have been a number of changes to the *Planning and Environment Act 1987* that affect the CoM. These changes along with proposed changes at the state level may have implications for the MPS. Substantial changes to the Act in 2013 and further changes in 2014 and 2015 have mainly led to changes in statutory and strategic planning processes and not the MPS. Changes in 2016 and 2018 may affect where and how the Infrastructure Contributions Plan Overlay is applied. Although it is acknowledged that CoM may not be able to control these changes, there is benefit in being aware of any changes proposed prior to implementation by the state government.

Recommendation 2

CoM continues to actively participate in any regulatory reform where opportunities arise to understand how any proposed changes are likely to affect the planning processes and operation of the MPS.

3.2 Planning Practice and Advisory Notes

A number of planning practice notes have been refreshed since 2014, reflecting the breadth of reform, amendment of the VPPs and planning initiatives.

3.2.1 Planning Practice Notes

Relevant Planning Practice Notes that have been introduced or revised since the 2014 review are listed below:

- PPN01: Applying the Heritage Overlay January 2018
- PPN02: Public Land Zones January 2018
- PPN03: Applying the Special Use Zone May 2017
- PPN04: Writing a Municipal Strategic Statement June 2017
- PPN08: Writing a Local Planning Policy June 2015
- PPN10: Writing Schedules January 2018
- PPN11: Applying for a Permit under the Flood Provisions August 2015
- PPN13: Incorporated and Reference Documents June 2015
- PPN15: Assessing an Application for One or More Dwellings in a Residential Zone January 2018
- PPN16: Making a Planning Application for One or More Dwellings in a Residential Zone January 2018
- PPN17: Urban Design Frameworks July 2015
- PPN22: Using the Carpark Provisions June 2015
- PPN23: Applying the Incorporated Plan and Development Plan Overlays August 2015
- PPN24: Shipping Container Storage October 2015
- PPN27: Understanding the Residential Development Provisions June 2015
- PPN32: Review of Planning Schemes June 2015
- PPN43: Understanding Neighbourhood Character January 2018
- PPN45: Aboriginal Heritage Act 2006 and the Planning Permit Process June 2015
- PPN46: Strategic Assessment Guidelines May 2017
- PPN54: Managing Referrals and Notice Requirements June 2015
- PPN58: Structure Planning for Activity Centres June 2015
- PPN59: The Role of Mandatory Provisions in Planning Schemes June 2015
- PPN60: Height and Setback Controls for Activity Centres June 2015

- PPN61: Licensed Premises: Assessing Cumulative Impact June 2015
- PPN70: Open Space Strategies June 2015
- PPN74: Availability of Planning Documents July 2016
- PPN81: Live Music and Entertainment Noise May 2016
- PPN82: Applying the Metropolitan Planning Levy May 2016
- PPN83: Assessing External Noise Impacts for Apartments August 2017

3.2.2 Advisory Notes

Relevant Planning Advisory Notes that have been introduced or revised since the 2014 review are listed below:

- AN55: VicSmart Planning Assessment August 2014
- AN56: Planning for Ports and their Environs October 2014
- AN63: Planning and Environment Amendment (Recognising Objectors) Act October 2015
- AN66: New Planning Provisions for Apartment Developments – Amendment VC136 April 2017
- AN67: Amendment VC142 (Smart Planning VPP Changes) January 2018

3.3 State Policies & Plans

It has been an ongoing challenge for the City of Melbourne to align local policy with state policy given the constantly changing nature of statewide policy setting. For example, the evolution from *Melbourne 2030*, to *Melbourne @5 million*, then *Plan Melbourne* and *Plan Melbourne Refresh* and its associated implementation plan over a fifteen year period has established the need for multiple revisions to the MPS. These strategic plans have a substantially greater impact on the CoM's policy settings in comparison with other Councils, with considerably more actions for CoM to consider. In this context, it is not always possible for CoM to implement state policy within a reduced timeframe.

3.3.1 Plan Melbourne 2017 – 2050

Plan Melbourne 2017-2050 articulates high level strategic directions for Metropolitan Melbourne, and includes visions, objectives and actions for the Central City as the dominant cultural and economic heart of the Metropolitan Melbourne. *Plan Melbourne* was incorporated into all Victorian planning schemes through VC134 in March 2017. Further, the State Planning Policy Framework triggers consideration of the document as a relevant strategic basis for both future local policy and decision making in development applications.

3.3.2 Victoria Infrastructure Plan

The *Victorian Infrastructure Plan* (VIP) responds to Infrastructure Victoria's 30-year Infrastructure Strategy. Released in December 2016, the strategy makes 137 recommendations and prioritises future directions which are informed by the 9 key sectors. The sectors include:

- Transport
- Culture, sport and community
- Digital connectivity
- Education and training
- Energy
- Environment
- Health and human services
- Justice and emergency services
- Water

The recommendations of the VIP that may affect the MPS include:

- the use of appropriate planning tools to make the most effective use of existing assets and maximise the movement of people and goods
- the protection of options for future air and sea ports and intermodal terminals through appropriate planning tools
- harnessing the benefits of major transformational projects in Victoria, such as the Metro Tunnel project
- the support of the provision of community sport and recreation infrastructure and the strengthening of cycling and walking networks
- better planning tools and regulation to encourage development of Melbourne’s digital infrastructure
- continued support for the broad range of efforts by community and volunteer groups aimed at improving the resilience of native plants and wildlife
- collaboration with community organisations and the private sector to improve how parklands are managed and used
- adapting to climate change and a reduction in Victoria’s greenhouse gas emissions to net zero by 2050
- amending planning and building regulations to find the most effective mix of incentives to promote better management of stormwater
- the monitoring of the implementation of *Homes for Victorians: Affordability, Access and Choice in 2017* initiatives to ensure the delivery of the anticipated pipeline of affordable and social housing.

3.3.3 Homes for Victorians

DELWP released *Homes for Victorians: Affordability, Access and Choice in 2017* which aimed to help make homes more affordable and more accessible to Victorians.

Homes for Victorians included a number of financial incentives for first home buyers, the use of long-term leases and building and redeveloping more social housing. *Homes for Victorians* also included initiatives for people to buy their own home and to generally improve housing services for Victorians in need.

The relevant initiatives of the VPS that are relevant to the MPS include:

- Increasing the supply of housing through faster planning decisions. This includes increasing housing development opportunities in the inner and middle ring suburbs within CoM municipal boundaries
- Increasing and renewing social housing stock

3.3.4 Residential Zone Reforms

DELWP completed a review of the residential zones that were introduced into Victorian planning schemes in 2014 and implemented new residential zones through Planning Scheme Amendment VC110 in March 2017. The key reforms included:

- Allowing councils to define neighbourhood character and design objectives to be achieved
- Strengthening building height controls in the Neighbourhood Residential Zone and the General Residential Zone
- Introducing a new mandatory requirement for a minimum garden area to be provided in residential developments in the Neighbourhood Residential Zone and General Residential Zone
- Removing the limit on the number of dwellings that can be built on land in the Neighbourhood Residential Zone

The garden area provisions were refined through Amendment VC143 gazetted on the 15th May 2018. In addition to adjustments to requirements, the application of the provisions and the definition of *Garden area*, the amendment also introduced a mechanism to allow local variations to the requirements through the schedule to the General Residential Zone.

It is understood that the mandatory height controls may also be subject to review by DELWP as a result of ongoing feedback from local government and the planning industry.

In relation to the MPS it was identified that there were conflicts between the heights allowed through DDOs which are underpinned by endorsed strategic work and have been tested at Panel, and the mandatory height controls introduced through VC110. These occurrences are listed in Appendix 8, and this issue is further discussed in Section 9.3.1 of this review.

3.3.5 Better Apartment Design Standards

The Better Apartments Design Standards were introduced to all Victorian Planning Schemes via Amendment VC136 in April 2017. There are 16 new apartment standards that apply to apartment developments and these are implemented into the VPPs at Clause 55, Clause 58 and relevant Zones and Overlays. *Apartment Design Guidelines for Victoria* was prepared by DELWP and assists applicants, architects, building designers and planners when designing and assessing apartment developments.

3.3.6 Public and Shared Housing and Residential Aged Care Development

In 2017 DELWP proposed changes to all Victorian Planning Schemes to facilitate public housing development by or on behalf of a public authority for Residential Aged Care developments, and prepared draft provisions for community feedback. The draft provisions propose to limit the scope of permit assessment for public housing, community care accommodation, rooming house and residential aged care applications, exempt applications from notice and review, and change the Zone provisions to support public housing and residential aged care. New public housing and residential aged care provisions are yet to be implemented into planning schemes.

3.3.7 Modernising Airspace Protection

Due to the height and location of buildings in CoM it is important to protect airspace to ensure aircraft safety and efficiency. The use of Overlays in planning schemes is often applied to control the height of development near helicopter landing sites or in low-flying aircraft flightpaths.

The Aviation Safety Regulation Review Panel reviewed the current regulatory environment in relation to airspace protection in 2014. In its Report, the Panel recommended the Federal Government “take a policy leadership role to ensure that the future viability of airport infrastructure is not compromised by poor planning and land-use decisions”. The Federal Government released the *Modernising Airspace Protection* discussion paper in December 2016 identifying three reform proposals:

- Modernising airspace protection under the Airports Act 1996 by creating nationally consistent airspace protection at major airports
- Protecting the national communications, navigation and surveillance network by creating a consistent regulatory framework
- Mitigating risks to aircraft flying beyond aerodromes by improving the safety of low-flying aircrafts when operating beyond aerodromes.

The public and industry consultation period on the paper has now closed and comments received are currently being reviewed by the Federal Government.

3.3.8 Overview of State Policies & Plans

Plan Melbourne acts as one of the principal guiding policy documents informing the MPS and influences land use policy formation and implementation.

Major infrastructure planning can also impact the planning scheme and the *Victorian Infrastructure Plan*, the West Gate Tunnel and Melbourne Metro Rail projects (as examples) will influence future development. Built form through development height and locational considerations in Melbourne’s central city is also a focus along with protecting airspace to ensure aircraft safety and efficiency. Built form polices and height controls in the MPS may need to be amended to reflect these changing circumstances.

The *Victorian Infrastructure Plan* also identifies further changes required to the MPS to help with implementing its recommendations. However, it is not clear exactly what these changes may entail in a land use sense.

Ongoing large urban renewal opportunities receive constant attention. For example, sites such as Fisherman’s Bend and Arden, or surplus government land typically require development of masterplans and consequential changes to local policy and the application of new zones and overlays. The detail around these changes will become more apparent as the urban renewal proposal is developed or state government housing initiatives are funded.

The state government has recently developed a great deal of policy around housing through *Homes for Victorians*, updates to the Residential Zones, *Better Apartment Design Standards (BADs)*, public housing, and residential aged care. Some of this policy is still in the implementation phase and may also affect how the Melbourne Planning Scheme articulates housing issues and applies zones and overlays. It is expected that some of the existing MPS policy (e.g. clauses 21.07, 21.11 -21.16) and related zone schedules (e.g. clause 32.08) around housing may need to be changed to reflect these shifting state government policy directions. The *Better Apartment Design Standards* do not apply to student housing accommodation, and the CoM will therefore continue to rely upon local policy which has been formulated to address the ongoing pressure for student accommodation in the City. It may be necessary to review local policy to bring it into alignment with the design standards introduced with the BADs.

It is expected that CoM will need to further amend the MPS when the public and shared housing policy reforms are released by DELWP.

Some of these initiatives that may require changes to the MPS will be led by State government or CoM directly.

Recommendation 3

CoM continue to monitor the impacts of state government policies and plans (particularly updates to Plan Melbourne, forthcoming housing initiatives) to ascertain if the MPS is required to be updated. CoM should continue to actively engage in formulating and contributing a central city perspective to these reforms.

3.4 Current State Planning Projects

There are a number of relevant state planning projects that are likely to impact the Melbourne Planning Scheme that have commenced since the 2014 review. Some of these projects have been reviewed through an Advisory committee process, as listed below:

- Fisherman’s Bend Planning Review Panel (Amendment GC81) appointed in 2017 and the public hearing expected to be complete by May 2018.
- Land Use Terms Advisory Committee appointed in December 2017 and reviewing submissions at the time of this review.
- West Gate Tunnel Inquiry and Advisory Committee appointed in May 2017 and the report released in January 2018.
- Melbourne Metro Rail Project appointed in May 2016 and the report released in October 2017.
- Government Land Standing Advisory Committee appointed in July 2015.
- Social Housing Renewal Standing Advisory Committee appointed in September 2017 and public hearing held in November 2017.
- Major Hazards Facilities Advisory Committee appointed in September 2015 and report released in July 2016.

Where the advisory committee reports have been delivered, the reports have generally provided clear directions and/or commentary for sites within CoM.

The key current projects are listed below.

3.4.1 Smart Planning

The Department of Environment, Land, Water and Planning’s (DELWP) *Smart Planning* program “seeks to deliver long term, transformative change to the planning system”. As part of that program, a discussion paper (*Reforming the Victoria Planning Provisions: A discussion paper*) was released in October 2017 and comment was sought on a range of proposals to improve the planning system across Victoria. To date, the program has made a number of improvements to the VPPs through VC142 in January 2018 and VC144 in February 2018 with more improvements to be delivered.

A key proposed change in the reformed VPP structure will be the consolidation of State and Local Planning Policies, within a single Planning Policy Framework organised under policy *themes*. This simplified structure is illustrated in Figure 2.

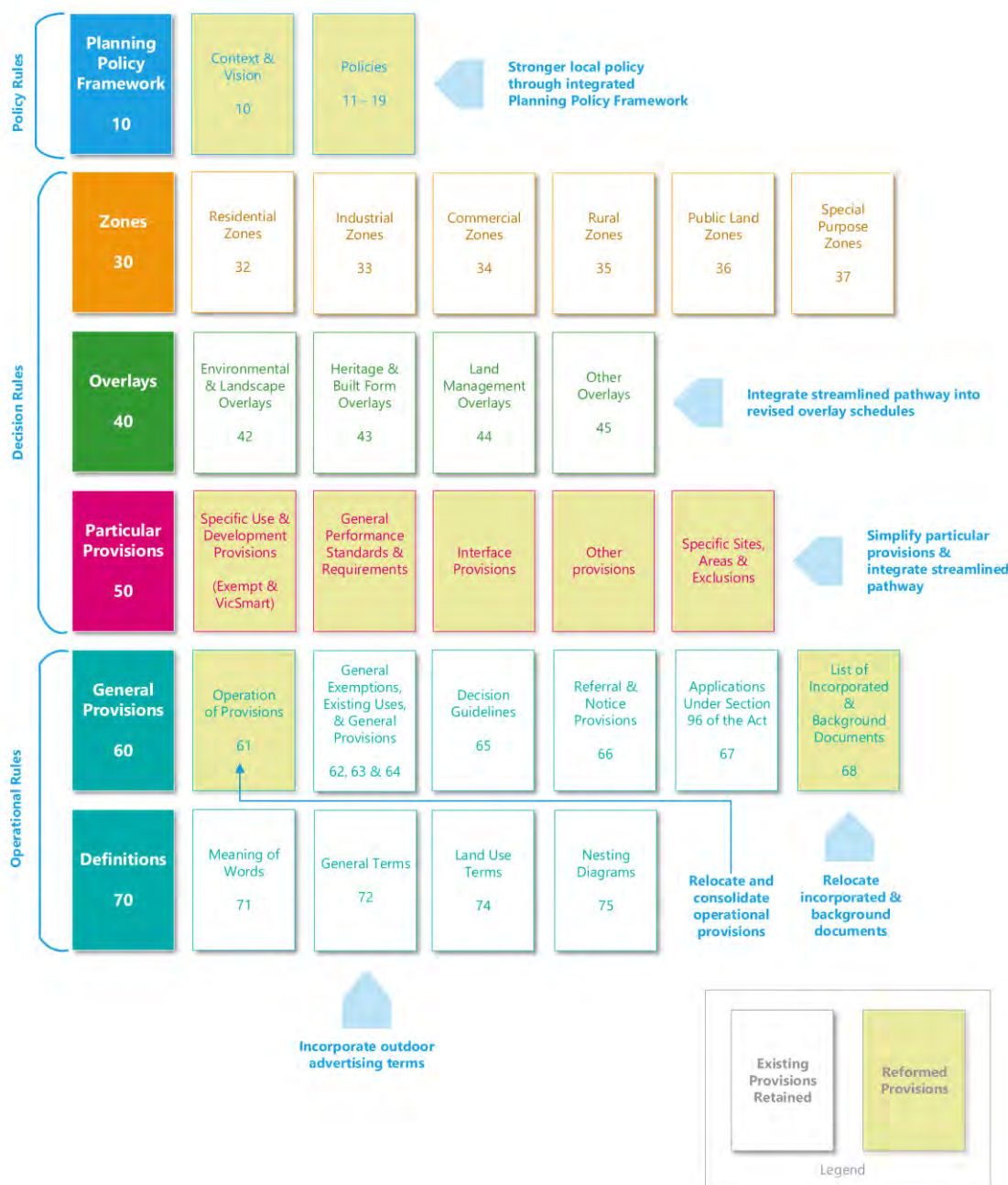


Figure 1 – Proposed VPP Framework (Reforming the Victoria Planning Provisions, A Discussion Paper, DELWP 2017)

In the proposed PPF policies will be grouped by theme under a tiered policy hierarchy. Figure 2 illustrates the proposed approach.

One aim of this structure is to delete instances where local policy duplicates or contradicts state or regional policy. The conversion of local planning schemes to this format is expected to make these occurrences evident, and local planning schemes are likely to be substantially refined as a consequence.

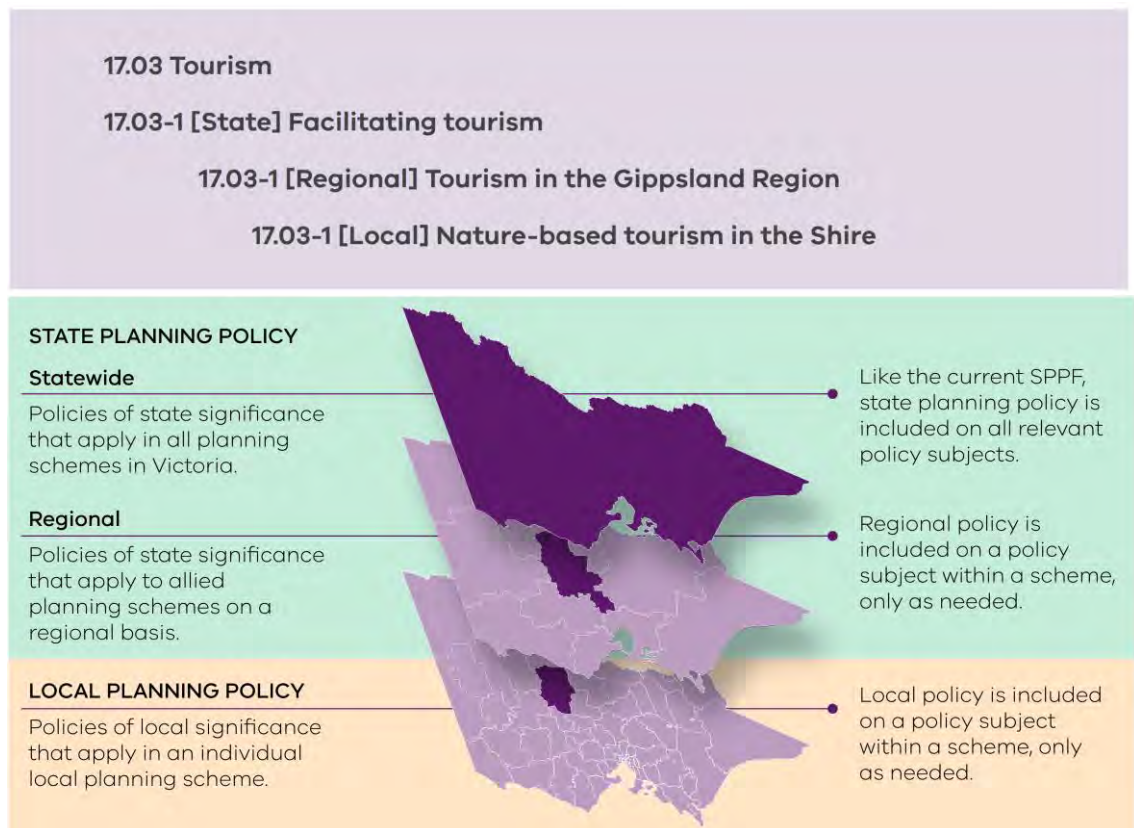


Figure 2 – Integrated Policy Framework (Smart Planning Program)

Although this proposal is still in draft form, this Review Report has included an assessment of the current LPPF in the Melbourne Planning Scheme with the potential PPF.

The Table at Appendix 5 describes how the current Melbourne LPPF content may ultimately align with the proposed known PPF draft structure. Some matters to take into account when reading the table:

- The final form and content of the PPF is yet to be determined and so changes are likely to the allocation of existing policies described below;
- In some cases an existing LPPF clause could fall into one or more PPF clauses. A best estimate has been taken as to an appropriate future PPF location but this may change.
- Some existing clauses may not be required or may better fit into zone and overlay schedules.

3.4.2 Land Use Terms Advisory Committee

The Smart Planning program recommended that the Minister for Planning appoint an Advisory Committee to review and recommend improvements to land use terms and their definitions in Clause 74 of the VPP. The Committee was appointed in December 2017 and has released a discussion paper and has called for submissions until 3 April 2018.

3.4.3 Fisherman's Bend Planning Review Panel – Amendment GC81

Fisherman's Bend is a large urban renewal project, covering approximately 480 hectares in the heart of Melbourne. It will consist of five precincts across two municipalities; the Cities of Melbourne and Port Phillip. Draft planning scheme amendment GC81 seeks to introduce planning scheme controls in the Melbourne and Port Phillip planning schemes to support the implementation of the Fisherman's Bend Framework plan. The Minister for Planning has appointed the Fisherman's Bend Planning Review Panel to report on the appropriateness of draft Planning Scheme Amendment GC81. Public Hearings were held during March and May 2018.

As part of CoM's Annual Plan and Budget 2017-18, Council have confirmed their commitment working with state government for the planning of Fishermen's Bend.

3.4.4 West Gate Tunnel Inquiry and Advisory Committee

The Minister for Planning appointed an Inquiry and Advisory Committee in May 2017 to consider the Environment Effects Statement, a draft Planning Scheme Amendment affecting the Brimbank, Hobsons Bay, Maribyrnong, Melbourne, Port of Melbourne and Wyndham Planning Schemes and public submissions associated with the West Gate Tunnel Project.

The West Gate Tunnel Project includes:

- upgrade and widening of the existing West Gate Freeway by two lanes and widening of the Princes Freeway collector-distributor carriageways.
- two bored tunnels catering for three traffic lanes in each direction under Yarraville bridges across the Maribyrnong River connecting the tunnels with the Port of Melbourne, CityLink, Dynon Road and extension of Wurundjeri Way to Dynon Road and widening to Flinders Street.
- improvements, extensions and upgrades to the existing pedestrian and bicycle network, as well as the creation of new public open space areas.

Council made submissions to the Advisory Committee considering the West Gate Tunnel Project through the course of the hearings. Of implication for this review, the committee noted that there was a lack of strategic justification and structure planning around the Dynon Precinct to justify Council's objection to the West Gate Tunnel proposal.

The Committee submitted its report to the Minister for Planning in October 2017 and construction started in January 2018.

3.4.5 Melbourne Metro Rail Project

A joint Inquiry/Advisory Committee was appointed in May 2016 to consider the Environment Effects Statement, a draft planning scheme amendment and public submissions associated with the Melbourne Metro Rail Project.

The Melbourne Metro Rail Project includes:

- Twin nine kilometre rail tunnels between South Kensington and South Yarra, following the alignment of Swanston Street, through Melbourne's Central Business District (CBD) and linking the existing Sunbury and Cranbourne/ Pakenham railway lines.
- New CBD North and CBD South stations providing direct interchange with Melbourne Central and Flinders Street stations respectively.
- New stations at Arden, Parkville and Domain, with new train/ tram interchanges at the latter two stations.

The CoM provided strong support for this project and played a very active role in its development. The Committee submitted its report to the Minister for Planning in October 2017 and construction has now commenced.

3.4.6 Government Land Standing Advisory Committee

The Committee was appointed in July 2015 to consider the ongoing suitability of any changes to the planning provisions for land owned, proposed to be owned in the future or to facilitate the delivery of priority projects by the Victorian Government. The Fast Track Government Land Service manages the planning provisions relating to land owned by the Victorian Government and may refer planning scheme amendment proposals to the Committee. The Committee has considered the following two sites in Melbourne City to date:

- 2 St Andrews Place, East Melbourne – approved.
- 87-103 Manningham Street, Parkville – under consideration.

3.4.7 Social Housing Renewal Standing Advisory Committee

The Minister for Planning appointed a Standing Advisory Committee in September 2017 to provide advice on the suitability of planning proposals to facilitate the renewal and redevelopment of existing public housing estates to increase the supply of social housing. The Committee considered Abbotsford Street in North Melbourne during a public hearing in November 2017 and has submitted their report to the Minister for Planning who has approved the amendment with changes.

3.4.8 Major Hazards Facilities Advisory Committee

An Advisory Committee was appointed in September 2015 to provide advice to the Minister for Planning about improvements to land use planning for areas surrounding major hazard facilities in order to better manage the interface areas between existing and new development and land used for major hazard facilities. CoM has two facilities at:

- Stolthaven Coode Island, Mckenzie Road, West Melbourne.
- Terminals Pty Ltd, McKenzie Road, West Melbourne.

The Committee submitted its report to the Minister in July 2016 where they discussed the possible use of a buffer or overlay to protect these major hazard facilities.

3.4.9 Discussion

Since the 2014 review various state level strategic policy projects have commenced that will have implications for the Melbourne Planning Scheme.

The Smart Planning new draft PPF structure seemingly has the most obvious structural and content impact and any future changes to the MSS will need to be mindful of the ongoing Smart Planning program. There appears to be some areas where local planning policies may not fit neatly within the draft PPF structure. Policies around advertising signs, amusement parlours, adult establishments, gaming premises, discretionary uses in a Residential Zone, and liquor licensed premises do not fit neatly within the draft PPF structure as provided in the Smart Planning Discussion Paper. This content will need to find a home within other clauses or may be required to be removed from the Scheme. From CoM's perspective, it is preferred that policies relating to adult establishments, gaming premises and liquor licensed premises be reflected in the PPF. However it is premature to make wholesale changes to the MPS until the confirmed PPF is released. Information provided by DELWP indicates that restructure of the existing LPPF is likely to be required by the state government in late 2018 or in 2019.

The outcome of the Land Use Terms Advisory Committee report may require existing definitions contained in local schedules to be updated or deleted. Again, it would be premature to embark on this work prior to the release of the Committee's report.

The outcome for the Fisherman's Bend Planning Review Panel Amendment GC81 may provide future guidance for other urban redevelopment sites around building heights, development contribution plans, floor area ratios, affordable housing, infrastructure and employments needs.

The West Gate Tunnel Inquiry and Advisory Committee commented that there was a lack of strategic direction in the MPS on the future use of the Dynon precinct to warrant removal or realignment of the Tunnel. It is important that Council prioritise the preparation of structure plans across their urban renewal areas, such as Dynon, or at the least highlight its priority under the Further Strategic Works program. This is especially necessary to ensure that the impacts of the tunnel on established residential areas are mitigated.

The Melbourne Metro Rail Project will have a significant impact for the planning of the CoM. The proposed stations will be city shaping and this needs to be planned for.

Recommendation 4

Due to Melbourne's unique capital city role, the CoM should continue to monitor and participate in state government planning projects and to advocate and prepare for the implementation of changes that affect planning processes and the operation of the MPS.

4 LOCAL STRATEGIC CONTEXT

This section of the report identifies key high level land use strategic directions, initiatives and actions that are contained in strategic and governance documents at the local level that have been adopted since the last planning scheme review in 2014.

4.1 Council Plan 2017 – 2021

A council plan must be prepared and approved within six months after each general election in accordance with the *Local Government Act 1989*. The Council Plan was endorsed by Council in November 2016 which has a long term vision of Melbourne as a *bold, inspirational and sustainable city* and has been informed by the *Municipal Public Health and Wellbeing Plan 2017 – 2021* and *Future Melbourne 2026*. The Council Plan is aligned to the following nine goals:

- A city that cares for its environment – environmental sustainability and urban ecology.
- A city for people – accessible, affordable, inclusive, safe and engaging.
- A creative city – experimentation, innovation and creativity.
- A prosperous city – destination of choice for international and local business and enterprise.
- A knowledge city – well-resourced education and research systems and global competition.
- A connected city – technological smart, efficient and sustainable transport network.
- A deliberative city – participation, consultative, and innovative decision making.
- A city planning for growth – guide and influence future development that celebrates its historical and cultural identity.
- A city with an aboriginal focus – aboriginal culture, knowledge and heritage.

Each objective has corresponding commitments to be delivered in 2017 – 2021. Council Plan 2017-2021 has direct relevance to this review because some of the commitments contained in the Plan manifest themselves as part of land use planning studies and projects, planning scheme amendments, and planning policy or zones or overlays in the Melbourne Planning Scheme.

4.2 Municipal Public Health and Wellbeing Plan 2017 – 2021

The Municipal Health and Wellbeing Plan identifies the health and wellbeing needs of the municipality. The Plan is required to be developed every four years in accordance with the *Public Health and Wellbeing Act 2008*. It is integrated with the *Council Plan 2017 – 2021* and builds upon the Council's existing health and wellbeing related strategies and programs.

The following five priority areas to improve health and wellbeing for the community have been identified in the Plan:

- Active living - facilitate opportunities for people in Melbourne to live more active lifestyles.
- Healthier eating – enhanced access to nutritious food, so it is an easier choice.
- Preventing crime, violence and injury – create an environment that is safe and minimises harm from alcohol, drugs and violence.
- Planning for people – provide infrastructure and services or maintain quality of life in a growing and diverse city.
- Social inclusion – provide opportunities for all people to participate in the social, economic, and civic life.

Each priority area has corresponding commitments to be delivered in 2017 – 2021 and like the Council Plan, these commitments can manifest as part of land use planning studies and projects, planning scheme amendments, and planning policy or zones or overlays in the Melbourne Planning Scheme.

4.3 Future Melbourne 2026

Future Melbourne 2026 is the community vision for CoM. Future Melbourne has informed the *Council Plan 2017 – 2021* and *Municipal Health and Wellbeing Plan 2017 – 2021* and has the following vision:

In 2026, Melbourne will be a sustainable, inventive and inclusive city that is vibrant and flourishing.

4.4 Other adopted Council strategies outside MPS

Since the last planning scheme review in 2014 there has been a considerable amount of strategic work prepared and adopted by Council. While some of these have a more direct relationship with land use planning (and therefore the planning scheme), all of the documents will have some bearing on changes within the City in the foreseeable future.

Relevant adopted documents are summarised below.

Aboriginal Heritage Action Plan 2015 - 2018

The Aboriginal Heritage Action Plan describes the approach to the protection, maintenance and recognition of sites which are culturally important to Victoria's Aboriginal communities within or connected to the City of Melbourne. The plan brings together relevant stakeholders to work together to ensure that the Aboriginal cultural heritage within the City of Melbourne is recognised, conserved and celebrated by all. Key actions include:

- *Conservation: Understanding the nature, significance, extent and condition of Aboriginal heritage places across the municipality, and ensuring they are appropriately managed and maintained.*
- *Celebrating the place where people who live, work or visit can easily recognise, experience, understand and celebrate Melbourne as a place that was, is, and continues to be, an Aboriginal place.*
- *Collaboration: Continuing to work with key stakeholders to ensure Aboriginal heritage is conserved and celebrated by all.*

Arts Infrastructure Framework November 2016

The *Arts Infrastructure Framework* maps out existing infrastructure to identify opportunities for new facilities and the renewal of underused spaces to help deliver what artists and creative individuals and groups really need, such as dedicated arts centres and mixed-use facilities. The five year framework builds upon the City of Melbourne's *Arts Strategy 2014–17* and the goals are as follows:

- *'Secure commitment for the delivery of three arts hubs that include mid-sized performance spaces and community arts spaces.*
- *To significantly increase the number of creative spaces within the municipality.*
- *Advocate to create and incorporate live/work spaces within the city.*
- *Advocate to support the provision of more affordable housing for artists, as per the city's housing strategy.*
- *To ensure the integration of embedded public art projects in new public and private developments.'*

Asset Management Strategy 2015-2025

This strategy focuses on long-term planning to assess, monitor and plan for the assets that will be needed by the City of Melbourne in the coming decade. By managing assets carefully, Council aims to meet future challenges and ensure long-term sustainability and liveability. The strategy is divided across three key asset areas:

- *'Streetscapes: These assets are the things you can see and use on our streets, including bluestone or bitumen footpaths, roads, public seating, waste bins or underground stormwater drains.*
- *Open spaces: These assets are the things you see or use during a lunch break or when you are on your way to a city event. They may include a flower bed, a tree, a sports field or an irrigation system for parks and gardens.*
- *Buildings: These assets are the things you see or use at our many community facilities such as an indoor swimming pool, public seating, childcare centres and books within our libraries.'*

Bicycle Plan 2016-2020

The Bicycle Plan aims to provide a connected bicycle network, improve links to existing routes and make cycling more accessible for people of all ages and abilities. Key strategies include:

- *'Increasing bicycle parking by 2000 in key public locations and installing bicycle maintenance stations and counters at entrances to the city*
- *Creating local neighbourhood routes in Kensington, North Melbourne, Carlton and Southbank*
- *Improving connections into and through the city centre including a possible second bike friendly east-west connection through the central city, complementing the La Trobe Street connection. The Strategy also focuses on improving bicycle access and transit across the southern part of the central city.'*

Climate Change Adaptation Strategy Refresh 2017

The *Climate Change Adaptation Strategy Refresh 2017* details how Council will increase its existing efforts at implementing new actions to work towards a resilient city, able to adapt to climate change impacts. Goals are centred around:

- *'Enhancing the natural environment and green spaces*
- *Shaping the built form and urban renewal areas to withstand climate change impacts*
- *Strengthening the resilience of our inclusive, family friendly and culturally diverse community*
- *Protect and enhance our diverse economy*
- *Continue to build City of Melbourne's adaptation capabilities and expertise.'*

Emissions Reduction Plan for our Operations 2016-2021

The *Emissions Reduction Plan* aims to reduce the emissions specifically created by Council's operations. The plan introduces a new science-based target of 4.5 per cent each year in order to strengthen efforts to limit global temperature rise to under 2°C by 2050. The plan also seeks to achieve zero net emissions for Council's operations to maintain Council's aims for carbon neutrality.

Green Our City Strategic Action Plan 2017-2021

Green our City Strategic Action Plan details Council's goals and strategies for delivering more green roofs and vertical gardens. The documents strategic plans and targets include:

- Doubling the area of green roofs and vertical gardens across the municipality
- Achieving 80 percent healthy and diverse vegetation in green roof and vertical gardens, and
- Encouraging staff and stakeholder to understand green roofs and vertical gardens.

Homes for People 2014-2018

CoM's housing strategy, titled *Homes for People*, looks at how housing affordability and design can be improved to meet the diverse needs of our current and future residents of Melbourne, as one of the fastest growing municipalities in Australia.

The three main goals of the Strategy are to:

- provide more affordable homes for low and moderate income earners
- improve design and environmental standards of new apartments
- ensure the community is equipped with the knowledge and information they need about good quality housing.

The Strategy was prepared prior to 2014 and therefore falls outside of the scope of strategies reviewed, however it is noted that it has not been implemented into the Scheme as through policy or as a reference document. Given recent changes in the housing space since 2014, including the BADS and recent Affordable Housing policy, it is recommended that the strategy be updated. As the CoM is one of the fastest growing municipalities in the City, the housing strategy, *Homes for People*, has an important role to play in improving affordability and the design of housing to meet ongoing demand.

Inner Melbourne Action Plan 2016-2026

City of Melbourne, Stonnington, Yarra, Port Phillip and Maribyrnong City Councils all form part of the IMAP councils. The Action Plan has been delivered in consultation with these councils and sets out the projects where councils can jointly advocate, plan policies and projects which help address the impacts of city growth and achieve a more liveable city. The plan identifies five key goals as follows:

- *'A globally significant, strong and diverse economy*
- *A connected transport network that provides real travel choices*
- *Diverse, vibrant, healthy and inclusive communities*
- *Distinctive, high quality neighbourhoods and places*
- *Leadership in achieving environmental sustainability and climate change adaptation.'*

Last Kilometre Freight Plan June 2016

The *Last Kilometre Freight Plan* identifies key directions to guide and plan for the last kilometres which freight vehicles travel to deliver goods from the supplier into a shop, café, office, home or other destination within the City of Melbourne. Key directions of the document include:

- *'Establishing current and future freight needs in local area plans.*
- *Considering the impact of public transport infrastructure and network changes on the function of freight.*
- *Encouraging freight innovations amongst local businesses and delivery industry.*
- *Supporting and adapting to new innovations, sharing information and maintaining clear lines of communication with our stakeholders.*
- *Regulating building and street design to support efficient servicing and delivery.'*

Motorcycle Plan 2015-2018

The *Motorcycle Plan* outlines measures to better integrate motorcycles into Melbourne's road network. The document recognises that motorcycling is a space-saving, convenient and low-cost mode of transport and seeks to encourage more people to choose two wheels over four. Key actions from the document include:

- *'Consider motorcyclists when designing and maintaining local roads.*
- *Identify possible safety hazards for motorcyclists, such as slippery sections of road.*
- *Increase free parking in the city centre for motorbikes.*
- *Convert 20 existing on-street car parking spots into free corrals dedicated to motorcycles.*
- *Study central city footpaths which may cause difficulties for pedestrians with disabilities.*
- *Support government training programs for motorcyclists*
- *Educate all road users about motorcycling safety.'*

Nature in the City April 2017

Nature in the City focuses on creating and maintaining healthy ecosystems and thriving biodiversity within the city. Key goals include:

- *'Creating a more diverse, connected and resilient natural environment*
- *Connect people to nature*
- *Demonstrate leadership in urban ecology, conservation and biodiversity.'*

Places for People July 2015

Places for People is a long-term study focused on exploring and documenting the methods in which people use their daily environment. This includes understanding how people use the buildings, footpaths streets and laneways and public spaces such as gardens and squares. The document delivers key findings and many of these findings have formed the analysis and key facts for other strategies delivered by Council.

Public Open Space Contribution Register 2018

The *Public Open Space Contribution Register* supports the administration of levies, and contributions collected from subdivision applications under the *Subdivision Act 1988*. The register includes the property address, prior and proposed use, date paid, percentage and amount of money collected from the land owner/subdivisions process. The Register also includes an interactive map.

Queen Victoria Market Precinct Renewal Masterplan July 2015

The *Queen Victoria Market Precinct Renewal Masterplan* details the background work, consultation and future strategies ('the Master Plan') of the Queen Victoria Market. The future vision is that '*Queen Victoria Market is of a thriving and diverse market place that is loved by locals and a must see for tourists*'. Three key objectives behind the master plan are:

- *'A place that supports and encourages sustainable market trading in all its varieties*
- *A place to experience Melbourne's local character, liveability and identity*
- *A place to meet and connect with the diverse and vibrant communities of Melbourne.'*

The Masterplan has been implemented through C245 which was gazetted in August 2017.

Reconciliation Action Plan 2015-2018

The *Reconciliation Action Plan* identifies work that has been done to date, and the many projects and partnerships that need be developed to acknowledge Aboriginal Australia and Aboriginal culture across the City of Melbourne. The *YIRRAMBOI First Nations Arts Festival* and *Aboriginal Employment Forum* are some of the key projects that have been established during 2017.

Resilient Melbourne May 2016

Resilient Melbourne identifies the stresses and acute shocks that the city and its people are likely to experience, and how best to achieve a city that is viable, sustainable, liveable and prosperous, today and long into the future. *Resilient Melbourne* forms part of the world wide 100 Resilient Cities program.

Retail and Hospitality Strategy Report 2015-2016

The *Retail and Hospitality Strategy Report 2015-2016* and *Retail and Hospitality Strategy 2013-2017* identifies many of the city's existing trends and data around retail and hospitality, as well as efforts to ensuring the City remains economically strong by supporting the following objectives:

- *Business development and innovation*
- *Positioning and activation*
- *Business diversity*
- *Sustainability*

Road Management Plan July 2017

The *Road Management Plan* identifies the legislative requirements, specific road design standards, risk areas and Council's broader road management objectives. The document clearly sets out the division of responsibility between locally managed (City of Melbourne) and State (VicRoads) owner and operated roads.

Tourism Action Plan 2016-2019

The *Tourism Action Plan 2016-2019* recognises the importance of tourism-related economic activity in the Melbourne municipality. The document delivers its strategies around the key phases of tourism planning and travelling. These are:

- Stage One: Planning and Booking
- Stage Two: Travel to Destination
- Stage Three: On Arrival
- Stage Four: In Destination
- Stage Five: Departure/Return Home

Whilst the Plan focusses on industry-specific actions, it also contains actions relating to tourism infrastructure that is relevant to use and development of the City's urban fabric, for example:

- *Action 4.1 Boost Melbourne's strength as Australia's centre for music theatre, live music, arts and culture, food and wine, major events, shopping, international sporting and business events.*
- *Action 6.2 Support the Victorian Government's plans to extend the Melbourne Convention and Exhibition Centre.*
- *Action 11.1 Integrate Station Pier and Southern Cross Station with adjoining precincts.*
- *Action 11.2 Advocate for improved transport links between Melbourne's visitor gateways and the central city.*
- *Action 16.3 Encourage a good quality, legally compliant short-term accommodation sector in the municipality*

Urban Forest Precinct Plans 2013-2023

The *Urban Forest Precinct Plans* sets out principles and targets to help achieve Council's vision of a healthy, resilient and diverse urban forest. The plan is set around 10 precinct plans that guide how these principles are implemented in local neighbourhoods. Precincts include Docklands, Fisherman's Bend, Kensington, North and West Melbourne, Parkville and Southbank.

Waste and Resource Recovery Plan 2015-2018

The *Waste and Resource Recovery Plan 2015-18* includes a range of actions to ensure the City of Melbourne encourages sustainable waste management practices across Council's operation, residential areas, and for visitors and workers within the City. Important strategies include minimising the amount of (residential and work-based) waste sent to landfill; maximising household recovery of resources for recycling; reducing littering and dumping rubbish; supporting recycling and re-use of products; and encouraging Council's operations and business to support and be leaders in sustainable consumption and production. At the time of this MPS review, a new Waste and Resource Recovery Plan was currently been prepared by Council.

West Melbourne Structure Plan February 2018

The West Melbourne Structure Plan details the built form controls, land uses, including open space areas which will guide the future growth and urban renewal of West Melbourne. The implementation of the *West Melbourne Structure Plan* via a planning scheme amendment has commenced.

4.5 Current strategic projects

This section identifies other strategic projects that are relevant to the MPS that have commenced and are underway.

Good progress has been made on the recommendations delivered through the various MPS reviews, in particular the recommendations put forward in the 2014 review. These include:

Amendment C308 Central City and Southbank Urban Design

Amendment C308 seeks to implement a new approach to local urban design policies within the Melbourne Planning Scheme. Specific amendment changes include replacing Schedule 1 to the Design and Development Overlay and inclusion of reference document Central Melbourne Design Guide. The changes seek to address ground level activation and are drafted in a way to complement the built form changes implemented via Amendment C270. The Amendment was endorsed by Council in February 2018 and is currently awaiting authorisation from the Minister for Planning.

Amendment C258 Heritage Policies Review

Amendment C258 seeks to revise the local heritage planning policies Clause 22.04 and Clause 22.05, incorporate new heritage statements of significance and replace the A to D grading system with the significant/contributory/non-contributory grading system. The Amendment also sought to introduce a new heritage overlay across 20 sites in West Melbourne. At the time of this MPS Review, Amendment C258 had completed exhibition and a review of all submissions had been undertaken. Panel hearings for C258 are set for August 2018.

Amendment C330 Carlton Connect Initiative

CoM, alongside the DELWP is working towards the inclusion of Carlton Connect and Dental Hub as part of the Parkville Knowledge Precinct. Ongoing works and development of the precinct, in particular the redevelopment and recent planning approval under Amendment C330 of the Carlton Connect site are enabling the site to perform as one of Melbourne's key National Economic Innovation Clusters.

Clause 22.02 Sunlight to Public Spaces

CoM is reviewing the Clause 22.02 Sunlight to Public Spaces to strengthen the weight of the policy.

Clause 22.19 Energy, Water and Waste Efficiency

In response to recent discussions surrounding the efficacy of Clause 22.19, Council have commenced a review of the policy.

MSS Review

CoM is conducting a separate review of the MSS, of which the findings from this review will feed into.

Research projects by other CoM departments

Discussions with various council departments reveal there are numerous research projects being undertaken by other departments. These include the *City North Innovation District Action Plan* by CoM's Smart City's team, the *Arts House Strategic Plan* by the Arts and Culture team, and the *Stretch Reconciliation Action Plan for 2018–21* being preparing by Aboriginal Melbourne. Most of these projects are in research phase and are anticipated to translate into planning policy in the future. The *Current and Future Strategic Works* list provided in Appendix 4 includes a comprehensive list of research projects that are anticipated to have implications for the MPS in the near future.

4.6 Further Strategic Work Program

Under the *Continuous Improvement Review Kit* (February 2006) guidelines, a planning scheme review should:

'Document the strategic work that has been completed or carried out since the previous review of the scheme or MSS and any additional work required to strengthen the strategic direction of the planning scheme.'

The current format of the MSS does not include a standalone clause or sub-clause headed 'Further Strategic Work'. Under the Practice Note 4 'Writing a Municipal Strategic Statement'.

Typically within Planning Schemes, information about future strategic work is commonly listed under a separate heading in relevant clauses or as a separate standalone clause in the MSS. Without this, it is difficult to identify which matters in the MSS should be considered as 'further strategic work' when they are commonly listed as an 'objective'. For example:

'21-14 – Council to collaborate with the State government to investigate the Dynon precinct for potential urban renewal'

It is noted that Planning Scheme Amendment C60 proposed a *Future Work* clause that attempted to highlight future strategic work however this clause was deleted prior to approval and does not exist in the current Melbourne Planning Scheme. A recommendation of this report is for Council to clearly highlight the future strategic works to be completed by the planning team(s) either within the MSS in accordance with the practice note, or as a separate document which sits outside of the MSS yet is easily accessible by the public. This is further discussed at Section 7.3.8.

It is important to identify the strategic projects previously committed to by CoM, to establish:

- whether these works have been acted upon;
- how they align with the issues raised through this MPS review; and
- reveal if and why the strategic work has been challenging to implement.

4.7 Discussion

The significant amount of work that CoM has delivered on since the 2014 MPS Review is demonstrated through updates to *Future Melbourne 2026*, preparation of numerous strategies approved, currently exhibited planning scheme amendments and in the priorities of the Council Plan.

The local strategies prepared and adopted by Council since 2014 cover a wide range of themes, spanning land use, built form, transport and environmental related issues. Each of these issues is currently addressed in the MPS to varying degrees. Some issues, such as transport and built form reflect ongoing issues that have been raised in previous MPS reviews and that are periodically addressed to ensure road standards and transport infrastructure demands are up to date.

Other issues that have surfaced more recently reflect a shift in community attitudes, changing demographics and a better understanding of historical facts by the local community. This includes recognition of Aboriginal Australians and culture and strengthening efforts to make Melbourne a more resilient city, able to adapt to climate change impacts.

Below is a summary of the key themes which emerged from the review of local strategies, and a discussion on how they are currently addressed in the MPS. This section notes areas where the MPS could be updated to reflect recently adopted local strategies. The key issues and recommendations delivered in Sections 7, 8 and 9 of this report provide greater detail on if, and where, the MPS could be improved to better reflect the vision, goals and strategies identified in the local strategies.

Sustainability and waste management

Local strategies addressing sustainability generally focus on whether the city, including built form, roads and various other infrastructure are equipped to deal with future changes anticipated for the city, including the stresses associated with population growth and climate change impacts. This includes the *Climate Change Adaptation Strategy Refresh 2017* and *Resilient Melbourne 2016*.

At Clause 22.19 the MPS contains existing policy and targets that are drawn from the previous strategic policy '*Future Melbourne Community Plan 2008*'. It is understood that Clause 22.19 is currently being revised and as part of that project, the relevant goals and actions of the updated *Climate Change Adaptation Strategy Refresh 2017* and related sustainability strategies will be integrated into the revised policy.

Other strategies, such as *Nature in the City April 2017* and *Urban Forest Precinct Plans* focus more on integrating natural environments into the urban fabric of the city, and how greater environmental biodiversity and flora and fauna can enhance the City's liveability. Both state and local policies within the MPS currently identify and support most of the objectives set out in these strategic documents, yet local policies and the Local Area Plans at 21.04 should be reviewed and updated to ensure they identify the emerging and current issues regarding the City's sustainability goals.

For example:

- The *Urban Forest Precinct Plans* could be crosschecked against the Local Area Plans to ensure that long term planning for key planting areas are recognised.
- '*Exploring opportunities to use cultural and practical 'Caring for Country' principles to integrate people with nature.*' and '*developing a more ecologically connected urban landscape.*' are two priorities in the *Nature in the City Strategy* that need to be better addressed within the MSS.

Many of the initiatives within the *Waste and Resource Recovery Plan*, such as 'rewards for recycling' and 'Improved recovery electronic and hard waste' are best addressed via community education and awareness campaigns around better waste management practices, and cannot be effectively addressed via the Planning Scheme.

Aboriginal Australians and Culture

The key strategies regarding the recognition of Aboriginal Australians and culture are found in the *Aboriginal Heritage Action Plan 2015 – 2018* and the *Reconciliation Action Plan 2015-2018*. Currently the MPS seeks '*to promote the identification, protection and management of Aboriginal cultural heritage values*' under the local heritage policy of Clause 22.04 *Heritage places within the Capital City Zone*.

The supporting policies under Clause 22.04 require the consideration of '*the impact of proposed developments on Aboriginal cultural heritage values, as indicated in an archaeologist's report, for any site known to contain aboriginal archaeological relics*'. The integration of more specific, and implementable 'on the ground' strategies would assist in addressing the issues and strategies identified in the two strategic documents.

Housing

As the CoM is one of the fastest growing municipalities in the City, a robust housing strategy has an important role to play in improving affordability and the design of housing to meet ongoing demand. CoM's current housing strategy, titled *Homes for People* contains actions that could be implemented in the Scheme. It is not currently cited the MPS as either a policy or as a reference document.

There have been a raft of changes in the housing policy space introduced by state government since 2014. These include the implementation of BADS and recently amendments to the *Planning and Environment Act* around affordable housing and these developments should be reflected in any housing strategy. Given the 2014-2018 lifespan of the Strategy, it is timely for it to be updated.

Transport and roads

Local and State policies of the MPS identify a number of objectives and strategies regarding various transport modes and their integration with one another. However many of the strategies and targets around these various transport modes are out of date and may not reflect the growing demand for cycling and pedestrian needs. This policy gap is being addressed through the current

The strategies within the *Last Kilometres Freight Plan* should also be reflected in Clause 21.09-9 *Port and Freight Movement* to ensure the ongoing safety and efficient movement of freight vehicles across the city, and to recognise and encourage freight movement through more sustainable and efficient transport modes, such as cargo bikes.

Assets and developer contributions

The *Asset Management Strategy* and *Public Open Space Contributions Register* are useful in documenting the ongoing asset needs for the municipality but also how funds are being collected to ensure these assets (in particular, public open space) are being delivered. The Public Open Space Contribution Policy within Clause 22.26 of the MPS clearly states that land contributions are preferred over cash, but when cash is the contribution, the register works well in documenting the money collected.

The *Asset Management Strategy* provides a framework to support decision making in relation to:

- the procurement or building of a new asset
- the renewal or upgrading an existing asset
- the continuation of maintenance of an asset
- the retirement or disposal of an asset.

Retail, hospitality and tourism

The objectives contained in schedules to the Capital City Zone promote many of the key strategies contained within the *Retail and Hospitality Strategies* and the *Tourism Action Plan 2016-2019*. Local policies, Clause 21.08-1 *Retail* and Clause 21.08-2 *Business* also address many of the strategies contained in these strategic documents. However local policies and schedules to zones and overlays could be better utilised to successfully guide the location of retail and hospitality related land uses in areas where mixed uses are intended (but the market has driven residential use for the area). This includes areas such as Southbank and City North.

The important economic role Tourism plays in the City could be reflected in Clause 21.08 (Economic Development) and this could be considered as part of the MSS Review project. Select actions derived from the *Tourism Action Plan 2016-2019* could be implemented through or more strongly reflected in the MPS

Arts and culture

In March 2018, a new schedule to the Capital City Zone (Schedule 7) was introduced to protect and support the growth of the arts and creative industries within the Melbourne Arts Precinct, also known as the Southbank Arts Precinct to bolster broader policy in the Scheme. Other local area strategies identified in the *Arts Infrastructure Framework* (November 2016) could also be reviewed to integrate in the Scheme through local policy.

It is also noted that Clause 21.08 *Economic Development* strives to protect and encourage a range of non-residential land uses which drive the economy. These include retail, business, industry, maritime and knowledge precincts. A specific sub-heading to consider the needs and economic contribution 'Arts Infrastructure' may be useful in guiding the directions sought from the *Arts Infrastructure Framework*.

4.8 Recommendations

The recommendations below derive from the review of current strategic policies.

Recommendation 5

Review Local Area Plans contained in the MSS to capture key long term landscaping projects as identified in the *Urban Forest Precinct Plans*.

Recommendation 6

Incorporate policy that requires 'Caring for Country' principles to be addressed for relevant projects in the MSS as identified in line with the *Nature in the City Strategy*.

Recommendation 7

Update Council's current housing strategy, *Homes for People* in light of recent state government housing policy changes.

Recommendation 8

Consider updating MPS to reflect the directions of the *Tourism Action Plan 2016-2019* through a new clause at 21.08 and through the introduction of actions through other parts of the scheme in order to recognise the key role of the Tourism sector on the City's economy.

Recommendation 8

Consider introducing a new sub-heading within Clause 21.08 (Economic Development) to address actions from the *Arts Infrastructure Framework* that support the arts and creative economy.

Recommendation 9

A recommendation of this report is for CoM to prepare a *Future Strategic Work Program* and insert within the MSS, or as a separate document which sits outside of the MSS yet is accessible by the public.

5 VCAT DECISIONS AND PLANNING PANELS REPORTS

An important part of this Melbourne Planning Scheme Review is to assess the key issues and recommendations derived from Planning Panels, VCAT decisions and advisory committees. Review of these outcomes enables Council to learn how current policies in the scheme are or are not working effectively to meet the local and State objectives for a place or broader theme.

Review of the various recommendations and planning decisions revealed issues that aligned closely with at least half of those issues raised during the stakeholder engagement. These include:

- Inconsistency of the Growth Area Framework Plan
- Public open space contribution
- Development contribution plans
- Electronic advertising signage
- Mandatory and discretionary provisions
- Heritage
- Transport infrastructure (Melbourne Metro, West Gate Tunnel Project)
- Central City built form controls (e.g. Amendment C270)
- Car and bicycle parking, traffic, access onto Road Zone Category 1
- Noise
- Responsible and Referral Authorities

A summary of relevant VCAT and Supreme Court decisions and information on relevant Advisory Committees is provided in Appendix 6. This appendix also includes a full list of all Planning Scheme Amendments and associated Planning Panel recommendations between 2014 to May 2018.

5.1 Key VCAT and Supreme Court decisions 2014 to early 2018

Relevant VCAT and Supreme Court cases that are publicly available were analysed and reviewed. The cases reviewed covered a range of matters and highlighted areas where the Scheme could be strengthened to achieve the objectives sought by Council. A large number of cases focused on whether development proposals meet the Scheme's objectives and policies and discretionary built form controls and preferred land use controls for an area. Others highlighted the absence of structure plans or the need to update an existing structure plan.

Notable VCAT cases that have a direct impact on the MPS include:

- VCAT Case P1552/201 (*Tisza Pty Ltd v Minister for Planning, November 2017*) for the proposal of residential towers in the Southbank Arts Precinct. In this case, the Minister for Planning refused the applicant's proposal for an 18 storey residential tower due to the scale and bulk of the proposed built form, and secondly in relation to the impact of the uses and development on the Arts Precinct.

In this case the residential towers proposed for the site were not considered by CoM or the Minister to respond to the then policies and provisions that sought to promote creative industries and arts within the precinct. These policies were most clearly expressed within the policy for the Southbank urban renewal area at Clause 21.13-1 which include:

- *Support arts and education uses and facilities at Southbank.*
- *Support arts, entertainment, cultural, educational attractions in Southbank, especially in the Arts Precinct.*

In approving the proposal, VCAT concluded that existing policies for the Southbank Arts Precinct, including DDOs did not provide strong enough policy guidance and control to enable the Tribunal to reject the proposal.

It should be noted that the issues raised through this decision have since been promptly dealt with through amendments to the CCZ Schedule which are being implemented through Amendments C330 (interim controls) and C323 (permanent controls).

- VCAT Case P2335/2015 (*Department of Health and Human Services and Melbourne Health v Melbourne CC, July 2016*) highlighted the importance of notification to affected parties and brought to surface the need to consider and the challenges associated with authority requirements when they are not listed in the Scheme as recommending or determining referral authorities. This case led to the identification of emergency helicopter flight paths, which has now resulted in the inclusion of DDO65 and DDO66 into the MPS.
- VCAT Case P171/2016 & P P416 (*Octopus Media Pty Ltd v Melbourne CC, 2017*) and VCAT Case P961/2017 (*Drive By Developments Pty Ltd v Minister for Planning, December 2017*) regarding electronic advertising signage. In both of these cases, the CoM's decisions were upheld, and these cases therefore do not indicate a need for amendment to the MPS.
- VCAT Case 1979/2016 (*DEXUS Property Group Ltd v Minister for Planning, May 2017*) where the Minister for Planning's decision to impose a condition on a permit requiring the permit holder to reduce the height of a proposed development was challenged by the permit holder. The Tribunal affirmed the responsible authority's decision and the permit condition was retained. This decision highlighted that the policies introduced through Amendment C262, in particular DDO10 and the provisions of Clause 22.02 (Sunlight to Public Spaces) are well founded and have sufficient weight to support the statutory decisions. In this regard, the Tribunal stated:

We note the considerable strategic planning that has been undertaken to identify appropriate overshadowing provisions for public spaces in the Central City by undertaking testing of overshadowing impacts in the Central City Built Form Review Overshadowing Technical Report. This report has underpinned the more stringent and detailed planning controls, which have been included in the planning scheme as a result of Amendment C270.

We find that removing condition (b) would result in an outcome in terms of additional overshadowing at Birrarung Marr that would be contrary to the findings of this report and would not now be permitted pursuant to DDO 10. In the interests of net community benefit, we do not consider that this additional overshadowing should be permitted. We find it would undermine the achievement of the policy outcomes that Amendment C270 seeks to implement.

- VCAT Case P643/2016 & P644/2016 (*Capital Alliance Investment Group Pty Ltd v Minister for Planning, November 2016*) to amend development plans and develop a 109 metre residential and hotel building. VCAT disagreed with the Minister for Planning's decision that the permit could not be issued without a comprehensive review of the Waterfront City Precinct. The Tribunal noted that development of smaller sites should not be hindered due to the lack of an overall precinct plan. It highlights the point that a lack of a structure or precinct plans discourages decision makers from issuing permits on such sites.

This decision highlighted that additional structure planning should be undertaken if the development applications being received in this area are contrary to the CoM's vision and expectations for the area and consequential recognition in the MSS.

5.2 Relevant Planning Scheme Amendments 2014 to early 2018

Since the last planning scheme review conducted in 2014, several significant State and local planning scheme amendments have been commenced, or completed and incorporated into the Melbourne Planning Scheme.

The following Planning Scheme Amendments, including panel reports (where available) were reviewed. These amendments are specific to the CoM. The list shows completion dates, and includes 3 amendments that were prior to 2014. These amendments have been included because there was insufficient time for their efficacy to be tested as part of the 2014 MPS Review.

C142 Stormwater Management (2014)
C162 MSS Review (2013)
C171 Southbank Structure Plan (2013)

C179 New Residential Zones (2014)
 C187 Energy, Water and Waste Efficiency (2013)
 C190 (Part1) Arden-Macaulay Structure Plan (2017)
 C196 City North Structure Plan (2015)
 C208 Development Contribution Plans for City North and Southbank (abandoned)
 C209 Open Space Contribution (2016)
 C212 Exceptional Trees Register (2015)
 C221 West Melbourne Waterfront (2017)
 C220 Shrine of Remembrance (2014)
 C245 Queen Vic Market (2017)
 C258 Heritage Policies Review and West Melbourne Heritage Review (current)
 C262 Interim Central City Built Form (2015)
 C270 Central City Built Form (2016)
 C295 DCP for Arden (2017)
 C307 Gaming Policy (current)
 C308 Urban Design in Central City and Southbank (current)
 C323 Southbank Arts Precinct permanent controls (current)
 C330 Southbank Arts Precinct – interim controls (2018)

The following VC and GC Amendments were reviewed, including associated panel reports (where available). These amendments have been implemented state-wide, or across multiple Councils including the CoM.

GC9 New Residential Zones & Reformed Commercial Zones (2014)
 GC41 and GC49 Emergency Medical Services Heliport Flight Path Protection Project (2016-2017)
 GC45 Melbourne Metro Rail Project (2017)
 GC65 and GC93 West Gate Tunnel Inquiry and Advisory Committee (2017)
 GC81 Fishermans Bend (2017)
 VC110 Residential Zones Review and Garden Area (2017)
 VC114 VicSmart (2014)
 VC120 Live Music and Entertainment (2014)
 VC136 Better Apartment Guidelines (2017)
 VC144 Advertising Signs (2018)

5.2.1 Pending and other amendments

At the time of this review, several site-specific amendments were also underway or under consideration by the Minister for Planning. These included, but are not limited

- Amendment C320 which proposes permanent development controls to the Corkman Hotel Site
- Amendment C314 for the development and use of Federation Square for the 'Apple' Store, and
- amendments to integrate changes associated with Melbourne Metro stations.

Other site-specific and general amendments, such as updating or deleting outdated document titles, correcting minor wording errors, inconsistencies or title changes and various other policy-neutral amendments are not listed in this review. GC and VC amendments that have little relevance to the CoM, such as bushfire and wind energy policies have also not been considered as part of this review.

5.3 Conclusion

The cases reviewed were predominantly focused on the merits of a development in meeting the Scheme's discretionary objectives and policies regarding built form and preferred land use for an area. Other cases highlighted procedural defects relating to processes such as notification, referrals and secondary consent. Other decisions related to the status of structure plans and policies and the role of the relevant authority.

Many of the Panel and Advisory Committee reports and VCAT and Supreme Court decisions revealed issues that aligned closely with at least half of those issues raised during the stakeholder engagement. Some of the issues can be resolved via the introduction or revision of policies while others require

direction from a State level. In particular, the review of VCAT cases revealed that many of the existing policies work effectively in delivering the objectives of the MPS.

Recommendation 11

Consider establishing a formal monitoring process that collates and records the outcome of Panel and Advisory Committee reports and VCAT and Supreme Court decisions specifically where they result in the need for changes to the MPS. Use this process to identify the specific change needed and include these matters in Council's Further Strategic Work program.

Other 'issue-specific' recommendations arising from this part of the Review are noted in Chapters 7-10 alongside the issue to which they relate.

6 CONSULTATION

This Planning Scheme review has included a comprehensive consultation process involving planning portfolio Councillors, agencies, Council staff and other relevant stakeholders. The method and key findings of this process are summarised below. **Appendix 1 – Melbourne Planning Scheme Review Engagement Strategy** provides further details around the consultation process.

6.1 Method and purpose of consultation

The engagement strategy sought to collaborate with a range of stakeholders in a variety of ways in order to gain meaningful feedback on the broad issues affecting CoM and the efficacy of its Planning Scheme. Such an approach allowed the project team to harness first-hand knowledge and expertise, foster enthusiasm for the project amongst relevant stakeholders and ensure the transparency and clarity of the project methodology.

The consultation phase included a series of targeted engagement sessions taking the form of individual meetings with Councillors, intensive stakeholder group workshops and for broader consultation, an online survey/questionnaire.

To ensure representative views were collected a range of key stakeholders were invited to participate. These were broadly grouped into three categories: internal stakeholders (Melbourne City Council Councillors and CoM staff from various departments); State government department and agency representatives; and external stakeholders (other users of the scheme such as the National Trust and planning consultants).

6.2 Consultation process

Online Questionnaire

The survey was distributed to the identified key stakeholders via email accompanied by an explanatory cover letter. It presented thirteen questions encouraging stakeholders to reflect on the efficacy of the Planning Scheme and whether the interests of their agency are adequately reflected in the Scheme. Fifteen responses were received, 65% of which were completed by representatives of the CoM.

Group workshops

Four separate group workshop sessions were conducted. Each session ran for a minimum of 1.5 hours, with groupings designed to harness synergies between user groups and foster meaningful discussions around using the Scheme.

The Four stakeholder groups were:

- Group 1 – CoM - Strategic Planning and Transport
- Group 2 – CoM - Statutory Planning and Enforcement
- Group 3 – Other CoM departments
- Group 4 – External stakeholders (authorities and agencies)

MSS Review and MPS Review

At the time of this MPS Review a separate review of the MSS contained in the MPS was being undertaken by an internal, CoM project team.

The purpose of the MSS Review is to thoroughly research and explore the wide range of ongoing and emerging issues for the CoM. It is intended that the issues uncovered would result in a revised vision and supporting set of objectives and strategies within the MSS. Key findings and the proposed Vision for the new MSS is scheduled to be presented to Council at a meeting in 2018-2019.

While a separate review of the MSS is being undertaken concurrently, this MPS Review has considered an audit of the entire Melbourne Planning Scheme in accordance with the requirements of Section 12B of the *Planning and Environment Act, 1987*. Stakeholders have been consulted with this in mind.

6.3 Matters beyond the scope of this review

Matters that cannot be addressed through the MPS were raised during the stakeholder engagement process. Whilst these matters have not been addressed in this Review, they have been documented for completion and are summarised below:

- *Workload expectations*
Recent changes introduced to the Victoria Planning Provisions by state government have resulted in further assessment criteria against which proposals must be considered as part of the assessment process. This has added to workload of planning officers and has increased the complexity of the assessment process.
- *Expertise*
Some officers noted that the incorporation of technical criteria into the state planning policy framework has placed a greater expectation on statutory planning officers to be an expert on many technical areas. This includes interpretation of technical reports that are outside of their expertise, such as environmental, geotechnical, telecommunication and noise matters.
- *Pre-application Meetings*
The role and mandatory need for pre-application meetings was queried by some. Given the layered and complex nature of the planning scheme, some officers noted the difficulty in providing well considered and meaningful advice to applicants within this forum.
- *Research on existing data and emerging fields*
Throughout the review, attention was drawn to issues relating to inaccurate population figures and flood prone maps and the need for the scheme to be more flexible to quickly update these figures and key maps. There was also discussion on the use of smarter technology systems to ensure infrastructure modelling is live, accurate and better reflects the forecast infrastructure demand instead of relying on static overlay maps. New, emerging areas, such as the impact of electro-magnetic fields was also raised. The use of smart technologies and research into emerging fields that may impact on planning are important areas of research that CoM should undertake to ensure the MPS provides up to date, accurate planning policy guidance and controls on all relevant matters. However, these are matters that predominantly sit outside the scope of this review.

Many of these matters could be addressed by CoM through other regulatory mechanisms, as well as a review of internal planning processes and the use of in-house or consultant technical expertise.

6.4 Discussion

An extensive range of topics were raised during the stakeholder engagement sessions. Although the stakeholder groups included diverse representation from across CoM and external agencies, common themes were revealed through the workshops and survey data. In summary, the discussion and issues raised can be grouped under the broad themes listed below.

- Provision of open space
- Infrastructure and development contribution plans
- Signage
- Mandatory and discretionary controls
- Heritage
- Transport and Connectivity
- Design excellence and central city built form
- Noise
- MSS and Local Policies (efficacy)
- Housing / Diversity / Affordability / Homelessness

- Climate Change / Resilience / ESD
- Matters for which CoM is not the Responsible Authority
- General land use matters
- Repetition, anomalies, obsolescence, language, clarity in the scheme
- Officer planning permit assessment workload
- Other miscellaneous matters

The broad range of issues that were canvassed as a result of consultation has informed the discussion and recommendations of this Review.

While related to the Melbourne Planning Scheme, some require actions other than through the Melbourne Planning Scheme.

7 LPPF: MUNICIPAL STRATEGIC STATEMENT (MSS)

The Local Planning Policy Framework consists of the Municipal Strategic Statement (Clause 21) and Local Planning Policies (Clause 22) of the MPS.

7.1 The Role of the MSS

The MSS provides the broad local policy basis for decision making under a planning scheme. Its role is to establish the local strategic framework for the municipality and to show how it supports and implements the SPPF. The SPPF and the MSS together provide the strategic basis for the application of zones, overlays and particular provisions in the planning scheme.

7.2 Format and Structure of the MSS

The MSS must further the objectives of planning in Victoria and contain:

- The strategic planning objectives of the planning authority
- The strategies for achieving the objectives
- A general explanation of the relationship between the objectives and strategies and the controls on the use and development of land in the planning scheme.

The CoM's MSS is structured around the themes of settlement, environment and landscape, built environment and heritage, housing, economic development, transport and infrastructure. These themes are again reflected in the structure of Council's *Vision* at 21.03. These are:

- Clause 21.01- 21.03 Municipal Profile and Vision
- Clause 21.04 Settlement, including the Growth Area framework
- Clause 21.05 Environment and Landscape
- Clause 21.06 Built environment and heritage
- Clause 21.07 Housing
- Clause 21.08 Economic development
- Clause 21.09 Transport
- Clause 21.10 Infrastructure
- Clause 21.11 Local Areas
- Clause 21.12 The Hoddle Grid
- Clause 21.13 Urban renewal, including Southbank, Docklands and Fishermans Bend Urban Renewal Area
- Clause 21.14 Proposed urban renewal, including City North, Arden-Macaulay and E-Gate
- Clause 21.15 Potential urban renewal including Dynon Road, Flemington and Kensington, Sports and Entertainment Precinct
- Clause 21.16 Other areas, including St. Kilda Road and South Yarra, East Melbourne and Jolimont, Carlton, Parkville, North and West Melbourne and Fishermans Bend Industrial Area
- Clause 21.17 Reference Documents

7.3 Issues and recommendations for the MSS

This section identifies broad issues that could be considered by Council's MSS Review team as part of their review.

The issues identified in this section have been drawn from our review of MPS content, VCAT decisions and Panel Reports and stakeholder feedback.

7.3.1 Issue: Urban Renewal Categories and the Growth Area Framework Plan (#2.2)

Clause 21.11-21.16 the MSS identifies 16 key local areas and sets out their respective housing, built form and heritage, transport and infrastructure objectives. The local area policies are grouped under the following categories:

- Hoddle Grid
- Urban renewal areas
- Proposed urban renewal areas
- Potential urban renewal areas
- Other local areas

The application of these areas across the municipality is shown within the *Growth Area Framework Plan* at Clause 21.04, which additional categories of *Commercial and industrial buffer* and *Stable areas*.

The *Growth Area Framework Plan* as implemented at 21.04 is a loosely drawn diagram that was introduced as a recommendation of the Amendment C162 Panel. The background to the evolution of this plan is important in identifying a suitable alternative approach.

The exhibited plan as part of C162 is reproduced at Figure 3 below. The Panel recommended a simplified plan which is shown at Figure 4.

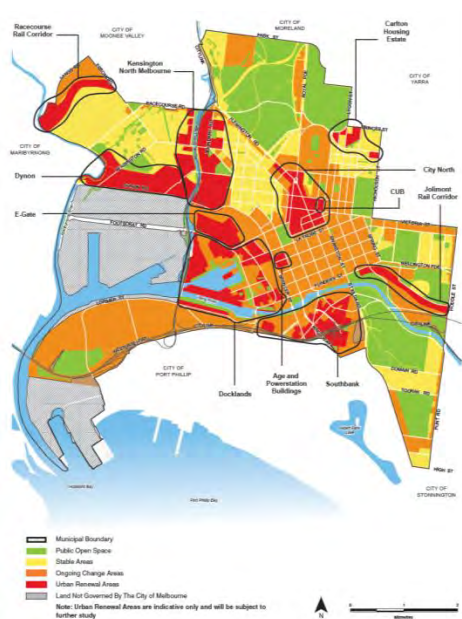


Figure 3 – Growth Framework Plan as exhibited under C162

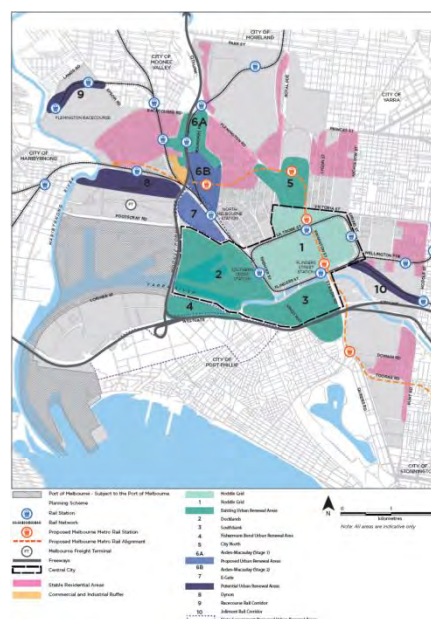


Figure 4 – GAFFP as implemented in Clause 21.04

In recommending a scaled back version of Council's exhibited plan, the Panel stated;

We are concerned that some elements of the Strategy 'jump the gun' by designating areas as renewal before relevant controls have been introduced to deliver that renewal. We consider these areas can only be identified as 'potential renewal areas' until further more detailed planning for these areas is translated into the planning scheme.

We also find it premature to identify specific sites (as opposed to broader areas) for urban renewal or potential urban renewal as we are unable to establish that rigorous site evaluations have been made. We therefore recommend that the Growth Framework Plan should be more broadly based showing areas of existing and potential renewal, whilst reinforcing the Hoddle grid as the core of the state capital. We find areas of existing urban renewal can be defined in Southbank and Docklands, with E Gate, City North, Dynon and Arden Macaulay located within local areas that have potential for urban renewal.

The Panel found that the exhibited plan was misleading and could lead to unintended consequences and the current, substantially looser *Growth Area Framework Plan* was substituted in its place (refer Figure 4). However, in practice it has been found that the version recommended by the panel has caused difficulty because it is so imprecise and has led to unintended consequences. This was highlighted through the panel hearing for the West Gate Tunnel where the Panel required stronger and more specific policy to underpin the CoM's submissions.

The MSS contains a parallel spatial classification system. The municipality is separately described across 16 *local areas* which are identified on the Local Areas Plan (Clause 21.11), and through more detailed individual Local Area Plans at Clauses 21.12 – 21.16. The areas are assigned within the *stable, ongoing change* or *urban renewal* categories.

Three key issues have been identified in this report with respect to the Urban Renewal categories:

- The *terminology* used in describing precincts in particular *Potential Urban Renewal* and *Stable* needs review,
- The premature *categorisation* of these areas as urban renewal areas prior to a structure plan being prepared.
- *Inconsistencies* of designation in the *Growth Area Framework Plan* and other policy areas.

The classification of local areas under the '*stable*', '*on-going change*' and various '*urban renewal*' headings from Clause 21.13 to 21.15 does not reflect the complex and ongoing transition of land uses and activities within *local areas*. Providing clarity on the future direction of an area is important for the public and decision makers. However, due to the complex and often very diverse range of activities occurring in a single local area, it is often difficult to categorise a local area under one overarching descriptor, such as '*Potential Urban Renewal Area*' or '*Stable*'.

This issue came to light during the planning application of the Quiet Man Hotel redevelopment at 271 Racecourse Road, Flemington. The proposal included 9 levels of apartments. The site sits to the south of Racecourse Road, within the boundary of the *Stable Residential Area* as shown on the *Growth Area Framework Plan*. Under this category, planning officers and the general public could correctly assume that changes on the site would be limited. The plan is contrary to the commercial zoning of the land and other strategic policy directions that support more intensive activity on main transit routes in commercial centres and does not appear to support decision making in these circumstances.

Terminology

The MSS assigns urban renewal categories to local areas through both the GAFP and the organisation of Local Area Plans under the urban renewal categories (CI 21.16-15). With the exception of the "*Hoddle Grid*" and "*Other Areas*" the terminology used to categorise local areas ("*Proposed / Potential / Urban Renewal* or *Stable Areas*") has proven to be problematic in that it can prematurely signal development opportunities in locations where detailed site investigations are not finalised and a structure plan is yet to be undertaken. Council has indicated that it is frequently deterring premature applications for intensive urban development proposals within *potential* or *proposed urban renewal precincts*.

In addition, stakeholders raised concern that the term *Stable Residential Areas* does not adequately reflect the potential for appropriate infill to occur in these areas. This is considered a matter of perception for infrequent users of the scheme. The definition provided for *Stable Residential Areas* in the Scheme at 21.04-15 adequately expresses its meaning.

A balance needs to be struck between ensuring that Council's strategic intentions are conveyed without indicating premature development potential.

On the GAFP some land falls between the gaps and is not identified within any of the above categories. These areas that are not identified as either '*Stable Residential areas*' or '*Proposed Urban Renewal areas*' are also prone to exploitation. By means of example, this issue was encountered in West Melbourne where '*other areas*', and '*areas of incremental growth*' failed to guide appropriately development and were consequently exploited for inappropriate intensity of development. The CoM has been undertaking the necessary structure planning work to enable the MPS to '*catch up*' with current development pressures through revised local policies and controls for West Melbourne.

Urban Renewal Categories

Local area plans are contained within separate policies and are organised under the four categories key categories (*Proposed / Potential / Urban Renewal or Stable*). This format does not appear to offer clear benefit to users of the Scheme and is often misinterpreted.

Through consultation, Council officers indicated:

- There is frustration around landowners / applicants prematurely seeking urban development approval in areas identified as “*potential*” urban renewal. In particular, the western part of the Dynon precinct referenced in Clause 21.15 has been targeted by developers for early discussions about development potential.
- The term *Stable Residential Areas* does not adequately reflect the potential for appropriate infill to occur in these areas.
- Areas that are not identified as either ‘*Stable Residential areas*’ or ‘*Proposed Urban Renewal*’ areas can be prone to exploitation.

Inconsistencies in the GAFP

Council’s MSS team is currently in the early stages of reviewing the GAFP in a manner that:

- graphically articulates a vision for each of the City’s emerging urban renewal areas.
- reflects Council’s current priorities;
- acknowledges areas at the lower end of the change spectrum as being subject to some change (whether they are residential or employment focussed);
- establishes a broad vision for and distinction between areas currently identified as potential urban renewal areas.

This exercise will assist in developing distinctive briefs for the areas such as Dynon and E-Gate. It more closely identifies *stable* areas with recognition of heritage values or existing employment infrastructure.

Reflecting Council’s ongoing and dynamic development program within an all-encompassing GAFP is an inherently complex task. The work underway by the CoM’s MSS Review in revising the GAFP is strongly supported. However it is noted that at this stage the project has not yet been completed and tested. Further research will be required to complete the plan to a point where it could be included in the Scheme. For this reason, this review recommends a policy neutral changes to the MSS that simply conveys areas where structure planning is either completed, underway or completed but due for review.

Recommendation 12

A policy neutral restructure of Clauses 21.04 and 21.11 – 21.16 is recommended as an interim measure whilst the broader MSS review is underway.

The designations “*urban renewal, proposed urban renewal, potential urban renewal and stable*” do not reflect the complexities of development potential within local areas. This should be addressed via the following recommendations:

- Change ‘*Potential Urban Renewal Areas*’ to ‘*Future Structure Plan areas*’ throughout the MPS.
- Restructure 21.04 to consolidate local area policies as a single listing without being classified under growth category headings (ie: *urban renewal, proposed urban renewal, potential urban renewal and stable*).
- Revise the *Growth Area Framework Plan* in a format similar the plan presented at Figure 5 overleaf. The plan could identify areas where a completed and implemented structure plan is now due for review.

This Review recognises that the recommended changes above represent a substantial restructure of Clause 21.04 that may not be desirable for Council, given competing priorities. For this reason, the review offers an alternative and less radical version of Clause 21.04 for Council’s consideration. The two Clause 21.04 versions are provided at Appendix 3 of this review and comprise:

- **Option 1 (Part Recommendation):** Retains current clause numbering, deletes inconsistencies and recommends updates to various clauses and policies.
- **Option 2 (Full Recommendation):** A more substantial restructure of the MSS to bring the Local Area Plans into Clause 21.04 and revise urban renewal categories throughout. This reflects the recommendation outlined above.

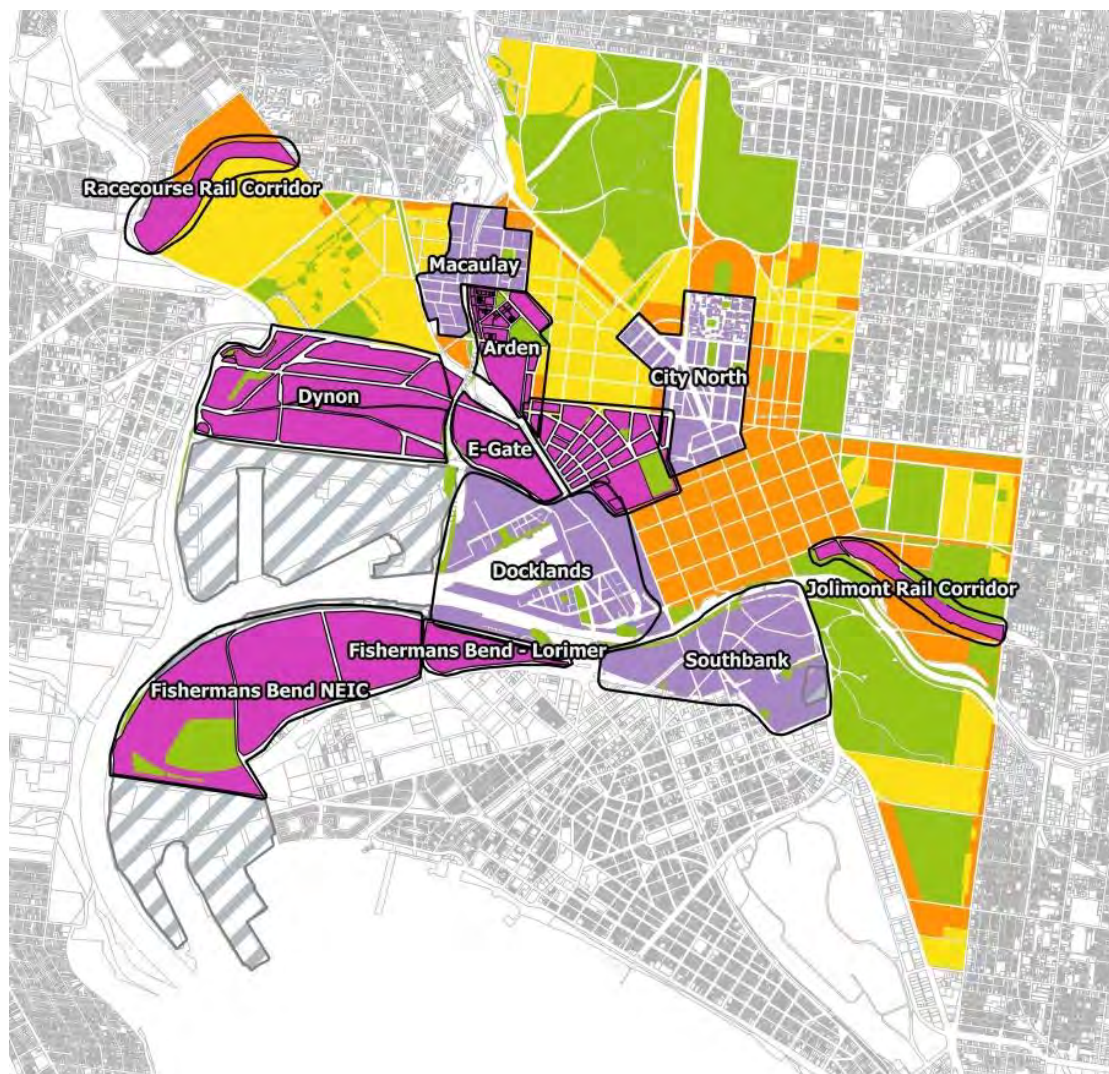


Figure 5 –Indicative Growth Area Framework Plan. **Note: this plan could be amended to identify outdated structure plan areas that are in need of review.**

7.3.2 Issue: Local Area Policies

Local area policies provide valuable character descriptions of urban precincts that are useful in decision making. As a general principal these policies should reflect completed structure planning projects within the City.

Users of the Scheme reported that they have proven helpful. Unlike many other municipalities, CoM does not have neighbourhood character studies. Instead there are detailed heritage studies which define the heritage character across much of the municipality where the Heritage Overlay applies. The descriptions contained in the *local area* policies are valuable as in some cases, they are the only statements that describe character for some areas in the municipality.

Issues raised in relation to the local area policies included their naming, boundaries and mapping content that does not reflect approved structure plans (eg Macaulay and City North). The West Melbourne structure plan area is currently integrated with North Melbourne at 21.16.

Some stakeholders expressed concern that the local area boundaries do not match the statistical areas used by the Australian Bureau of Statistics in collecting census data.

Some plans need to be updated. For example, because it preceded the Metro Tunnel Project and Plan Melbourne, the local area plan for Parkville precinct does not include the future Parkville Station, the Parkville 'knowledge precinct' nor does it reflect Parkville's designation as a National Employment Cluster as per *Plan Melbourne*. Further comments on individual local area plans are provided in revised 21.04 included with the Draft Amendment Documentation at Appendix 3.

Recommendation 13:

Local area plans should remain in the MSS however the following recommendations should be considered:

- Adjustments to area boundaries to reflect structure plan areas (eg North Melbourne and West Melbourne and Arden Macaulay) into two local areas as part of the structure plan implementation process.
- Other changes and updates to Local Area Plans as recommended in Appendix 3.
- The continued updating of these policies as structure planning exercises within the City are completed.

These matters should be considered as part of the MSS Review.

7.3.3 Issue: Local Structure Plans

Where Local Structure Plans have been completed, policy directions have typically been implemented through zones and overlays; however, the Local Area Plans have not been consistently updated (as noted above) nor have the Structure Plans typically been featured as Reference or Incorporated Documents in the MSS.

Where structure planning is complete the local area policies should be updated and reinforced with DDOs which are worded consistently to provide a clear policy direction.

It is acknowledged that maintaining up to date local policy within the MSS is a particular challenge for the City given the dynamic nature of the broader strategic metropolitan transport and infrastructure projects.

In City North the controls have been implemented however the Structure Plan was not reflected in the local area plan and remains identified as future strategic work (Clause 21.14-1). The Structure Plan is not listed as a reference document in Clause 21.17. Given the passage of time since the *City North Structure Plan* was completed the Council team reviewing the MSS has suggested that some areas of that plan require revisiting. Such a review should respond to new development pressures and challenges arising from the rapid development over the past decades, including the emphasis on residential development and lack of commercial and service based industries to support this.

Recommendation 14:

To provide greater consistency across policies, Local Area Plans in the MSS should be concurrently amended as part of the future introduction of approved Structure Plans into the Scheme.

7.3.4 Issue: Lack of or outdated structure planning

The identification of future structure plan areas as '*potential urban renewal*' areas has created confusion for the general public and developers.

It is recognised that an adopted structure plan provides the preferred framework to convey the development intentions for a precinct, however it is also recognised that Council has a number of current structure planning projects underway, and in the process of being implemented and resources are not infinite. The importance of structure planning to achieve and support Council's vision was highlighted through the advisory committee for the West Gate Tunnel project, where the Panel cited Council's lack of a clear direction for the Dynon precinct in considering the CoM's objection to the West Gate Tunnel's connection to the area.

Recommendation 15:

Council should consider including future structure planning projects within a *Future Works Program* contained within the MSS to indicate timing and priorities of future strategic projects.

7.3.5 Issue: MSS Vision

The MSS should be aspirational, digestible and articulate a vision. Council is currently undertaking a comprehensive review of the MSS to respond to a number of changes including new growth projections, current major projects, new state policies and new CoM policies.

The Smart Planning project is likely to provide further guidance on the clarity and messaging required under the new format. It is expected that under the new format, MSS content will be required to be more concise and relate more closely to key purposes of the scheme in directing land use and development outcomes. The work currently being undertaken by CoM is supported and will feed into the translation to the new format. Exploring and developing a refreshed 'vision' for the City is worthwhile however there would be benefit in delaying MSS re-drafting until the state-wide approach is known.

Recommendation 16

Delay further MSS redrafting until the preferred MSS format and criteria has been released by DELWP as part of the Smart Planning Project.

7.3.6 Issue: Aboriginal Culture and Heritage

The MSS does not sufficiently recognise indigenous culture and indigenous cultural heritage. Aboriginal cultural history does not have a visible presence in the public realm, unlike post-colonial public monuments. Measures are required to enhance and elevate knowledge of indigenous culture through the Scheme.

There is a body of existing Aboriginal plans and strategies that are not currently embedded into the Scheme (eg. *Reconciliation Strategy, Aboriginal Procurement Strategy, Aboriginal Action Plan 2015-2018, Street Grid Review, Caring for Country*).

Further research has been undertaken in regards to Aboriginal heritage in CoM and there is a timely opportunity to reinforce this knowledge in the Scheme. This issue requires a sensitive and collaborative approach informed by further discussion with Aboriginal Melbourne

A range of actions are identified within the suite of Aboriginal plans and strategies (including *Reconciliation Strategy, Aboriginal Procurement Strategy, Aboriginal Action Plan 2015-2018, Street Grid Review, Caring for Country*) could be implemented into the Scheme as part of a separate strategic planning project. It is understood that Council's MSS team are seeking to embed relevant actions from these studies that can be implemented into the MPS, and this direction is commended.

Any such project could consider the following:

- Although there are complexities around the identification of sites of Aboriginal Cultural Heritage due to cultural sensitivities, recognition could be provided through other means. For example, action 1.2.2 is to encourage voluntary CHMPs for all high impact building development projects. This could be transferred into the MSS as part of a broader policy setting as opposed to a mandatory requirement that is given effect through the Aboriginal Heritage Act.
- The potential to implement mechanisms in the Scheme to notify Council's Aboriginal Melbourne group for comment for particular types of applications.
- Other aspects of aboriginal culture that could be enhanced and protected through the MPS.

Recommendation 17:

Continue to address and implement relevant actions arising from *Reconciliation Strategy, Aboriginal Procurement Strategy, Aboriginal Action Plan 2015-2018, Street Grid Review, Caring for Country* in the MPS through the MSS Review.

7.3.7 Issue: Public Open Space for Recreation, Biodiversity and Landscape values

CoM faces a challenge in achieving strategically located and sized open space to achieve Council's environmental targets. Substantial open spaces are important for recreation, for cooling, for movement of animals and for biodiversity structure. Protection of existing open space and the accrual of additional open space areas was highlighted as a key issue during consultation.

Issues have been identified around the acquisition of public open space. Contributions are more typically made through cash payments under Clause 52.01 whilst the *Open Space Strategy* and Clause 22.26 are directive in identifying locations for open space to be provided in land. Clause 22.26 applies to applications for subdivisions where a contribution under Clause 52.01 is triggered. In most circumstances subdivision follows a development approval being granted. Therefore the objectives sought through Clause 22.26 are difficult to enforce at the time of subdivision, after development has been granted approval.

Recommendations 18 & 19:

Council could consider rewording the introduction to Clause 22.26 to enable the policy to be considered for all development applications for which a contribution for public open space will ultimately be required.

Ensure all open space is protected with appropriate zoning and back zone parks that are not adequately protected through the PPRZ to protect these areas from being lost to inappropriate development at a future stage.

7.3.8 Issue: Transport, Connectivity, Traffic and Parking

The City's roads and public realm areas are a strongly contested space with travel patterns evolving at a rapid pace.

Council is commended for refreshing the current Transport Strategy which is currently out for comment. The review will regard to car parking ratios and bicycle provision, particularly for student accommodation developments and its implementation will follow in due course.

Recommendation 20:

Continue to seek state government recognition of the need for separate car, motorcycle and bicycle parking provisions as a discrete policy within the LPPF.

7.3.9 Issue: Trees in the private realm

Stakeholder feedback revealed that the policies contained in the MPS lack sufficient weight to drive the incorporation of additional substantial canopy trees in the private realm, or protect trees on privately owned land.

Council's Tree Register has offered protection to important trees across the municipality however there are challenges in expanding the program. The Planning Scheme can assist in supporting Council's objectives including the actions identified in Council's *Urban Forest Strategy* such as:

Encourage increased canopy cover where possible in the private realm

Promote the retention of open space on private land especially in areas and in configurations that allow for the planting of canopy trees.

The recently introduced garden area controls go some way to implementing these actions. Further options to explore include amendments to zone schedules to include requirements for canopy tree planting as part of specified development types. However, given the infancy of the recently introduced garden area requirements, it would be premature to proceed along these lines without due evaluation of the efficacy of the recently introduced controls.

Recommendation 21:

Monitor and review the efficacy of garden area requirements prior to the consideration of further local policy to increase canopy cover within the private realm.

7.3.10 Issue: Housing

Stakeholder feedback revealed concern that the City lacks supply of affordable housing, including housing for "key workers" or residents who service the City through essential services such as police, or in the medical and educational sectors. Some stakeholders expressed that urgent measures are needed to facilitate and deliver affordable housing and crisis accommodation. This issue is addressed only at a high level in State Policy and a clearer pathway is needed to counter resistance from established communities.

The MSS currently provides strong policy support for a range of housing types however lacks clear policies in relation to key worker housing.

Affordable housing objectives are currently being implemented through the Fishermans Bend Urban Renewal project and through Amendment C309 to implement the West Melbourne Structure Plan. Council's MSS team have undertaken substantial background analysis and is currently developing policies for future implementation as part of the MSS Review project. State government is concurrently developing state government policy which will influence the preferred means of addressing housing and affordability issues.

In the absence of clear state government guidance on this issue, affordable housing could be better dealt with at local level through local planning policy. Beyond the provision of broad policy support for affordable housing within the MSS, this review notes that there are opportunities for policy to be implemented elsewhere in the Scheme. For example, Council could utilise the schedules to the CCZ to require a proportion of affordable or key worker dwelling accommodation in appropriate locations.

However this review recognises that there would be substantial work involved in the implementation of controls requiring affordable housing provisions at this time. Issues to be resolved include the equitable quantum or proportion of housing, triggers, eligibility criteria, and delivery. It is also recognised that Council's efforts in undertaking a project of this nature could be undermined by a concurrent state-wide approach. Therefore, whilst this is a worthy objective, its consideration should be deferred pending state-wide directions on this issue, and the completion of current strategic projects that are underway.

Further advice from state government in relation to the nature and timing of a state-wide housing affordability approach is necessary in considering the best policy directions for the CoM on this issue.

Recommendation 22

Council undertake further discussion with state government to understand the timing of state-wide planning policy to address housing affordability.

7.3.11 Issue: Drafting of MSS

A number of minor drafting inconsistencies were identified in the review, reflecting human error or writing style. These are identified Appendix 3 through revised policy drafting presented in *track changes* format.

Further changes are anticipated as part of the concurrent review being undertaken by Council's MSS Review team.

Recommendation 23

CoM to consider drafting changes to the LPPF and local schedules as provided at Appendix 3 of this report.

7.3.12 Issue: Outdated Reference Documents

A number of documents listed at Clause 21.17 Reference Documents are redundant. For example, *Moving Melbourne into the Next Century—Transport Strategy 1997* is considered to be redundant. Additional documents that are useful in decision making could be referenced in the Scheme. For example, the *Road Encroachment Guidelines* is a helpful document that is not referenced in the scheme. It was also noted that a number of Structure Plans are not referenced. As these documents often provide background to understand the context of a policy, their inclusion as reference documents is appropriate and accords with the Planning Practice Note addressing incorporated and reference documents.

Recommendation 24

Amend Clause 21.17 (Reference Documents) in accordance with the draft amendment documentation at Appendix 3.

7.3.13 Issue: Further Strategic Work

The MSS does not currently identify Council's current and future strategic planning projects. Many Victorian Planning Schemes include a short, one page summary of the current and future strategic works that are to be undertaken by Council. Whilst it is not a requirement of the MSS, the Planning Practice Note *Writing a Municipal Strategic Statement June 2015* (pages 5, 15, 17) suggests listing further strategic work as means of identifying and communicating to the user of the scheme the future strategic works that will be undertaken by Council.

As part of this MPS review, a detailed review of Council's annual Business Plan, Council Plan, budgets and various other strategic documents was conducted. This review indicate that Council is quickly moving forward with a significant number of key planning matters, many of which respond to the issues that have been highlighted in the 2014 MPS review and parts of this review. These include preparing the evidence base to support Development Contributions for Community Infrastructure in City North and Southbank, and reviewing the Transport Strategy.

A list of Further Strategic Work would achieve the following benefits:

- Certainty for all parties as to Council's agreed priorities and identification of policy gaps;
- Strengthen Council's position at panel / VCAT in relation to Council's commitment of specific matters;

- Provides a stronger basis when seeking funding through grants applications, through Council budgets or other funding methods;
- Assists with completing Planning Scheme Reviews by being able to report on current and future strategic planning projects.

Recommendation 24

Consider the inclusion of a list of *Further Strategic Work* into the MSS.

8 LPPF: LOCAL PLANNING POLICIES (LPPS)

8.1 The Role of the LPPs

The Local Planning Policy Framework (LPPF) has a defined role in the planning scheme. Its purpose is to clearly articulate a municipality's vision and strategic direction through the Municipal Strategic Statement (MSS) and deliver a series of direct policy statements via local planning policies (LPPs). As established through the relevant planning practice notes the role of the MSS is to deliver the local strategic directions of a planning scheme and LPPs guide how discretion in a zone, overlay or a particular provision will be exercised. Objectives and/or strategies in the MSS can also provide guidance on how discretion in a zone or overlay will be exercised to avoid the need for an LPP.

8.2 Format and Structure of the LPPs

All policies within the Scheme must be consistent with the policy directions set out in the overarching Victoria Planning Provisions. The LPPF contained is tailored to suit the CoM's local needs.

The 21 LPPs contained within the Melbourne Planning Scheme focus on a range of issues including building height and density, advertising signs, heritage, public open space contribution, student housing, urban design and energy and water efficiency. Local planning policies are both broad and site specific and are designed to guide the decision making process. They have an important role to play in guiding the exercising of discretion where non-prescriptive controls apply through zones, overlays, particular and/or general provisions.

At the time of this review, the Local Planning Policies (LPP) of the MPS included the following 21 clauses:

- Clause 22.01 Urban Design within the Capital City Zone
- Clause 22.02 Sunlight to Public Spaces
- Clause 22.03 Floor Area Uplift and Delivery of Public Benefits
- Clause 22.04 Heritage Places within the Capital City Zone
- Clause 22.05 Heritage Places outside the Capital City Zone
- Clause 22.07 Advertising Signs
- Clause 22.10 Amusement Parlours
- Clause 22.11 Sexually Explicit Adult Establishments
- Clause 22.21 Gaming Premises
- Clause 22.14 Discretionary Uses in Residential Zones
- Clause 22.15 Lygon and Elgin Street Shopping Centre
- Clause 22.17 Urban Design outside the Capital City Zone
- Clause 22.18 Urban Design within the Capital City Zone
- Clause 22.19 Energy, Water and Waste Efficiency
- Clause 22.20 CBD Lanes
- Clause 21.21 Heritage Places with the World Heritage Environs Area
- Clause 22.22 Policy for Licensed Premises that require a Planning Permit
- Clause 22.23 Stormwater Management (Water Sensitive Urban Design)
- Clause 22.24 Student Housing Policy
- Clause 22.26 Public Open Space Contribution
- Clause 22.27 Employment and Dwelling Diversity within the Fishermens Bend Urban Renewal Area

The LPPs capture key issues that have influenced the direction of the city since the introduction of the VPPs. More recent policies, including Clause 22.19 Energy, Water and Waste Efficiency, Clause 22.23 Stormwater Management (Water Sensitive Urban Design), Clause 22.26 Public Open Space Contribution reflect the City's sharp focus on energy efficient and sustainable development practices, as well as the need to provide appropriate open space for the growing population of CoM. The various urban design and heritage policies within and outside the Capital City Zone highlights the different built forms across the city, and also the need for more flexible policies (mostly within the Capital City Zone) to facilitate the range of employment, commercial and residential activities desired for the city centre.

Some of the LPPs, such as Clause 22.11 Sexually Explicit Adult Establishments, and Clause 22.10 Amusement Parlours are useful in assessing applications when they arise but have not been significant issues for CoM in recent times.

The local planning policies are generally consistent in structure and conform to the requirements of the Practice Note in this regard. It is noted that the number of policies may initially seem large in number; however this reflects the significance and complexity of Melbourne's role as the capital city where the MPS is required to balance the capital city role of Melbourne with its localised role.

8.3 Issues and recommendations for Local Planning Policies

8.3.1 Issue: Weight of local policies

Through the stakeholder engagement it became apparent that local policies do not always deliver appropriate and enforceable outcomes. The use of discretionary controls and performance based language in the LPPF had not demonstrated sufficient policy strength required to support decisions upon review at VCAT. Recent planning scheme amendments have added to the suite of DDOs which are Council's preferred tool for implementing urban design objectives. In particular, DDO61 provides prescriptive design requirements that have generally supported council decisions upon review.

Officers reported that discretionary controls are regularly used by developers as a means of trading in design quality. Council ends up bargaining over *height and density* versus *design quality*.

The previous 2014 Review identified a number of local policies that have not proven to have sufficient strategic weight when subject to review at VCAT. These include:

- 22.01 Urban Design within the Capital City Zone;
- 22.04 and 22.05 heritage local policies; and
- 22.07 Advertising Signs (and guidance relating to Advertising Signs elsewhere in the Planning Scheme.)

Strategic planning work is currently underway to review all but Clause 22.07 of the policies highlighted.

Concerns around local policy efficacy have been consistently expressed in relation to urban design policies, in particular, Local Policy 22.01 *Urban Design within the Capital City Zone*. It is recognised that Council has moved substantially to address this through Amendment C308.

Local Policy 22.01 *Urban Design within the Capital City Zone* provides broad built form guidance for all land within the CCZ, much of which is also covered by Design and Development Overlays. The provision of urban design guidance within an overarching local policy provides a sound policy basis for the application of built form overlays. However with the evolution of the planning scheme and the introduction of various DDOs the value of the policy has diminished. The general objectives of the local policy are seen as carrying relatively less policy strength than the Design and Development Overlays.

At the Future Melbourne (Planning) Committee meeting of 20 February 2018, CoM resolved to proceed with the preparation and exhibition of Amendment C308. Amendment C308 proposes to delete local policy 22.01 and replace DD01 and DD04 with a revised DDO1 titled *Central City and Southbank Urban Design*. The proposed DD01 will provide detailed policy guidance specifically around the elements of urban design including Urban Structure, Site layout, Building Program, Massing, Public Interfaces and Design Quality. This amendment has been conceived in tandem with the *Central City Design Guide* which conveys the CoM's expectation regarding design quality.

The *Synthesis Report (CoM 2018)*, accompanying the C308 amendment material identified areas where policy required strengthening following a review of key VCAT matters.

This important strategic planning exercise has been described by CoM as the first comprehensive update of the planning controls guiding urban design in the Central City since 1999 (CoM, 2018, pp 5, 8).

Accordingly, the concerns with existing Clause 22.01 are already being addressed through C308 and are therefore not addressed in detail through this review. Policy within Clause 22.17 (*Urban Design Outside the Capital City Zone*) and Clause 22.18 (*Urban Design within the Docklands Zone*) requires strengthening and should be reviewed in the context of C308 when complete.

Council is commended in addressing the ongoing challenge to maintain high quality urban design outcomes in the City, through strategic projects including the preparation and implementation of the *Central Melbourne Design Guide*. The outcomes of Amendment C308 will be instrumental in establishing a format for future DDOs and potentially the review of other DDOs where deficiencies have been identified. It should also inform future policy aimed at enhancing design quality in areas not affected by C308.

Recommendation 26

Monitor the outcome of Amendment C308 to inform the approach to the future drafting of policy for built form and urban design in the city to achieve clear and precise local planning policy.

8.3.2 Issue: Heritage

Current heritage policies are focussed on residential built form and there is an absence of policy for buildings and places of *industrial* and *commercial* heritage significance. This manifests itself in development outcomes where, industrial and commercial heritage buildings are frequently subject to 'façadism'.

There is also a lack of articulation around indigenous cultural heritage throughout the City.

CoM has prepared Amendment C258 to revise the local heritage planning policies, incorporate new heritage statements of significance and replace the A to D grading system with the significant/contributory/non-contributory grading system. The Amendment also sought to introduce a new heritage overlay across 20 sites in West Melbourne.

The changes proposed under Amendment C258 are considered to strengthen Council's efforts in heritage conservation.

Recommendation – N/A

Given Amendment C258 that updates local heritage policies is underway, there is no specific recommendation for this issue.

8.3.3 Issue: Ecologically Sustainable Development (ESD)

Matters related to environmental sustainability, including energy, water and waste efficiency affect all developments and uses across Victoria therefore policies relating to these issues would be best dealt with on a State level.

The need for state government to lead on this matter is recognised at Policy 6.1.1 of *Plan Melbourne*:

Many local councils are already incorporating environmentally sustainable development considerations into their planning processes. However, there is a need for a statewide approach to achieve greater consistency and simplicity.

Options to strengthen planning and building frameworks will be reviewed to determine the most cost-effective approach for lifting the efficiency of both new and existing building stock and requiring early consideration of sustainability in the planning, design and building process.

With the exception of policies found in Clause 56.07 *Integrated Water Management* for residential subdivisions, there are no robust and enforceable State policies to guide the environmental sustainability of developments.

Amendment C187 replaced the former Clause 22.19 (*Sustainable Office Buildings*) with a new Clause 22.19 *Energy, Water and Waste Efficiency*. Subject to several minor wording modifications, the Panel strongly supported the inclusion of the new policy.

Since the introduction of the revised Clause 22.19, it has been difficult to gauge the effectiveness of the policy across developments. CoM is now including the following permit condition on applications affected by Clause 22.19:

1. *The performance outcomes specified in the Environmentally Sustainable Design (ESD) Statement prepared by <Report Author> dated <Report Date>, endorsed to form part of this permit, must be achieved in the completed development.
Prior to the commencement of the development, excluding demolition and bulk excavation, any change during detailed design that prevents or alters the attainment of the performance outcomes specified in the endorsed ESD Statement must be documented by a suitably qualified person in an addendum to this report, which must be provided to the satisfaction of, and approved by, the Responsible Authority.*
2. *Within six months of the occupation of the development, a report from the author of the endorsed ESD Statement must be provided to the satisfaction of the Responsible Authority, which details design initiatives implemented within the completed development that achieve the performance outcomes specified in the endorsed ESD Statement.*

The outcome of this permit condition is yet to be realised. It is understood that CoM plans to review the results of this additional permit condition in delivering the objectives of Clause 22.19.

Recommendation 27

Assess the results of the recently introduced standard permit condition in delivering the objectives of Clause 22.19 (*Sustainable Office Buildings*). CoM should also work with DELWP in delivering a State-wide ESD policy that can be implemented into the MPS.

8.3.4 Issue: Advertising Signage

There is a lack of clarity regarding signage controls in the LPPF, particularly in relation to the assessment of electronic major promotion signs and this has led to inconsistency in decision-making.

Several VCAT cases have revealed an absence of policy direction in the Scheme in relation to electronic and animated advertising signage. In VCAT Case 2396/2014 (*Crown Melbourne v Minister for Planning*), a major electronic advertising sign over Kingsway was refused by the Minister on grounds that the sign would determinately impact on the amenity of nearby residents and visually intrude onto one of the City's key gateways. VCAT overturned the Minister's decision and a permit was granted. The Tribunal's decision was guided by the relevant provisions of Clause 22.07 Advertising Signs and Clause 52.05 Advertising Signs. Key objectives of Clause 52.05:

To provide for signs that are compatible with the amenity of the land vial appearance of an area including the existing and desired future character

To ensure that signs to not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of the land.'

Commentary regarding the lack of policy direction for electronic advertising signage was echoed throughout the stakeholder engagement session. Review of the VCAT decisions shows that unless there is a specific landmark identified for protection, such as the Yarra River corridor, electronic and animated signs may appear in areas that interface with residential outlooks and parks and public spaces, and detract from the amenity of the area.

At the time of this review, Amendment C144 made changes to the advertising requirements of Clause 52.05. Relevant Changes included:

- *Amending Clause 52.05 (Advertising signs) to: specify 'electronic sign' in Section 2 of Category 3 - High amenity areas (Clause 52.05-9), with a condition that the advertisement area must not exceed three square metres*
- *Increasing the size of the permitted maximum advertisement area of a 'promotion sign' in Section 2 of Category 3 from two to three square metres.*

Recommendation 28

Review and update Clause 22.07 to reflect the wide spread emergence of electronic signs. The changes should also work alongside the changes administered through Amendment VC144.

8.3.5 Issue: Consistency of Language

This review identifies a number of areas where planning terms are inconsistently applied, including:

- Permit triggers (*to the satisfaction of* provisions);
- Transitional Provisions
- Expiry clauses.

The Audit of MPS provisions at Appendix 2 identifies the relevant clauses where these terms apply and should be updated. In addition to the anticipated refinement and deletion of policy through conversion to the Smart Planning PPF. Recommended drafting has been provided through the draft amendment documents at Appendix 3 of this review.

Recommendation 29

Address inconsistent language throughout the MPS through a policy neutral amendment the transition to the PPF format, as part of the implementation of the Smart Planning reforms.

9 ZONES AND OVERLAYS

9.1 The Role of the Zones and Overlays

Zones are the principal tool within the Planning Scheme to direct land use and development on a particular site. Objectives for each zone are articulated in the purpose statement for the zone, and associated requirements.

Overlays provide a further layer of control and apply where specific spatially-relevant objectives are sought. Where mandatory provisions apply, they are typically expressed within zone and overlay provisions.

9.2 Format and Structure of Zones and Overlays

9.2.1 Zones

There are 16 zones in the Melbourne Planning Scheme, many of which have tailored schedules. The audit at Appendix 2 details each zone contained in the scheme, and highlights those with schedules that vary from the VPP standard. It also includes a summary of recommendations arising from this review.

The Melbourne Planning Scheme includes 27 tailored zone schedules that have been prepared to guide local development outcomes and the Scheme makes logical use of this VPP tool. It is noted that the number of schedules may initially seem large in number; however this reflects the significance and complexity of Melbourne's role as the capital city where the MPS is required to balance the capital city role of Melbourne with its localised role.

In particular:

- Variations to zone provisions through schedules occur more frequently within the *location specific* zones, such as the Capital City, Docklands and Special Use Zones. Although there are three site specific schedules in the GRZ, there are no schedules to the Commercial and Industrial Zones.
- With respect to the Residential Zones, only 5 schedules have tailored provisions, with no tailored schedule for the Mixed Use Zone or the Residential Growth Zone.

The Capital City Zone

The Capital City Zone, which applies exclusively in the Melbourne and Port Phillip Planning Schemes, is extensively used in CoM and covers a substantial portion of the municipality. This zone allows for tailored schedules to enable the Scheme to reflect and shape the various precincts of the City in line with the primary purpose which is *to enhance the role of Melbourne's central city as the capital of Victoria and as an area of national and international importance.*

The Capital City Zone offers the opportunity for Council to tailor schedules to achieve particular land use outcomes that reflect the strategic vision for precincts within the City. The purposes of the CCZ include:

To enhance the role of Melbourne's central city as the capital of Victoria and as an area of national and international importance.

To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

To create through good urban design an attractive, pleasurable, safe and stimulating environment.

The geographical limitations of the CCZ are untested and this zone currently applies in locations that are arguably at the limits of *Melbourne's Central City*.

The Capital City Zone has been effective in establishing a dynamic mix of uses, encouraging growth and diversity within the city, and supporting innovation and business through reduced permit triggers.

The Mixed Use Zone:

Use of the Mixed use Zone is concentrated in North and West Melbourne, Carlton and South Melbourne. It proven to be ineffective in achieving a meaningful proportion of employment land within areas in these locations.

The Special Use Zone:

The Special Use Zone has been applied to complex sites where a combination of alternative zones and overlays would not give effect to the desired outcomes.

Two Special Use Zone schedules (SUZ4 *Port of Melbourne*, and SUZ5 *Waters of the Port of Melbourne*) have been created to suit specific circumstances within Port of Melbourne owned land, where the Port Zone has not been used.

The Docklands Zone

The Docklands Zone is a zone that is unique to the CoM, and was developed to implement the vision for this redevelopment precinct when it commenced in the early 2000's.

Not surprisingly, there are numerous non-urban zones that do not feature in the Scheme.

9.2.2 Overlays

Thirteen planning scheme overlays apply across the CoM. Of these, five have varied schedules, with Design and Development Overlay schedules being strongly used to achieve particular built form outcomes in local areas. It is noted that the use of the Design and Development Overlay may initially seem large in number; however this reflects the significance and complexity of Melbourne's role as the capital city where the MPS is required to balance the capital city role of Melbourne with its localised role.

9.3 Issues and Recommendation for Zones**9.3.1 Issue: New Residential Zones**

The mandatory height limits that came into effect with the reformed residential zone have presented policy conflicts with existing provisions contained in the MPS.

Height restrictions introduced through VC110 conflict with the more permissive requirements of the DDO's in some areas. The application of built form controls through what is primarily a land use tool has been particularly problematic in the MPS where tailored height controls that were implemented with regard to the varying urban context have been overridden by blanket zone controls. If not addressed this situation will inevitably result in the underdevelopment of sites across CoM - particularly sites in prominent road corridors, on street corners and/or in activity centres able to absorb higher heights.

These matters have been raised by CoM to state government.

For example:

- the MSS at clause 21.16-5 "*expects higher scales of development... along Flemington Road*". This status established the basis for the 12-storey Vincent Care redevelopment to be approved, however is now subject to an 11m mandatory height by virtue of the amended zone.
- Areas along Sturt Street are in the GRZ1. Under existing provisions DDO60 allows the site (Area 4A) to be built up to 40 metres. The GRZ has a mandatory height limit of 11 metres and 3 storeys. Schedule 1 does not apply a variation.

CoM has undertaken a review to identify where these areas of conflict exist. These are listed in Appendix 8 of the Review.

The new residential zones also introduce mandatory garden area requirements. Pending the potential review of these provisions by state government, it would be appropriate to undertake a similar exercise to review of the impacts of the garden area requirements provisions on housing policy.

Recommendation 30

CoM or the state government should progress a further strategic project to identify where tailored residential zone schedules should apply to reinstate the height limits established through the DDOs.

9.3.2 Issue: Land Use Outcomes (Zoning to achieve particular outcomes)

Achieving a mix in land use outcomes is an ongoing challenge for the City, particularly in urban renewal areas.

The following issues were identified during the stakeholder engagement process:

- Concern in achieving a proportion of commercial floor areas on key development sites in Fishermans Bend.
- In City North there has been rapid development of student accommodation, with insufficient diverse and supporting uses.
- Ensuring a mix of uses that support the creative arts within the Southbank Precinct, (noting that this matter was largely addressed through Amendment C330 during the course of this project).

Stakeholder feedback revealed that the CCZ is not delivering the necessary diversity of uses to foster vibrant and functioning neighbourhoods.

Achieving diversity is integral in fostering vibrant communities and ensuring these areas deliver employment as well as residential outcomes. This issue is recognised at Clause 21.13 that includes a policy to: *'Support a mix of uses, including residential development, with ground floor retail and small scale business uses.'* The Mixed Use and Capital City Zones have historically been applied widely throughout inner Melbourne to foster this outcome.

The Mixed Use Zone has not proven to deliver the desired proportion of commercial and employment land. As a residential zone, there is no obligation to provide any other use within the Mixed Use Zone.

Whilst CCZ is a broad and permissive zone, it does not always deliver the diversity needed to achieve the vision for each precinct. To remedy this in future, CoM has indicated the intention to apply a Schedule to the CCZ or the SUZ as an alternative tailored zone. For example, in implementing the West Melbourne Structure Plan, a zone that does not preference residential uses is required. For this reason CoM prepared a SUZ by adapting the provisions of the Mixed Use Zone. This approach will be tested through the planning panel for West Melbourne.

The Capital City Zone can be tailored to achieve specific land use outcomes within a capital city context.

As evidenced through the Amendment C330 that implemented CCZ7, the Capital City Zone can be used to more strongly convey the intent of local policy in the development of an arts based precinct. The recently introduced Schedule 7 (*Melbourne Arts Precinct*) includes as a purpose: *'to provide for commercial and residential uses above the first four storeys of buildings...'* CCZ7 allows Accommodation as a Section 1 use, provided it does not occur within the first four storeys of a new development. The schedule does not prohibit accommodation at lower levels, however it establishes a requirement for such proposals to be assessed against the purpose of the zone.

In addressing the need for diversity within the City North precinct, CCZ5 could be reviewed (in a manner similar to CCZ7) to require a greater diversity of land uses, or target specific land use outcomes. Although it has been applied extensively in the municipality, it is noted that the CCZ is limited to capital city areas. The potential to adjust the purpose of the zone to enable its application in areas peripheral to the City could be explored with state government.

Recommendation 31

Monitor the efficacy of CCZ7 in delivering arts and creative uses in the Southbank and of the SUZ6 in delivering a true mix of uses in West Melbourne area for further implementation to achieve desired land use outcomes.

For other areas where a desired land use mix is preferred CoM should continue to rigorously consider zone selection and tailored zones schedules.

9.3.3 Issue: Achieving preferred uses in City North

Through Stakeholder Engagement, attention was drawn to the challenge in directing the preferred mix of uses within individual precincts given the strong market trend towards residential development across the City of Melbourne. The Capital City Zone -Schedule 5 applies to City North and its purpose is for the area to grow as an *internationally renowned knowledge precinct*. CoM has encountered difficulties in ensuring a mix of uses that align with this designation are delivered.

This issue is not dissimilar to issues surrounding the Southbank Arts Precinct that have now been dealt with through Amendment C330. It is noted that during the VCAT matter that prompted Amendment C330, the Tribunal made the following comments in relation to the pre-C330 drafting of the Zone:

The purposes of Schedule 3 to the Capital City Zone (CCZ3) provide a relatively strong framework to support the uses that contribute to the Arts Precinct's status:

- To maintain and enhance the role of Southbank as a cultural and arts precinct.
- To develop Sturt Street as an arts and performance precinct with services and activities for local residents and visitors.
- To support art facilities and creative industry businesses along Sturt Street.'

However, the CCZ3 provides for a wide range of land uses as-of-right, including the mix of land uses proposed for the review site. **This is despite the fact that the table of uses in the Schedule to the Capital City Zone can be completely tailored to the needs of individual precincts.** The manner in which the Schedule to the Zone that applies to Southbank has been drafted makes it very difficult, if not impossible, for the provisions of the CCZ3 to support and implement the stated purposes.

The table of uses contained in CCZ7 recently introduced through C330 includes clear direction on the provision of accommodation uses that can occur as of right within the precinct. This would appear to offer an appropriate pathway in dealing with City North.

Recommendation 32

Pending the outcome of C330, Council should review Schedule 5 to the Capital City Zone to potentially tailor the use table and decision guidelines to support the development of innovation-related uses for City North.

9.3.4 Issue: Discretionary Controls

The extent of discretion in the MPS through local policy zones and overlays arose as a key theme through the review. This issue is most relevant to *overlays* where proposed prescriptive controls have frequently been 'watered down' or translated to discretionary measures through the panel review process.

As part of the engagement process, stakeholders reported that discretionary controls are regularly used by developers as a means of trading in design quality. Council ends up bargaining over *height and density* versus *design quality*.

Officers also commented that discretionary controls are seen as *ineffective*. Where discretion applies, a stronger *framework for decision making* or *clear parameters* is required to:

- support Council decisions being upheld upon review
- support better decision making
- assist other users of the Scheme in understanding Council's expectations.

As a long standing issue and one that is encountered across a broader area than the CoM, Council has been tackling this issue through the strengthened policy controls and clearer, less negotiable guidance.

Implementation of the Central Melbourne Design Guide through C308 has the potential to be an effective tool for communicating Council's expectations. Pending completion of C308, it recommended that Council explore and implement an equivalent project to enhance design quality for areas not affected by C308.

Recommendation 33

Council should undertake a separate strategic planning project to identify controls that do not withstand review at VCAT. These controls should be either:

- deleted, or
- if retained a stronger *framework for decision making* should be introduced to support the policy. This would assist Council in decision making.

This review should pay particular attention to policy content of Clauses: 22.02, 22.07 and Design and Development Overlays: DDO7, DDO10, DDO56, 52.05.

9.3.5 Issue: Prescriptive Controls

Clear height and density controls are important because they enable Council to more accurately develop population projections and plan appropriately for infrastructure needs. The intention to introduce mandatory controls is frequently revised through the planning panel review process.

The challenge of implementing prescriptive controls through a panel process is acknowledged however it is also acknowledged that Council has had recent successes, for example DD060.

Recommendation – N/A

This is an ongoing issue that is addressed by CoM through structure plan implementation on a case by case basis. No specific recommendations apply.

9.3.6 Issue: Assessment matters – Detail and Complexity

Elements that were formerly assessed through the building permit approval process have been shifted into planning. This places an unreasonable onus onto statutory planners to assess planning applications, *'from dealing with big picture, to measuring the cupboards'*. The *Better Apartment Design Standards* (BADS) introduces a further range of matters for planning officers to review for compliance.

It was reported that the complexity of the planning scheme makes it near impossible for officers to provide valuable pre-application advice. This issue was largely raised in relation to state-wide provisions contained in the VPPs, and not local policy content. Council may wish to engage with state government to discuss resourcing issues to address this issue.

Recommendation – N/A

As this issue relates largely to state-wide provisions contained in the VPPs, no specific recommendations for amendment to the MPS are made,

9.3.7 Issue: Application requirements

Statutory officers reported that material submitted with planning applications is frequently not of acceptable standard and the planning provisions specify differing application requirements. The application requirements for applications under DDOs were reviewed as part of C308 and this process highlighted some inconsistencies throughout various schedules.

Recommendation 34

The DDO Review undertaken as part of Amendment C308 should be used to inform a subsequent amendment to standardise application material requirements across both zones and overlays.

9.3.8 Issue: "TPC" Applications

There are provisions in the CCZ that state that a permit is not required for minor buildings and works provided a matter is *to the satisfaction of Council*. Permit trigger predicated on a matter being *to Council's satisfaction* are unconventional and problematic. These provisions create a duplicative *'de-facto'* permit process. There are no assessment criteria or review processes outlined in the scheme, creating uncertainty for applicant. This convention leads to an additional workload for Council. Through the inclusion of these provisions, it seems that CoM seeks a broad scope for review over buildings and works.

In contrast, CCZ5 provides clarity around this issue by requiring a planning permit for minor buildings and works only where it would be visible from a street, lane or public place.

It seems inefficient for the Scheme to cast a broad permit requirement for minor works. Areas where it is desirable to control access, window and façade treatments are typically identified heritage overlays. It is unclear whether these matters require planning jurisdiction where a heritage overlay does not apply. It is essential that some proposed works be subject to an approval process even where the heritage overlay does not apply, therefore any adjustment to the TPC clauses should carefully consider where works may impact the role and function of active frontages within the central city. Appendix 3 contains suggested changes to the drafting of CCZ1, 2 and 3 for CoM's further consideration.

Recommendation 35

Review the *'to Council's satisfaction'* clauses contained in the CCZ1, CCZ2 and CCZ3s to see what purpose they serve and where appropriate, implement changes for consistency.

9.3.9 Issue: Floor area ratios (FARs):

In the CCZ, the definitions for floor area ratios vary between schedules. The language around FARs has most recently been debated through the panel hearings for GC81 (Fishermans Bend) and the resolved wording arising from this process has not yet been determined.

Recommendation 36

Pending the outcome of GC81, review the wording used through the CCZ schedules, to achieve more consistent expression in relation to floor area ratios.

9.3.10 Issue: Docklands Zone

The need for the Docklands Zone was questioned. Conversion to a Capital City Zone would provide greater consistency across the scheme. Within this zone, the provisions around taverns are highly confusing. As the Docklands Zone is a unique zone within the VPPs that does not apply in other municipalities, this matter requires further early engagement with DELWP.

The benefit of extending the CCZ to the Docklands precinct and the implication for the stakeholders in this precinct should be explored as it would seemingly lead to rationalisation of provisions and simplicity.

Recommendation 37

Consider refreshing the Strategic Plan for the Docklands Precinct as part of a future strategic project.

9.3.11 Issue: Transitional Provisions

Where transitional provisions apply, they are expressed in a variety of ways. It is noted that these provisions are typically introduced by the Minister. For example, in the CCZ1, the transitional provisions use plain English and are worded to best enable all planning scheme users to understand. The transitional provisions in the CCZ1 are as follows:

The requirements of this schedule do not apply to:

- *an application (including an application to amend a permit) made before the commencement of Amendment C262 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C262, continue to apply.*
- *an application (including an application to amend a permit) made after the commencement of Amendment C262 but before the commencement of Amendment C270 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C270, continue to apply.'*

However in the GRZ3 and GRZ4, the transitional provisions are expressed in a manner that is substantially more complex, ambiguous and is not readily interpreted by infrequent users of the planning scheme:

'Schedule 3 to clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme.

The requirements of clause 54 as they apply to clause 54.03-2 or of clause 55 as they apply to clause 55.03-2 as in force immediately before the said approved date continue to apply. Despite the provisions to Schedule 3 to Clause 32.08, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.'

Consistency in the language used for expressing *transitional provisions* would be of benefit within the zones schedules, as well as overlays and local policy.

In particular, given the passage of time, it is questioned whether the window of opportunity to utilise the Transitional Provisions contained in GRZ3 and GRZ4 has now closed, and the provisions could therefore be deleted from the Scheme. For example, if there are no live applications on land zoned GRZ3 or GRZ4 that were lodged prior to 29.01.2015, it would be beneficial to delete this clause.

Recommendation 38

Implement consistently worded transitional provisions across zones and overlay schedules.

9.4 Issues and Recommendation for Overlays

9.4.1 Issue: Noise Attenuation

As detailed in Section 10.2.4, new development is not consistently designed to mitigate noise impacts in the context of a highly urban environment. DDO12 (Docklands) and DDO26 (North Melbourne, West Melbourne and Arden Macaulay) require noise attenuation measures in new and existing refurbished residential development.

It was suggested during the Stakeholder Engagement that residents who chose to live in the city centre need to be better aware of the trade-offs that high accessibility and convenience to services come with.

Recommendation 39

Subject to further review, seek to achieve better amenity outcomes through appropriate apartment and commercial building design requirements, permit conditions and the broader application of noise attenuation policy such as those contained in DDO12 and DDO26.

9.4.2 Issue: Outdated Controls

A number of overlay controls have expired or are due to expire. DDO56 relates to building height and setbacks along CBD laneways and expired in September 2011.

Urban renewal areas, such as West and North Melbourne are experiencing a significant and rapid change from industrial land uses to residential and commercial land uses. It is important that policies affecting these areas are up to date and reflect the nature of current and/or emerging development patterns.

This issue was emphasised through VCAT case 811/2015 (*CBUS Property West Melbourne Pty Ltd v Melbourne CC*). In this case, the applicant argued that built form controls administered through Schedule 33 to the Design and Development Overlay, which was introduced into the Scheme in 2007, were no longer reflective of the built form and urban design sought for the area. The Tribunal sided with Council on this matter, stating that the objectives of the Overlay were still relevant. However this case draws attention to the need for Council to ensure specific place-based policies, particularly Design and Development Overlays are regularly reviewed to meet the changing urban context of the municipality.

Recommendations 40 and 41

Controls that are expired (DDO7 and DDO56), redundant, or consistently do not withstand review at VCAT should be identified deleted as part of a separate strategic exercise.

Review and consider redrafting DDOs that are more than (nominally) 10 years old for example DD03, DDO5 and DDO49) to provide for consistency in format, structure and language.

9.4.3 Infrastructure Contributions

In addition to the infrastructure requirements associated with urban growth areas, the City experiences increased pressure on infrastructure through:

- Substantial population growth through planned urban renewal projects;
- Incremental infill residential development, particularly in 'ongoing change' areas;
- Student accommodation developments where development does not currently trigger open space or development contributions through subdivision.
- Other land use intensification within established areas.

Infrastructure contributions are needed to fund infrastructure required as a result of new development, however at this stage it is uncertain whether Development Contributions Plans, Infrastructure Plans, or other mechanisms offer the best means of achieving this.

Since the 2014 MPS review, several Development Contribution Plan Overlays have been prepared to be incorporated into the scheme. Most notably was the preparation of Amendment C208 which sought to introduce Development Contribution Plans and DCP Overlays in the City North and Southbank areas. This amendment was abandoned following the Planning Panel's recommendations.

Through Amendment C190 Arden Macaulay Structure Plan, an interim Development Contributions Plan Overlay (Schedule 2 of the DCPO) was also introduced via Ministerial Amendment C295 over the land affected by Amendment C190 (Part 1). This Amendment came about through the Amendment C190 consultation process. The community raised concerns over the lack of infrastructure to service the new community. In response to these concerns, Council requested the Minister for Planning to apply a Development Contributions Plan Overlay for Arden Macaulay through Planning Scheme Amendment C295. This will enable the collection of development contributions to help fund the new infrastructure needed by the new community, including roads, local drainage and community facilities.

Whilst CoM are pursuing community infrastructure funds through the more established DCP overlay method, there is still some suggestion as to whether contributions should be levied under an Infrastructure Contributions Plan within established areas.

Infrastructure Contributions Plans (ICPs)

The introduction of Infrastructure Contributions Plans (ICPs) is a separately led state government project which is underway and has been implemented in part.

The *Infrastructure Contributions Plan Guidelines* identifies that ICPs can be applied in three development settings:

- Metropolitan greenfield growth areas
- Regional greenfield growth areas
- Strategic development areas.

A standardised ICP have been prepared by the Minister for Planning for Greenfield Areas, and is available for use by councils within Melbourne's growth corridors. However, in urban renewal areas, Council is in a holding pattern until ICPs are rolled out for the other development settings. state government has indicated that this will occur mid-2018.

It is uncertain whether the units created within a student accommodation unit would satisfy the definition of a demand unit, or if other demand unit measure would apply. This issue should be further explored with state government.

Recommendation 32

Mechanisms to fund infrastructure required to cater for the CoM's increasing population in established areas should be explored as part of a future strategic project. The potential for a DCP to fund this infrastructure should continue to be considered.

Council could consider applying DCPs to local areas as they are currently doing, and/or a broader DCP covering the entire municipality, excluding areas where an existing DCP applies currently. The DCP could fund new or augmented infrastructure required through increased population.

9.4.4 Issue: Permit Exemptions

There are a number of schedules to the Design and Development overlay that do not contain explicit permit exemptions – ie schedules intended to control building height and massing do not contain exemptions for ground floor buildings and works or alterations. More recent DDOs contain a standard exemption, expressed as follows:

A permit is not required for:

- *Buildings and works at ground level, including external works to provide access for persons with disabilities that comply with all legislative requirements.*
- *Buildings and works to install or modify plant and service fixtures to an existing building.*
- *Buildings and works to an existing building(s) which do not alter the height or setback of any part of an existing building or result in any additional habitable or occupiable floor area.*

Recommendation 43

Reduce permit triggers for minor buildings and works in DDOs unless the permit requirement is to be retained to manage the interface with the street.

9.4.5 Issue: Diagrams

Diagrams are a useful means of communicating built form requirements and conveying built form requirements. They should illustrate policy, and not be a substitute for the written word. DD061 is an example where this has been achieved successfully.

Recommendation 44

The use of additional diagrams in the Scheme should be considered part of a full review of DDO controls, aimed at creating consistency.

9.4.6 Issue: Defined Terms

A range of common terms that reference built form appear throughout the overlays, particularly within the suite of Design and Development Overlays. Prescriptive design requirements and provisions are variously attached to these terms, however the inconsistency of definition in the Scheme leads to misinterpretation, and the potential for non-uniform application and conflict.

Examples of these terms include:

- Building Services;
- Architectural Features
- Street wall height
- Lane, road, street etc
- Landmark Sites

By means of example, DD061 does not include a definition for laneway or street. There are numerous examples within the area affected by DD061 where narrow streets which are not named as “lanes” can be subject to controls for a street, eg –

- Cumberland Place
- Church St
- Lincoln Place (4.5m width at Bouverie St)

The ambiguity makes it difficult for officers to argue the case for the application of laneway controls at these locations at VCAT.

It is recognised that CoM have identified this issue through the background ‘Synthesis Report’ prepared as part of Amendment C308 which states:

The effectiveness of current urban design provisions within the Melbourne Planning Scheme has been weakened by a lack of clear, direct requirements, and the use of vague language which makes interpretation difficult.

It is noted that the revised (draft) DDO1, proposed to be introduced under Amendment C308, proposes to include a schedule of definitions within the overlay provisions, consistent with this approach.

The varied authorship of the overlays within the Scheme has inevitably led to nuances in the manner in which controls are expressed. It is essential that the language used to guide decision-making is clear and unambiguous to give effect to policy. Given the number of DDO’s in the scheme, it would be timely to review and ‘overhaul’ the expression used with a view to achieving consistency.

If not resolved through C308, a comprehensive audit of the key general terms used in the built form controls should therefore be undertaken. This would involve the following tasks:

- Review the DDO controls to compile a list of key words and expressions within the provisions that guide built form outcomes, in particular problematic terms that are contested;
- Determine a definition for each term, ensuring that the definition is tested against all provisions and is not contradicted where use elsewhere in the scheme. This may require the substitution of terms in controls where an alternate definition exists;
- Following consultation with DELWP, incorporate the definitions into the Scheme via planning scheme amendment. It is anticipated that definitions will apply within the relevant control (ie local policy, zone or overlay schedule), consistent with the approach taken for DDO2 and DDO10.

- Whilst inclusion of definitions for *general terms* in the planning scheme outside Clause 72 may not ultimately be accepted by DELWP, there is precedence in the MPS for this to occur (Clause 22.05, DDO10, DDO2) and in Particular Provisions (eg Clause 52.43).

A further ensuing benefit from a project of this nature would be move towards more streamlined expression in the preparation of future built form controls.

CoM has:

- Undertaken a comprehensive audit of the key themes used in the built form controls as part of a current strategic project (C308 background 'Synthesis Report'); and
- Participated in the Land Use Terms Review currently underway through a submission.

Recommendation 45

If not resolved as part of Amendment C308, Council should undertake a further audit of the DDO provisions to implement consistent terminology for key land use terms.

10 OTHER PROVISIONS

10.1 The Role of Other Provisions

Particular and General provisions provide policy directions for a range of matters that are common across multiple Planning Schemes. Some provisions may be tailored to meet the requirements of particular schemes through variations to the Schedule.

10.2 Format & Structure of Other Provisions

While Council has implemented some schedule variations, there are opportunities to further use the general and particular provisions schedules. In particular, some of the outdated material can be deleted from the scheme. The schedules to Clauses 66.04 and 66.06 provide an opportunity for Council to tailor referral and notice requirements. For example, this has been used previously to provide referral triggers to DHS for developments within the area of DDO66 (helicopter flight paths).

10.3 Issues and Recommendation for other Provisions

There are opportunities in the Particular and General Planning provisions to apply specify local variations to address the issues identified below.

10.3.1 Issue: Car and Bicycle Parking

Current parking rates as set out at Clause 52.06 have little relevance in the Central City area and the assumptions are largely outdated. Within the central city precinct, pedestrian space is at a premium and the Scheme should reflect a different challenges. The proliferation of motorcycles parked on footpaths is compromising the pedestrian realm but there is guide delivery or mandate provision. Council has considered these challenges through the recent *Off-street Bicycle and Motorcycle Parking Review*. The findings of this review have been presented to the Minister for Planning as part of a request to review Clause 52.06.

Recommendation 46

Continue to work with DELWP to implement the *Off-street Bicycle and Motorcycle Parking Review* via a separate planning project for implementation and lobby state government to make changes to Clause 52.06.

10.3.2 Issue: Referral and Notices

Throughout this review it was reported that there is a lack of certainty in relation to referral triggers. This places an unreasonable onus on officers to make *'judgement calls'*, and exposes Council to risk. With respect to agency issues, Council has the latitude to err on side of caution and refer or provide notice of applications extensively.

It is also noted that Smart Planning Project is expected to clarify requirements for referral to Vicroads.

Council expressed concern that the correct referral mechanisms may not currently be in place to ensure the views and recommendations of authorities and agencies are captured in the appropriate timeframe. Ideally, agencies should be responsible for initiating any amendments that implement referral triggers for specified forms, in conjunction with the CoM, However in the absence of this, and to avoid risk it is possible for CoM to commence this process.

It is recognised that this approach must be balanced with the need to avoid creating excessive referral triggers that can cause inefficiency in the planning system.

Recommendation 47

Undertake a comprehensive risk audit to identify areas where referral of applications may be overlooked. Work with agencies to identify relevant matters for referral and implement this process via use of the schedules at 66.04 and 66.06 or through the application of specific planning scheme overlays.

10.3.3 Issue: Hidden Controls

A large number of sites are affected by site specific controls under Clause 52.03 or are subject to Incorporated Documents under Clause 81 where the availability of the relevant Incorporated Plans is not always available. This presents inherent risk for planning officers of overlooking policy where controls are 'hidden' in the Scheme. This is a state-wide issue, and is often a result of a state wide amendment. It is expected that the Smart Planning Project process will provide direction around sites identified through Clause 52.03.

Recommendation 48

Review all the documents listed under Clause 52.03 and Clause 81 to ensure they are not redundant, in line with recommendations at Appendix 3. CoM should await the findings of Smart Planning changes prior to considering any further changes to the format of 52.03.

11

SUMMARY OF RECOMMENDATIONS

The recommendations arising from this Review of the Melbourne Planning Scheme are summarised in the table overleaf.

Each recommendation has been categorised as responding to one the following objectives of the MPS Review:

- **Policy Alignment:** Alignment with State and /or Council policies
- **Policy Neutral:** Streamlined controls, including removal of repetitions, contradictions and inconsistencies
- **MPS Outcome:** Recommendations are neither of the above but will improve the efficacy of the MPS in delivering on its broad goals.

In addition, indicative priority categorisations have been assigned against each recommendation. These priorities are provided as suggestions only, and will be subject CoM's further internal discussion, review and determination.

Indicative priority categories refer to the following approximate timeframes follows:

Ongoing: Current / underway

High: 1-3 years

Medium: 3-5 years

Low: 5-10 years

It is noted that some recommendations that are shown as high priority may be commenced, but will not be able to be completed until the finalisation of the revised PPF structure, as part of the Smart Planning Project. These recommendations have been identified in the table overleaf. CoM will need to judiciously select and commence projects that fall into this category.

Summary of Recommendations –

		State/Local Policy Alignment?	Policy Neutral?	MPS Outcome	Priority	Pending Revised PPF
State Planning Policy Context						
1	CoM should liaise with DELWP early in the process to determine the appropriate mechanism for implementation of the policy neutral changes identified as part of this review.				Med	✓
2	CoM continues to actively participate in any regulatory reform where opportunities arise to understand how any proposed changes are likely to affect the planning processes and operation of the MPS.	✓			Ongoing	
3	CoM continue to monitor the impacts of state government policies and plans (particularly updates to <i>Plan Melbourne</i> , forthcoming housing initiatives) to ascertain if the MPS is required to be updated. CoM should continue to actively engage in formulating and contributing a central city perspective to these reforms.	✓s			Ongoing	✓
4	CoM should continue to monitor and participate in state government planning projects and to advocate and prepare for the implementation of changes that affect planning processes and the operation of the MPS.	✓			Ongoing	
Local Strategic Planning Policy Context						
5	Review Local Area Plans contained in the MSS to capture key long term landscaping projects as identified in the <i>Urban Forest Precinct Plans</i> .	✓			Med	✓
6	Incorporate policy that requires 'Caring for Country' principles to be addressed for relevant projects in the MSS as identified in line with the <i>Nature in the City Strategy</i> .	✓			Med	✓
7	Update Council's current housing strategy, <i>Homes for People</i> in light of recent state government housing policy changes.	✓			High	✓
8	Consider updating MPS to reflect the directions of the <i>Tourism Action Plan 2016-2019</i> through a new clause at 21.08 and through the introduction of actions through other parts of the scheme in order to recognise the key role of the Tourism sector on the City's economy.	✓			Med	✓
9	Consider introducing a new sub-heading within Clause 21.08 (Economic Development) to address actions from the <i>Arts Infrastructure Framework</i> that support the arts and creative economy.	✓			Med	✓
10	Prepare a Future Strategic Works Program and insert within the MSS, or as a separate document which sits		✓		Med	✓

		State/Local Policy Alignment?	Policy Neutral?	MPS Outcome	Priority	Pending Revised PPF
	outside of the MSS yet is accessible by the public.					
VCAT, Panel and Advisory Committee Planning Context						
11	Consider establishing a formal monitoring process that collates and records the outcome of Panel and Advisory Committee reports and VCAT and Supreme Court decisions specifically where they result in the need for changes to the MPS. Use this process to identify the specific change needed and include these matters in Council's Further Strategic Work program.			✓	Med	✓
MSS						
12	CoM consider undertaking a policy neutral restructure of Clauses 21.04 and 21.11 – 21.16 is recommended as an interim measure whilst the broader MSS review is underway. The designations " <i>urban renewal, proposed urban renewal, potential urban renewal and stable</i> " do not reflect the complexities of development potential within local areas. This should be addressed via the following recommendations: i. Change 'Potential Urban Renewal Areas' to 'Future Structure Plan areas' throughout the MPS. ii. Restructure 21.04 to consolidate local area policies as a single listing without being classified under growth category headings (ie: urban renewal, proposed urban renewal, potential urban renewal and stable). iii. Revise the Growth Area Framework Plan in a format similar the plan presented at Figure 5 overleaf. The plan could identify areas where a completed and implemented structure plan is now due for review.	✓			High	✓
13	Local area plans should remain in the MSS however the following recommendations should be considered: i. Adjustments to area boundaries to reflect structure plan areas (eg North Melbourne and West Melbourne and Arden Macaulay) into two local areas as part of the structure plan implementation process. ii. Other changes and updates to Local Area Plans as recommended in Appendix 3. iii. The continued updating of these policies as structure planning exercises within the City are completed. iv. These matters should be considered as part of the MSS Review.	✓			High	✓
14	To provide greater consistency across policies, Local Area Plans in the MSS should be concurrently amended as part of the future introduction of approved Structure Plans into the Scheme.	✓	✓		Ongoing	✓
15	Council should consider including future structure planning projects within a <i>Future Works Program</i> contained within the MSS to indicate timing and priorities of future strategic projects.		✓		Med	✓

		State/Local Policy Alignment?	Policy Neutral?	MPS Outcome	Priority	Pending Revised PPF
16	Delay further MSS drafting until the revised MSS format and criteria have been established through the Smart Planning project.				High	✓
17	Continue to address and implement relevant actions arising from <i>Reconciliation Strategy, Aboriginal Procurement Strategy, Aboriginal Action Plan 2015-+2018, Street Grid Review, Caring for Country</i> in the MPS through the MSS Review.	✓			High	✓
18	Council could consider rewording the introduction to Clause 22.26 to enable the policy to be considered for all development applications for which a contribution for public open space will ultimately be required.		✓		High	✓
19	Ensure all open space is protected with appropriate zoning and back zone parks that are not adequately protected through the PPRZ to protect these areas from being lost to inappropriate development at a future stage.	✓			Med	
20	Continue to seek state government recognition of the need for separate car, motorcycle and bicycle parking provisions as a discrete policy LPPF.	✓			Med	
21	Monitor and review the efficacy of garden area requirements prior to the consideration of further local policy to increase canopy cover within the private realm.	✓			Med	
22	Council undertake further discussion with state government to understand the timing of state-wide planning policy to address housing affordability.	✓			Ongoing	
23	CoM to consider drafting changes to the LPPF and local schedules as provided at Appendix 3 of this report.	In part	In part		High	Yes
24	Update Clause 21.17 (Reference Documents) in accordance with the draft amendment documentation at Appendix 3.	✓	✓		High	✓
25	Consider the inclusion of a list of <i>Further Strategic Work</i> into the MSS.		✓		Med	✓
Local Planning Policies (LPPs)						
26	Monitor the outcome of Amendment C308 to inform the approach to the future drafting of policy for built form and urban design in the city to achieve clear and precise local planning policy.	✓			Med	✓
27	Assess the results of the recently introduced standard permit condition in delivering the objectives of Clause 22.19 (<i>Sustainable Office Buildings</i>). CoM should also work with DELWP in delivering a State-wide ESD policy that		✓		Low	

		State/Local Policy Alignment?	Policy Neutral?	MPS Outcome	Priority	Pending Revised PPF
	can be implemented into the MPS.					
28	Review and update Clause 22.07 to reflect the wide spread emergence of electronic signs. The changes should also work alongside the changes administered through Amendment VC144.	✓			Med	
29	Address inconsistent language throughout the MPS through a policy neutral amendment the transition to the PPF format, as part of the implementation of the Smart Planning reforms.		✓		Med	✓
Zones						
30	CoM or the state government should progress a further strategic project to identify where tailored residential zone schedules should apply to reinstate the height limits established through the DDOs.		✓		High	
31	Monitor the efficacy of CCZ7 in delivering arts and creative uses in the Southbank area and of the SUZ6 in delivering a true mix of uses in West Melbourne for further implementation to achieve desired land use outcomes. For other areas where a desired land use mix is preferred CoM should continue to rigorously consider zone selection and tailored zones schedules.	✓			High	
32	Pending the outcome of C330, Council should review Schedule 5 to the Capital City Zone to potentially tailor the use table and decision guidelines to support the development of innovation-related uses for City North.	✓			High	
33	Council should undertake a separate strategic planning project to identify controls that do not withstand review at VCAT. These controls should be either: <ul style="list-style-type: none"> – deleted, or – if retained a stronger <i>framework for decision making</i> should be introduced to support the policy. This would assist Council in decision making. This review should pay particular attention to policy content of Clauses: 22.02, 22.07 and Design and Development Overlays: DDO7, DDO10, DDO56, 52.05.		✓		High	
34	The DDO Review undertaken as part of Amendment C308 should be used to inform a subsequent amendment to standardise application material requirements across both zones and overlays.		✓		Low	
35	Review the 'to Council's satisfaction' clauses contained in the CCZ1, CCZ2 and CCZ3s to see what purpose they serve and where appropriate, implement changes for consistency.	✓			Med	
36	Pending the outcome of GC81, review the wording used through the CCZ schedules, to achieve more consistent expression in relation to floor area ratios.		✓		Low	

		State/Local Policy Alignment?	Policy Neutral?	MPS Outcome	Priority	Pending Revised PPF
37	Consider refreshing the Strategic Plan for the Docklands Precinct as part of a future strategic project.				Med	
38	Implement consistently worded transitional provisions across zones and overlay schedules.		✓		Low	
Overlays						
39	Subject to further review, seek to achieve better amenity outcomes through appropriate apartment and commercial building design requirements, permit conditions and the broader application of noise attenuation policy such as those contained in DDO12 and DDO26.	✓			Low	
40	Controls that are expired (DDO7 and DDO56), redundant, or consistently do not withstand review at VCAT should be identified deleted as part of a separate strategic exercise.		✓		Med	
41	Review and consider redrafting DDOs that are more than (nominally) 10 years old for example DD03, DDO5 and DDO49) to provide for consistency in format, structure and language.		✓		Low	
42	Mechanisms to fund infrastructure required to cater for the CoM's increasing population in established areas should be explored as part of a future strategic project. The potential for a DCP to fund this infrastructure should continue to be considered. Council could consider applying DCPs to local areas as they are currently doing, and/or a broader DCP covering the entire municipality, excluding areas where an existing DCP applies currently. The DCP could fund new or augmented infrastructure required through increased population.			✓	High	
43	Reduce permit triggers for minor buildings and works in DDOs unless the permit requirement is to be retained to manage the interface with the street.			✓		
44	The use of additional diagrams in the Scheme should be considered part of a full review of DDO controls, aimed at creating consistency.					
45	Implement the recommendations of the CoM's audit of land use terms that are frequently used in the MPS.	✓			Med	✓
Other Provisions						
46	Continue to work with DELWP to implement the <i>Off-street Bicycle and Motorcycle Parking Review</i> via a separate planning project for implementation and lobby state government to make changes to Clause 52.06.	✓			Med	
47	Undertake a comprehensive risk audit to identify areas where referral of applications may be overlooked. Work			✓	Low	

		State/Local Policy Alignment?	Policy Neutral?	MPS Outcome	Priority	Pending Revised PPF
	with agencies to identify relevant matters for referral and implement this process via use of the schedules at 66.04 and 66.06 or through the application of specific planning scheme overlays.					
48	Review all the documents listed under Clause 52.03 and Clause 81 to ensure they are not redundant, in line with recommendations at Appendix 3. CoM should await the findings of Smart Planning changes prior to considering any further changes to the format of 52.03.		✓		Low	✓
Planning Scheme Review Report						
49	That Council: Adopt the report as the review required pursuant to Section 12B (1) of the Planning and Environment Act 1987. Forward the report to the Minister for Planning as required by Section 12B(5) of the Planning and Environment Act 1987.			✓	High	

12 CONCLUSION

CoM is required to review the Melbourne Planning Scheme every four years as part of the monitoring, auditing and report requirements of the *Planning and Environment Act 1987*.

This review has audited the Melbourne Planning Scheme. With substantial and relevant state government led strategic planning projects underway, this Review acknowledges the current dynamic strategic planning environment. In particular this Review recognises the associated complexities in proceeding with substantial LPPF changes whilst this is underway, and notes that some recommendations are better dealt with by Council after state-wide reforms are resolved and implemented through the Smart Planning Project.

As Victoria's capital city, the City of Melbourne clearly fulfils a different role and assumes a different physical form to the rest of the metropolitan area and provincial cities. The significance and complexity of Melbourne's role as the capital city has been well captured in previous planning scheme reviews, in the current Melbourne Planning Scheme SPPF and LPPF. Planning in the City of Melbourne is required to operate in a complex and political climate and therefore the MPS is required to balance the capital city role of Melbourne with its localised role. This has resulted in the need for specialised zones, numerous overlays and local planning policies.

The CoM's success in proactively leading in the planning and design of the State's capital is well recognised nationally and internationally. For this reason many other councils look to CoM for guidance on matters of urban development and land use policy. It is therefore important that CoM continue to research, advocate, continually review and implement policies that are often new and challenging, yet deliver the City's goals and values.

REFERENCES

Relevant State-wide documents and Legislation

- Building a Better Victoria (State tax and Other Legislation Amendment) Act 2014* (Vic) (Austl.)
- Department of Land, Water, Environment and Planning (2017) *Reforming the Victoria Planning Provisions – A discussion paper*. Department of Land, Water, Environment and Planning, East Melbourne.
- Department of Land, Water, Environment and Planning (2017) *Plan Melbourne 2017-2050*, DELWP
- Department of Land, Water, Environment and Planning (2016) *Better Apartment Design Standards: New Apartment Design Standards for Victoria*, Office of the Victorian Government Architect, DELWP
- Department of Land, Water, Environment and Planning (2016) *Infrastructure Contribution Plan Guidelines*
- Department of Infrastructure and Regional Development (2016) *Modernising Airspace Protection Public Consultation Paper*, Commonwealth of Australia
- Department of Transport, Planning and Local Infrastructure (2006) *Continuous Improvement Review Kit, Local Government Act 1989* (Vic) (Austl.)
- Planning and Environment Act 1987* (Vic) (Austl.)
- Planning and Environment Amendment (General) Act 2013* (Vic) (Austl.)
- Planning and Environment Amendment (Recognising Objectors) Act 2015* (Vic) (Austl.)
- Planning and Environment Amendment (Public Land Contributions) Act 2018* (Vic) (Austl.)
- Planning Panels Victoria *City of Melbourne New Format Planning Scheme – Report of the Panel and Advisory Committee*, (1998)
- Planning Permit Activity in Victoria 2016/17* (2018), PPARS, DELWP
- Victorian Government *Ministerial Direction – The Form and Content of Planning Schemes 9 April 2017* (Vic) (Austl.)
- Secretary Department Premier and Cabinet (2017) *Victoria Infrastructure Plan*, SDPC, Melbourne
- Subdivision Act 1988* (Vic) (Austl.)
- Victorian Auditor General's Office (2017) *Managing Victoria's Planning System for Land Use and Development*, Victorian Government Printer
- Victorian Government (2017) *Homes for Victorians: Affordability, Access and Choice*, Victorian Government, Port Melbourne

Relevant City of Melbourne Documents

- City of Melbourne (2015) *Aboriginal Heritage Action Plan 2015 – 2018*, City of Melbourne
- City of Melbourne (2012) *Arden Macaulay Structure Plan 2012*
- City of Melbourne (2016) *Arts Infrastructure Framework November 2016*, City of Melbourne
- City of Melbourne (2015) *Asset Management Strategy 2015-2025*, City of Melbourne
- City of Melbourne (2016) *Bicycle Plan 2016-2020*, City of Melbourne
- City of Melbourne (2010) *City North Structure Plan*
- City of Melbourne (1999) *City Plan 99*, City of Melbourne
- City of Melbourne (2010) *City Plan 2010*, City of Melbourne
- City of Melbourne (2017) *Climate Change Adaptation Strategy Refresh 2017*, City of Melbourne
- City of Melbourne (2016) *Council Plan 2017 – 2021*, City of Melbourne

City of Melbourne (2016) Emissions Reduction Plan for our Operations 2016-2021, City of Melbourne

City of Melbourne (2016) *Future Melbourne 2026*, City of Melbourne

City of Melbourne (2017) Green Our City Strategic Action Plan 2017-2021, City of Melbourne

IMAP Implementation Committee (2016) *Inner Melbourne Action Plan 2016-2026: Making Melbourne More Liveable*, IMAP Implementation Committee

City of Melbourne (2016) *Last Kilometre Freight Plan June 2016*, City of Melbourne

City of Melbourne (2008) *Melbourne Planning Scheme Review 2008*, City of Melbourne

City of Melbourne (2014) *Melbourne Planning Scheme Review 2014*, City of Melbourne

City of Melbourne (2015) *Motorcycle Plan 2015-2018*, City of Melbourne

City of Melbourne (2001) *MSS Three year Review Report*, City of Melbourne

City of Melbourne (2017) Municipal Public Health and Wellbeing Plan 2017 – 2021, City of Melbourne

City of Melbourne (2017) *Nature in the City April 2017*, City of Melbourne

City of Melbourne (2018) *Public Open Space Contribution Register 2018*, City of Melbourne

City of Melbourne (2015) *Places for People July 2015*, City of Melbourne

City of Melbourne (2015) Queen Victoria Market Precinct Renewal Masterplan July 2015, City of Melbourne

City of Melbourne (2015) *Reconciliation Action Plan 2015-2018*, City of Melbourne

City of Melbourne (2016) Resilient Melbourne May 2016

City of Melbourne (2015) Retail and Hospitality Strategy Report 2015-16

City of Melbourne (2017) Road Management Plan July 2017

City of Melbourne, (Jan 2018) Towards an Integrated Urban Design Approach in the Central City and Southbank - Synthesis Report

City of Melbourne (2016) Tourism Action Plan 2016-2019

City of Melbourne (2012) *Transport Strategy*

City of Melbourne (2015-2017) Urban Forest Precinct Plans (various) for Docklands, Fisherman's Bend, Kensington, North and West Melbourne, Parkville, Southbank

City of Melbourne (2015) Waste and Resource Recovery Plan 2015-2018

City of Melbourne (2018) *West Melbourne Structure Plan February 2018*

Relevant Practice Notes

Department of Land, Water, Environment and Planning, Planning Practice Note 02: Public Land Zones January 2018

Department of Land, Water, Environment and Planning, Planning Practice Note 03: Applying the Special Use Zone May 2017

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 04: Writing a Municipal Strategic Statement June 2017

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 08: Writing a Local Planning Policy June 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 10: Writing Schedules January 2018

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 11: Applying for a Permit under the Flood Provisions August 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 13: Incorporated and Reference Documents June 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 15: Assessing an Application for One or More Dwellings in a Residential Zone January 2018

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 16: Making a Planning Application for One or More Dwellings in a Residential Zone January 2018

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 17: Urban Design Frameworks July 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 22: Using the Carpark Provisions

Department of Land, Water, Environment and Planning, Aug 2015, Planning Practice Note 23: Applying the Incorporated Plan and Development Plan Overlays

Department of Land, Water, Environment and Planning, Oct 2015, Planning Practice Note 24: Shipping Container Storage

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 27: Understanding the Residential Development Provisions June 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 29: Ministerial Powers of Intervention in Planning and Heritage Matters October 2004

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 32: Review of Planning Schemes June 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 43: Understanding Neighbourhood Character January 2018

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 45: Aboriginal Heritage Act 2006 and the Planning Permit Process June 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 46: Strategic Assessment Guidelines May 2017

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 54: Managing Referrals and Notice Requirements June 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note 58: Structure Planning for Activity Centres June 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note PPN59: The Role of Mandatory Provisions in Planning Schemes June 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note PPN60: Height and Setback Controls for Activity Centres June 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note PPN61: Licensed Premises: Assessing Cumulative Impact June 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note PPN70: Opens Space Strategies June 2015

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note PPN74: Availability of Planning Documents July 2016

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note PPN82: Applying the Metropolitan Planning Levy May 2016

Department of Land, Water, Environment and Planning, June 2015, Planning Practice Note PPN83: Assessing External Noise Impacts for Apartments August 2017

Advisory Notes

Department of Land, Water, Environment and Planning, June 2015, Advisory Note 55: VicSmart Planning Assessment August 2014

Department of Land, Water, Environment and Planning, June 2015, Advisory Note 56: Planning for Ports and their Environs October 2014

Department of Land, Water, Environment and Planning, June 2015, Advisory Note 63: Planning and Environment Amendment (Recognising Objectors) Act October 2015

Department of Land, Water, Environment and Planning, June 2015, Advisory Note 66: New Planning Provisions for Apartment Developments – Amendment VC136 April 2017

Department of Land, Water, Environment and Planning, June 2015, Advisory Note 67: Amendment VC142 (Smart Planning VPP Changes) January 2018

APPENDIX 1 - MELBOURNE PLANNING SCHEME REVIEW ENGAGEMENT STRATEGY

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1 COMMUNICATIONS & ENGAGEMENT APPROACH

This Engagement Strategy provides an overall framework for managing and coordinating communication with stakeholders in the current the project to review the Melbourne Planning Scheme.

The Strategy includes principles for engagement, identifies relevant stakeholders and sets out communication methodology and timing.

Engagement will include internal City of Melbourne stakeholders as well as external authorities, agencies, state government representatives and consultants.

2 PRINCIPLES & OBJECTIVES

2.1 Principles

The principles for the *Melbourne Planning Scheme Engagement Strategy* are:

- Appropriate identification of key stakeholders and suitably tailored methods of engagement;
- Clear, transparent, effective, appropriate and timely communication;
- Collaboration;
- Active listening and awareness; and
- Acknowledgment and consideration of the issues relevant to the project.
-

2.2 Objectives

The objectives for the stakeholder engagement process are to:

- Harness the views of stakeholders, to make best use of stakeholder expertise and diversity;
- Achieve meaningful commentary and feedback by coordinating group conversations with aligned or complementary stakeholder groups.
- Provide clear articulation of process and decisions to be made, including any limitations;
- inform the recommendations of the Planning Scheme Review; and
- Foster enthusiasm for the project and build awareness of the project amongst relevant stakeholders, including during subsequent implementation stages.

3 KEY STAKEHOLDER GROUPS

This phase would include a series of targeted engagement sessions. Engagement may take the form of intensive stakeholder group workshops, or for broader consultation, survey format. To facilitate collaborative stakeholder discussions, and for expediency, some sessions will involve combined stakeholder group sessions with perceived synergies will be have been combined.

To ensure appropriate representative views are received, the engagement strategy invites feedback from a comprehensive group of stakeholders, broadly grouped under three categories, as follow.

City of Melbourne

- Managers of key current City of Melbourne Strategic projects that are underway
- Councillors
- Planning and Urban Design Representatives
- Other Internal Council Departments as advised by the project manager

The Project Control Group will also be involved in regular communication with the project team.

The City of Melbourne Project Team comprises:

- Robyn Hellman, Coordinator Planning & Policy
- Gisèle Pratt Senior Strategic Planner, City Strategy and Place

The detail and timing of this engagement is set out in the separate Project Plan.

State Government Departments Agencies and Authority Representatives:

This group contains all persons or agencies requiring referral (determining and recommending) or notice under Clause 66 including authorities, agencies and state government departments.

It also includes agencies requiring notice of an amendment in accordance with Section 19 of the Planning and Environment Act, as practicable.

Other Planning Scheme Users

Planning scheme users such as the National Trust and planning consultants (Ethos Urban, Contour, Urbis and Tract).

The *Engagement Schedule* on page 6 details the specific agencies under each category, key contacts, and the type of engagement method proposed to harness feedback.

4 ENGAGEMENT METHODS AND TASKS

4.1 Engagement Methods

Engagement is proposed to occur through three techniques, as outlined below.

Engagement Method	Description
A. Meeting format	Individual discussion and meetings with targeted stakeholder groups (non-combined). The intention of this engagement method is to draw out input from stakeholders in circumstances where attendance at a workshop session is unsuitable.
B. Workshop	<p>Stakeholders would be invited to attend a group discussion workshop session of maximum 1.5 hours duration.</p> <p>All invitees will receive survey questions as a prompter in advance of the workshop session.</p> <p>Workshops would include representatives from various stakeholder areas, grouped according to synergies.</p> <p>It is anticipated that a maximum of 3 workshops would be held over the course of the nominated engagement day.</p>
C. Survey + optional workshop	<p>A concise survey / questionnaire, distributed by email accompanied by an explanatory cover letter. Examples of the coverletter and survey are provided at Appendices 1 and 2.</p> <p>Before sending surveys broadly, a phone call to the recipient would be made, to:</p> <ul style="list-style-type: none"> – emphasise to the stakeholder that their input is valued and to encourage participation and completion of the survey; – highlight the timeframe in which a response is required; – ensure the contact details are correct, and that the recipient is available to respond within the timeframe; <p>Stakeholders would be invited to attend an optional feedback session (date predetermined), should recipients wish to participate.</p>

4.2 Engagement Tasks

Tasks associated with each of the engagement methods are set down below:

Council's Project Control Group:

- Provide contact details for identified individuals / stakeholder groups
- Book meeting rooms
- Issue invitations to workshop attendees

Project Consultant

- Prepare timetable for engagement activities
- Prepare survey
- Contact survey recipients by phone
- Issue survey
- Review surveys and collate responses
- Attend and facilitate briefing meetings and workshops
- Prepare summary of briefing meeting and workshop discussions

5 ENGAGEMENT SCHEDULE

Stakeholder	Contact	Method	Session*	Comments
CITY OF MELBOURNE				
Managers of Current COM Strategic Projects:				
	Rose Semmler Senior Strategic Planner 9658 8054 rose.semmler@melbourne.vic.gov.au			
MSS Review	Kate Dundas Team Leader, City Plans 9658 7836 kate.dundas@melbourne.vic.gov.au	A	A1	Priority
	Alaric Hellowell Strategic Planner 9658 8847 alaric.hellowell@melbourne.vic.gov.au			
C308 Review of Clause 22.01 Urban Design within the Capital City Zone)	Rose Semmler Senior Strategic Planner			
	Andy Fergus Urban Designer 9658 7264 andy.fergus@melbourne.vic.gov.au			
	Sommer Spiers Urban Designer 9658 8681 sommer.spiers@melbourne.vic.gov.au	B	B3	
	Simon van Wijnen Acting Team Leader Urban Design 9658 7832			

Stakeholder	Contact	Method	Session*	Comments
	simon.vanwijnen@melbourne.vic.gov.au			
C258 Review of local heritage policies	Maree Fewster Senior Strategic Planner 9658 9072 Maree.fewster@melbourne.vic.gov.au	B	B3	
	Deb Payne Strategic Planner 9658 8404 deborah.payne@melbourne.vic.gov.au			
Review of Clause 22.02 (Sunlight to Public Open Space)	Jill Cairnes Strategic Planner 9658 8843 Jill.cairnes@melbourne.vic.gov.au	B	B3	
	Andy Fergus Urban Designer			
COM Councillors:				
City of Melbourne Councillors	(All Councillors)	A	A2	Anticipate attendance by Crs Leppert & Reece.
Internal Department Team Leaders / Managers:				
Statutory Planning	Dianne King Senior Urban Planner 9658 8722 dianne.king@melbourne.vic.gov.au			
	Evan Counsel Practice Lead 9658 8871 evan.counsel@melbourne.vic.gov.au	B	B1	
	Jane Birmingham Practice Lead 9658 8684 jane.birmingham@melbourne.vic.gov.au			

Stakeholder	Contact	Method	Session*	Comments
Urban Strategy	David Morison Project Manager for the Land Use & Infrastructure Plan 9658 9673 david.morison@melbourne.vic.gov.au			
	Tiffany Crawford Leader, Special Projects & Policy 9658 9847 tiffany.crawford@melbourne.vic.gov.au			
	Richard Smithers Team leader, Transport 9658 9535 Richard.smithers@melbourne.vic.gov.au	B	B2	
	Tanya Wolkenberg Team Leader, Heritage 9658 9742 tanya.wolkenberg@melbourne.vic.gov.au			
City Economy (Business & Tourism)	Chris MacDonald Manager 9658 8874 chris.macdonald@melbourne.vic.gov.au			
	Arte Kousis Practice Lead Economic Policy 9658 9089 artemisia.kousis@melbourne.vic.gov.au	B	B2	
Open Space and Sustainability	Deb Cailes Acting Manager Urban Sustainability 9658 8431 deb.cailes@melbourne.vic.gov.au			
	David Callow Acting Team Leader Urban Forest & Ecology 9658 9386 david.callow@melbourne.vic.gov.au	B	B2	

Stakeholder	Contact	Method	Session*	Comments
	Cath Olive Team Leader Open Space Planning 9658 9415 cath.olive@melbourne.vic.gov.au			
Health and Wellbeing	Russell Webster Manager Health and Wellbeing 9658 8801 russell.webster@melbourne.vic.gov.au	B	B2	
Compliance Services	Jeff Eeles Senior Enforcement Officer 9658 8571 jeffrey.eeles@melbourne.vic.gov.au	B	B1	
Aboriginal Melbourne	Shane Charles Team Leader Aboriginal Melbourne 9658 7266 shane.charles@melbourne.vic.gov.au			
STATE GOVERNMENT DEPARTMENTS AGENCIES & AUTHORITY REPRESENTATIVES:				
Department of Environment, Land, Water and Planning (DELWP)				
Development Victoria/Places Victoria	Simon Wilson, General manager Precincts Urban Renewal Simon.Wilson@places.vic.gov.au	C	C1	
EPA	Samuel Trowse Strategic Planner samuel.trowse@epa.vic.gov.au	C	C1	
Heritage Victoria	Amelia Pollock Senior Heritage Support Officer 9938 6891 amelia.pollock@delwp.vic.gov.au	C	C1	

Stakeholder	Contact	Method	Session*	Comments
Office of the Victorian Government Architect	Bronwen Hamilton Manager Victorian Design Review Panel 9651 6256 bronwen.hamilton@ovga.vic.gov.au			
	Stefan Preuss Associate Victorian Government Architect 9651 5572 stefan.preuss@ovga.vic.gov.au	C	C1	
	David Islip Principal Adviser, Urban Design & Architecture 9651 0005 david.islip@ovga.vic.gov.au			
State Planning Services – West Team	Stephen Cox West Team Manager stephen.cox@delwp.vic.gov.au			
	Adam Crupi adam.crupi@delwp.vic.gov.au	A	A3	
	Sue Wood Manager – Development Approvals & Urban Design 8392 5496 sue.wood@delwp.vic.gov.au			
Sustainability Victoria	Mary-Louise Huppatz Manager Strategy & Planning 8626 8700 mary-louise.huppatz@sustainability.vic.gov.au	C	C1	
Transport for Victoria: Place Planning and Referrals	Mark Burton Mobile: 0437 567 230 mark.burton@ecodev.vic.gov.au	C	C1	

Stakeholder	Contact	Method	Session*	Comments
Victorian Planning Authority	Emily Mottram emily.mottram@vpa.vic.gov.au Kate Alder kate.alder@vpa.vic.gov.au	C	C1	
Department of Economic Development, Jobs, Transport and Resources (DEDJTR)				
(Planning Referrals Coordinator)	Dimitri Lolas Manager Central City and Urban Development Network Planning Transport for Victoria (part of DEDJTR) Dimitri.Lolas@ecodev.vic.gov.au	C	C1	
	Kellie Marks, Principal Transport and Place Planner Central City and Urban Development Network Planning Transport Group Transport for Victoria (part of DEDJTR) kellie.marks@ecodev.vic.gov.au			
Department of Health & Human Services (DHHS)				
(Planning Referrals Coordinator)		C	C1	
Other Statutory Authorities & Commissions				
Aboriginal Victoria		C	C1	
Metropolitan Fire and Emergency Services Board		C	C1	
Parks Victoria	Andrew Shannon Manager Planning Engagement	C	C1	

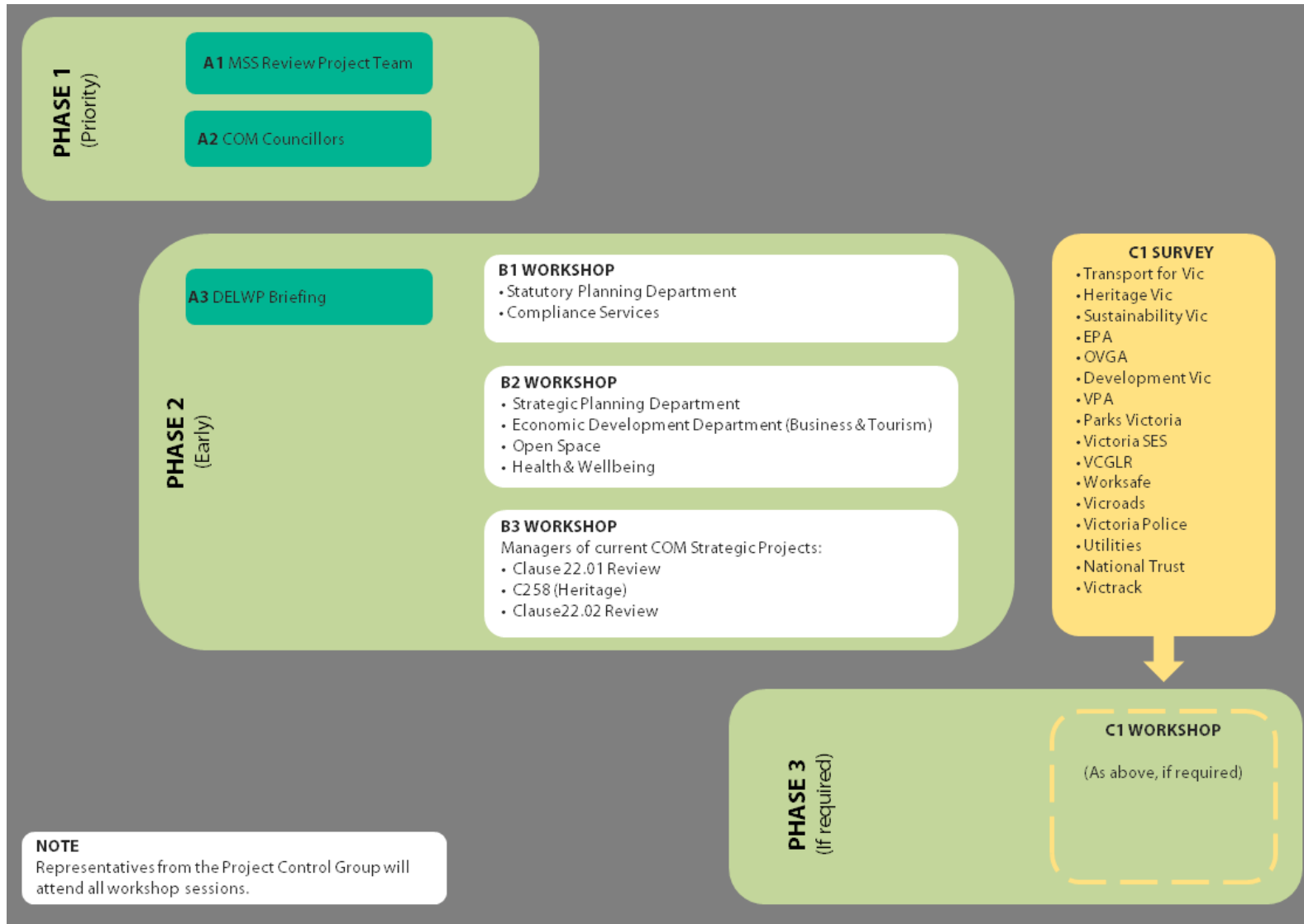
Stakeholder	Contact	Method	Session*	Comments
	Andrew.shannon@parks.vic.gov.au			
	Adam Nitscheke Manager Precinct and Maritime Planning Adam.nitschke@parks.vic.gov.au			
	Jo Richards Director Regional Operations Jo.richards@parks.vic.gov.au			
Vicroads	Daniel Mustata Road safety and network improvements Daniel.Mustata@roads.vic.gov.au			
	Sameem Moslih Manager Operational Improvements sameemoslih@roads.vic.gov.au	C	C1	
	Alan King Statutory Signage Officer Alan.King@roads.vic.gov.au			
Victoria Police	Ross Fitzgerald Acting Senior Sergeant Liquor Licensing Unit Legal & Prosecutions Specialist Branch	C	C1	
Victoria State Emergency Service		C	C1	
Victorian Commission for Gambling and Liquor Regulation		C	C1	
Victrack	property@victrack.com.au			
	Christina Lazarus Senior Manager, Logistics and Transport christina.lazarus@victrack.com.au	C	C1	
Worksafe	<i>Contact details required</i>	C	C1	

Stakeholder	Contact	Method	Session*	Comments
Utilities				
Melbourne Water	Con Gantonas Senior Liveability Planner con.gantonas@melbournewater.com.au	C	C1	
Electricity		C	C1	
Gas		C	C1	
Telstra		C	C1	
NBN		C	C1	
Other Planning Scheme Users				
Planning Consultants	Ethos Urban : Larry Parsons, Director LParsons@ethosurban.com Tania Crisafi, Associate Director tcrisafi@ethosurban.com Contour : Andrew Biacsi, Director ab@contour.net.au Tim McBride-Burgess, Director tburgess@contour.net.au Urbis: Michael Barlow Director MBarlow@urbis.com.au Claire Scott : claire.scott@me.com	C	C1	

Stakeholder	Contact	Method	Session*	Comments
	Sophie Jordan : sophie@sophiejordanconsulting.com.au			
National Trust	Simon Ambrose Chief Executive Officer Simon.Ambrose@nattrust.com.au	C	C1	
Melbourne University	Naomi Barun Facilities Planning Coordinator n.barun@unimelb.edu.au			
RMIT	Ciannon Cazaly Senior Advisor, Learning, Research and Strategy ciannon.cazaly@rmit.edu.au			

* C1 session is optional for all survey recipients

6 STAKEHOLDER GROUPINGS



APPENDIX 1: SURVEY COVERLETTER

Good afternoon,

The City of Melbourne is undertaking a review of the [Melbourne Planning Scheme](#) in order to enhance its effectiveness in achieving the objectives of planning in Victoria.

The objectives of *this* review are to:

- Ensure the Melbourne Planning Scheme is consistent with State policy and is consistent with, as far as practicable, local policies that have been adopted since the last review.
- Ensure the planning scheme is effective, streamlined and does not contain out of date, repetitive, contradictory, inconsistent, ambiguous, or superfluous controls.
- Ensure the controls used are appropriate for achieving the desired outcomes.

This review is being undertaken in tandem with a separate review of the Municipal Strategic Statement (MSS), which will test the merit of policy directions contained within the MSS.

Therefore, this review does not propose fundamental changes to the policy foundation of the Planning Scheme. Rather, it seeks to identify opportunities to enhance the effectiveness of the Scheme, so that it better meets the needs of users.

As a regular user of the Melbourne Planning Scheme, you or your agency has been identified by the City of Melbourne as one with potential to provide insight into the review. Harnessing input from a range of users is integral to ensuring the review is effective, and meaningfully reflects the views of a broad range of stakeholder. The City of Melbourne invites you to participate in this process by sharing your views on how the local provisions of the Melbourne Planning Scheme can be improved.

Written contributions can be made by completing the online questionnaire:
<https://www.surveymonkey.com/r/NRY23PN>.

In addition, you are invited to attend a stakeholder workshop session to further discuss the project. This will be an opportunity to ask questions and elaborate on your submission and hear the views of other stakeholders.

Date of the workshop: Thursday 15 February, 2.30pm to 3.30pm
Location: Melbourne Town Hall, Level 1, Media Presentation Suite
RSVP to: Jamee.Baker@melbourne.vic.gov.au
RSVP by: 5pm on Tuesday 13 February

Should you have any questions about the review, please contact myself (Monday-Wednesday, 9658 8646) or Robyn Hellman (Monday-Friday, 9658 8696, Robyn.Hellman@melbourne.vic.gov.au).

Regards,

Gisèle Pratt | Senior Strategic Planner (available for meetings on Wednesdays 9am-4pm, working off-site on Mondays and Tuesdays 8am-5pm) | City Strategy and Place
City of Melbourne | Council House 1, 200 Little Collins Street Melbourne 3000 | GPO Box 1603 Melbourne 3001
T: 03 9658 8646 | E: gisele.pratt@melbourne.vic.gov.au
www.melbourne.vic.gov.au | www.melbourne.vic.gov.au/whatson

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APPENDIX 2: SURVEY / QUESTIONNAIRE

1. The first two questions are about you and your organisation (Agency, Authority, Department).

Which of the following descriptions best characterises the agency you represent?

- Councillor (No need to specify)
- Statutory Board / Authority
- Service Provider
- State Government Department
- Planning Consultant (No need to specify)
- Internal City of Melbourne Department
- Other

Please specify:

2. How regularly does your agency engage in actions that reference or rely upon the provisions of the Melbourne Planning Scheme?

- Daily
- Weekly
- Monthly
- Yearly
- Other (please specify):

3. The remaining questions are about the efficacy of the Planning Scheme and whether the interests of your agency are adequately reflected in the Melbourne Planning Scheme.

Are there policy gaps within the Melbourne Planning Scheme that omit key areas of policy that would meet the needs of your organisation? (For example, does your organisation rely upon policies or guidelines in decision-making that are not included in the planning scheme?)

- Yes
- No

If yes, please clarify:

4. Are there opportunities where local planning policies exist, but could be strengthened to better reflect the needs of your organisation? (For example, are there difficulties in arguing a case in officer reports, VCAT hearings or panel hearings?)

- Yes
- No

If yes, please clarify:

5. In using the Melbourne Planning Scheme, have you identified areas of policy repetition?

- Yes
- No

If yes, please clarify::

6. In using the Melbourne Planning Scheme, have you identified areas of policy conflict?

- Yes
- No

If yes, please clarify:

7. Are there any matters identified through VCAT decisions, or Planning Panel or Advisory Committee reports that require change to the Local Planning Policy Framework (LPPF)?

- Yes
- No

If yes, please clarify:

8. Are there new or imminent planning issues that you anticipate will need to be included in the LPPF? (For example, is your organisation currently undertaking strategic projects that will need to be reflected in the planning scheme)

- Yes
- No

If yes, please clarify:

9. Are there documents that should be included as a reference or incorporated document in the Melbourne Planning Scheme (For example: Advertising Policy or Urban Design Guidelines)?

- Yes
- No

If yes, please clarify:

10. Is the language used in the Melbourne Planning Scheme clear, usable, effective and unambiguous? (Note: There is no need to refer to the State Planning Policy Framework in answering this question)

- Yes
- No

If no, please clarify:

11. Do the schedules in the zones and overlays effectively deliver the desired planning policy outcomes?

- Yes
 No

If no, please clarify:

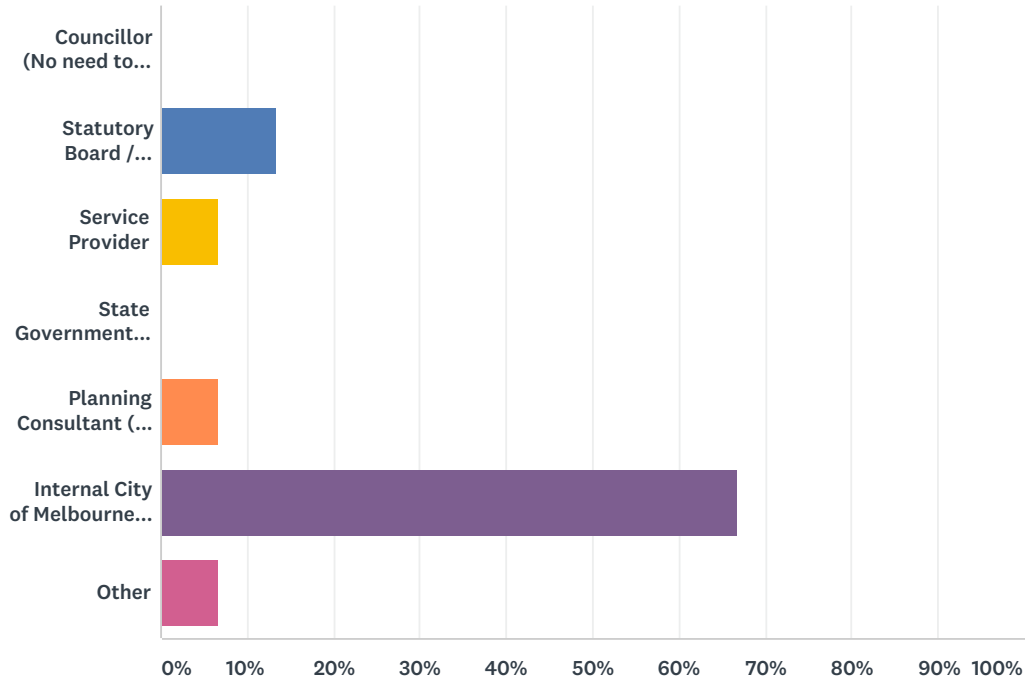
12. What are the three (3) top planning issues affecting the City of Melbourne?

- Urban Design
 Traffic
 Environmental Protection
 Heritage Protection
 Industrial
 Retail
 Housing Density/Lot Size
 Open Space/Parks/Recreation
 Tourism Development
 Housing Affordability
 Homelessness
 Public Transport and Cycling
 Infrastructure
 Accessibility
 Public Safety
 Other (please specify)

13. In a few sentences, please explain why the previous three (3) issues were selected.

Q1 The first two questions are about you and your organisation (Agency, Authority, Department). Which of the following descriptions best characterises the agency you represent?

Answered: 15 Skipped: 0

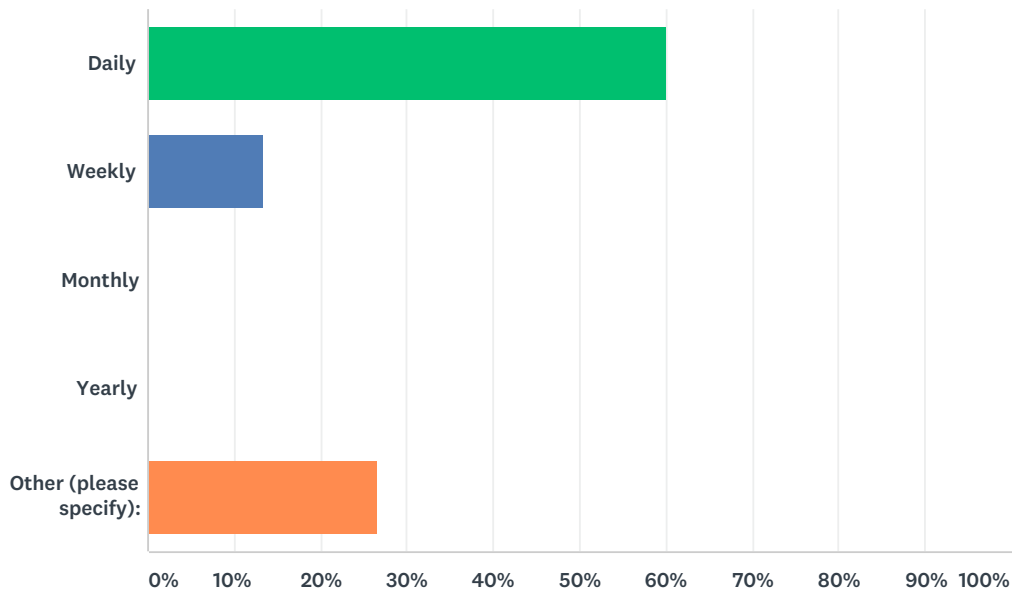


ANSWER CHOICES	RESPONSES
Councillor (No need to specify)	0.00% 0
Statutory Board / Authority	13.33% 2
Service Provider	6.67% 1
State Government Department	0.00% 0
Planning Consultant (No need to specify)	6.67% 1
Internal City of Melbourne Department	66.67% 10
Other	6.67% 1
TOTAL	15

#	PLEASE SPECIFY:	DATE
1	VPA	2/20/2018 6:23 PM
2	State Government Entity and referral body	2/9/2018 10:13 AM
3	Electricity Supply provider	2/8/2018 7:49 AM
4	Planning	2/7/2018 11:58 AM
5	Planning Enforcement	2/6/2018 2:37 PM
6	Stat Planning	2/6/2018 10:54 AM
7	Statutory Planning Department	2/6/2018 10:23 AM
8	Planning Enforcement	2/6/2018 10:00 AM
9	City Strategy and Place	2/5/2018 5:00 PM
10	Statutory Planning	1/31/2018 1:52 PM

Q2 How regularly does your agency engage in actions that reference or rely upon the provisions of the Melbourne Planning Scheme?

Answered: 15 Skipped: 0

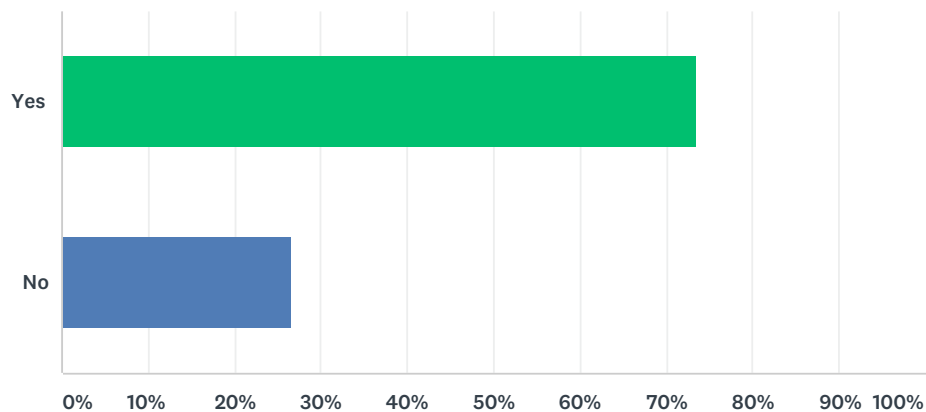


ANSWER CHOICES	RESPONSES
Daily	60.00% 9
Weekly	13.33% 2
Monthly	0.00% 0
Yearly	0.00% 0
Other (please specify):	26.67% 4
TOTAL	15

#	OTHER (PLEASE SPECIFY):	DATE
1	approx quarterly	2/9/2018 3:22 PM
2	more than monthly, more than yearly.	2/9/2018 10:13 AM
3	Agreement set up for shared use of assets	2/8/2018 7:49 AM
4	On occasion, not really reference or rely on them, but impacted by them in terms of strategic direction setting	2/5/2018 5:00 PM

Q3 The remaining questions are about the efficacy of the Planning Scheme and whether the interests of your agency are adequately reflected in the Melbourne Planning Scheme. Are there policy gaps within the Melbourne Planning Scheme that omit key areas of policy that would meet the needs of your organisation? (For example, does your organisation rely upon policies or guidelines in decision-making that are not included in the planning scheme?)

Answered: 15 Skipped: 0



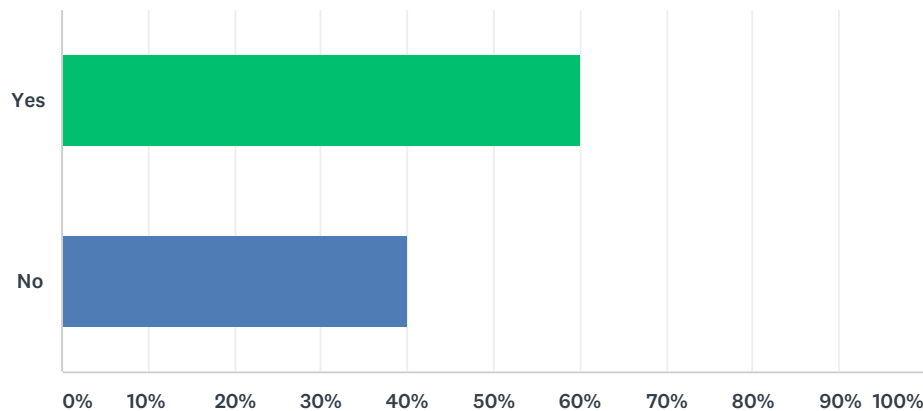
ANSWER CHOICES	RESPONSES	
Yes	73.33%	11
No	26.67%	4
TOTAL		15

#	IF YES, PLEASE CLARIFY:	DATE
1	Some important strategies/policies have been endorsed by Council and are relied upon but are not reference documents in the Scheme. e.g. Urban Forest Strategy, Housing Strategy, Arden-Macaulay Structure Plan, Nature in the City, Arts Strategy	2/20/2018 6:23 PM
2	Separation distances/ side and rear setbacks in areas outside c270 and above clause 54/55 requirements	2/12/2018 9:42 PM
3	Melbourne city council needs to have a better understanding of our policies and integrate these policies with theirs.	2/8/2018 7:49 AM
4	Heritage and Urban Design are the obvious ones but both are being addressed through significant amendments. But there are always gaps because there always seems to be more things stuffed into planning.	2/7/2018 11:58 AM
5	Electronic sign and referring to Australian Standards, Ausroads and VicRoads standards. Green infrastructure: green roofs, wall etc. Architectural features and building services in mandatory height controls: refer to legal and case law. Existing use rights: referred to case law Land with potential contamination: refer to practice note, applicant to provide info ESD: policy requirements in scheme but no expertise at Council to review the documents Car parking waivers almost always granted for commercial land uses, referred to Engineering for advise, sometime then again outsourced to traffic consultants.	2/7/2018 11:40 AM
6	Planning Enforcement often refers to EPA's SEPP N1 & N2 policy.	2/6/2018 2:37 PM
7	There are gaps in the MPS, e.g. affordable housing, management of natural hazards, etc.. I think it's a question of whether or not the MPS is the most appropriate tool to address these policy gaps?	2/6/2018 2:26 PM

8	Strengthened policy around signage, particularly in the capital city zone and address electronic and major promotional signs. Local Heritage Policy does not provide any direction regarding corner hotels.	2/6/2018 10:54 AM
9	- Up to date advertising signage provisions. Planning is coming across new-age signage design (large hoarding signs, projection signs etc) which are not adequately addressed in the relevant signage policy.	2/6/2018 10:23 AM
10	SEPP N-1 and SEPP N-2 which are EPA noise policies are not within the Planning Scheme. Standard permit conditions for licensed venues include this and recently this has led to a dilemma with enforcing a permit condition as the EPA has deferred a major decision on the Policy to Council.	2/6/2018 10:00 AM

Q4 Are there opportunities where local planning policies exist, but could be strengthened to better reflect the needs of your organisation? (For example, are there difficulties in arguing a case in officer reports, VCAT hearings or panel hearings?)

Answered: 15 Skipped: 0

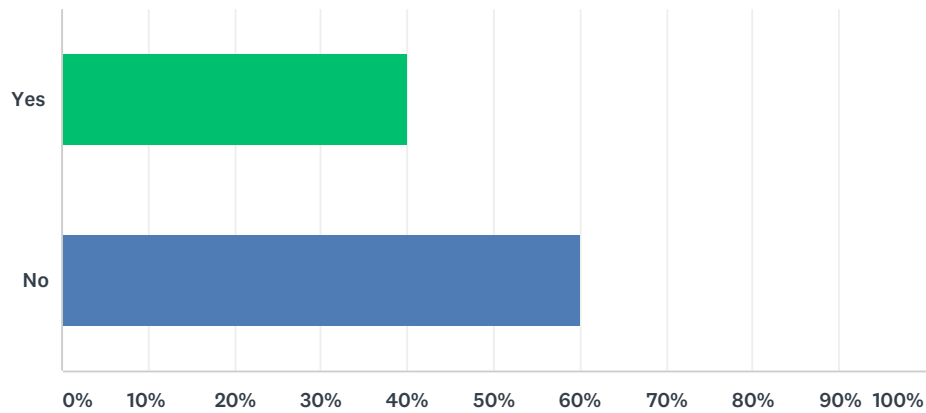


ANSWER CHOICES	RESPONSES
Yes	60.00% 9
No	40.00% 6
TOTAL	15

#	IF YES, PLEASE CLARIFY:	DATE
1	Open space contributions local policy is helpful, but could be clarified further - e.g. is the contribution percentage net or gross (e.g. if roads etc. have to be also provided), and to what extent does the location and type of OS contribution have to reflect the Open Space Strategy (a reference document).	2/20/2018 6:23 PM
2	The urban design policy outside the ccz needs updating.	2/12/2018 9:42 PM
3	It all comes down to understanding MCC work on many fronts and need to communicate together between each of their department to achieve a common policy.	2/8/2018 7:49 AM
4	VCAT are a law unto themselves, with different members interpreting things completely differently. There does often seem to be dismissiveness of council opinions and policies. Too often weight is given to the same individuals by the same members to the detriment of Melbourne.	2/7/2018 11:58 AM
5	Clause 22.07 Advertising Signs, does not address electronic signs or major promotion signs Clause 22.19 Energy, Water and Waste Efficiency various issues. Clause 22.15 Lygon Street and Elgin Street is not useful. Some local policies rarely used.	2/7/2018 11:40 AM
6	My work tends to focus on referencing Clauses 21.01 - 22.05, so less of an issue here. As a general comment I'm aware of colleagues who want to see local policies strengthened.	2/6/2018 2:26 PM
7	22.07, 22.05, 22.04	2/6/2018 10:54 AM
8	The high return that residential development offers developers means that we are not necessarily meeting the needs of the commercial sector (in the supply of appropriate commercial and office space). It could be argued that the MPP does not provide enough guidance on this or is too soft on how the developers/planners interpret the mixed zone use (we do not see much home office spaces provided for example). With increased flexibility in the way people work more and more people may work from home or be self employed with the change in the nature of work.	2/5/2018 5:00 PM
9	Advertising signs	1/31/2018 1:52 PM

Q5 In using the Melbourne Planning Scheme, have you identified areas of policy repetition?

Answered: 15 Skipped: 0

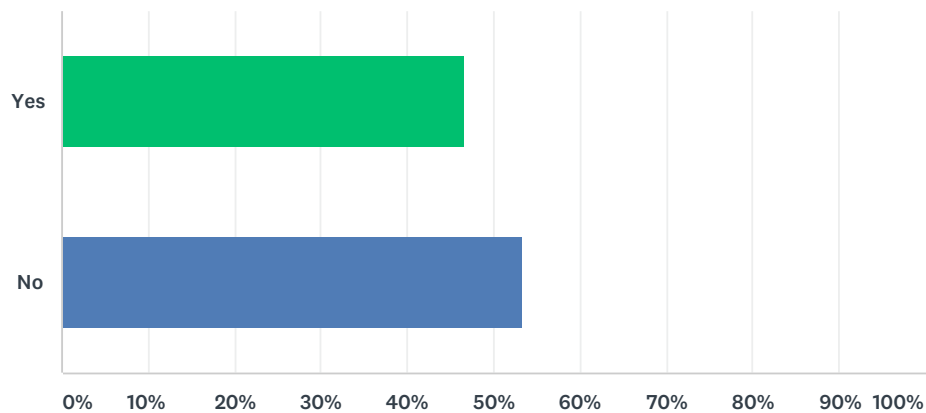


ANSWER CHOICES	RESPONSES
Yes	40.00% 6
No	60.00% 9
TOTAL	15

#	IF YES, PLEASE CLARIFY::	DATE
1	properly areas of inaction	2/8/2018 7:49 AM
2	There is much repetition and areas they do not naturally flow. The SPPF and MSS should be part of the same section of scheme given (flowing one into the other) considering they are both aspirational and essentially deal with same themes.	2/7/2018 11:58 AM
3	MSS and local policies around built form and heritage. Preference for DDO controls (eg urban design, CBD lanes) would be more effective. Repetition of standard for advertising signs in the Capital City Zone in local policy and zoning provision.	2/7/2018 11:40 AM
4	See Q.4	2/6/2018 2:26 PM
5	I think that the sections that refer to the economy could be consolidated and strengthened providing clear indications of what CoM is trying to achieve in its local economy and aspects it values. For example, the creative sector is attracted to unique, interesting and heritage type areas, are we doing enough to conserve these. Collaboration spaces are important for enabling learning from others and businesses collaborating, but can this occur in traditional office space? The digital economy/marketplace is getting bigger and this will have impacts on the physical retail spaces, so do we need to continue emphasising those? Agglomeration of economies (similar type of businesses locating in the same areas) is important for productivity and should be supported and emphasised.	2/5/2018 5:00 PM

Q6 In using the Melbourne Planning Scheme, have you identified areas of policy conflict?

Answered: 15 Skipped: 0

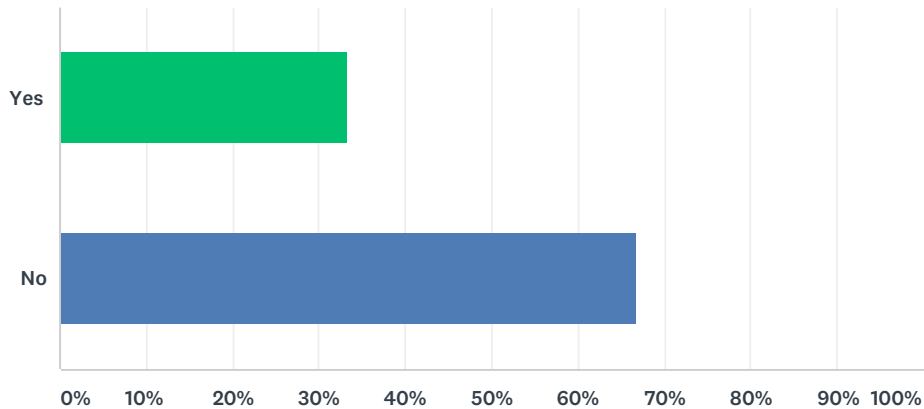


ANSWER CHOICES	RESPONSES
Yes	46.67% 7
No	53.33% 8
TOTAL	15

#	IF YES, PLEASE CLARIFY:	DATE
1	The local area policies appear to be out of date compared to more recent overarching policies	2/20/2018 6:23 PM
2	policy conflict comes about when sectors of MCC don't understand their own policy.	2/8/2018 7:49 AM
3	The conflict was blatant when towers were being built contrary to any number of policies. Under recent government the conflict is less. Heritage is the most obvious other issue with the same experts advocating for same poor outcomes at VCAT. Bit by bit Melbourne's heritage is being sold off to accommodate development rather than valued and development being seen as a privilege not a right	2/7/2018 11:58 AM
4	Heritage and DDO controls. Residential zone height restrictions and DDO controls. Local policies for inside and outside of the Capital City Zone, sort of the same but different. Car parking provision rates and transport policies.	2/7/2018 11:40 AM
5	See Q.4	2/6/2018 2:26 PM
6	There are so many strategic objectives that the MPP outlines that it is inevitable that these conflict in one way or another. One key one is the impact on infrastructure and how that is taken into account especially for large developments. It is currently ignored and the developers do not take into account or contribute any funding towards managing that impact and that Council must fund it or current residents are impacted adversely.	2/5/2018 5:00 PM

Q7 Are there any matters identified through VCAT decisions, or Planning Panel or Advisory Committee reports that require change to the Local Planning Policy Framework (LPPF)?

Answered: 15 Skipped: 0

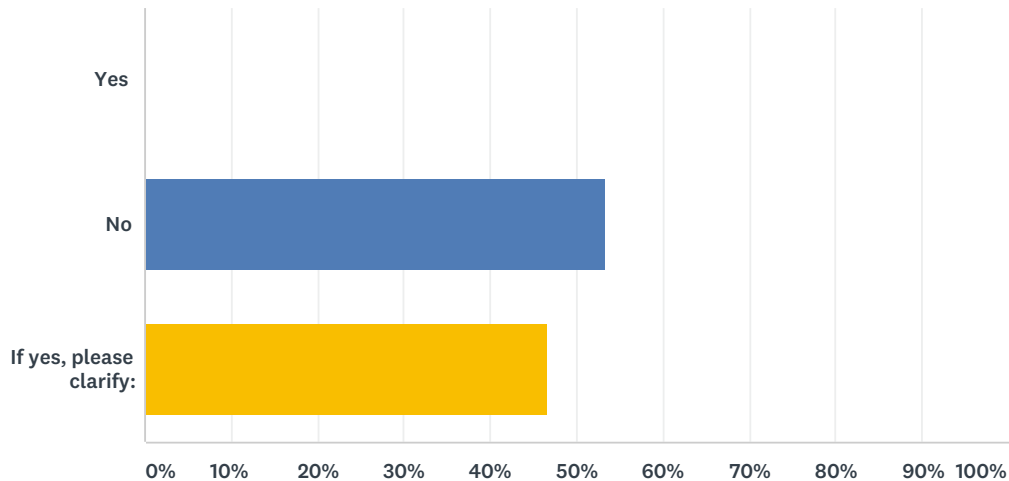


ANSWER CHOICES	RESPONSES	
Yes	33.33%	5
No	66.67%	10
TOTAL		15

#	IF YES, PLEASE CLARIFY:	DATE
1	Clause 22.19 - Energy, Water And Waste Efficiency - could be made more effective - lags in comparison to evolving tools such as Green Star ratings.	2/20/2018 6:23 PM
2	Clause 22.02 sunlight to public places	2/12/2018 9:42 PM
3	LPPF has become virtually obsolete due to VCAT. No value is placed on local policies so Councils will need to put in more DDOs	2/7/2018 11:58 AM
4	Yes. No policies on electronic signs and major promotion signs in Clause 22.07. D/3 buildings regarded as non-contributory in VCAT decisions. No definition of architectural features and building services. Blobby map in settlement section (clause 21.04 of the MSS. Not clear if some sites are located under the Growth Area Framework. The map in the Economic Development section of the MSS appears to make no sense and is useless.	2/7/2018 11:40 AM
5	See Q.4	2/6/2018 2:26 PM
6	I don't know	2/5/2018 5:00 PM

Q8 Are there new or imminent planning issues that you anticipate will need to be included in the LPPF? (For example, is your organisation currently undertaking strategic projects that will need to be reflected in the planning scheme)

Answered: 15 Skipped: 0



ANSWER CHOICES	RESPONSES
Yes	0.00% 0
No	53.33% 8
If yes, please clarify:	46.67% 7
TOTAL	15

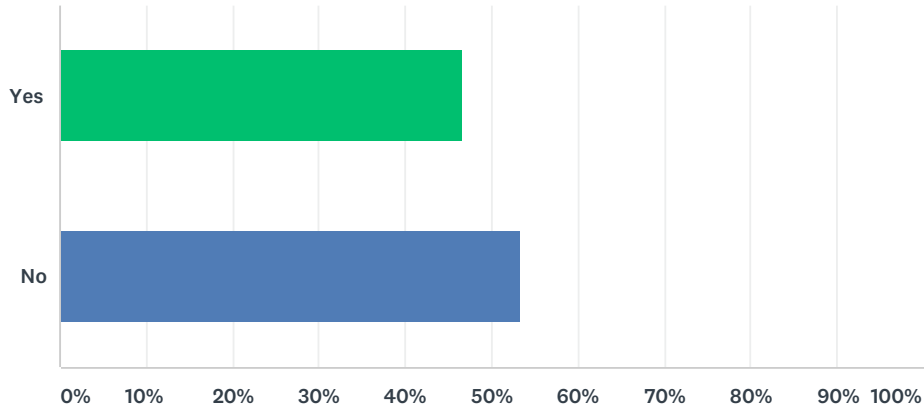
#	IF YES, PLEASE CLARIFY:	DATE
1	As identified above it relates to side and rear boundary setbacks above clause 54/55 application and outside of c270 area	2/12/2018 9:42 PM
2	Nature and Science precinct project	2/9/2018 3:22 PM
3	The increasing use of Telco assets being attached to all areas of the city. As yet I have nor seen any guidelines that MCC have proposed.	2/8/2018 7:49 AM
4	No doubt more things will be stuffed into an already over burdened and under resourced planning system. It would be much better if contaminated land, ESD, wind etc were less about tying into planning and more about simply having requirements that must be met outside of planning. Planning is about aesthetic, character, context etc not about technical reports and multiple other industries covering their own responsibilities by jamming more things into planning. Instead of measuring cupboard sizes and daylight levels (just two examples) planners should be allowed to be focused on what actually matters (ie planning) so they can ensure good outcomes such as integration with the pedestrian, tower separation, amenity etc Apartment guidelines must be simplified to start focusing on what planning is meant to be about	2/7/2018 11:58 AM
5	Rapidly evolution technology of digital signs. Green infrastructure Innovative business that don't fit neatly into planning scheme land use definitions. liquor licencing for a broader suite of land uses. No standards of hotel accommodation. Many applications now coming in. Some rooms to small to get a suitcase in and not even having a desk to sit down and eat or work. Development requiring loading bays for waste collection. Student accommodation policy may need to be reviewed.	2/7/2018 11:40 AM
6	Council is currently reviewing it's music strategy. Council also encourages the use of spaces across the municipality for music, arts & culture events more broadly. This can often be an issue for planning enforcement in regards to the use of the space and noise. Happy to elaborate further at the workshop	2/6/2018 2:37 PM

7 Affordable housing, infrastructure contribution plans, management of natural hazards, further refinement of what constitutes 'community benefit', increased heritage protection for parts of the municipality.

2/6/2018 2:26 PM

Q9 Are there documents that should be included as a reference or incorporated document in the Melbourne Planning Scheme (For example: Advertising Policy or Urban Design Guidelines)?

Answered: 15 Skipped: 0

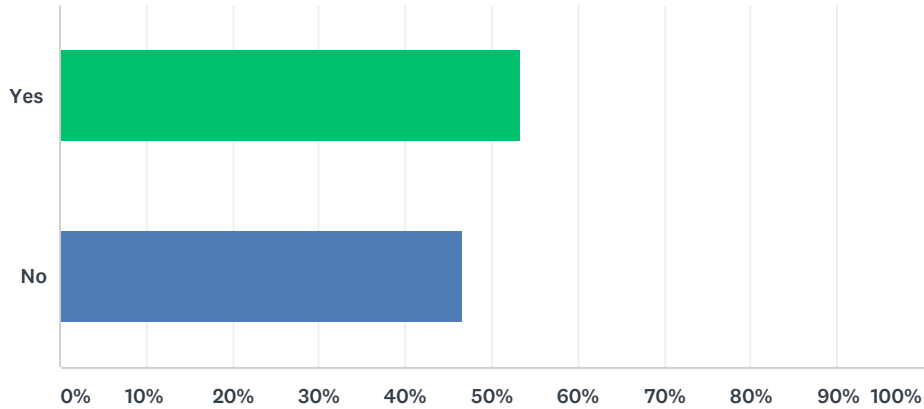


ANSWER CHOICES	RESPONSES
Yes	46.67% 7
No	53.33% 8
TOTAL	15

#	IF YES, PLEASE CLARIFY:	DATE
1	Yes, as noted above, there are a number of policies that Council relies on but that are not in the scheme. e.g. Walking Plan 2014-17 - as well as those listed above.	2/20/2018 6:23 PM
2	Less cross referencing the better	2/12/2018 9:42 PM
3	Melbourne Botanic Gardens Master Plan 2018-2038	2/9/2018 3:22 PM
4	Happy to be discussed on the day.	2/8/2018 7:49 AM
5	less is more	2/7/2018 11:58 AM
6	Road Encroachment Guidelines Various standard and guidelines for electronic sigs Urban Forest precinct plans	2/7/2018 11:40 AM
7	Possibly, not really in a position to comment specifically.	2/6/2018 2:26 PM
8	To any of the ten or so CoM strategy documents that will be finalised this year (transport strategy, creative strategy, etc) which set out the key outcomes that CoM is seeking for the city.	2/5/2018 5:00 PM

Q10 Is the language used in the Melbourne Planning Scheme clear, usable, effective and unambiguous? (Note: There is no need to refer to the State Planning Policy Framework in answering this question)

Answered: 15 Skipped: 0

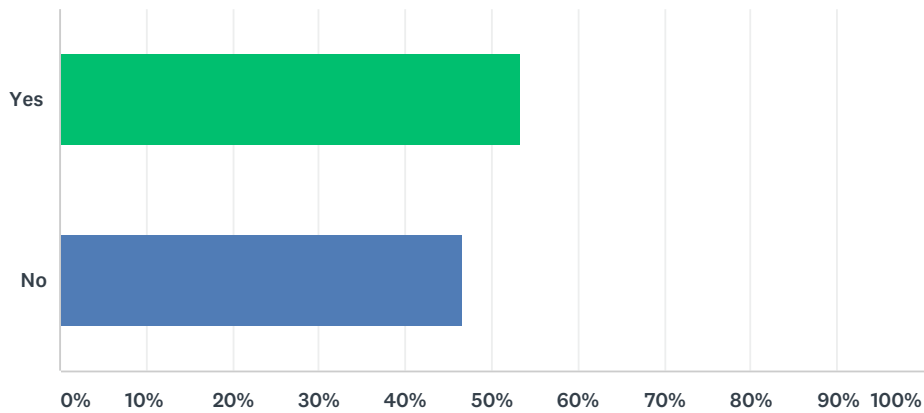


ANSWER CHOICES	RESPONSES
Yes	53.33% 8
No	46.67% 7
TOTAL	15

#	IF NO, PLEASE CLARIFY:	DATE
1	Language need to be clear and concise (worded in such away that any educated level can understand)	2/8/2018 7:49 AM
2	Words like 'support' and 'encourage'. No 'avoid'	2/7/2018 11:40 AM
3	This is challenging to answer briefly.	2/6/2018 2:26 PM
4	Instances within the Capital City Zone where the terms 'alterations' and 'demolition' are unclear. According to the CCZ a permit is not required for the modifications or alterations to a shopfront window or entranceway.. and permit is however, required to demolish or remove a building or works.. undermining the previously mentioned exemption.	2/6/2018 10:23 AM
5	I am not sure about this as I am not a lawyer but it seems to be too lengthy and inaccessible.	2/5/2018 5:00 PM

Q11 Do the schedules in the zones and overlays effectively deliver the desired planning policy outcomes?

Answered: 15 Skipped: 0

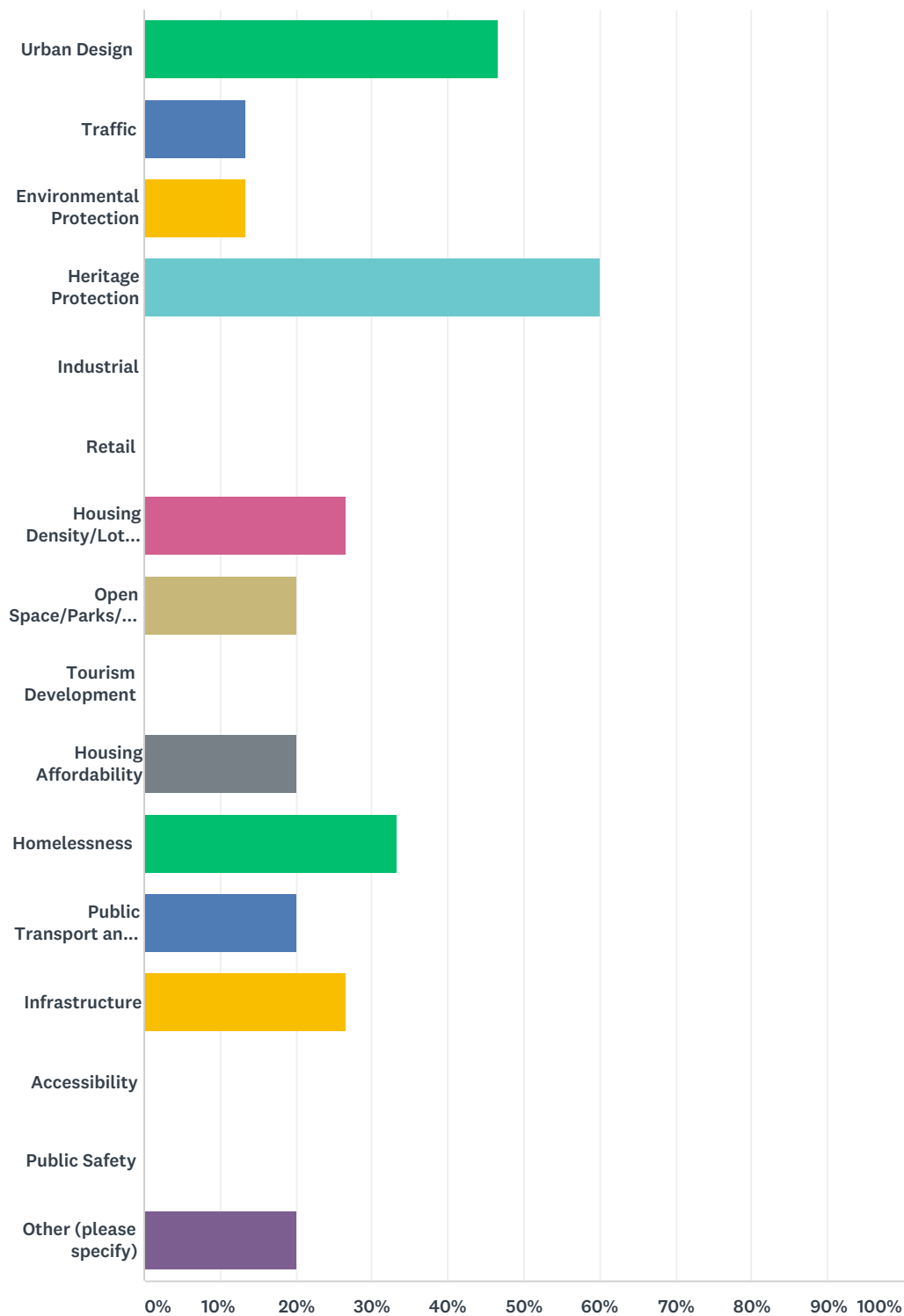


ANSWER CHOICES	RESPONSES
Yes	53.33% 8
No	46.67% 7
TOTAL	15

#	IF NO, PLEASE CLARIFY:	DATE
1	we found the signage policy is extremely restrictive (8 signs per year for a combined total of 21 days) this does not provide adequate time for our organisation given the number of events, licensees and interest groups that require advertising	2/9/2018 3:22 PM
2	no comment	2/8/2018 7:49 AM
3	Conflict with building height controls in DDO and residential zones. Need stronger built form outcomes in DDOs, include more design parameters in DDO, not just building height. Reduction of degree of discretion from standard. CCZ and Dockland Zone land use and advertising sign triggers needs to be reviewed. Works exemptions wording needs to be reviewed. Retire out of date DPO and IPos. Review flooding overlays. Extend Parking Overlays to include commercial land uses.	2/7/2018 11:40 AM
4	Heritage Overlays (in particular precincts) - can be challenging from an enforcement perspective. The Corkman is an example of this.	2/6/2018 2:37 PM
5	See Q.10	2/6/2018 2:26 PM
6	As above for mixed use zone comments.	2/5/2018 5:00 PM

Q12 What are the three (3) top planning issues affecting the City of Melbourne?

Answered: 15 Skipped: 0



ANSWER CHOICES	RESPONSES	
Urban Design	46.67%	7
Traffic	13.33%	2
Environmental Protection	13.33%	2

Heritage Protection	60.00%	9
Industrial	0.00%	0
Retail	0.00%	0
Housing Density/Lot Size	26.67%	4
Open Space/Parks/Recreation	20.00%	3
Tourism Development	0.00%	0
Housing Affordability	20.00%	3
Homelessness	33.33%	5
Public Transport and Cycling	20.00%	3
Infrastructure	26.67%	4
Accessibility	0.00%	0
Public Safety	0.00%	0
Other (please specify)	20.00%	3
Total Respondents: 15		

#	OTHER (PLEASE SPECIFY)	DATE
1	Appropriate signage controls	2/9/2018 10:13 AM
2	Pedestrian integration	2/7/2018 11:58 AM
3	Economic Development. Loss of various types of commercial buildings for residential development.	2/7/2018 11:40 AM

Q13 In a few sentences, please explain why the previous three (3) issues were selected.

Answered: 15 Skipped: 0

#	RESPONSES	DATE
1	Affordable housing will be crucial to inner Melbourne retaining its social and cultural mix but also its status as a economic powerhouse able to grow the knowledge economy. Urban design is important because its value is under-rated and it is misunderstood. Public transport and cycling are going to be critical to resolving congestion in inner areas - even more so with autonomous cars.	2/20/2018 6:23 PM
2	Design is a quintessential element of the city of Melbourne and good design is being stymied because arguments are had in the ambiguous application of policy. This affects public spaces and does not clearly identify expected yields that can be supported.	2/12/2018 9:42 PM
3	1. open space and green infrastructure is paramount given our expanding urbanization and climate change 2. Heritage values are being lost with this ever expanding urbanization 3. Public transport needs to be continually improved to improve accessibility and reduce car usage	2/9/2018 3:22 PM
4	From an international perspective particularly relating to tourism.	2/9/2018 10:13 AM
5	My assessment from walking and observing conditions from day to day within the Melbourne CBD	2/8/2018 7:49 AM
6	no time	2/7/2018 11:58 AM
7	Development pressure resulting in change in the way the city looks and operates that may impact on the long term liveability of Melbourne.	2/7/2018 11:40 AM
8	The challenges with Heritage protection and development occurring within the municipality has been problematic for some time. Housing density - the current lot sizes allowed for high rise building within the CBD encourages/only allows for transient living (international students etc). Larger lot sizes would allow for young families for example, to want to live in the city with its proximity to workplaces, public transport and other relevant infrastructure.	2/6/2018 2:37 PM
9	1. Climate change adaptation and mitigation is a key challenge for all cities. 2. There is an increasing divide between housing affordability and job accessibility - this has a significant impact on social equity. 3. The City of Melbourne is experiencing rapid population growth and development with limited mechanisms for value capture to support investment in infrastructure. Maintaining a pipeline of infrastructure investment and delivery is critical for the cities liveability and prosperity.	2/6/2018 2:26 PM
10	bicycle/motorcycle parking are always cut first. Engineering want more, and the particular provisions require limited numbers. Towers over Corner pubs - conflict between licenced premises and residential towers mean if the floor plan of the hotel is retained for commercial then it winds up as café to avoid amenity impacts to residents above.	2/6/2018 10:54 AM
11	Urban Design - it is commonplace to see previously approved multi-storey and tower developments which could arguably have been approved with a relatively good urban design outcome, return to planning to amend the planning permit to swap out materials and design features to cut costs. Ensuring this does not undermine the good urban design is important. Heritage Protection - as the City of Melbourne has a significant portion of heritage places, it is important to ensure that whilst allowing the city to grow, the significance of these places is not unreasonably detrimentally impacted upon. Its about trying to balance the two needs; change and growth, and protection of significant heritage fabric. housing density/lot sizes - as lot sizes are becoming increasingly smaller (with many residents choosing to construct second dwellings on the lot) it is important to ensure that whilst the site may be small, amenity considerations are not forgotten.	2/6/2018 10:23 AM
12	Heritage is contentious due to the fact that a property needs to be on the VHD for adequate protection to meet the community's expectations. Environment Protection I have chosen broadly to reflect living environment for people affected by noise from venues. This is a very common issue planning enforcement is expected to resolve. Homelessness speaks for itself as a major and much more visible issue at present.	2/6/2018 10:00 AM
13	Due to the population growth we require adequate infrastructure, good open space and housing affordability to attract the workers of the future that have the skills required but the future economy.	2/5/2018 5:00 PM

14	Population growth, increased demand for apartments, increased development pressures.	1/31/2018 1:52 PM
15	Good urban design is a critical factor in making the city an inviting and attractive place to be for all who come to/live in the city. Heritage protection is essential. Without it, the sense of Melbourne's history would be lost/diminished. As does urban design, heritage protection also plays an important role in making the city inviting and attractive. Homelessness is an issue which needs to be addressed. It seems highly unfair that in a first world city/country with so much wealth, we have many people without so much as a roof over their heads. For their benefit and for that of the city as a whole, there is an urgent need to take steps to improve this situation.	1/31/2018 8:25 AM

APPENDIX 2 – SUMMARY OF MPS RECOMMENDATIONS

APPENDIX 2 – AUDIT OF TABLE OF MPS CHANGES

MSS Audit

Clause	Name	Policy Neutral?	Recommendation
21.01	Municipal Strategic Statement	N	Update - separate strategic project
21.02	Municipal Profile	N	Update - separate strategic project
21.03	Vision	N	Update - separate strategic project
21.04	Settlement	In part	Update - separate strategic project 2 approaches recommended
21.05	Environment and Landscape Values	N	Update - separate strategic project
21.06	Built Environment and Heritage	N	Update - separate strategic project
21.07	Housing	N	Update - separate strategic project
21.08	Economic Development	N	Update - separate strategic project
21.09	Transport	N	Update - separate strategic project
21.10	Infrastructure	N	Update - separate strategic project
21.11	Local Areas	In part	Restructure and update
21.12	Hoddle Grid	In part	Restructure and update
21.13	Urban Renewal Areas	In part	Restructure and update
21.14	Proposed Urban Renewal Areas	In part	Restructure and update
21.15	Potential Urban Renewal Areas	In part	Restructure and update
21.16	Other Local Areas	In part	Restructure and update
21.17	Reference Documents	In part	Update

Local Planning Policy Audit

Clause	Name	Policy Neutral?	Recommendation
22.01	Urban Design within the Capital City Zone	N	Deletion proposed (Amendment C308).
22.02	Sunlight to Public Spaces	N	Under review (separate project)
22.03	Floor Area Uplift and Delivery of Public Benefits	-	
22.04	Heritage Places within the CCZ	N	Under review (Amendment C258)
22.05	Heritage Places outside the CCZ	N	Under review (Amendment C258)
22.06	No Content	-	
22.07	Advertising Signs	Y	Amend for clarity
22.11	Sexually Explicit Adult Establishments	Y	Amend for clarity
22.12	Gaming Premises	N	Under review (C307)
22.14	Discretionary Uses in the Neighbourhood and General Residential Zones	Y	Amend title in Table of Contents
22.17	Urban Design Outside the Capital City Zone	N	Update (separate project) pending C308
22.18	Urban Design within the Docklands Zone	N	Update (separate project)
22.19	Energy, Water and Waste Efficiency	N	Update (suture project – commenced)
22.20	CBD Lanes	-	
22.21	Heritage Places within the World Heritage Environs Area	N	Update (suture project – commenced)
22.22	Policy for Licensed Premises that require a Planning Permit	Y	Amend for clarity
22.23	Stormwater Management (Water Sensitive Urban Design)	-	
22.24	Student Housing Policy	-	Potential update post introduction of BADs
22.25	No Content		
22.26	Public Open Space Contributions	Part	Review policy and clarification
22.27	Employment and Dwelling Diversity within the Fishermans Bend Urban Renewal Area	N	Comprehensive review pending, through Fishermans Bend Taskforce.

Audit of Zones

Clause	Zone	Shown on Plan	Name of Schedule	Variation to VPP? (Y/N)	Policy Neutral?	Comment
32.04	Mixed Use Zone	MUZ	Melbourne Mixed Use Areas	N	N	
32.07	Residential Growth Zone	RGZ1	Melbourne Residential Growth Areas	N	N	Review application following VC110
32.08	General Residential Zone	GRZ1	General Residential Areas	N	N	Create a further schedule to apply to GRZ areas where > 11m height is appropriate
		GRZ2	General Residential Areas – 8 Metre Height Limit	Y		
		GRZ3	Bishops Court, East Melbourne	Y		
		GRZ4	South Parkville	Y		
32.09	Neighbourhood Residential Zone	NRZ1	South Yarra, Royal Botanic Gardens	Y		
		NRZ2	South Yarra, Fawkner Park	Y		
33.01	Industrial 1 Zone	IN1Z	(Empty Schedule)	N		
33.03	Industrial 3 Zone	IN3Z	(Empty Schedule)	N		
34.01	Commercial 1 Zone	C1Z, B1Z, B2Z, B5Z	(Empty Schedule)	N		
34.02	Commercial 2 Zone	C2Z, B3Z, B4Z	N/A	N/A*		
36.01	Public Use Zone	PUZ1-7	(Standard Format - No Title)	Y		
36.02	Public Park and Recreation Zone	PPRZ	(Standard Format - No Title)	N		
36.04	Road Zone	RDZ1, RDZ2	N/A	N/A*		
37.01	Special Use Zone	SUZ1	Flemington Racecourse	Y		
		SUZ2	Royal Melbourne Showgrounds	Y		
		SUZ3	Private Sports Grounds and Religious and Educational Institutions	Y		
		SUZ4	Port of Melbourne	Y		
		SUZ5	Waters of the Port of Melbourne	Y		
37.02	Comprehensive Development	CDZ2	Carlton Brewery	Y		
		CDZ3	Flemington Green	Y		

Clause	Zone	Shown on Plan	Name of Schedule	Variation to VPP? (Y/N)	Policy Neutral?	Comment
	Zone		Comprehensive Development Plan			
		CDZ4	550 Epsom Road Comprehensive Development Plan	Y		
37.04	Capital City Zone	CCZ1	Outside The Retail Core	Y		
		CCZ2	Retail Core	Y	In part	Amend & resolve FAR provisions post GC81
		CCZ3	Southbank	Y		
		CCZ4	Fishermans Bend Urban Renewal Area	Y	In part	Amend & revise post GC81
		CCZ5	City North	Y	In part	Amend and strengthen policy for knowledge industries
		CCZ6	Carlton Connect Site – Former Royal Women’s Hospital Site	Y		
37.05	Docklands Zone (DZ)	DZ1	Yarra’s Edge Precinct	Y		
		DZ2	Victoria Harbour Precinct	Y		
		DZ3	Batman’s Hill Precinct	Y		
		DZ4	Stadium Precinct	Y		
		DZ5	Digital Harbour Precinct	Y		
		DZ6	Business Park Precinct	Y		
		DZ7	Waterways	Y		
37.09	Port Zone	PZ	N/A	N/A*		

* In this zone, provisions cannot be varied through a schedule.

Audit of Overlays in the Melbourne Planning Scheme

Clause	Overlay	Shown on Plan	Name of Schedule	Tailored schedule? (Y/N)	Policy Neutral? (Y/N)	Comment
Environment and Landscape Overlays						
42.01	Environmental Significance	ESO1	Port of Melbourne Environs	Y	-	
		ESO2	Exceptional trees	Y	-	
Heritage and Built Form Overlays						
43.01	Heritage Overlay	HO	(Standard Format - No Title)	Y	-	
43.02	Design and Development	DDO1	Active Street Frontage (CCZ)	Y	N	Under Review through separate project
		DDO2	Special Character Areas – Built Form (Hoddle Grid)	Y	Y	Transitional Provisions
		DDO3	Traffic Conflict Frontage (CCZ)	Y	-	
		DDO4	Weather Protection (CCZ)	Y	N	Deleted through separate project (C308)

Clause	Overlay	Shown on Plan	Name of Schedule	Tailored schedule? (Y/N)	Policy Netural? (Y/N)	Comment
		DDO5	Bridge Protection Area	Y	N	Review, introduced in 2006
		DDO6	Carlton Area	Y	Y	Amend – permit exemptions
		DDO7	Former Fishmarket Site Northbank	Y	Y	Delete - Expired December 2016.
		DDO9	Fawkner Park Area	Y	Y	Amend – permit exemptions
		DDO12	General Development Area – Built Form	Y		
		DDO12	Noise Attenuation Area	Y		
		DDO13	Parliament Area	Y	Y	Amend – permit exemptions
		DDO14	Queen Victoria Market Area	Y	Y	Amend – permit exemptions
		DDO15	Royal Botanic Gardens	Y	Y	Amend – permit exemptions
		DDO17	Shrine Vista	Y		
		DDO19	St Kilda Road Area	Y	Y	Amend – permit exemptions
		DDO20	Victoria Parade and Albert Street Area	Y	Y	Amend – permit exemptions
		DDO21	Wellington Parade and Clarendon Street	Y	Y	Amend – permit exemptions
		DDO22	Yarra Park Area	Y	Y	Amend – permit exemptions
		DDO23	Alfred Hospital Helipad Flight Path Noise Protection Area	Y		
		DDO26	North and West Melbourne Noise Attenuation Area	Y		
		DDO27	City Link Exhaust Stack Environs	Y		Review, introduced in 2006
		DDO28	North Melbourne Station	Y	Y	Amend – permit exemptions
		DDO29	West Melbourne	Y	Y	Amend – permit exemptions
		DDO31	North Melbourne Central	Y	Y	Amend – permit exemptions
		DDO32	North Melbourne Peripheral	Y	Y	Amend – permit exemptions
		DDO33	CBD Fringe	Y	Y	Amend – permit exemptions
		DDO34	Errol Street/Victoria Street	Y	Y	Amend – permit exemptions
		DDO35	Royal Park and Royal Parade	Y	Y	Amend – permit exemptions
		DDO36	Royal Parade Central	Y	Y	Amend – permit exemptions
		DDO37	Pharmacy College	Y	Y	Amend – permit exemptions
		DDO40	Special Character Areas – Built Form (River Environs)	Y	Y	Amend (transitional provisions)
		DDO44	South Carlton	Y	Y	Amend – permit exemptions
		DDO45	Swanston Street	Y	Y	Amend – permit exemptions
		DDO46	University East	Y	Y	Amend – permit exemptions
		DDO47	Central Carlton South	Y	Y	Amend – permit exemptions
		DDO48	Central Carlton North	Y	Y	Amend – permit exemptions
		DDO49	Yarra Waters Precinct	Y		Review, introduced in 2008
		DDO50	Victoria Harbour Precinct	Y		
		DDO51	Batman's Hill Precinct	Y		Review, introduced in 2008
		DDO52	Stadium Precinct	Y		Review, introduced in 2008
		DDO53	Digital Harbour Precinct	Y		
		DDO54	Business Park Precinct	Y		
		DDO55	Gas Regulator Station	Y		
		DDO56	CBD Lanes, Class 1 and Class 2	Y	Y	Delete – Expired 2011

Clause	Overlay	Shown on Plan	Name of Schedule	Tailored schedule? (Y/N)	Policy Netural? (Y/N)	Comment
		DDO57	Flemington Road	Y		Review, introduced in 2008
		DDO58	312- 332 St Kilda Road	Y	Y	Amend – permit exemptions
		DDO59	North Wharf Precinct, Docklands	Y	Y	Amend – permit exemptions
		DDO60	Special Character Areas – Built Form (Southbank)	Y	Y	Amend (transitional provisions and permit exemptions)
		DDO61	City North	Y	In part	Amend (transitional provisions) & incorporate DDO68 controls
		DDO62	Special Character Areas – Built Form (Bourke Hill)	Y		
		DDO63	Macaulay Urban Renewal Area, Kensington And North Melbourne	Y		
		DDO65	Hospital Emergency Medical Services Helicopter Flight Path Protection (Inner Area)	Y		
		DDO66	Hospital Emergency Medical Services Helicopter Flight Path Protection (Outer Area)	Y		
		DDO67	Fishermans Bend Urban Renewal Area	Y	Y	Amend – permit exemptions
		DDO68	160 Leicester Place, Carlton	Y	Y	Proposed deletion underway (Amendment C320)
		DDO70	Melbourne Metro Rail Project – Infrastructure Protection Areas	Y		
43.03	Incorporated Plan Overlay	IPO1	236-254 St Kilda Road, Southbank	Y		
		IPO2	Hobsons Road Mixed Use Precinct	Y		
		IPO5	Moonee Ponds Creek Concept Plan	Y		
43.04	Development Plan Overlay	DPO1	Lonsdale Street (Golden Square Carpark) area	Y		
		DPO2	Yarra's Edge	Y		
		DPO3	Victoria Harbour	Y		
		DPO4	Batman's Hill	Y		
		DPO5	Stadium Precinct	Y		
		DPO6	Digital Harbour	Y		
		DPO7	Business Park	Y		
		DPO8	Carlton Housing Precincts	Y		
		DPO9	52-76 Buncle Street, Pearl Street & 91-117 Melrose Street, North Melbourne Medium Density Housing Site	Y		
		DPO10	Carlton Connect Site	Y		
		DPO11	Queen Victoria Market Precinct	Y		
Land Management Overlays						
44.04	Land Subject to Inundation	LSO1	(Empty Schedule)	N		
		LSIO2	(No title)	Y	Y	Insert title

Clause	Overlay	Shown on Plan	Name of Schedule	Tailored schedule? (Y/N)	Policy Netural? (Y/N)	Comment
	Overlay					
44.05	Special Building Overlay	SBO	(Empty Schedule)	N		
Other Overlays						
45.01	Public Acquisition Overlay	PAO	(No Schedule)	N/A		
45.03	Environmental Audit Overlay	EAO	N/A	N/A		
45.04	Road Closure Overlay	RCO	N/A	N/A		
45.06	Development Contributions Plan Overlay	DCPO1	Fishermans Bend Urban Renewal Area Development Contributions Plan			
		DCPO2	Macaulay Urban Renewal Area Development Contributions Plan			
45.07	City Link Project Overlay	CPO	N/A	N/A		
45.09	Parking Overlay	PO1	Capital City Zone – Outside The Retail Core			
		PO2	Capital City Zone – Retail Core			
		PO3	Capital City Zone – Lonsdale Street (Golden Square Car Park) Area			
		PO4	Royal Melbourne Showgrounds			
		PO5	Royal Melbourne Showgrounds – Non-Core Land			
		PO6	Docklands – Victoria Harbour			
		PO7	Docklands – Batman’s Hill			
		PO8	Docklands – Stadium Precinct			
		PO9	Docklands – Comtech Port			
		PO10	Docklands – Business Park			
		PO11	Docklands – Yarra’s Edge			
		PO12	Residential Development In Specific Inner City Areas			
		PO13	Capital City Zone – Fishermans Bend			

Audit of Other Provisions

Given the consistency of General and Particular provisions, this audit lists only those provisions where tailored schedules are possible, and where variations are suggested.

Table 1 – Other Provisions Audit

Clause	Name	Policy Neutral?	Recommendation
52.03	Specific Sites and Exemptions	Y	Update following review
52.06	Car parking	N	Pending completion of Council's current strategic Transport project.
52.17	Schedule 1 to Clause 52.17 Native vegetation	Y	Delete (redundant)
52.34	Bicycle Facilities	N	Pursue state-wide amendment further to current request with Minister for Planning
66.04	Referral of permit applications under local provisions	N	Update
66.06	Notice of permit applications under local provisions	N	Update
81.01	Table of documents incorporated in this Scheme	Y	Update following review

APPENDIX 3 - DRAFT AMENDMENT DOCUMENTS

MELBOURNE PLANNING SCHEME

13/07/2017
C311

SCHEDULE 1 TO CLAUSE 37.04 CAPITAL CITY ZONE

Shown on the planning scheme map as **CCZ1**.

OUTSIDE THE RETAIL CORE

Purpose

To provide for a range of financial, legal, administrative, cultural, recreational, tourist, entertainment and other uses that complement the capital city function of the locality.

1.0
01/11/2012
C195

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution) Any use permitted under the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975 or the Forest Act 1958.	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Education centre Home occupation Informal outdoor recreation Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor sport and recreation facility	Must occur on the Yarra River or on land abutting the Yarra River which is managed by Melbourne Parks and Waterways or Parks Victoria. Must be licensed by Parks Victoria.
Minor utility installation Office Place of assembly (other than Amusement parlour and Nightclub)	
Pleasure boat facility	Must occur on the Yarra River or on land abutting the Yarra River which is managed by Melbourne Parks and Waterways or Parks Victoria. Must be licensed by Parks Victoria.
Railway Railway station Retail premises (other than Adult sex bookshop, Department store, Hotel, Supermarket, and Tavern) Road	
Search for stone	Must not be costeaining or bulk sampling.
Tramway	

Comment [KCM1]: Exempt via 62.01

Comment [KCM2]: Redundant Land Use Term, now addressed via 62.01 and 52.08

MELBOURNE PLANNING SCHEME

Use	Condition
Any other use not in Section 3	A use conducted by or on behalf of Melbourne Parks and Waterways or Parks Victoria under the Water Industry Act 1994, the Water Act 1989, the Marine Act, the Port of Melbourne Authority Act 1958, the Parks Victoria Act 1998 or the Crown Land (Reserves) Act 1978.

Section 2 - Permit required

Use	Condition
Adult sex bookshop Amusement parlour	
Car park	Must meet the requirements of Clause 52.06. Must not be an open lot car park.
Corrective institution Department store Hotel	
Industry	Must not be a purpose listed in the table to Clause 52.10 (other than Materials Recycling)

~~Leisure and recreation (other than Informal outdoor recreation and Minor sport and recreation facility)~~

~~Mineral, stone, or soil extraction (other than Extractive Industry, Mineral exploration, Mining, and Search for stone)~~

Nightclub
Supermarket
Tavern
Utility installation (other than Minor utility installation)
Warehouse (other than Freezing and cool storage, and Liquid fuel depot)

Any other use not in Section 1 or 3

Section 3 - Prohibited

Use
Cold store
Extractive industry
Freezing and cool storage
Liquid fuel depot

Subdivision

Exemption from notice and review

An application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Comment [LR3]: Listed in Section 1

Comment [KCM4]: Land Use terms amended via VC63. Current term: Earth and Energy Resources Industry is listed as Section 1 under Cl.62.01 provided52.08

Comment [KCM5]: Undefined land use term. Intent is captured under Freezing and cool storage

Comment [KCM6]: Land use term deleted from Scheme via VC63. If intention is to prohibit any extraction, then insert Earth and Energy Industry here, but be mindful that under the current provisions Earth and Energy Industry includes geothermal energy extraction which may warrant a Section 2 exemption.

2.0
23/11/2016
C270

MELBOURNE PLANNING SCHEME

3.0

13/07/2017
C311

Buildings and works

Prohibitions

~~The construction of footbridges, pedestrian ways, vehicle bridges and links across the above ground level of Bourke Street, Collins Street, Swanston Street and Elizabeth Street, Melbourne is prohibited.~~

Permit Requirement

A permit is required:

- To construct a building or construct or carry out works.
- ~~To construct a building which does not extend to the road boundary of the site.~~
- ~~To construct a building providing fewer than one bicycle parking space per 500 square metres of gross floor area in the case of a new building without on site car parking.~~
- ~~To construct a building providing fewer than one bicycle parking space for every 100 car parking spaces in the case of a new building with on site car parking.~~

Comment [KCM7]: These are captured under dot point 1

A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) to construct a building or construct or carry out works with a floor area ratio in excess of 18:1 on land to which schedule 10 to the Design and Development Overlay applies unless:

- a public benefit as calculated and specified in a manner agreed to by the responsible authority is provided; and
- the permit includes a condition (or conditions) which requires the provision of a public benefit to be secured via an agreement made under section 173 of the *Planning and Environment Act 1987*.

For the purpose of this schedule the floor area ratio is the gross floor area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies, divided by the area of the site. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor.

Comment [LR8]: Definition of Floor Area Ratio is different in this Schedule compared to the proposed CCZ schedule 4 under GC81. Potential issue in terms of consistency of language in the planning scheme.

~~A permit must not be granted for the construction of footbridges, pedestrian ways, vehicle bridges and links across the above ground level of Bourke Street, Collins Street, Swanston Street and Elizabeth Street, Melbourne.~~

No Permit Required

~~A permit is not required for This does not apply to:~~

- Buildings or works carried out by or on behalf of ~~Melbourne Parks and Waterways~~ Melbourne Water or Parks Victoria under the Water Industry Act 1994, the Water Act 1989, the Marine Act, the Port of Melbourne Authority Act 1958, the Parks Victoria Act 1998 or the Crown Land (Reserves) Act 1978.
- Buildings or works for Railway purposes.
- Alterations to a building authorised under the Heritage Act, provided the works do not alter the existing building envelope or floor area.
- ~~Footpath vehicle crossovers provided they are constructed to the satisfaction of the responsible authority.~~
- ~~Bus and tram shelters required for public purposes by or for the Crown or a public authority in accordance with plans and siting to the satisfaction of the responsible authority.~~
- Decorations, gardens and planting required for public purposes by or for the Crown, a public authority or the City of Melbourne.

Comment [KCM9]: Expressed consistently with CCZ5

Comment [KCM10]: Or "the relevant water board or water supply authority"

Comment [KCM11]: **Consider deletion:** In the absence of a heritage overlay, review the necessity for these permit requirement.

- ~~Street furniture.~~

Comment [KCM12]: Captured in 62.02-2

MELBOURNE PLANNING SCHEME

- A work of art, statue, fountain or similar civic works required for public purposes by or for the Crown, a public authority or the City of Melbourne.
- Buildings or works or uses on public land for which a current permit exists under a City of Melbourne local law.
- The erection of information booths and kiosks required for public purposes by or for the Crown, a public authority or the City of Melbourne.
- ~~Traffic control works required by or for the Crown, a public authority or the City of Melbourne.~~
- ~~The construction, or modification, of a waste pipe, flue, vent, duct, exhaust fan, air conditioning plant, lift motor room, skylight, security camera, street heater or similar minor works provided they are to the satisfaction of the responsible authority not visible from any street, lane or public space.~~
- ~~A flagpole.~~
- A modification to the shop front window or entranceway of a building to the satisfaction of the responsible authority having regard to the architectural character of the building.
- An addition or modification to a verandah, awning, sunblind or canopy of a building to the satisfaction of the responsible authority.
- The painting, plastering and external finishing of a building or works to the satisfaction of the responsible authority.
- Changes to glazing of existing windows to not more than 15% reflectivity.
- External works to provide disabled access that complies with all legislative requirements ~~to the satisfaction of the responsible authority.~~

Comment [KCM13]: Captured by 62.02-2 (dot points 3&4)

Comment [KCM14]: **Consider deletion:** In the absence of a heritage overlay, review the necessity for this permit trigger.

Comment [KCM15]: Already exempt under Cl62.03

Comment [KCM16]: **Consider deletion:** In the absence of a heritage overlay, review the necessity for this permit trigger.

Comment [KCM17]: Consistency with CCZ5

Application Requirements

An application for a permit must be accompanied by a written urban context report documenting the key planning influences on the development and how it relates to its surroundings. The urban context report must identify the development opportunities and constraints, and document the effect of the development, as appropriate, in terms of:

- State Planning Policy Framework and the Local Planning Policy Framework, zone and overlay objectives.
- Built form and character of adjacent and nearby buildings.
- Heritage character of adjacent and nearby heritage places.
- Microclimate, including sunlight, daylight and wind effects on streets and other public spaces.
- Energy efficiency and waste management.
- Ground floor street frontages, including visual impacts and pedestrian safety.
- Public infrastructure, including reticulated services, traffic and car parking impact.
- Vistas.

An application to construct a building or to construct or carry out works must include, as appropriate, upgrading of adjacent footpaths or laneways to the satisfaction of the responsible authority.

An application for a permit to construct or carry out works for development of a building listed in the Heritage Overlay must be accompanied by a conservation analysis and management plan in accordance with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance 1992 (The Burra Charter) to the satisfaction of the responsible authority.

An application to construct a building or to construct or carry out works for a residential use must be accompanied by an Acoustic Assessment which must show how the proposal meets the following requirements:

- Habitable rooms of new dwellings adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45dB in accordance with relevant Australian Standards for acoustic control.

MELBOURNE PLANNING SCHEME

An application to construct a building or construct or carry out works on land to which schedule 10 to the Design and Development Overlay applies must:

- be accompanied by an assessment and report of the proposed floor area ratio from an independent quantity surveyor; and
- if the proposed floor area ratio exceeds 18:1, include details of the public benefit to be provided.

Exemption from notice and review

An application to construct a building or construct or carry out works for a use in Section 1 of Clause 37.04-1 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on a permit application under this schedule the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments and requirements of relevant authorities.
- The size and shape of the parcel of land to which the application relates, the siting of the proposed development and the area to be occupied by the development in relation to the size and shape of the land, adjoining land and adjoining development.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.
- The adequacy of entrance to and egress from the site.
- The streetscape, the scale and height of the neighbouring buildings and the proposed development, the proximity to heritage places, the design of verandahs, access from street frontages, the protection of active frontages to pedestrian areas, the treatment of the front and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The existing and future use and amenity of the land and the locality.
- The location, area, dimensions and suitability of use of land proposed for public use.
- The provision of landscaping.
- The responsibility for the maintenance of buildings, landscaping and paved areas.
- The impact on the amenity of any existing dwellings on adjacent sites.
- Where new buildings incorporate dwellings, that the design respects and anticipates the development potential of adjacent sites, to ensure that the future development of the adjacent site does not cause a significant loss of amenity to the subject site.
- Habitable rooms of new dwellings adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45 dB in accordance with relevant Australian Standards for acoustic control.
- The design of buildings to provide for solar access, energy efficiency and waste management.
- The impact on amenity of existing or proposed sensitive land uses susceptible to the off-site effects of industry.
- Whether the development would compromise the function, form and capacity of public spaces and public infrastructure.
- If the floor area ratio of the proposal exceeds 18:1, the extent to which it will deliver a commensurate public benefit.
- Securing the floor area ratio across a site where a site is developed in part to ensure:

MELBOURNE PLANNING SCHEME

- that an agreement be entered into to acknowledge that the remaining site cannot be later developed;
- that a heritage building being retained that an agreement be entered into to conserve the heritage building in perpetuity;
- that the proposed building is sited so that adequate setbacks are maintained in the event that the land is subdivided or separate land holdings are administratively effected to create a future development site.

Decision Guidelines – Bicycle Parking

Before deciding on an application involving bicycle parking facilities, the responsible authority must consider, as appropriate:

- The design and location, accessibility and security (ie. suitable lighting, locking devices) of the facilities.
- [The City of Melbourne Bike Plan 1997 Bicycle Plan 2016-2020](#).
- Local Planning Policy Framework.

4.0 Demolition or Removal of Buildings

23/11/2016
C270

A permit and prior approval for the redevelopment of the site are required to demolish or remove a building or works.

This does not include:

- Demolition or removal of temporary structures.
- Demolition ordered or undertaken by the responsible authority in accordance with the relevant legislation and/or local law.

Before deciding on an application to demolish or remove a building, the responsible authority may require an agreement pursuant to Section 173 of the Planning and Environment Act 1987 between the landowner and the responsible authority requiring, as appropriate:

- Temporary works on the vacant site should it remain vacant for 6 months after completion of the demolition.
- Temporary works on the vacant site where demolition or construction activity has ceased for 6 months, or an aggregate of 6 months, after commencement of the construction.

Temporary works must be constructed to the satisfaction of the responsible authority. Temporary works may include:

- The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage.
- Landscaping of the site for the purpose of public recreation and open space.

Exemption from notice and review

An application to demolish or remove a building or works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

5.0 Advertising signs

23/11/2016
C270

A permit is required to [construct and display or carry out works for erect](#) an advertising sign, except for:

- Advertising signs exempted by Clause 52.05-4.
- An under-verandah business [identification](#) sign if:
 - It does not exceed 2.5 metres measured horizontally, 0.5 metres vertically and 0.3 metres between the faces of the sign;

MELBOURNE PLANNING SCHEME

- It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
 - It does not contain any animation or intermittent lighting.
- A ground floor business identification sign cantilevered from a building if:
 - It does not exceed 0.84 metres measured horizontally, 0.61 metres vertically and 0.3 metres between the faces of the sign;
 - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
 - It does not contain any animation or intermittent lighting.

• A window display:

- A non-illuminated business identification sign on an existing or proposed verandah fascia, provided no part of the sign protrudes above or below the existing or proposed verandah fascia.
- Renewal or replacement of an existing internally illuminated business identification sign.

Comment [LR18]: Remove. This is confusing. It is not a defined term in Clause 72 or 73 of the Melbourne Planning Scheme. A window display is not a sign, while signs located within a window display are signs and require a permit.

Comment [LR19]: Needs to be added for strength. Think the intent is for this to be business identification, but wording would also allow you to construct promotion signs (which is contrary to the objective is Clause 22.07 which discourages promotion signs).

Comment [LR20]: Ties up exemption from notice and review with wording of permit required at start of Clause 5.0 of CCZ.

Exemption from notice and review

An application to ~~erect or~~ construct and display or carry out works for an advertising sign, is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

6.0 Referral of applications

23/11/2016
C270

An application that includes the creation or alteration of access to the arterial road – Wurundjeri Way must be referred in accordance with section 55 of the Act to the referral authority specified in the schedule to clause 66.04.

An application for development with a gross floor area exceeding 25,000 square metres must be referred in accordance with section 55 of the Act to the referral authority specified in the schedule to clause 66.04.

7.0 Transitional arrangements

23/11/2016
C270

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C262 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C262, continue to apply.
- an application (including an application to amend a permit) made after the commencement of Amendment C262 but before the commencement of Amendment C270 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C270, continue to apply.

Comment [LR21]: Difference in language between exemptions of DDO10 and CCZ Schedules for the same exemption

Comment [LR22]: Difference in language between exemptions of DDO10 and CCZ Schedules for the same exemption

MELBOURNE PLANNING SCHEME

13/07/2017
C311

SCHEDULE 2 TO CLAUSE 37.04 CAPITAL CITY ZONE

Shown on the planning scheme map as **CCZ2**.

RETAIL CORE

Purpose

To provide for the intensification of retail and other complementary commercial, community and entertainment uses within the established retail core.

1.0

01/11/2012
C195

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution)	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Education centre	
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Office (other than Bank)	
Place of assembly (other than Amusement parlour, Cinema, and Nightclub)	
Railway	
Retail premises (other than Adult sex bookshop, Hotel, and Tavern)	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Tramway	

Section 2 - Permit required

Use	Condition
Adult sex bookshop	
Amusement parlour	
Bank	
Car park	Must meet the requirements of Clause 52.06. Must not be an open lot car park.
Corrective institution	
Hotel	
Industry	Must not be a purpose listed in the table to Clause 52.10 (other than Materials Recycling)

MELBOURNE PLANNING SCHEME

Use	Condition
Leisure and recreation (other than Informal outdoor recreation)	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Nightclub	
Tavern	
Utility installation (other than Minor utility installation)	
Warehouse (other than Freezing and cool storage, and Liquid fuel depot)	
<hr/>	
Any other use not in Section 1 or 3	
<hr/>	
Section 3 - Prohibited	
Use	
Cold store	
Extractive industry	
Freezing and cool storage	
Liquid fuel depot	

2.023/11/2016
C270**Subdivision****Exemption from notice and review**

An application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

3.013/07/2017
C311**Buildings and works****Prohibitions**

The construction of footbridges, pedestrian ways, vehicle bridges and links across the above ground level of Bourke Street, Collins Street, Swanston Street and Elizabeth Street, Melbourne is prohibited.

Permit Requirement

A permit is required:

- To construct a building or construct or carry out works.
- To construct a building which does not extend to the road boundary of the site.
- To construct a building providing fewer than one bicycle parking space per 500 metres of gross floor area in the case of a new building without on site car parking.
- To construct a building providing fewer than one bicycle parking space for every 100 car parking spaces in the case of a new building with on-site car parking.

A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) to construct a building or construct or carry out works with a floor area ratio in excess of 18:1 on land to which schedule 10 to the Design and Development Overlay applies unless:

- a public benefit as calculated and specified in a manner agreed to by the responsible authority is provided; and

MELBOURNE PLANNING SCHEME

- the permit includes a condition (or conditions) which requires the provision of a public benefit to be secured via an agreement made under section 173 of the *Planning and Environment Act 1987*.

For the purpose of this schedule the floor area ratio is the gross floor area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies, divided by the area of the site. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor.

Comment [LR1]: Definition of Floor Area Ratio is different in this Schedule compared to the proposed CCZ schedule 4 under GC81. Potential issue in terms of consistency of language in the planning scheme.

No Permit Required

A permit is not required for:

- Buildings or works carried out by or on behalf of Melbourne Parks and Waterways or Parks Victoria under the Water Industry Act 1994, the Water Act 1989, the Marine Act, the Port of Melbourne Authority Act 1958, the Parks Victoria Act 1998 or the Crown Land (Reserves) Act 1978.
- Buildings or works for Railway purposes.
- Alterations to a building authorised under the Heritage Act, provided the works do not alter the existing building envelope or floor area.
- ~~Footpath vehicle crossovers provided they are constructed to the satisfaction of the responsible authority.~~
- Bus and tram shelters required for public purposes by or for the Crown or a public authority in accordance with plans and siting to the satisfaction of the responsible authority.
- Decorations, gardens and planting required for public purposes by or for the Crown, a public authority or the City of Melbourne.
- ~~Street furniture.~~
- A work of art, statue, fountain or similar civic works required for public purposes by or for the Crown, a public authority or the City of Melbourne.
- Buildings or works or uses on public land for which a current permit exists under a City of Melbourne local law.
- The erection of information booths and kiosks required for public purposes by or for the Crown, a public authority or the City of Melbourne.
- Traffic control works required by or for the Crown, a public authority or the City of Melbourne.
- The construction, or modification, of a waste pipe, flue, vent, duct, exhaust fan, air conditioning plant, lift motor room, skylight, security camera, street heater or similar minor works provided they ~~are to the satisfaction of the responsible authority not visible from any street, lane or public place.~~
- ~~A flagpole.~~
- A modification to the shop front window or entranceway of a building to the satisfaction of the responsible authority having regard to the architectural character of the building.
- An addition or modification to a verandah, awning, sunblind or canopy of a building to the satisfaction of the responsible authority.
- The painting, plastering and external finishing of a building or works to the satisfaction of the responsible authority.
- Changes to glazing of existing windows to not more than 15% reflectivity.
- External works to provide disabled access that complies with all legislative requirements, ~~to the satisfaction of the responsible authority.~~

Comment [KCM2]: Council works permit required regardless.

Comment [KCM3]: **Consider deletion:** In the absence of a heritage overlay, and given the need for other Council approval, review the necessity for this permit trigger.

Comment [KCM4]: Exempt under 62.03

Comment [KCM5]: Exempt under 62.03

Comment [KCM6]: **Consider deletion:** In the absence of a heritage overlay, review the necessity for this permit trigger.

Comment [KCM7]: Consistency with CCZ5

MELBOURNE PLANNING SCHEME

Application Requirements

An application for a permit must be accompanied by a written urban context report documenting the key planning influences on the development and how it relates to its surroundings. The urban context report must identify the development opportunities and constraints, and document the effect of the development, as appropriate, in terms of:

- State Planning Policy Framework and the Local Planning Policy Framework, zone and overlay objectives.
- Built form and character of adjacent and nearby buildings.
- Heritage character of adjacent and nearby heritage places.
- Microclimate, including sunlight, daylight and wind effects on streets and other public spaces.
- Energy efficiency and waste management.
- Ground floor street frontages, including visual impacts and pedestrian safety.
- Public infrastructure, including reticulated services, traffic and car parking impact.
- Vistas.

An application to construct a building or to construct or carry out works must include, as appropriate, upgrading of adjacent footpaths or laneways to the satisfaction of the responsible authority.

An application for a permit to construct or carry out works for development of a building listed in the Heritage Overlay must be accompanied by a conservation analysis and management plan in accordance with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance 1992 (The Burra Charter) to the satisfaction of the responsible authority.

An application to construct a building or to construct or carry out works for a residential use must be accompanied by an Acoustic Assessment which must show how the proposal meets the following requirements:

- Habitable rooms of new dwellings adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45dB in accordance with relevant Australian Standards for acoustic control.

An application to construct a building or to construct or carry out works to which schedule 10 to the Design and Development Overlay must:

- be accompanied by an assessment and report of the proposed floor area ratio from an independent quantity surveyor; and
- if the proposed floor area ratio exceeds 18:1, include details of the public benefit to be provided.

Exemption from notice and review

An application to construct a building or construct or carry out works for a use in Section 1 of Clause 37.04-1 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Referral of applications

An application for development with a gross floor area exceeding 25,000 square metres must be referred in accordance with section 55 of the Act to the referral authority specified in the schedule to clause 66.04.

MELBOURNE PLANNING SCHEME

Decision guidelines

Before deciding on a permit application under this schedule the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments and requirements of relevant authorities.
- The size and shape of the parcel of land to which the application relates, the siting of the proposed development and the area to be occupied by the development in relation to the size and shape of the land, adjoining land and adjoining development.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.
- The adequacy of entrance to and egress from the site.
- The streetscape, the scale and height of the neighbouring buildings and the proposed development, the proximity to heritage places, the design of verandahs, access from street frontages, the protection of active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The existing and future use and amenity of the land and the locality.
- The location, area, dimensions and suitability of use of land proposed for public use.
- The provision of landscaping.
- The responsibility for the maintenance of buildings, landscaping and paved areas.
- The impact on the amenity of any existing dwellings on adjacent sites.
- Where new buildings incorporate dwellings, that the design respects and anticipates the development potential of adjacent sites, to ensure that the future development of the adjacent site does not cause a significant loss of amenity to the subject site.
- Habitable rooms of new dwellings adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45 dB in accordance with relevant Australian Standards for acoustic control.
- The design of buildings to provide for solar access, energy efficiency and waste management.
- The impact on amenity of existing or proposed sensitive land uses susceptible to the off-site effects of industry.
- Whether the development would compromise the function, form and capacity of public spaces and public infrastructure.
- If the floor area ratio of the proposal exceeds 18:1, the extent to which it will deliver a commensurate public benefit.
- Securing the floor area ratio across a site where a site is developed in part to ensure:
 - that an agreement be entered into to acknowledge that the remaining site cannot be later developed;
 - that a heritage building being retained that an agreement be entered into to conserve the heritage building in perpetuity;

MELBOURNE PLANNING SCHEME

- that the proposed building is sited so that adequate setbacks are maintained in the event that the land is subdivided or separate land holdings are administratively effected to create a future development site.

Decision Guidelines – Bicycle Parking

Before deciding on an application involving bicycle parking facilities, the responsible authority must consider, as appropriate:

- The design and location, accessibility and security (ie. suitable lighting, locking devices) of the facilities.
- The City of Melbourne Bike Plan 1997.
- Local Planning Policy Framework.

4.0

23/11/2016
C270

Demolition or Removal of Buildings

A permit and prior approval for the redevelopment of the site are required to demolish or remove a building or works.

This does not include:

- Demolition or removal of temporary structures.
- Demolition ordered or undertaken by the responsible authority in accordance with the relevant legislation and/or local law.

Before deciding on an application to demolish or remove a building, the responsible authority may require an agreement pursuant to Section 173 of the Planning and Environment Act 1987 between the landowner and the responsible authority requiring, as appropriate:

- Temporary works on the vacant site should it remain vacant for 6 months after completion of the demolition.
- Temporary works on the vacant site where demolition or construction activity has ceased for 6 months, or an aggregate of 6 months, after commencement of the construction.

Temporary works must be constructed to the satisfaction of the responsible authority.

Temporary works may include:

- The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage.
- Landscaping of the site for the purpose of public recreation and open space.

Exemption from notice and review

An application to demolish or remove a building or works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

5.0

23/11/2016
C270

Advertising signs

A permit is required to construct and display or carry out works for erect an advertising sign, except for:

- Advertising signs exempted by Clause 52.05-4.
- An under-verandah business identification sign if:
 - It does not exceed 2.5 metres measured horizontally, 0.5 metres vertically and 0.3 metres between the faces of the sign;
 - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
 - It does not contain any animation or intermittent lighting.

Comment [LR8]: Ties up permit required language with exempt from notice and review.

MELBOURNE PLANNING SCHEME

- A ground floor business **identification** sign cantilevered from a building if:
 - It does not exceed 0.84 metres measured horizontally, 0.61 metres vertically and 0.3 metres between the faces of the sign;
 - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
 - It does not contain any animation or intermittent lighting.
- ~~A window display.~~
- A non-illuminated **business identification sign** on an **existing or proposed** verandah fascia, provided no part of the sign protrudes above or below the **existing or proposed verandah** fascia.
- Renewal or replacement of an existing internally illuminated business identification sign.

Comment [LR9]: Remove. This is confusing. It is not a defined term in Clause 72 or 73 of the Melbourne Planning Scheme. A proper window display is not a sign, while signs located within a window display are signs and require a permit.

Comment [LR10]: Needs to be added for strength. Think the intent is for this to be business identification, but wording would also allow you to construct promotion signs (which is contrary to the objective is Clause 22.07 which discourages promotion signs).

Comment [LR11]: Ties up exemption from notice and review with wording of permit required at start of Clause 5.0 of CCZ.

Exemption from notice and review

An application ~~to erect or~~ **construct and display** or carry out works for an advertising sign, is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

6.0

23/11/2016
C270

Transitional arrangements

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C262 to this planning scheme. For such applications, **the requirements of this schedule**, as they were in force immediately before the commencement of Amendment C262, continue to apply.
- an application **(including an application to amend a permit)** made after the commencement of Amendment C262 but before the commencement of Amendment C270 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C270, continue to apply.

Comment [LR12]: Difference in language between exemptions of DDO10 and CCZ Schedules for the same exemption

Comment [LR13]: Difference in language between exemptions of DDO10 and CCZ Schedules for the same exemption

MELBOURNE PLANNING SCHEME

13/07/2017
C311

SCHEDULE 3 TO CLAUSE 37.04 CAPITAL CITY ZONE

Shown on the planning scheme map as **CCZ3**.

SOUTHBANK

Purpose

- To develop Southbank as an extension of the central city, providing for a mix of commercial and residential land uses that complement the capital city function of the locality.
- To comfortably accommodate a residential and worker population in a pleasant neighbourhood where all public spaces are comfortable, bright and safe.
- To maintain and enhance the role of Southbank as a cultural and arts precinct.
- To develop Sturt Street as an arts and performance precinct with services and activities for local residents and visitors.
- To support art facilities and creative industry businesses along Sturt Street.
- To deliver local services and facilities within an approximate 400m walk from all residences.
- To provide uses at ground floor and upper podium floors to promote a visual link with, and facilitate the passive surveillance of, the public realm.
- To support commercial, retail and community uses along pedestrian corridors.

1.0

20/06/2013
C171

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution)	The ground floor of the building has a floor to ceiling height of at least 4 metres.
Any use permitted under the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975 or the Forest Act 1958.	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Child care centre Education centre Home occupation Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
<u>Minor sport and recreation facility</u>	Must occur on the Yarra River or on land abutting the Yarra River which is managed by Melbourne Parks and Waterways or Parks Victoria. Must be licensed by Parks Victoria.

Comment [KCM1]: Listed in 62.01

Comment [KCM2]: Listed in 62.01. Captured in Section 2 if condition is not met through "Any other use..."

MELBOURNE PLANNING SCHEME

Use	Condition
Minor utility installation	
Office	
Place of assembly (other than Amusement parlour and Nightclub)	
Pleasure boat facility	Must occur on the Yarra River or on land abutting the Yarra River which is managed by Melbourne Parks and Waterways or Parks Victoria. Must be licensed by Parks Victoria.
Railway	
Railway station	
Retail premises (other than Adult sex bookshop, Department store, Hotel, and Tavern)	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Tramway	
Any other use not in Section 3	A use conducted by or on behalf of Melbourne Parks and Waterways or Parks Victoria under the Water Industry Act 1994, the Water Act 1989, the Marine Act, the Port of Melbourne Authority Act 1958, the Parks Victoria Act 1998 or the Crown Land (Reserves) Act 1978.
Section 2 - Permit required	
Use	Condition
Adult sex bookshop product shop	
Amusement parlour	
Car park	Must meet the requirements of Clause 52.06.
Commercial Car Park	
Corrective institution	
Department store	
Hotel	
Industry	Must not be a purpose listed in the table to Clause 52.10.
Leisure and recreation (other than Informal outdoor recreation, m Minor sport and recreation facility)	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Nightclub	
Tavern	
Utility installation (other than Minor utility installation)	
Warehouse (other than Freezing and cool storage, and Liquid fuel depot)	
Any other use not in Section 1 or 3	

Comment [AF3]: VC142 has introduced an exemption for use of land for MUI in Clause 62

Comment [AF4]: Exempt under 62.01

Comment [AF5]: Revised as per VC142

Comment [KCM6]: Minor sport and recreation facility is listed in Section 1

Comment [AF7]: Land Use terms amended via VC63. Current term: Earth and Energy Resources Industry is listed as Section 1 under Cl.62.01 provided52.08

MELBOURNE PLANNING SCHEME

Section 3 - Prohibited

Use

~~Gold store~~

~~Extractive industry~~

Freezing and cool storage

Liquid fuel depot

Comment [AF8]: Undefined land use term. Intent is captured under Freezing and cool storage

Comment [AF9]: Land use term deleted from Scheme via VC63.. If intention is to prohibit any extraction, then insert Earth and Energy Industry here, but be mindful that under the current provisions Earth and Energy Industry includes geothermal energy extraction which may warrant a Section 2 exemption.

2.0

23/11/2016
C270

Subdivision

Exemption from notice and review

An application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

3.0

13/07/2017
C311

Buildings and works

Permit Requirement

A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) to construct a building or construct or carry out works with a floor area ratio in excess of 18:1 on land to which schedule 10 to the Design and Development Overlay applies unless:

- a public benefit as calculated and specified in a manner agreed to by the responsible authority is provided; and
- the permit includes a condition (or conditions) which requires the provision of a public benefit to be secured via an agreement made under section 173 of the *Planning and Environment Act 1987*.

For the purpose of this schedule the floor area ratio is the gross floor area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies, divided by the area of the site. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor.

Comment [LR10]: Definition of Floor Area Ratio is different in this Schedule compared to the proposed CCZ schedule 4 under GC81. Potential issue in terms of consistency of language in the planning scheme.

No Permit Required

A permit is not required for:

- Buildings or works carried out by or on behalf of Melbourne Parks and Waterways or Parks Victoria under the Water Industry Act 1994, the Water Act 1989, the Marine Act, the Port of Melbourne Authority Act 1958, the Parks Victoria Act 1998 or the Crown Land (Reserves) Act 1978.
- Buildings or works for Railway purposes.
- Alterations to a building authorised under the Heritage Act, provided the works do not alter the existing building envelope or floor area.
- Footpath vehicle crossovers provided they are constructed to the satisfaction of the responsible authority.
- Bus and tram shelters required for public purposes by or for the Crown or a public authority in accordance with plans and siting to the satisfaction of the responsible authority.
- Decorations, gardens and planting required for public purposes by or for the Crown, a public authority or the City of Melbourne.

Comment [KCM11]: **Consider deletion:** In the absence of a heritage overlay, and given the need for other forms of Council approval, review the necessity for this permit trigger.

~~Street furniture~~

Comment [KCM12]: Duplicates exemption at 62.02-2

MELBOURNE PLANNING SCHEME

- A work of art, statue, fountain or similar civic works required for public purposes by or for the Crown, a public authority or the City of Melbourne.
- Buildings or works or uses on public land for which a current permit exists under a City of Melbourne local law.
- The erection of information booths and kiosks required for public purposes by or for the Crown, a public authority or the City of Melbourne.
- Traffic control works required by or for the Crown, a public authority or the City of Melbourne.
- The construction, or modification, of a waste pipe, flue, vent, duct, exhaust fan, air conditioning plant, lift motor room, skylight, security camera, street heater or similar minor works provided they are ~~to the satisfaction of the responsible authority~~ not visible from any street, lane or public place.
- ~~A flagpole.~~
- A modification to the shop front window or entranceway of a building to the satisfaction of the responsible authority having regard to the architectural character of the building.
- An addition or modification to a verandah, awning, sunblind or canopy of a building to the satisfaction of the responsible authority.
- The painting, plastering and external finishing of a building or works to the satisfaction of the responsible authority.
- Changes to glazing of existing windows to not more than 15% reflectivity.
- External works to provide disabled access that complies with all legislative requirements ~~to the satisfaction of the responsible authority.~~

Comment [KCM13]: **Consider deletion:** In the absence of a heritage overlay, review the necessity for this permit trigger.

Application Requirements

An application for a permit must be accompanied by a written urban context report documenting the key planning influences on the development and how it relates to its surroundings. The urban context report must identify the development opportunities and constraints, and document the effect of the development, as appropriate, in terms of:

- State Planning Policy Framework and the Local Planning Policy Framework, zone and overlay objectives.
- Built form and character of adjacent and nearby buildings.
- Heritage character of adjacent and nearby heritage places.
- Microclimate, including sunlight, daylight and wind effects on streets and other public spaces.
- Energy efficiency and waste management.
- Ground floor street frontages, including visual impacts and pedestrian safety.
- Public infrastructure, including reticulated services, traffic and car parking impact.
- Vistas.

An application to construct a building or to construct or carry out works must include, as appropriate, upgrading of adjacent footpaths or laneways to the satisfaction of the responsible authority.

An application for a permit to construct or carry out works for development of a building listed in the Heritage Overlay must be accompanied by a conservation analysis and management plan in accordance with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance 1992 (The Burra Charter) to the satisfaction of the responsible authority.

MELBOURNE PLANNING SCHEME

An application to construct a building or to construct or carry out works for a residential use must be accompanied by an Acoustic Assessment which must show how the proposal meets the following requirements:

- Habitable rooms of new dwellings adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45dB in accordance with relevant Australian Standards for acoustic control.

An application to construct a building or to construct or carry out works on land which schedule 10 to the Design and Development Overlay applies must:

- be accompanied by an assessment and report of the proposed floor area ratio from an independent quantity surveyor; and
- if the proposed floor area ratio exceeds 18:1, includes details of the public benefits to be provided.

Exemption from notice and review

An application to construct a building or construct or carry out works for a use in Section 1 of Clause 37.04-1 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Referral Requirement

An application for development with a gross floor area exceeding 25,000 square metres must be referred in accordance with section 55 of the Act to the referral authority specified in the schedule to clause 66.04.

Decision guidelines

Before deciding on a permit application under this schedule, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments and requirements of relevant authorities.
- The ability for pedestrians, bicycles and vehicles to move within and through the area.
- The adequacy of car parking provision and loading bays.
- The adequacy of vehicle entry and egress.
- The impact the proposal will have on the amenity of existing and future development in the locality.
- The suitability of land proposed for public use.
- The provision of landscaping.
- Whether the building design at street level provides for active street frontages, pedestrian engagement and weather protection.
- The impact on the amenity of any dwellings on adjacent sites.
- The development potential of adjacent sites, and whether this will cause an unreasonable loss of amenity to the subject site.
- Waste management.
- The ability to establish a visual relationship between occupants of upper floors and pedestrians, and better surveillance of the street by developing the first five levels of buildings with a “casing” of dwellings or offices or other design mechanisms.

MELBOURNE PLANNING SCHEME

- The impact the proposal will have on street amenity if buildings are not constructed to the street boundary at ground level.
- The impact the proposal will have on street amenity if on-site parking occupies more than 20% of the length of the street frontages at ground level and in the first five levels of the building.
- Whether the development would compromise the function, form and capacity of public spaces and public infrastructure.
- If the floor area ratio of the proposal exceeds 18:1, the extent to which it will deliver a commensurate public benefit.
- Securing the floor area ratio across a site where a site is developed in part to ensure:
 - that an agreement be entered into to acknowledge that the remaining site cannot be later developed;
 - that a heritage building being retained that an agreement be entered into to conserve the heritage building in perpetuity;
 - that the proposed building is sited so that adequate setbacks are maintained in the event that the land is subdivided or separate land holdings are administratively effected to create a future development site.

A permit and prior approval for the redevelopment of the site are required to demolish or remove a building or works.

4.0

23/11/2016
C270

Demolition or Removal of Buildings

A permit is required to demolish or remove a building or works. This does not include:

- Demolition or removal of temporary structures.
- Demolition ordered or undertaken by the responsible authority in accordance with the relevant legislation and/or local law.

Before deciding on an application to demolish or remove a building, the responsible authority may require an agreement pursuant to Section 173 of the Planning and Environment Act 1987 between the landowner and the responsible authority requiring, as appropriate:

- Temporary works on the vacant site should it remain vacant for 6 months after completion of the demolition.
- Temporary works on the vacant site where demolition or construction activity has ceased for 6 months, or an aggregate of 6 months, after commencement of the construction.

Temporary works must be constructed to the satisfaction of the responsible authority.

Temporary works may include:

- The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage.
- Landscaping of the site for the purpose of public recreation and open space.

Exemption from notice and review

An application to demolish or remove a building or works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act

Decision Guidelines

Before deciding on a permit application for demolition or removal of buildings, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

MELBOURNE PLANNING SCHEME

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Whether the demolition or removal of buildings gives effect to a permit or prior approval for the redevelopment of land.
- Whether the demolition or removal of buildings is required for environmental remediation of contaminated land.
- The provision of temporary works or landscaping to avoid vacant sites in perpetuity.

5.0 Advertising signs

23/11/2016
C270

A permit is required to construct and display or carry out works for ~~erect~~ an advertising sign, except for:

Comment [LR14]: Ties up permit required language with exempt from notice and review.

- Advertising signs exempted by Clause 52.05-4
- An under-verandah business identification sign if:
 - It does not exceed 2.5 metres measured horizontally, 0.5 metres vertically and 0.3 metres between the faces of the sign;
 - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
 - It does not contain any animation or intermittent lighting.
- A ground floor business identification sign cantilevered from a building if:
 - It does not exceed 0.84 metres measured horizontally, 0.61 metres vertically and 0.3 metres between the faces of the sign;
 - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
 - It does not contain any animation or intermittent lighting.

~~A window display.~~

Comment [LR15]: Remove. This is confusing. It is not a defined term in Clause 72 or 73 of the Melbourne Planning Scheme. A proper window display is not a sign, while signs located within a window display are signs and require a permit.

- A non-illuminated business identification sign ~~sign~~ on an existing or proposed verandah fascia, provided no part of the sign protrudes above or below the existing or proposed verandah fascia.
- Renewal or replacement of an existing internally illuminated business identification sign.

Comment [LR16]: Needs to be added for strength. Think the intent is for this to be business identification, but wording would also allow you to construct promotion signs (which is contrary to the objective is Clause 22.07 which discourages promotion signs).

Exemption from notice and review

An application to ~~erect or~~ construct and display or carry out works for an advertising sign, is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Comment [LR17]: Ties up exemption from notice and review with wording of permit required at start of Clause 5.0 of CCZ.

6.0 Transitional arrangements

23/11/2016
C270

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C262 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C262, continue to apply.
- an application (including an application to amend a permit) made after the commencement of Amendment C262 but before the commencement of Amendment C270 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C270, continue to apply.

Comment [LR18]: Difference in language between exemptions of DDO10 and CCZ Schedules for the same exemption

Comment [LR19]: Difference in language between exemptions of DDO10 and CCZ Schedules for the same exemption

MELBOURNE PLANNING SCHEME

14/11/2016
GC50

SCHEDULE 4 TO THE CAPITAL CITY ZONE

Shown on the planning scheme map as **CCZ4**.

Fishermans Bend Urban Renewal Area

Purpose

To use and develop the Fishermans Bend Urban Renewal Area generally in accordance with the Fishermans Bend Strategic Framework Plan, July 2014 (amended September 2016).

To provide for medium to high residential density and a variety of dwelling types which are well-located to services and public transport.

To provide for a range of residential, commercial, industrial, recreational, business and leisure uses within a mixed use environment.

To encourage employment uses and the continued operation of existing uses.

1.0

14/11/2016
GC50

Table of uses

Section 1 - Permit not required

Use	Condition
Any use permitted under the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975 or the Forest Act 1958.	
Accommodation	Must meet the threshold distance from industrial and/or warehouse uses referred to in the table to Clause 52.10.
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Child Care Centre	Must meet the threshold distance from industrial and/or warehouse uses referred to in the table to Clause 52.10.
Education Centre	Must meet the threshold distance from industrial and/or warehouse uses referred to in the table to Clause 52.10.
Office	
Railway station	
Retail premises (other than Adult sex bookshop, Hotel, and Tavern)	
Supermarket	Must provide interface to the Civic Boulevard, Buckhurst Street or Lorimer Parkway, as defined in the Fishermans Bend Strategic Framework Plan, July 2014 (amended April 2015).
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

MELBOURNE PLANNING SCHEME

Section 2 - Permit required

Use	Condition
Adult sex bookshop	
Amusement parlour	
Car park	Must meet the requirements of Clause 52.06.
Hotel	
Industry	
Leisure and recreation (other than Minor sport and recreation facility)	
Nightclub	
Tavern	
Utility installation (other than Minor utility installation)	
Warehouse	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Nil

Use of land

A permit granted must be generally in accordance with the incorporated Fishermans Bend Strategic Framework Plan, July 2014 (amended September 2016).

Application requirements

Consideration of the environmental assessment requirement as outlined in Section 6.0 of this Schedule.

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.

MELBOURNE PLANNING SCHEME

- Light spill or glare.

An application to use land for any sensitive land use must be accompanied by the following information, as appropriate:

- A site plan that identifies the type and nature of the industrial/warehouse uses surrounding the site.
- An assessment of the impact of the proposed accommodation use on existing industry/warehouse uses.

Exemption from notice and review

An application to use land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

This exemption does not apply to an application to use land for a nightclub, tavern, brothel or adult sex bookshop.

Decision Guidelines

Before deciding on a permit application for use the responsible authority must consider, as appropriate:

- ‘Section 2 – The Strategic Framework’ of the Fishermans Bend Strategic Framework Plan, July 2014 (amended September 2016). The existing and future use and amenity of the land and the locality.
- The continued operation of existing industrial premises in the locality.
- The existing and future use and amenity of the land and the locality.
- The provision of physical infrastructure and community services sufficient to meet the needs of the proposed use.
- If an industry or warehouse, the effect the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that existing uses may have on the proposed use.

2.0

14/11/2016
GC50

Subdivision

A permit granted must be generally in accordance with the incorporated Fishermans Bend Strategic Framework Plan, July 2014 (amended September 2016).

Application requirements

A layout plan, drawn to scale and fully dimensioned showing:

- The location, shape and size of the site.
- The location of any existing buildings, car parking areas and private open space.
- The location, shape and size of the proposed lots to be created.
- The location of any easements on the subject land.
- Any abutting roads.
- Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.

MELBOURNE PLANNING SCHEME

For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.

If common property is proposed, an explanation of why the common property is required.

Exemption from notice and review

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0
14/11/2016
GC50

Buildings and works

A permit granted must be generally in accordance with the incorporated Fishermans Bend Strategic Framework Plan, July 2014 (amended September 2016).

Permit Requirement

A permit is required to construct a building or construct or carry out works other than:

- The construction, or modification, of a waste pipe, flue, vent, duct, exhaust fan, air conditioning plant, lift motor room, skylight, security camera, street heater or similar minor works provided they are ~~not visible from any street, lane or public place to the satisfaction of the responsible authority.~~
- A modification to the shop front window or entranceway of a building to the satisfaction of the responsible authority having regard to the architectural character of the building.
- An addition or modification to a verandah, awning, sunblind or canopy of a ~~provided they are not visible from any street, lane or public place building to the satisfaction of the responsible authority.~~
- The painting, plastering and external finishing of a building or works to the satisfaction of the responsible authority.
- ~~External works to provide disabled access that complies with all legislative requirements, to the satisfaction of the responsible authority.~~
- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- ~~Bus and tram shelters required for public purposes by or for the Crown or a public authority in accordance with plans and siting to the satisfaction of the responsible authority.~~

Comment [KCM1]: **Consider deletion:**
In the absence of a heritage overlay, review the necessity for this permit trigger.

Comment [KCM2]: **Consider deletion:**
In the absence of a heritage overlay and given the need for separate Council approval, review the necessity for this permit trigger.

Application Requirements

Consideration of the environmental assessment requirement as outlined in Section 6.0 of this Schedule.

The requirements of Clause 52.35 do not apply to an application on land shown as CCZ4 on the planning scheme maps.

An urban context report comprising words, images, plans or other suitable documentation that describes the:

- Site's shape, size, orientation and easements.
- Adjoining roads.

MELBOURNE PLANNING SCHEME

- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- Location and height of existing buildings on the site and surrounding properties including any notable character and heritage features of buildings in the neighbourhood.
- The pattern of subdivision in the neighbourhood.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- The location of any street trees, poles, pits and other street furniture.
- Solar access to the site and to surrounding properties.
- The key planning influences on the development and how it relates to its surroundings.
- The development opportunities and constraints of the site as it relates to the development.

If in the opinion of the responsible authority a requirement of the urban context report is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

A design response that explains how the proposed design:

- Responds to the Fishermans Bend Strategic Framework Plan, July 2014 (amended April 2015).
- Responds to any relevant planning provisions that apply to the land.
- Derives from and responds to the urban context report.

A 3D digital model of the proposal for insertion into the responsible authority's interactive city model.

An Environmentally Sustainable Design Statement that demonstrates how the development satisfies the sustainability requirements of the planning scheme.

An application to construct a building over 40 metres in must provide a full technical report, including wind rose diagrams at all key points around the site to ensure the following:

- All publicly accessible areas, including footpaths are within safe walking criteria achieving wind gust speeds below 16 metres/second;
- All external waiting areas, including building entries and shop fronts, are within short term stationary criteria, achieving wind gust speeds below 13 metres/second;
- All outdoor seating areas, including parks and outdoor cafes are within long term stationary criteria, achieving wind gust speeds below 10 metres/second.

Exemption from notice and review

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision Guidelines

Before deciding on a permit application for buildings and works the responsible authority must consider, as appropriate:

MELBOURNE PLANNING SCHEME

- Section 2 – The Strategic Framework’ within the Fishermans Bend Strategic Framework Plan, July 2014 (amended April 2015).

4/0/2016
GC50**Demolition or Removal of Buildings**

A permit and prior approval for the redevelopment of the site are required to demolish or remove a building or works.

This does not include:

- Demolition or removal of temporary structures.
- Demolition ordered or undertaken by the responsible authority in accordance with the relevant legislation and/or local law.

Before deciding on an application to demolish or remove a building, the responsible authority may require an agreement pursuant to Section 173 of the Planning and Environment Act 1987 between the landowner and the responsible authority requiring, as appropriate:

- Temporary works on the vacant site should it remain vacant for 6 months after completion of the demolition.
- Temporary works on the vacant site where demolition or construction activity has ceased for 6 months, or an aggregate of 6 months, after commencement of the construction.

Temporary works must be constructed to the satisfaction of the responsible authority.

Temporary works may include:

- The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage.
- Landscaping of the site for the purpose of public recreation and open space.

Exemption from notice and review

An application to demolish or remove a building or works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act

5.0
05/07/2012
C170**Advertising signs**

A permit is required to erect an advertising sign, except for:

- Advertising signs exempted by Clause 53.05-4.
- Business identification signs that have a combined total advertisement area to each premises not exceeding 8 square metres. This does not include a sign with an advertisement area exceeding 1.5 square metres that is below a verandah, or, if no verandah, that is less than 3.7 metres above pavement level.
- An internally illuminated sign of no greater than 1.5 square metres. No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.
- A non-illuminated sign, provided no part of the sign protrudes above or below the fascia of the building.
- Renewal or replacement of an existing internally illuminated business identification sign.

MELBOURNE PLANNING SCHEME

Exemption from notice and review

An application to erect or construct or carry out works for an advertising sign, is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

6.0

05/07/2012
C170

Environmental audits

Before a sensitive use (residential use, child care centre, pre-school centre, primary school, education centre or informal outdoor recreation) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, the developer must obtain either;

- A certificate of environmental audit issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
- A statement in accordance with Part IXD of the Environment Protection Act 1970 by an accredited auditor approved under that Act that the environmental conditions of the land are suitable for the sensitive

MELBOURNE PLANNING SCHEME

30/06/2016
C293**SCHEDULE 5 TO THE CAPITAL CITY ZONE**Shown on the planning scheme map as **CCZ5**.**City North****Purpose**

To develop City North as a mixed use extension of the Central City.

To provide for a range of educational, research and medical uses as part of an internationally renowned knowledge district.

To encourage a range of uses that complement the capital city function of the locality and serves the needs of residents, workers, students and visitors.

1.015/10/2015
C196**Table of uses****Section 1 - Permit not required**

Use	Condition
Accommodation (other than Corrective institution)	Along the street frontages as shown at Map 1 of Clause 43.02 Schedule 61, any frontage at ground floor level must not exceed 4 metres
Any use permitted under the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975 or the Forests Act 1958.	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Education centre	
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Office	
Place of assembly (other than Amusement parlour, Function Centre and Nightclub)	
Railway	
Railway station	
Retail premises (other than Adult sex bookshop, Hotel, and Tavern)	
Road	
Stone exploration	Must not be costeaning or bulk sampling.
Tramway	

Section 2 - Permit required

Use	Condition
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MELBOURNE PLANNING SCHEME

Adult sex bookshop	
Amusement parlour	
Car park (other than Commercial car park or an open lot car park)	Must meet the requirements of Clause 52.06.
Corrective institution	
Function Centre	
Hotel	
Industry	Must not be a purpose listed in the table to Clause 52.10.
Leisure and Recreation (other than Minor sports and recreation facility and informal outdoor recreation).	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Stone exploration)	
Nightclub	
Tavern	
Utility installation (other than Minor utility installation)	
Warehouse (other than Freezing and cool storage, and Liquid fuel depot)	
Any other use not in Section 1 or 3	

Comment [LR1]: "Minor Sports and Recreation facility" is neither a Section 1 or 3 use so shouldn't be listed here.
Appears that this has been carried over from the wording of the CCZ1 and CCZ2.

Section 3 - Prohibited

Use
Commercial car park or an open lot car park
Cold store
Extractive industry
Freezing and cool storage
Liquid fuel depot

2.0

15/10/2015
C196

Use of land

Exemption from notice and review

An application to use land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

This exemption does not apply to an application to use land for a Function centre, Nightclub, Tavern, Brothel, Adult sex bookshop, Amusement parlour or Hotel.

Decision Guidelines

Before deciding on a permit application under this schedule the responsible authority must consider as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework.
- The comments and requirements of relevant authorities.
- The existing and future use and amenity of the land and the locality.
- The impact the use will have on the amenity of existing dwellings and adjacent and nearby sites including noise emissions and how this impact is to be minimised.

MELBOURNE PLANNING SCHEME

- The provision of physical infrastructure and community services sufficient to meet the needs of the proposed use.
- The effect that existing uses may have on the proposed use.

3.0 Subdivision15/10/2015
C196**Exemption from notice and review**

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

4.0 Buildings and works15/10/2015
C196**Permit Requirement**

A permit is required to construct a building or carry out works.

This does not apply to:

- Alterations to a building authorised under the Heritage Act, provided the works do not alter the existing building envelope or floor area.
- The construction, or modification, of a waste pipe, flue, vent, duct, exhaust fan, air conditioning plant, lift motor room, skylight, security camera, street heater or similar minor works provided they are not visible from any street, lane or public place.
- Changes to glazing of existing windows with not more than 15% reflectivity.
- External works to provide disabled access that complies with all legislative requirements.
- Buildings or works carried out by or on behalf of Parks Victoria under the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port Management Act 1995, the Parks Victoria Act 1998 or the Crown Land (Reserves) Act 1978.
- Buildings or works for Railway purposes.

Application Requirements

An application for permit must be accompanied by a written urban context report documenting the key planning influences on the development and how it relates to its surroundings. The urban context report must identify the development opportunities and constraints, and document the effect of the development, as appropriate, in terms of:

- State Planning Policy Framework and the Local Planning Policy Framework, zone and overlay objectives.
- Built form and character of adjacent and nearby buildings.
- Heritage character of adjacent and nearby heritage places.
- Ground floor street frontages, including visual impacts and pedestrian safety.
- Microclimate, including sunlight, daylight and wind effects on streets and other public spaces.
- Energy efficiency and waste management.
- Public infrastructure, including reticulated services, traffic and car parking impact.

An application to construct a building or to construct or carry out works must include, as appropriate, upgrading of adjacent footpaths or laneways to the satisfaction of the responsible authority.

An application for a permit to construct or carry out works for development of a building listed in the Heritage Overlay must be accompanied by a conservation analysis and management plan in accordance with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance 1992 (The Burra Charter) to the satisfaction of the responsible authority.

MELBOURNE PLANNING SCHEME

Exemption from notice and review

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on a permit application under this schedule the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments and requirements of relevant authorities.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.
- The adequacy of entrance to and egress from the site.
- The existing and future use and amenity of the land and the locality.
- The location, area, dimensions and suitability of use of land proposed for public use.
- The provision of landscaping.
- The effect of the proposed works on solar access to existing open spaces and public places.
- The provision of solar access to private open space areas in residential development.
- The responsibility for the maintenance of buildings, landscaping and paved areas.
- The impact a new development will have on the amenity of existing dwellings on adjacent sites and how this impact has been minimised.
- The incorporation of design measures to attenuate against noise associated with the operation of other businesses and activities, including limiting internal noise levels of new habitable rooms to a maximum of 45 dB in accordance with relevant Australian Standards for acoustic control, for new and refurbished residential developments and other sensitive uses.
- Whether the provision of storage for refuse and recyclable material provided off-street is fully screened from public areas.
- Whether the first five levels of buildings are developed with a “casing” of dwellings or offices or other active uses so that a visual relationship between occupants of upper floors and pedestrians is able to be established and better surveillance of the street is achieved.

5.0 Demolition or Removal of Buildings

15/10/2015
C196

A permit and prior approval for the redevelopment of the site are required to demolish or remove a building or works.

This does not include:

- Demolition or removal of temporary structures.
- Demolition ordered or undertaken by the responsible authority in accordance with the relevant legislation and/or local law.

Before deciding on an application to demolish or remove a building, the responsible authority may require an agreement pursuant to Section 173 of the Planning and Environment Act 1987 between the landowner and the responsible authority requiring, as appropriate:

- Temporary works on the vacant site should it remain vacant for 6 months after completion of the demolition.

MELBOURNE PLANNING SCHEME

- Temporary works on the vacant site where demolition or construction activity has ceased for 6 months, or an aggregate of 6 months, after commencement of the construction.

Temporary works must be constructed to the satisfaction of the responsible authority. Temporary works may include:

- The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage.
- Landscaping of the site for the purpose of public recreation and open space.

Exemption from notice and review

An application to demolish or remove a building or works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

6.0

15/10/2015
C196

Advertising signs

A permit is required to ~~erect~~ construct and display or carry out works for an advertising sign, except for:

- Advertising signs exempted by Clause 52.05-4
- An under-verandah business identification sign if:
 - It does not exceed 2.5 metres measured horizontally, 0.5 metres vertically and 0.3 metres between the faces of the sign;
 - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
 - It does not contain any animation or intermittent lighting.
- A ground floor business identification sign cantilevered from a building if:
 - It does not exceed 0.84 metres measured horizontally, 0.61 metres vertically and 0.3 metres between the faces of the sign;
 - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
 - It does not contain any animation or intermittent lighting.
- ~~A window display.~~
- A non-illuminated business identification sign on an existing or proposed verandah fascia, provided no part of the sign protrudes above or below the existing or proposed verandah fascia.
- Renewal or replacement of an existing internally illuminated business identification sign.

Exemption from notice and review

An application to ~~erect or~~ construct and display or carry out works for an advertising sign is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Comment [LR2]: Ties up permit required language with exempt from notice and review.

Comment [LR3]: Remove. This is confusing. It is not a defined term in Clause 72 or 73 of the Melbourne Planning Scheme. A proper window display is not a sign, while signs located within a window display are signs and require a permit.

Comment [LR4]: Needs to be added for strength. Think the intent is for this to be business identification, but wording would also allow you to construct promotion signs (which is contrary to the objective is Clause 22.07 which discourages promotion signs).

Comment [LR5]: Ties up exemption from notice and review with wording of permit required at start of Clause 5.0 of CCZ.

MELBOURNE PLANNING SCHEME

15/10/2015
C173**SCHEDULE 6 TO THE CAPITAL CITY ZONE**Shown on the planning scheme map as **CCZ6**.**CARLTON CONNECT SITE – FORMER ROYAL WOMEN’S HOSPITAL SITE****Purpose**

To recognise the strategic importance of Carlton Connect and the capital city function of the site.

To implement the vision for the Carlton Connect site to achieve an exemplary and integrated mixed use precinct that includes research and development, education, office, exhibition facilities, community, retail and other employment generating activities, and multi-dwelling housing. High quality design and development will commensurate with the designation and significance of the site as the headquarters for Carlton Connect.

1.0

15/10/2015
C173**Table of uses****Section 1 - Permit not required**

Use	Condition
Any use permitted under the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975 or the Forest Act 1958.	
Child care centre	
Dwelling	The ground floor of the building has a floor to ceiling height of at least 4 metres.
Education centre	
Home occupation	
Informal outdoor recreation	
Minor utility installation	
Office	
Place of assembly (other than Function centre, Amusement parlour and Nightclub)	
Railway	
Railway station	
Research and Development Centre	
Residential building (other than Residential hotel)	
Retail premises (other than Adult sex bookshop, Hotel, and Tavern)	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

MELBOURNE PLANNING SCHEME

Section 2 - Permit required

Use	Condition
Accommodation (other than Dwelling and Residential Building)	
Amusement parlour	
Car park	Must meet the requirements of Clause 52.06. Must not be an open lot car park.
Function Centre	
Hotel	
Industry (other than Research and Development Centre)	Must not be a purpose listed in the table to Clause 52.10 (other than Materials Recycling)
Leisure and recreation (other than Informal outdoor recreation)	
Nightclub	
Tavern	
Utility installation (other than Minor utility installation)	
Warehouse (other than Freezing and cool storage, and Liquid fuel depot)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Adult sex bookshop
Brothel
Freezing and cool storage
Liquid fuel depot

2.0

15/10/2015
C173

Use of land

Exemption from notice and review

An application to use land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

This exemption does not apply to an application to use land for a Function Centre, Nightclub, Tavern, Amusement Parlour or Hotel.

Decision Guidelines

Before deciding on a permit application under this schedule the responsible authority must consider as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework.
- The comments and requirements of relevant authorities.

MELBOURNE PLANNING SCHEME

- The existing and future use and amenity of the land and the locality.
- The impact the use will have on the amenity of existing dwellings and adjacent and nearby sites including noise emissions and how this impact is to be minimised.
- The provision of physical infrastructure and community services sufficient to meet the needs of the proposed use.
- The effect that existing uses may have on the proposed use.
- Any relevant approved development plan for the land.

3.0

15/10/2015
C173

Subdivision

Exemption from notice and review

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

4.0

15/10/2015
C173

Buildings and works

Permit Requirement

A permit is not required for:

- Buildings or works carried out by or on behalf of Melbourne Parks and Waterways or Parks Victoria under the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Act 1988*, the *Port of Melbourne Authority Act 1958*, the *Parks Victoria Act 1998* or the *Crown Land (Reserves) Act 1978*.
- Buildings or works for Railway purposes.
- Footpath vehicle crossovers provided they are constructed to the satisfaction of the responsible authority.
- Bus and tram shelters required for public purposes by or for the Crown or a public authority in accordance with plans and siting to the satisfaction of the responsible authority.
- The following works required for public purposes by or for the Crown, a public authority or the City of Melbourne:
 - Decorations, gardens and planting
 - A work of art, statue, fountain or similar civic works.
 - The erection of information booths and kiosks.
 - ~~Traffic control works.~~
 - ~~Street Furniture.~~
- Temporary installations and associated works by or on behalf of the University of Melbourne.
- The construction, or modification, of a waste pipe, flue, vent, duct, exhaust fan, air conditioning plant, lift motor room, skylight, security camera, street heater or similar minor works provided they are not visible from any street, lane or public place to the satisfaction of the responsible authority.

Comment [KCM1]: Consider deletion: In the absence of a heritage overlay, and given the need for other Council approval, review the necessity for these permit requirement.

Comment [KCM2]: Exempt uner 62.03-2

MELBOURNE PLANNING SCHEME

~~• A flagpole.~~

- A modification to the shop front window or entranceway of a building to the satisfaction of the responsible authority having regard to the architectural character of the building.
- An addition or modification to a verandah, awning, sunblind or canopy of a building to the satisfaction of the responsible authority.
- The painting, plastering and external finishing of a building or works to the satisfaction of the responsible authority.
- Changes to glazing of existing windows to not more than 15% reflectivity.
- External works to provide disabled access that complies with all legislative requirements ~~to the satisfaction of the responsible authority.~~

Comment [KCM3]: **Consider deletion:**
In the absence of a heritage overlay, review the necessity for this permit trigger.

Application Requirements

An application for permit must be accompanied by a written urban context report documenting the key planning influences on the development and how it relates to its surroundings. The urban context report must identify the development opportunities and constraints, and document the effect of the development, as appropriate, in terms of:

- State Planning Policy Framework and the Local Planning Policy Framework, zone and overlay objectives.
- Built form and character of adjacent and nearby buildings.
- Heritage character of adjacent and nearby heritage places.
- Microclimate, including sunlight, daylight and wind effects on streets and other public spaces.
- Energy efficiency and waste management.
- Ground floor street frontages, including visual impacts and pedestrian safety.
- Public infrastructure, including reticulated services, traffic and car parking impact.
- Vistas.

An application to construct a building or to construct or carry out works must include, as appropriate, upgrading of adjacent footpaths or laneways to the satisfaction of the responsible authority.

An application to construct a building or to construct or carry out works must be accompanied by a Wind Analysis which should show how the proposal meets the following requirements:

- Developments fronting Swanston Street or internal lanesways should be designed to be generally acceptable for stationary long term wind exposure (where the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5o wind direction sector must not exceed 10 ms-1).
- All other areas should be designed to be generally acceptable for short term wind exposure (where the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5o wind direction sector must not exceed 13ms-1). However, if it can be demonstrated that the street frontage or trafficable area is only likely to be used as a thoroughfare for the life of the development, the building interface should be designed to be generally acceptable for walking (where the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5o wind direction sector must not exceed 16ms1).
- Developments should not rely on street trees for wind protection.

MELBOURNE PLANNING SCHEME

An application to construct a building or to construct or carry out works for a residential use must be accompanied by an Acoustic Assessment which should show how the proposal meets the following requirements:

- Habitable rooms of new dwellings adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45dB in accordance with relevant Australian Standards for acoustic control.

Exemption from notice and review

An application to construct a building or construct or carry out works for a use in Section 1 of Clause 37.04-1 is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on a permit application under this schedule the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments and requirements of relevant authorities.
- The size and shape of the parcel of land to which the application relates, the siting of the proposed development and the area to be occupied by the development in relation to the size and shape of the land, adjoining land and adjoining development.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.
- The adequacy of pedestrian, cycling and vehicular entrances to and egress from the site.
- The impact on the existing and future use and amenity of the land, adjacent sites and the locality.
- The location, area, dimensions and suitability of use of land proposed for public use.
- The provision of landscaping.
- The effect of the proposed works on solar access to existing open spaces and public places.
- The pedestrian comfort and the amenity of public places in terms of the potential for ground-level wind.
- The responsibility for the maintenance of buildings, landscaping and paved areas.
- The development potential of adjacent sites and whether this will cause an unreasonable loss of amenity to the subject site.
- The design of buildings to provide for solar access, energy efficiency and waste management.
- The ability to establish a visual relationship between occupants of upper floors and pedestrians, and better surveillance of the street by developing the first five levels of buildings with active uses or other design mechanisms.

MELBOURNE PLANNING SCHEME

- The impact the proposal will have on street amenity if on-site parking occupies more than 20% of the length of the street frontages at ground level and in the first five levels of the building.
- Any relevant approved development plan for the land.

5.0

15/10/2015
C173

Advertising signs

A permit is required to construct and display or carry out works for ~~erect~~ an advertising sign, except for:

Comment [LR4]: Ties up permit required language with exempt from notice and review.

- Advertising signs exempted by Clause 52.05-4.
- An under-verandah business identification sign if:
 - It does not exceed 2.5 metres measured horizontally, 0.5 metres vertically and 0.3 metres between the faces of the sign;
 - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
 - It does not contain any animation or intermittent lighting.
- A ground floor business identification sign cantilevered from a building if:
 - It does not exceed 0.84 metres measured horizontally, 0.61 metres vertically and 0.3 metres between the faces of the sign;
 - It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
 - It does not contain any animation or intermittent lighting.

~~A window display.~~

Comment [LR5]: Remove. This is confusing. It is not a defined term in Clause 72 or 73 of the Melbourne Planning Scheme. A proper window display is not a sign, while signs located within a window display are signs and require a permit.

- A non-illuminated business identification sign on a verandah fascia, provided no part of the sign protrudes above or below the existing or proposed verandah fascia.
- Renewal or replacement of an existing internally illuminated business identification sign.

Comment [LR6]: Needs to be added for strength. Think the intent is for this to be business identification, but wording would also allow you to construct promotion signs (which is contrary to the objective is Clause 22.07 which discourages promotion signs).

Exemption from notice and review

An application to ~~erect or~~ construct and display or carry out works for an advertising sign, is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Comment [LR7]: Ties up exemption from notice and review with wording of permit required at start of Clause 5.0 of CCZ.

13/07/2017
C311

SCHEDULE 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2**.

SPECIAL CHARACTER AREAS- BUILT FORM (HODDLE GRID)

1.0

23/11/2016
C270

Design objectives

- To protect sunlight access to key public places and open space areas so as to provide a comfortable, pedestrian-friendly urban environment.
- To ensure that the height of new buildings reinforces the built form character of unique areas.
- To maintain the visual dominance of prominent landmarks.
- To protect the unique built form and public realm amenity.

2.0

13/07/2017
C311

Buildings and works

2.1

13/07/2017
C311

Definitions

For the purpose of this schedule:

- **street** means a road reserve of a public highway more than 9 metres wide.
- **laneway** means a road reserve of a public highway 9 metres or less wide.
- **street wall** means any part of the building constructed within 0.3 metres of a lot boundary fronting the street.
- **street wall height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the street wall, with the exception of non-habitable architectural features not more than 3.0 metres in height and building services setback at least 3.0 metres behind the street wall.
- **total building height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of non-habitable architectural features not more than 3.0 metres in height and building services setback at least 3.0 metres behind the façade.
- **setback** is the shortest horizontal distance from a building façade, including projections such as balconies, building services and architectural features greater than 300mm, to the boundary.
- **floor area ratio** means the gross floor area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies, divided by the area of the site. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor.
- **unsafe wind conditions** means the hourly maximum 3 second gust which exceeds 20 metres/second from any wind direction considering at least 16 wind directions with the corresponding probability of exceedance percentage.
- **comfortable wind conditions** means a mean wind speed from any wind direction with probability of exceedance less than 20% of the time, equal to or less than:
 - 3 metres/second for sitting areas

- 4 metres/second for standing areas
- 5 metres/second for walking areas.
- **mean wind speed** means the maximum of:
 - Hourly mean wind speed, or
 - Gust equivalent mean speed (3 second gust wind speed divided by 1.85).
- **additional shadow** means any shadow cast outside any existing shadow from buildings or works, but not a shadow cast by incidental elements such as canopies, kiosks, artworks, screens or trees.

2.2

Buildings and works for which no permit is required

23/11/2016
C270

A permit is not required for:

- Buildings and works at ground level, including external works to provide access for persons with disabilities that comply with all legislative requirements.
- Buildings and works to install or modify plant and service fixtures to an existing building.
- Buildings and works to an existing building(s) which do not alter the height or setback of any part of the existing building or result in any additional habitable or occupiable floor area.
- Buildings and works which would cast a shadow across the Yarra River Corridor between 11.00am and 2.00pm on 22 June caused by unenclosed structures associated with the construction of gangways, mooring poles and pontoons which are constructed by or on behalf of Melbourne Parks and Waterways or Parks Victoria under the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Act 1988*, the *Port of Melbourne Authority Act 1958*, the *Parks Victoria Act 1998*, or the *Crown Land (Reserves) Act 1978*.

2.3

Requirements

13/07/2017
C311

Built Form

Buildings and works:

- must meet the Design Objectives in this schedule;
- must satisfy the Built Form Outcomes specified for each relevant Area in Table 3 and Table 4 to this schedule and for each relevant Design Element in Table 5 to this schedule;
- should meet the Preferred Building Height or Modified Requirement specified for each relevant Area in Table 4 to this schedule; and
- should meet the relevant Requirement specified for each relevant Design Element specified in Table 5 to this schedule.

An application to exceed the Preferred Building Height or Modified Requirement must document how the development will achieve the specific Design Objectives and Built Form Outcomes of this schedule.

A permit must not be granted for buildings and works, including the replacement of the existing building, which exceed the Maximum Building Height specified in Table 3 to this schedule, with the exception of:

- non-habitable architectural features and building services.
- Buildings and works for a replacement building which:
 - retains the existing building envelope, including no increase in height or reduction in setbacks, and
 - does not result in any additional habitable or occupiable floor area

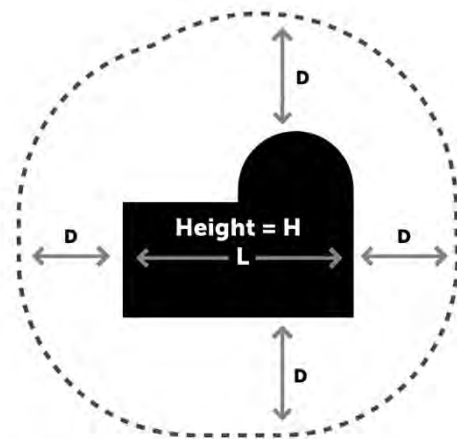
(excluding an open balcony).

Wind Effects

A permit must not be granted for buildings and works with a total building height in excess of 40 metres that would cause unsafe wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all facades, or half the total height of the building, whichever is greater as shown in Figure 1.

A permit should not be granted for buildings and works with a total building height in excess of 40 metres that do not achieve comfortable wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all facades, or half the total height of the building, whichever is greater as shown in Figure 1.

Figure 1



Assessment distance D = greater of:
 L/2 (Half longest width of building)
 OR
 H/2 (Half overall height of building)

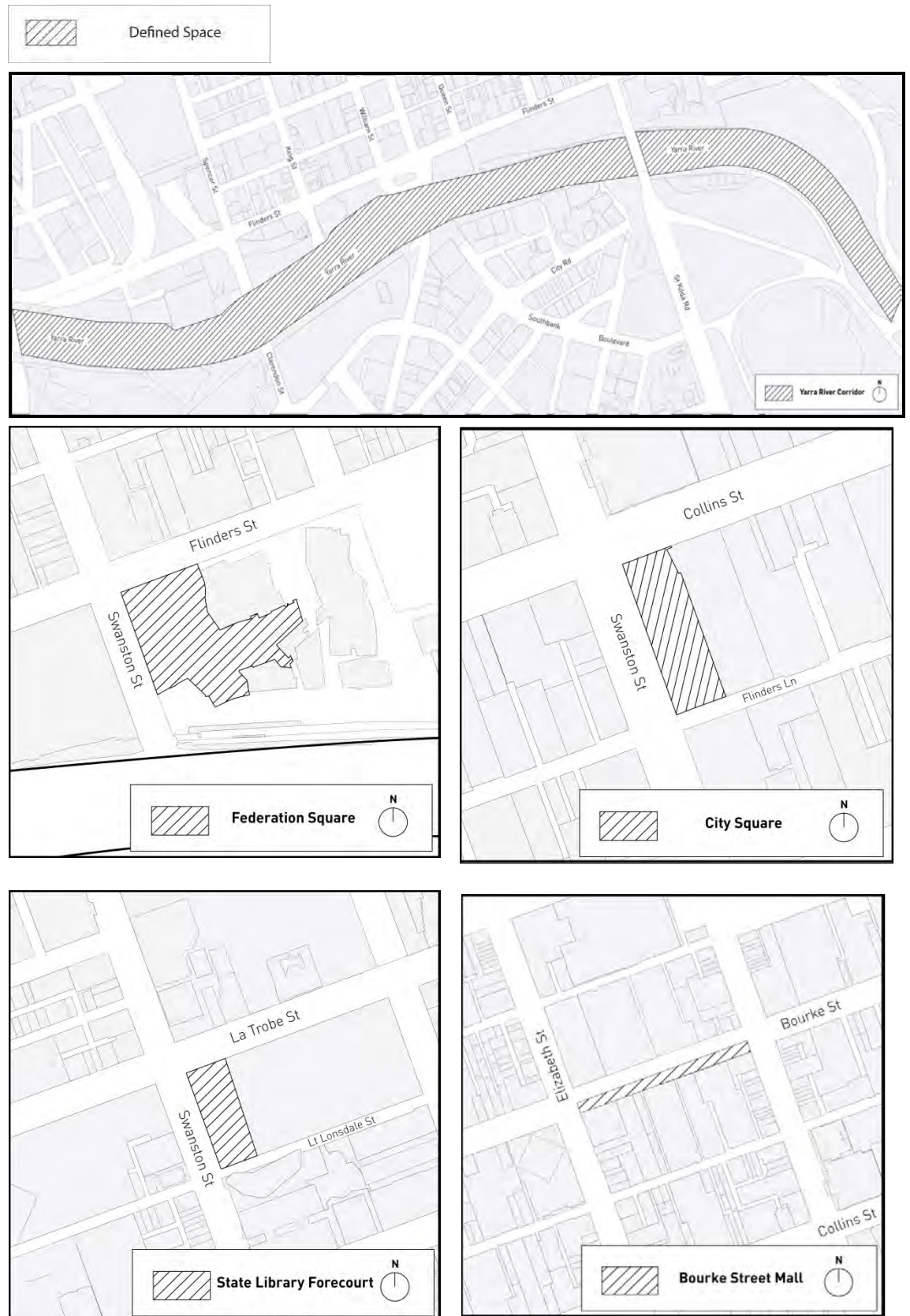
Overshadowing

With the exception of minor works or minor changes to existing buildings within that defined space, a permit must not be granted for buildings and works which would cast any additional shadow across a space within Table 1 to this schedule and shown in Figure 2 of this schedule during the hours and dates specified as follows:

Table 1 to Schedule 2

Space	Hours between	Date(s)
The Yarra River corridor, including 15 metres from the edge of the north bank of the river to the south bank of the river	11.00am and 2.00pm	22 June
Federation Square City Square State Library Forecourt	11.00am and 3.00pm	22 April to 22 September
Bourke Street Mall south of tram tracks	12.00pm and 2.00pm	22 April and 22 September

Figure 2



A permit must not be granted for buildings and works which would cast any additional shadow across the spaces within Table 2 to this schedule during the hours and date(s) specified for that space, unless the overshadowing will not unreasonably prejudice the

amenity of the space:

Table 2 to Schedule 2

Space	Hours between	Date(s)
Flinders Street Railway Station Steps	11.00am and 3.00pm	22 April to 22 September
Batman Park Birraring Marr	11.00am and 2.00pm	22 April to 22 September
Swanston Street between south bank of the Yarra River and La Trobe Street Elizabeth Street between Flinders Street and Flinders Lane Hardware Lane and McKillop Street	12.00pm and 2.00pm	22 April to 22 September
The southern building line of Little Bourke Street between Spring and Swanston Streets and Cohen Place/ Chinatown Plaza	12.00pm and 2.00pm	22 April to 22 September
Any public space, public parks and gardens, public squares, open spaces associated with a place of worship and privately owned public spaces accessible to the public	11.00am and 2.00pm	22 September

Table 3 to Schedule 2

Area	Maximum Building Height	Built Form Outcomes
A1 Core Height Control	40 metres	A feeling of openness and intimate scale for pedestrians is maintained. Reasonable solar access is maintained to the streets between 11.00 am and 2.00 pm on 22 September.

Table 4 to Schedule 2

Area	Preferred Building Height	Modified Requirement	Built Form Outcomes
A2	15 metres	4:1 Floor Area Ratio	<p>The low-rise, high-density and pedestrian oriented built form of the Chinatown and McKillop/ Hardware/ Guilford Lane precincts is maintained.</p> <p>Upper levels are visually recessive from streets and laneways.</p> <p>To provide a comfortable scale transition between the precinct and the broader area.</p>
A3	20 metres	6:1 Floor Area Ratio	<p>Pedestrian gateways to the Chinatown and Hardware Lane precincts are developed to provide a comfortable scale transition between the precinct and the broader area.</p> <p>Upper levels are visually recessive from streets and laneways.</p>
A5	40 metres	10:1 Floor Area Ratio	<p>The scale of development complements and is compatible with the nearby retail core.</p> <p>St Paul's Cathedral remains the dominant building on the Flinders Street skyline between Swanston and Russell Streets.</p> <p>The Parliamentary buildings remain dominant in vistas along Bourke Street.</p> <p>Upper levels are visually recessive from streets and laneways.</p>
A6	30 metres	8:1 Floor Area Ratio	<p>The scale of development on these gateway sites takes advantage of the opportunities of consolidated sites, but maintains a comfortable relationship with the surrounding low-scale and pedestrian oriented built form character of the Chinatown precinct and does not unreasonably overshadow streets in the precinct.</p> <p>Upper levels are visually recessive from streets and laneways.</p>
A7	80 metres	12:1 Floor Area Ratio	<p>The scale of development takes advantage of the opportunities of large sites but provides a comfortable scale transition between precinct A5 and the broader area, and does not intrude upon the long vistas to Parliament House along Bourke Street.</p> <p>The visual impact of taller buildings, above the preferred building height, is alleviated through increased upper level setbacks.</p>
A8	60 metres	13:1 Floor Area Ratio	<p>The scale of development takes advantage of the opportunities of sites in the Chinatown precinct, which are set back from important pedestrian laneways, but also maintains a comfortable relationship with the surrounding low-scale precincts.</p> <p>The visual impact of taller buildings, above the preferred building height, is alleviated through increased upper level setbacks.</p>

Area	Preferred Building Height	Modified Requirement	Built Form Outcomes
A9	30 metres	7:1 Floor Area Ratio	The Town Hall and the historic buildings in the block remain visually dominant.

Table 5 to Schedule 2

Design Element	Requirement	Built Form Outcomes
Street wall height	The street wall height should not exceed 20 metres, or the preferred building height, whichever is lower.	Street wall height is scaled to ensure: <ul style="list-style-type: none"> a human scale. consistency with the prevalent parapet height of adjoining buildings. height and setback that respects the scale of adjoining heritage places. adequate opportunity for daylight, sunlight and skyviews in the street.
Upper level street setbacks	Above the street wall, upper levels of a building should be setback a minimum of 5 metres.	Buildings are setback to ensure: <ul style="list-style-type: none"> larger buildings do not visually dominate the street or public space. the dominant street wall scale is maintained. sun penetration and mitigation of wind impacts at street level.
Setback(s) from side boundary	Above 40 metres, upper levels of a building should be setback a minimum of 5 metres from a side boundary. If a laneway: Above 20 metres, upper levels of a building should be setback a minimum of 5 metres from the centreline of a laneway.	Buildings are setback to ensure: <ul style="list-style-type: none"> provision of adequate sunlight, daylight, privacy and outlook from habitable rooms, for both existing and proposed developments. provision of adequate daylight and sunlight to laneways. buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them. taller buildings transition down in height to adjacent areas that have a lower height limit, so as not to visually dominate or compromise the character of adjacent existing low-scale development areas.
Setback(s) from rear boundaries	Above 20 metres, upper levels of a building should be setback a minimum of 5 metres from a rear boundary, or from the centreline of a laneway.	Buildings are setback to ensure: <ul style="list-style-type: none"> provision of adequate sunlight, daylight, privacy and outlook from habitable rooms, for both existing and proposed developments. taller buildings transition down in height to adjacent areas that have a lower height limit, so as not to visually dominate or compromise the character of adjacent existing low-scale development areas.

2.4

Exemption from notice and appeal

23/11/2016
C270

An application to construct a building or construct or carry out works is exempt from the

notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

2.5

13/07/2017
C311

Application Requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of the application, the responsible authority may waive or reduce the requirement.

Urban context report

An application for permit must be accompanied by a written and illustrated urban context report.

The urban context report must:

- explain the key planning, design and contextual considerations and influences on the proposed buildings and works.
- describe the existing urban context of the area in which the proposed buildings and works are to be located.
- explain how the proposed buildings and works relate to and respond to their urban context including:
 - Built form character of adjacent and nearby buildings.
 - Heritage character of adjacent and nearby heritage places.
- identify the key opportunities and constraints supporting the design response.
- explain the effect of the proposed buildings and works, including on:
 - microclimate, including sunlight, daylight and wind impacts on streets and other public spaces.
 - vistas.
- Explain how the proposed buildings and works respond to each of the Design Objectives and the Built Form Outcomes in Table 3, Table 4 and Table 5 of this schedule, as appropriate.

Wind analysis report

An application for a permit for a building with a total building height in excess of 40 metres must be accompanied by a wind analysis report prepared by a suitably qualified person. The wind analysis report must:

- explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all facades, or half the total height of the building, whichever is greater.
- at a minimum, model the wind effects of the proposed development and surrounding buildings (existing and proposed) using wind tunnel testing.
- identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- not rely on street trees or any other element such as screens, within public areas for wind mitigation.

3D digital model of buildings and works

An application for a permit must be accompanied by a 3D digital model of the proposed buildings and works in a format to the satisfaction of the responsible authority. The model may be used for assessing overshadowing and visual impacts caused by the proposal and for general archive, research and public information purposes.

3.0 Subdivision

23/11/2016
C270

A permit is not required to subdivide land.

4.0 Advertising signs

23/11/2016
C270

None specified.

5.0 Decision guidelines

13/07/2017
C311

- Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The Design Objectives.
- The Built Form Outcomes of Table 3, Table 4 and Table 5 to this schedule.
- Whether the development respects the built form scale and urban structure of the precinct where it is located.
- Whether the development provides a high quality architectural response.
- Whether the cumulative effect of the proposed development in association with adjoining existing and potential development supports a high quality of pedestrian amenity in the public realm, in relation to human scale and microclimate conditions including overshadowing and wind impacts. The effect of the proposed buildings and works on solar access to existing and proposed open spaces and public places.
- The potential for increased ground-level wind gust speeds and the effect on pedestrian comfort and the amenity of public places, with allowance to exceed uncomfortable conditions only if the wind effects of the proposed development do not exceed the existing wind condition(s).
- Securing the floor area ratio across a site where a site is developed in part to ensure:
 - that an agreement be entered into to acknowledge that the remaining site cannot be later developed;
 - that a heritage building being retained that an agreement be entered into to conserve the heritage building in perpetuity;
 - that the proposed building is sited so that adequate setbacks are maintained in the event that the land is subdivided or separate land holdings are administratively effected to create a future development site.

6.0 Reference documents

23/11/2016
C270

- Central City Built Form Review Overshadowing Technical Report, Department of Environment, Land, Water and Planning, April 2016

7.0 Transitional arrangements

23/11/2016
C270

The requirements of this schedule do not apply to:

- an application (including an application to amend the permit) made before the commencement of Amendment C262 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C262, continue to apply.
- an application (including an application to amend the permit) made after the commencement of Amendment C262 but before the commencement of Amendment C270 to this planning scheme. For such applications, the

requirements of this schedule, as they were in force immediately before the commencement of Amendment C270, continue to apply.

31/08/2017
C245**SCHEDULE 10 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO10**.**GENERAL DEVELOPMENT AREA- BUILT FORM****1.0**23/11/2016
C270**Design objectives**

- To ensure development achieves a high quality of pedestrian amenity in the public realm in relation to human scale and microclimate conditions such as acceptable levels of sunlight access and wind.
- To ensure that development respects and responds to the built form outcomes sought for the Central City.
- To encourage a level of development that maintains and contributes to the valued public realm attributes of the Central City.
- To ensure that new buildings provide equitable development rights for adjoining sites and allow reasonable access to privacy, sunlight, daylight and outlook for habitable rooms.
- To provide a high level of internal amenity for building occupants.
- To ensure the design of public spaces and buildings is of a high quality.
- To encourage intensive developments in the Central City to adopt a podium and tower format.

2.031/08/2017
C245**Buildings and works****2.1**13/07/2017
C311**Definitions**

For the purpose of this schedule:

- **street** means a road reserve of a public highway more than 9 metres wide.
- **main street** means a road reserve of a public highway more than 20 metres wide.
- **laneway** means a road reserve of a public highway 9 metres or less wide.
- **street wall** means any part of the building constructed within 0.3 metres of a lot boundary fronting the street.
- **street wall height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the street wall, with the exception of non-habitable architectural features not more than 3.0 metres in height and building services setback at least 3.0 metres behind the street wall.
- **total building height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of non-habitable architectural features not more than 3.0 metres in height and building services setback at least 3.0 metres behind the façade.
- **tower** means a building that exceeds the street wall, excluding an addition.
- **addition** means a building that exceeds the street wall and which is less than 40 metres in height.
- **floorplate** means the area of each floor above the street wall defined by the setback from street frontages and setbacks from side and rear boundaries.

MELBOURNE PLANNING SCHEME

- **Setback** is the shortest horizontal distance from a building façade, including projections such as balconies, building services and architectural features greater than 300mm, to the boundary.
- **separation** is the shortest horizontal distance from a building façade, including projections such as balconies, building services and architectural features greater than 300mm to another building on the same site.
- **unsafe wind conditions** means the hourly maximum 3 second gust which exceeds 20 metres/second from any wind direction considering at least 16 wind directions with the corresponding probability of exceedance percentage.
- **comfortable wind conditions** means a mean wind speed from any wind direction with probability of exceedance less than 20% of the time, equal to or less than:
 - 3 metres/second for sitting areas
 - 4 metres/second for standing areas
 - 5 metres/second for walking areas.
- **mean wind speed** means the maximum of:
 - Hourly mean wind speed, or
 - Gust equivalent mean speed (3 second gust wind speed divided by 1.85).
- **additional shadow** means any shadow cast outside any existing shadow from buildings or works, but not a shadow cast by incidental elements such as canopies, kiosks, artworks, screens or trees.

2.2 Buildings and works for which no permit is required

23/11/2016
C270

A permit is not required for:

- Buildings and works at ground level, including external works to provide access for persons with disabilities that comply with all legislative requirements.
- Buildings and works to install or modify plant and service fixtures to an existing building.
- Buildings and works to an existing building(s) which do not alter the height or setback of any part of an existing building or result in any additional habitable or occupiable floor area.
- Buildings and works which would cast a shadow across the Yarra River Corridor between 11.00 am and 2.00 pm on 22 June caused by unenclosed structures associated with the construction of gangways, mooring poles and pontoons which are constructed by or on behalf of Melbourne Parks and Waterways or Parks Victoria under the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Act 1988*, the *Port of Melbourne Authority Act 1958*, the *Parks Victoria Act 1998*, or the *Crown Land (Reserves) Act 1978*.

2.3 Requirements

31/08/2017
C245

Built form

Buildings and works:

- must meet the Design Objectives specified in this schedule;
- must satisfy the Built Form Outcomes specified for each relevant Design Element in Table 3 to this schedule; and
- should meet the Preferred Requirement specified for each relevant Design Element in Table 3 to this Schedule.

An application to vary the Preferred Requirement for any Design Element specified in Table 3 to this schedule must document how the development will achieve the relevant Design Objectives and Built Form Outcomes.

MELBOURNE PLANNING SCHEME

An application which does not meet the Preferred Requirement, must be considered under the Modified Requirement for each relevant Design Element.

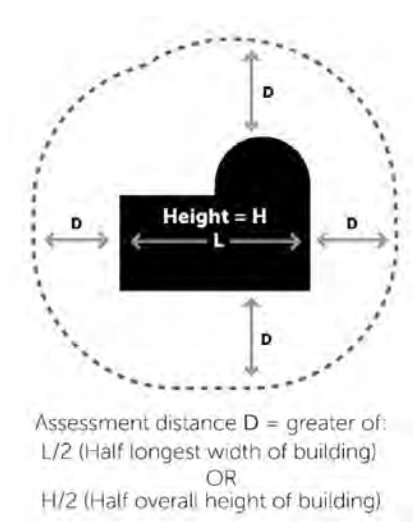
A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) for buildings and works that do not meet the Modified Requirement for any relevant Design Element specified in Table 3 to this schedule.

Wind effects

A permit must not be granted for buildings and works with a total building height in excess of 40 metres that would cause unsafe wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half the total height of the building, whichever is greater as shown in Figure 1.

A permit should not be granted for buildings and works with a total building height in excess of 40 metres that do not achieve comfortable wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half the total height of the building, whichever is greater as shown in Figure 1.

Figure 1



Overshadowing

With the exception of minor works or minor changes to existing buildings within that defined space, a permit must not be granted for buildings and works which would cast any additional shadow across a space listed within Table 1 to this schedule and shown in Figure 2 of this schedule during the hours and dates specified as follows:

Table 1 to Schedule 10

Space	Hours between	Date(s)
The Yarra River corridor, including 15 metres from the edge of the north bank of the river to the south bank of the river	11.00am and 2.00pm	22 June

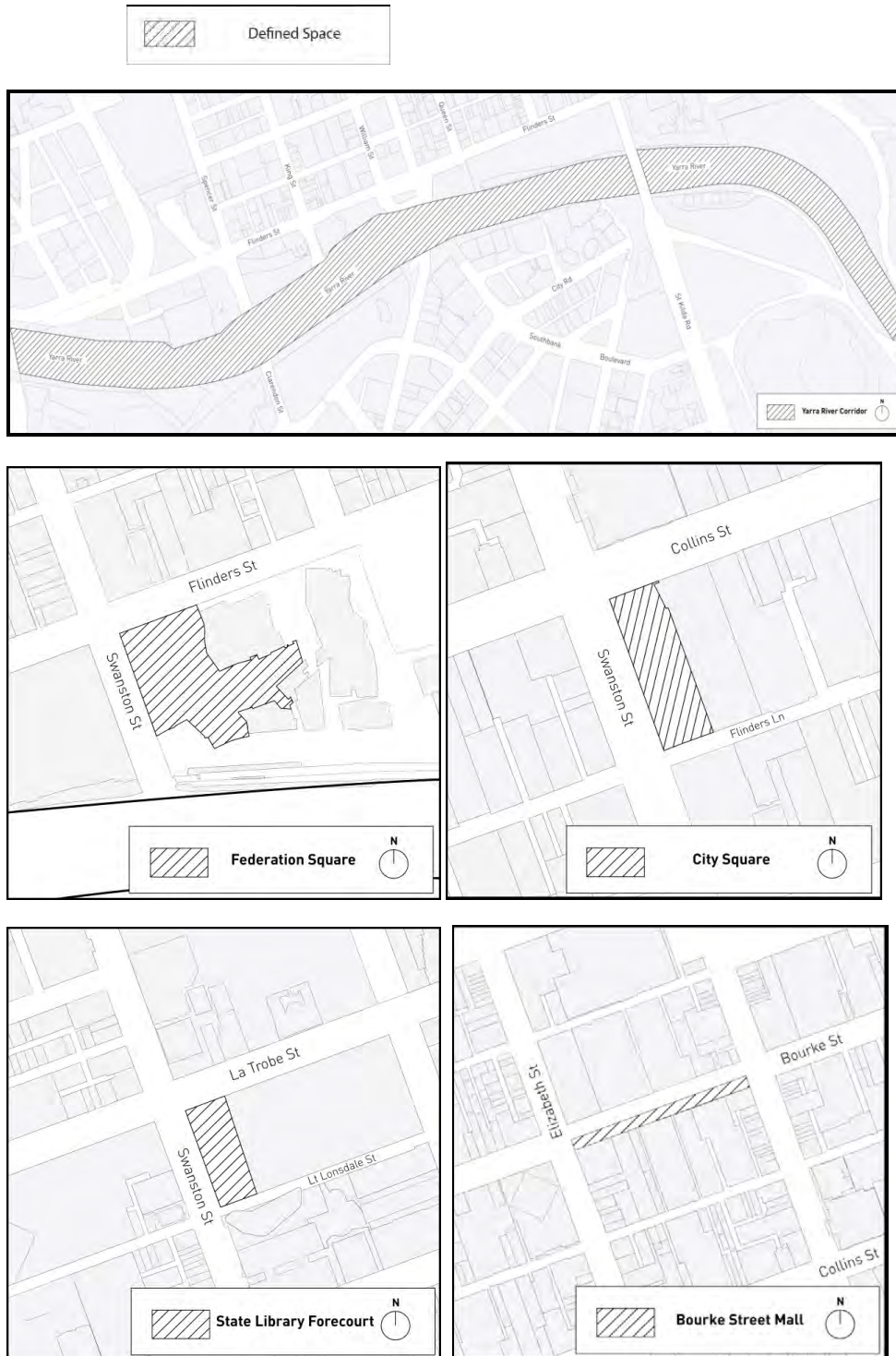
MELBOURNE PLANNING SCHEME

Federation Square	11.00am and 3.00pm	22 April to 22 September
City Square		
State Library Forecourt		
Shrine of Remembrance and its northern forecourt		

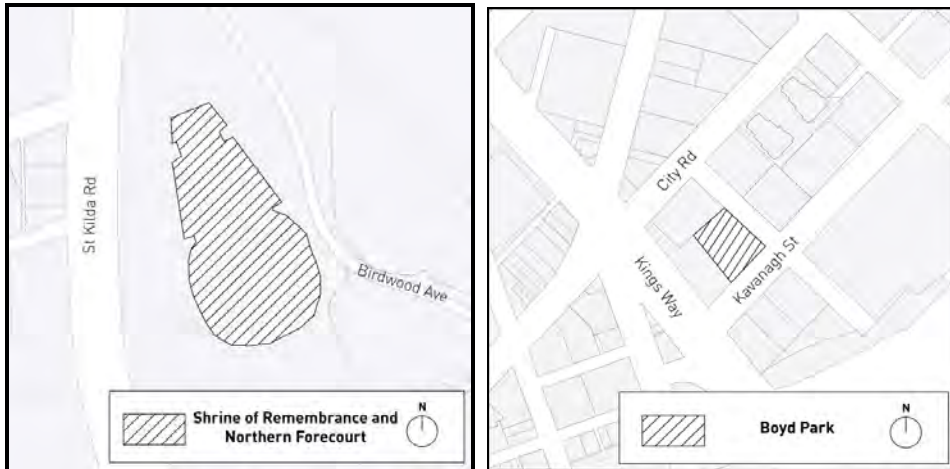
Bourke Street Mall south of tram tracks	12.00pm and 2.00pm	22 April and 22 September
Boyd Park		

MELBOURNE PLANNING SCHEME

Figure 2



MELBOURNE PLANNING SCHEME



A permit must not be granted for buildings and works which would cast any additional shadow across a space listed within Table 2 to this schedule during the hours and date(s) specified, unless the overshadowing will not unreasonably prejudice the amenity of the space:

Table 2 to Schedule 10

Space	Hours between	Date(s)
Parliament Gardens	11.00am and 3.00pm	22 April to 22 September
Treasury Gardens		
Gordon Reserve		
Parliament Steps and Forecourt		
Old Treasury Steps		
Flinders Street Railway Station Steps		
Batman Park	11.00am and 2.00pm	22 April to 22 September
Birrarung Marr		
Sturt Street Reserve		
Grant Street Reserve and the Australian Centre for Contemporary Art Forecourt, south side of Grant Street between Sturt Street and Wells Street		
Dodds Street between Southbank Boulevard and Grant Street		
Swanston Street between south bank of the Yarra River and Latrobe Street	12.00pm and 2.00pm	22 April to 22 September
Elizabeth Street between Flinders Street and Flinders Lane		
Hardware Lane and McKillop Street		
The southern footpath of Bourke Street between Spring Street and Exhibition Street		
The southern building line of Little Bourke Street between Spring and Swanston Streets and Cohen	12.00pm and 2.00pm	22 April and 22 September

MELBOURNE PLANNING SCHEME

Space	Hours between	Date(s)
Place/Chinatown Plaza Liverpool Street and Crossley Street Market Street between Collins Street and Flinders Lane		
Flagstaff Gardens and proposed new public open space within Queen Victoria Market	11.00am and 2.00pm	22 June
Any public space, public parks and gardens, public squares, open spaces associated with a place of worship and privately owned public spaces accessible to the public	11.00am and 2.00pm	22 September

Table 3 to Schedule 10

Design Element	Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
Street wall height	Up to 20 metres	The street wall height must be no greater than: <ul style="list-style-type: none"> ▪ 40 metres; or ▪ 80 metres where it: <ul style="list-style-type: none"> • defines a street corner where at least one street is a main street and the 80 metre high street wall must should not extend more than 25 metres along each street frontage, and/or • fronts a public space including any road reserve wider than 80 metres. 	Street wall height is scaled to ensure: <ul style="list-style-type: none"> ▪ a human scale. ▪ an appropriate level of street enclosure having regard to the width of the street with lower street wall heights to narrower streets. ▪ consistency with the prevalent parapet height of adjoining buildings. ▪ height that respects the scale of adjoining heritage places. ▪ adequate opportunity for daylight, sunlight and skyviews in the street. ▪ definition of main street corners and/or public space where there are no significant impacts on the amenity of public spaces. ▪ maintenance of the prevailing street wall height and vertical rhythm on the street.
Building setback(s) above street wall	Above the street wall, towers and additions should be setback 10 metres from the title boundary.	Above the street wall, towers must be setback a minimum of 5 metres from the title boundary.	Towers and additions are setback to ensure: <ul style="list-style-type: none"> ▪ large buildings do not visually dominate the street or public space. ▪ the prevalent street wall scale is maintained. ▪ overshadowing and wind impacts are mitigated. ▪ The tower or addition includes a distinctly different form or

Comment [LR1]: This is a mandatory control so should not contain discretionary language. Please refer to diagram at top of Page 10 which expresses the 25m allowance as “maximum” (which is a must).

This is both how the City of Melbourne interprets this control and also DELWP officers.

MELBOURNE PLANNING SCHEME

Design Element	Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
			architectural expression.
Building setbacks from side boundaries and rear boundaries (or from the centre line of an adjoining laneway) and tower separation within a site	Above the street wall or 40 metres (where there is no street wall), towers and additions should be setback a minimum of 5 metres or 6% of the total building height whichever is greater.	<p>Towers and additions up to 80 metres in height:</p> <p>Above the street wall or 40 metres (where there is no street wall), towers and additions must be setback a minimum of 5 metres.</p> <p>Towers and additions of no more than 80 metres in height may be constructed up to one side or rear boundary, excluding a laneway, if an existing, approved, proposed or potential building on an adjoining site is built to that boundary and if a minimum setback of 5 metres is met to all other side and rear boundaries and the centre line of any adjoining laneway. Buildings of no more than 80 metres in height, may be constructed to a second side or rear boundary if an adjoining site cannot, by legal restriction benefitting the application site, be developed above the street wall height.</p> <p>Towers exceeding 80 metres in total height:</p> <p>Above the street wall or 40 metres (where there is no street wall), towers and additions must be setback a minimum of 5 metres and must meet the design element requirements for tower floorplate.</p> <p>Tower separation within a site:</p> <p>Towers must be separated by a minimum of 10 metres.</p>	<p>Towers and additions are designed and spaced to ensure:</p> <ul style="list-style-type: none"> ▪ sun penetration and mitigation of wind impacts at street level. ▪ provision of reasonable sunlight, daylight, privacy and outlook from habitable rooms, for both existing and potential developments on adjoining sites. ▪ floorplate layout or architectural treatment limits direct overlooking between habitable rooms. ▪ buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them. ▪ buildings do not visually dominate heritage places and streetscapes, nor significant view lines..
Tower floorplate	The tower floorplate is determined by the preferred requirement for building setbacks from side and rear boundaries and tower separation within a site, and the modified requirement for building setback(s) above the street	<p>The tower floorplates above the street wall for a tower above 80 metres in height may be adjusted in terms of location and/or shape but must not:</p> <ul style="list-style-type: none"> ▪ Result in an increase in the floorplate area; ▪ be situated less than 5 metres from a side or rear boundary (or from the centre line of an adjoining laneway); ▪ be less than 5 metres to a street boundary; 	<p>The adjusted floorplate is designed and spaced to:</p> <ul style="list-style-type: none"> ▪ reduce impact on existing and potential neighbours in terms of privacy, outlook, daylight and sunlight access. ▪ minimise visual bulk. ▪ reduce impact on public spaces, including overshadowing and wind effects and reduced visual dominance. ▪ buildings do not visually dominate heritage places

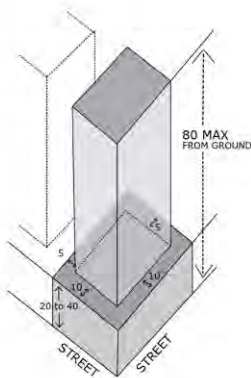
MELBOURNE PLANNING SCHEME

Design Element	Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
wall		<ul style="list-style-type: none"> be less than 10 metres to an adjoining tower on the site. 	<ul style="list-style-type: none"> and streetscapes, nor significant view lines. buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.

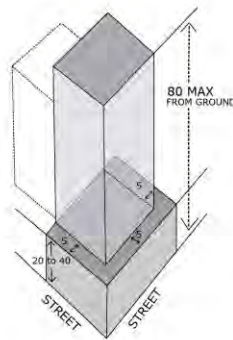
Figure 3 to Table 3

TOWERS UP TO 80 METRES IN TOTAL HEIGHT

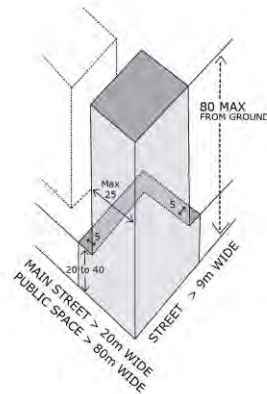
Preferred Requirement:
 Street setbacks = 10m minimum
 Side & rear setbacks = 5m minimum



Modified Requirement:
 Building to one boundary
 Street setbacks = 5m minimum



Modified Requirement:
 Building to corner or public space

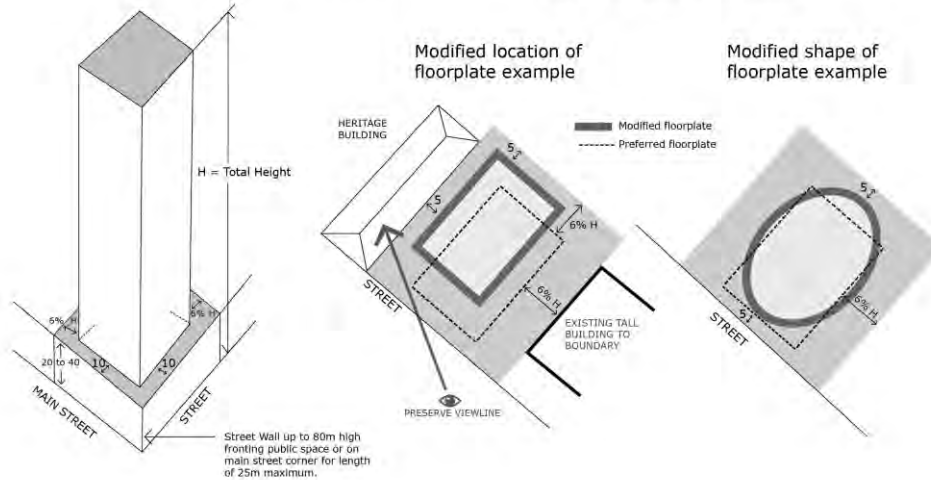


MELBOURNE PLANNING SCHEME

TOWERS GREATER THAN 80 METRES IN TOTAL HEIGHT

Preferred Requirement:
 Street setbacks = 10m minimum
 Side & rear setbacks = 6% total height minimum

Modified Requirement:
 No increase in floorplate area
 Street setback = 5m minimum
 Side or rear setback = 5m minimum



2.4 Exemption from notice and appeal

23/11/2016
 C270

An application to construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

2.5 Application Requirements

13/07/2017
 C311

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of the application, the responsible authority may waive or reduce the requirement.

Urban context report

An application for permit must be accompanied by a written and illustrated urban context report.

The urban context report must:

- explain the key planning, design and contextual considerations and influence on the proposed buildings and works.
- describe the existing urban context of the area in which the proposed buildings and works are to be located.
- explain how the proposed buildings and works relate to and respond to their urban context including:
 - built form character of adjacent and nearby buildings.
 - equitable outcomes for potential development on adjoining sites.
 - heritage character of adjacent and nearby heritage places.
- identify the key opportunities and constraints supporting the design response.
- explain the effect of the proposed buildings and works, including on:

MELBOURNE PLANNING SCHEME

- microclimate, including sunlight, daylight and wind impacts on streets and other public spaces.
- vistas.
- Explain how the proposed buildings and works respond to each of the Design Objectives and the Built Form Outcomes in Table 3 of this schedule, as appropriate.

Wind analysis report

An application for a permit for a building with a total building height in excess of 40 metres must be accompanied by a wind analysis report prepared by a suitably qualified person. The wind analysis report must:

- explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all façades, or half the total height of the building, whichever is greater.
- at a minimum, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing.
- identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- not rely on street trees or any other element such as screens, within public areas for wind mitigation.

3D digital model of buildings and works

An application for a permit must be accompanied by a 3D digital model of the proposed buildings and works in a format to the satisfaction of the responsible authority. The model may be used for assessing overshadowing and visual impacts caused by the proposal and for general archive, research and public information purposes.

3.0

23/11/2016
C270

Subdivision

A permit is not required to subdivide land.

4.0

23/11/2016
C270

Advertising signs

None specified.

5.0

13/07/2017
C311

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Design Objectives.
- The Built Form Outcomes of Table 3 to this schedule.
- Whether the development respects the built form scale and urban structure of the precinct where it is located.
- Whether the development provides a high quality architectural response.
- Whether the cumulative effect of the proposed development in association with adjoining existing and potential development supports a high quality of pedestrian amenity in the public realm, in relation to human scale and microclimate conditions including overshadowing and wind impacts.
- Whether the development provides a high level of amenity for building occupants.

MELBOURNE PLANNING SCHEME

- Whether the proposed street wall height responds appropriately to the prevalent parapet height of adjoining buildings, respects the scale of adjoining heritage places and provides a human scale.
- Whether the proposed tower setbacks are sufficient to allow for equitable access to privacy, sunlight, daylight and outlook from habitable rooms for both existing and potential development of adjoining sites.
- An appropriate mechanism to restrict development on an adjoining site where the proposed development relies on that site.
- Securing the floor area ratio across a site where a site is developed in part to ensure:
 - that an agreement be entered into to acknowledge that the remaining site cannot be later developed;
 - that when a heritage building being retained, that an agreement be entered into to conserve the heritage building in perpetuity;
 - that the proposed building is sited so that adequate setbacks are maintained in the event that the land is subdivided or separate land holdings are administratively effected to create a future development site.
- The location of the site and whether it has an interface with the Westgate Freeway and /or is an island site.
- The effect of the proposed buildings and works on solar access to existing and proposed open spaces and public places.
- The potential for increased ground-level wind gust speeds and the effect on pedestrian comfort and the amenity of public places, with allowance to exceed uncomfortable conditions only if the wind effects of the proposed development do not exceed the existing wind condition(s).

6.0 Reference documents

23/11/2016
C270

- Central City Built Form Review Overshadowing Technical Report, Department of Environment, Land, Water and Planning, April 2016

7.0 Transitional arrangements

23/11/2016
C270

The requirements of this schedule do not apply to:

- an application (including an application to amend the permit) made before the commencement of Amendment C262 to this planning scheme. For such applications, the requirements of this scheme, as they were in force immediately before the commencement of Amendment C262, continue to apply.
- an application (including an application to amend the permit) made after the commencement of Amendment C262 but before the commencement of Amendment C270 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C270, continue to apply.

Comment [LR2]: Difference in language between exemptions of DDO10 and CCZ Schedules for the same exemption

Comment [LR3]: Difference in language between exemptions of DDO10 and CCZ Schedules for the same exemption

MELBOURNE PLANNING SCHEME

18/11/2010
C174

SCHEDULE 28 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO28**

NORTH MELBOURNE STATION

1.0 Design Objectives

19/01/2006
VC37

- To acknowledge the transitional nature of the area.
- To encourage development of the area as a distinctive urban activity node.
- To encourage the development of a new built form character and the retention of the mixed use nature of the area.
- To acknowledge the potential for higher density development near the North Melbourne railway station.

2.0 Buildings and works

19/01/2006
VC37

An application must be accompanied by a site analysis and urban context report which demonstrates how the proposed building or works achieve each of the Design Objectives and Built Form Outcomes of this schedule, and any local planning policy requirements.

In calculating the building height based on storeys, the following floor to floor dimensions should apply:

- 3.5 metres for residential use,
- 4 metres for non-residential use.

Buildings or works should not exceed the *Maximum Building Height* specified in the table to this schedule.

An application to exceed the *Maximum Building Height* must demonstrate how the development will continue to achieve the Design Objectives and Built Form Outcomes of this schedule and any local planning policy requirements.

Building height is the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of architectural features and building services.

Table to Schedule 28

AREA	MAXIMUM BUILDING HEIGHT	BUILT FORM OUTCOMES
DDO 28 North Melbourne Station	5 storeys	Higher development and a new built form character. Development that complements the scale of and provides a transition to <u>the low scale nature of adjoining heritage buildings, adjoining lower scale heritage buildings</u>

Comment [KCM1]: Amend for consistency with C121.16-5

3.0 Subdivision

18/11/2010
C174

A permit is not required to subdivide land.

MELBOURNE PLANNING SCHEME

18/11/2010
C174

SCHEDULE 31 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO31**

NORTH MELBOURNE CENTRAL

1.0 Design Objectives

19/01/2006
VC37

- To maintain the predominant low scale nature of the area.
- To ensure that development retains views to significant landmarks.
- To ensure development supports high levels of pedestrian amenity related to access to sunlight and sky views and a pedestrian friendly scale.

2.0 Buildings and works

19/01/2006
VC37

An application must be accompanied by a site analysis and urban context report which demonstrates how the proposed building or works achieve each of the Design Objectives and Built Form Outcomes of this schedule, and any local planning policy requirements.

A permit cannot be granted to vary the Maximum Building Height.

A permit may be granted to replace or alter a building or works existing at the approval date but which do not comply with the Maximum Building Height specified in the table, only if the responsible authority is satisfied an increased height improves the amenity and enhances the urban character of the area.

Building height is the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of architectural features and building services.

Table to Schedule 31

AREA	MAXIMUM BUILDING HEIGHT	BUILT FORM OUTCOMES
DDO 31 North Melbourne Central	10.5 metres	<p>New development <u>that</u> respects and is consistent with the built form especially <u>the</u> low scale <u>nature of heritage buildings and streetscape in residential areas of the existing older building stock in the street.</u></p> <p>New buildings adjacent to heritage buildings <u>that</u> reflect the height and setback of heritage buildings and the typical streetscape pattern.</p> <p>Visibility of upper levels of new development from heritage streetscapes is minimised.</p> <p>Development <u>which—that</u> retains views to the landmark North Melbourne Town Hall roof and tower.</p>

Comment [KCM1]: Amend for consistency with CI21.16-5

3.0 Subdivision

18/11/2010
C174

A permit is not required to subdivide land.

MELBOURNE PLANNING SCHEME

18/11/2010
C174

SCHEDULE 32 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO32**

NORTH MELBOURNE PERIPHERAL

1.0 Design Objectives

19/01/2006
VC37

- To maintain the predominant low scale nature of the area.
- To ensure that development retains views to significant landmarks.
- To ensure development supports high levels of pedestrian amenity related to access to sunlight and sky views and a pedestrian friendly scale.

2.0 Buildings and works

19/01/2006
VC37

An application must be accompanied by a site analysis and urban context report which demonstrates how the proposed building or works achieve each of the Design Objectives and Built Form Outcomes of this schedule, and any local planning policy requirements.

A permit cannot be granted to vary the Maximum Building Height.

A permit may be granted to replace or alter a building or works existing at the approval date but which do not comply with the Maximum Building Height specified in the table, only if the responsible authority is satisfied an increased height improves the amenity and enhances the urban character of the area.

Building height is the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of architectural features and building services.

Table to Schedule 32

AREA	MAXIMUM BUILDING HEIGHT	BUILT FORM OUTCOMES
DDO 32 North Melbourne Peripheral	14 metres	<p>New development <u>that</u> respects existing built form especially <u>the low scale nature of heritage buildings and streetscapes in residential areas of the existing older building stock in the street.</u></p> <p>Development in streets with higher typical built form provides a transition in scale to the lower building forms.</p> <p>Development in the vicinity of the Queen Victoria Market which enhances and respects the importance and general low scale environs of the market as a heritage place and pedestrian focus.</p> <p>Enhancement of the character of Peel Street by retaining the skyline dominance of the street trees along the median.</p> <p>Development <u>which—that</u> retains views to the landmark Meat Market building and the North Melbourne Town Hall roof and tower.</p>

Comment [KCM1]: Amend for consistency with C121.16-5

3.0 Subdivision

18/11/2010
C174

A permit is not required to subdivide land.

13/07/2017
C311

SCHEDULE 40 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO40**.

SPECIAL CHARACTER AREAS- BUILT FORM (RIVER ENVIRONS)

1.0

Design objectives

23/11/2016
C270

- To ensure development supports high levels of pedestrian amenity related to access to sunlight and sky views and a pedestrian friendly scale.
- To maintain the existing low-scale river edge urban form along the river corridor.
- To maintain sunlight access to the river to provide reflections for visual enjoyment and solar access to promote healthy water conditions.

2.0

Buildings and works

13/07/2017
C311

2.1

Definitions

13/07/2017
C311

For the purpose of this schedule:

- **total building height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of non-habitable architectural features not more than 3.0 metres in height and building services setback at least 3.0 metres behind the façade.
- **floor area ratio** means the gross floor area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies, divided by the area of the site. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor.
- **unsafe wind conditions** means the hourly maximum 3 second gust which exceeds 20 metres/second from any wind direction considering at least 16 wind directions with the corresponding probability of exceedance percentage.
- **comfortable wind conditions** means a mean wind speed from any wind direction with probability of exceedance less than 20% of the time, equal to or less than:
 - 3 metres/second for sitting areas
 - 4 metres/second for standing areas
 - 5 metres/second for walking areas.
- **mean wind speed** means the maximum of:
 - Hourly mean wind speed, or
 - Gust equivalent mean speed (3 second gust wind speed divided by 1.85).
- **additional shadow** means any shadow cast outside any existing shadow from buildings or works, but not a shadow cast by incidental elements such as canopies, kiosks, artworks, screens or trees.

2.2

Buildings and works for which no permit is required

23/11/2016
C270

A permit is not required for:

- Buildings and works at ground level, including external works to provide access for persons with disabilities that comply with all legislative requirements.
- Buildings and works to install or modify plant and service fixtures to an existing building.
- Buildings and works to an existing building(s) which do not alter the height or setback of any part of an existing building or result in any additional habitable or occupiable floor area.
- Buildings and works which would cast a shadow across the south bank of the Yarra River between 11.00 am and 2.00 pm on 22 June caused by unenclosed structures associated with the construction of gangways, mooring poles and pontoons which are constructed by or on behalf of Melbourne Parks and Waterways or Parks Victoria under the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Act 1988*, the *Port of Melbourne Authority Act 1958*, the *Parks Victoria Act 1998*, or the *Crown Land (Reserves) Act 1978*.

2.3

13/07/2017
C311

Requirements

Built form

Buildings and works:

- must meet the Design Objectives in this schedule;
- must satisfy the Built Form Outcomes specified for each relevant Area in Table 3 to this schedule; and
- should meet the Preferred Building Height or Modified Requirement specified for each relevant Area in Table 3 to this Schedule.

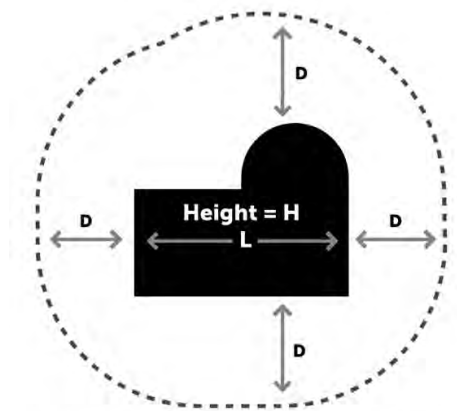
An application to exceed the Preferred Building Height or Modified Requirement must document how the development will achieve the specific Design Objectives and Built Form Outcomes of this schedule.

Wind Effects

A permit must not be granted for buildings and works with a total building height in excess of 40 metres that would cause unsafe wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all facades, or half the total height of the building, whichever is greater as shown in Figure 1.

A permit should not be granted for buildings and works with a total building height in excess of 40 metres that do not achieve comfortable wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all facades, or half the total height of the building, whichever is greater as shown in Figure 1.

Figure 1



Assessment distance D = greater of:
L/2 (Half longest width of building)
OR
H/2 (Half overall height of building)

Overshadowing

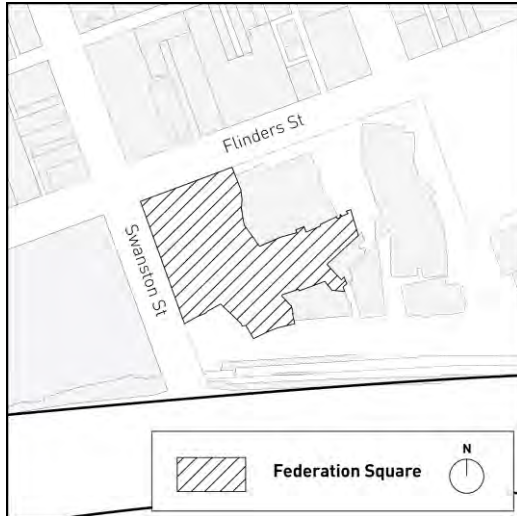
With the exception of minor works or minor changes to existing buildings within that defined space, a permit must not be granted for buildings and works which would cast any additional shadow across a space listed within Table 1 to this schedule and shown in Figure 2 of this schedule during the hours and dates specified as follows:

Table 1 to Schedule 40

Space	Hours between	Date(s)
The Yarra River corridor, including 15 metres from the edge of the north bank of the river to the south bank of the river	11.00am and 2.00pm	22 June
Federation Square	11.00am and 3.00pm	22 April to 22 September

Figure 2





A permit must not be granted for buildings and works which would cast any additional shadow across a space listed within Table 2 to this schedule during the hours and date(s) specified, unless the overshadowing will not unreasonably prejudice the amenity of the space:

Table 2 to Schedule 40

Space	Hours between	Date(s)
Flinders Street Railway Station Steps	11.00am and 3.00pm	22 April to 22 September
Batman Park	11.00am and 2.00pm	22 April to 22 September
Swanston Street between south bank of the Yarra River and Latrobe Street	12.00pm and 2.00pm	22 April to 22 September
Any public space, public parks and gardens, public squares, open spaces associated with a place of worship and privately owned public spaces accessible to the public	11.00am and 2.00pm	22 September

Table 3 to Schedule 40

Area	Preferred Building Height	Modified Requirement	Built form outcomes
DDO 40 River Environs	24 metres	6:1 Floor Area Ratio	<p>Development that protects and enhances the Yarra River (including views to and from it), as an important natural, recreational and tourism asset of Melbourne.</p> <p>Low scale development that enhances the sense of openness, maintains access to sky views and maximises solar access.</p> <p>A consistent building scale that strengthens the pedestrian focus of the area.</p>

2.4 Exemption from notice and review

23/11/2016
C270

An application to construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

2.513/07/2017
C311**Application requirements**

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of the application, the responsible authority may waive or reduce the requirement.

Urban context report

An application for permit must be accompanied by a written and illustrated urban context report.

The urban context report must:

- explain the key planning, design and contextual considerations and influence on the proposed buildings and works.
- describe the existing urban context of the area in which the proposed buildings and works are to be located.
- explain how the proposed buildings and works relate to and respond to their urban context including:
 - built form character of adjacent and nearby buildings.
 - heritage character of adjacent and nearby heritage places.
- identify the key opportunities and constraints supporting the design response.
- explain the effect of the proposed buildings and works, including on:
 - microclimate, including sunlight, daylight and wind impacts on streets and other public spaces.
 - vistas.
- Explain how the proposed buildings and works respond to each of the Design Objectives and the Built Form Outcomes in Table 3 of this schedule, as appropriate.

Wind analysis report

An application for a permit for a building with a total building height in excess of 40 metres must be accompanied by a wind analysis report prepared by a suitably qualified person. The wind analysis report must:

- explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all façades, or half the total height of the building, whichever is greater.
- at a minimum, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing.
- identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- not rely on street trees or any other element within public areas for wind mitigation.

3D digital model of buildings and works

An application for a permit must be accompanied by a 3D digital model of the proposed buildings and works in a format to the satisfaction of the responsible authority. The model may be used for assessing overshadowing and visual impacts caused by the proposal and for general archive, research and public information purposes.

3.0 Subdivision23/11/2016
C270

A permit is not required to subdivide land.

4.0 Advertising signs23/11/2016
C270

None specified.

5.0 Decision Guidelines13/07/2017
C311

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Design Objectives.
- The Built Form Outcomes of Table 3 to this schedule.
- Whether the development respects the built form scale and urban structure of the precinct.
- Whether the development provides a high quality architectural response.
- Whether the cumulative effect of the proposed- development in association with adjoining existing and potential development supports a high quality of pedestrian amenity in the public realm, in relation to human scale and microclimate conditions including overshadowing and wind impacts.
- Securing the floor area ratio across a site where a site is developed in part to ensure:
 - that an agreement be entered into to acknowledge that the remaining site cannot be later developed;
 - that a heritage building being retained that an agreement be entered into to conserve the heritage building in perpetuity;
 - that the proposed building is sited so that adequate setbacks are maintained in the event that the land is subdivided or separate land holdings are administratively effected to create a future development site.
- The effect of the proposed buildings and works on solar access to existing and proposed open spaces and public places as well as the river waters.
- The potential for increased ground-level wind gust speeds and the effect on pedestrian comfort and the amenity of public places, with allowance to exceed uncomfortable conditions only if the wind effects of the proposed development do not exceed the existing wind condition(s).

6.0 Reference documents23/11/2016
C270

- Central City Built Form Review Overshadowing Technical Report, Department of Environment, Land, Water and Planning, April 2016

7.0 Transitional arrangements23/11/2016
C270

The requirements of this schedule do not apply to:

- an application (including an application to amend the permit) made before the commencement of Amendment C262 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C262, continue to apply.
- an application (including an application to amend the permit) made after the commencement of Amendment C262 but before the commencement of Amendment C270 to this planning scheme. For such applications, the

requirements of this schedule, as they were in force immediately before the commencement of Amendment C270, continue to apply.

11/12/2008
C105

SCHEDULE 56 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO 56**

CBD LANES –Class 1 and Class 2

1.0 Design objectives

11/12/2008
C105

- To maintain and enhance the pedestrian amenity of the Central Business District’s Class 1 and Class 2 lane ways.
- To manage future development along the Central Business District’s Class 1 and Class 2 lane ways to maintain or create a built form that reinforces the human scale and relates to the prevailing building height along the lane wall.

2.0 Buildings and Works

11/12/2008
C105

A permit is not required under this overlay to construct a building or construct or carry out works if the Building height along lane wall, Setback and Interface requirements of this schedule are met.

3.0 Building height along lane wall

11/12/2008
C105

Development abutting a Class 1 lane or Class 2 lane must meet a preferred maximum lane wall building height to lane width ratio of 5:1. (Lane wall building height is defined as the maximum height of the building on the lane alignment);

Where a lane is also within a height control area under Schedule 2 to the Design and Development Overlay (DDO) the height of a wall abutting a lane should meet the lesser of:

- the maximum building height set out in Table ~~4.1 and 2~~ to Schedule 2 to the DDO; or
- the “setbacks(s) from side boundary” as set out in Table 5 to Schedule 2 of the DDO if the identified laneway under the DDO56 meets the definition of a “laneway” as defined in Clause 2.1 of the DDO2; or
- the preferred maximum height to lane width ratio of 5:1.

Comment [LR1]: This Policy has expired. The policy has also been removed from Planning Maps online and also Planning reports.

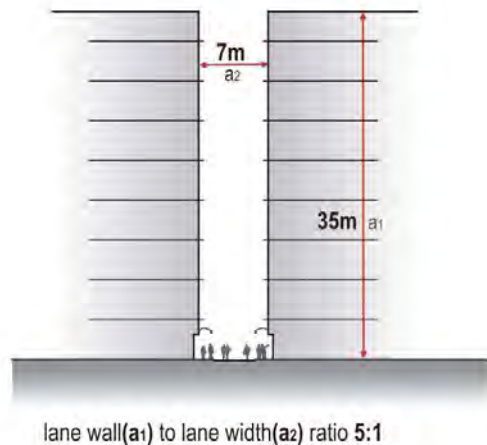
The policy either needs to be entirely removed from the Planning Scheme or if it is retained needs to be amended to reflect the current requirements of the DDO2 (which are amended below).

Our recommendation would be to remove this from the Melbourne Planning Scheme.

Comment [LR2]: This reference applies to the previous iteration of DDO2 gazetted under Amendment VC37 and C174

Comment [LR3]: Inclusion of this provision addresses hierarchy of controls within DDO2

Include addition notes



MELBOURNE PLANNING SCHEME

Setbacks

Any part of the development that exceeds the preferred 5:1 Building height along lane wall must be setback from the lane way. The minimum setback must be a distance equivalent to the width of the lane.

Interfaces

On a corner site new development must meet the Building height along lane wall and Setback requirements at a point no less than 15 metres into the lane.

4.0

11/12/2008
C105

Decision guidelines

Before deciding on an application, in addition to the decision guidelines listed at Clause 43.02-5, the responsible authority must consider:

- Whether tower forms are generally concealed from the view of a pedestrian within the lane therefore avoiding a canyon effect.

5.0

11/12/2008
C105

Exemption from notice and appeal

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

6.0

11/12/2008
C105

Subdivision

A permit is not required to subdivide land.

7.0

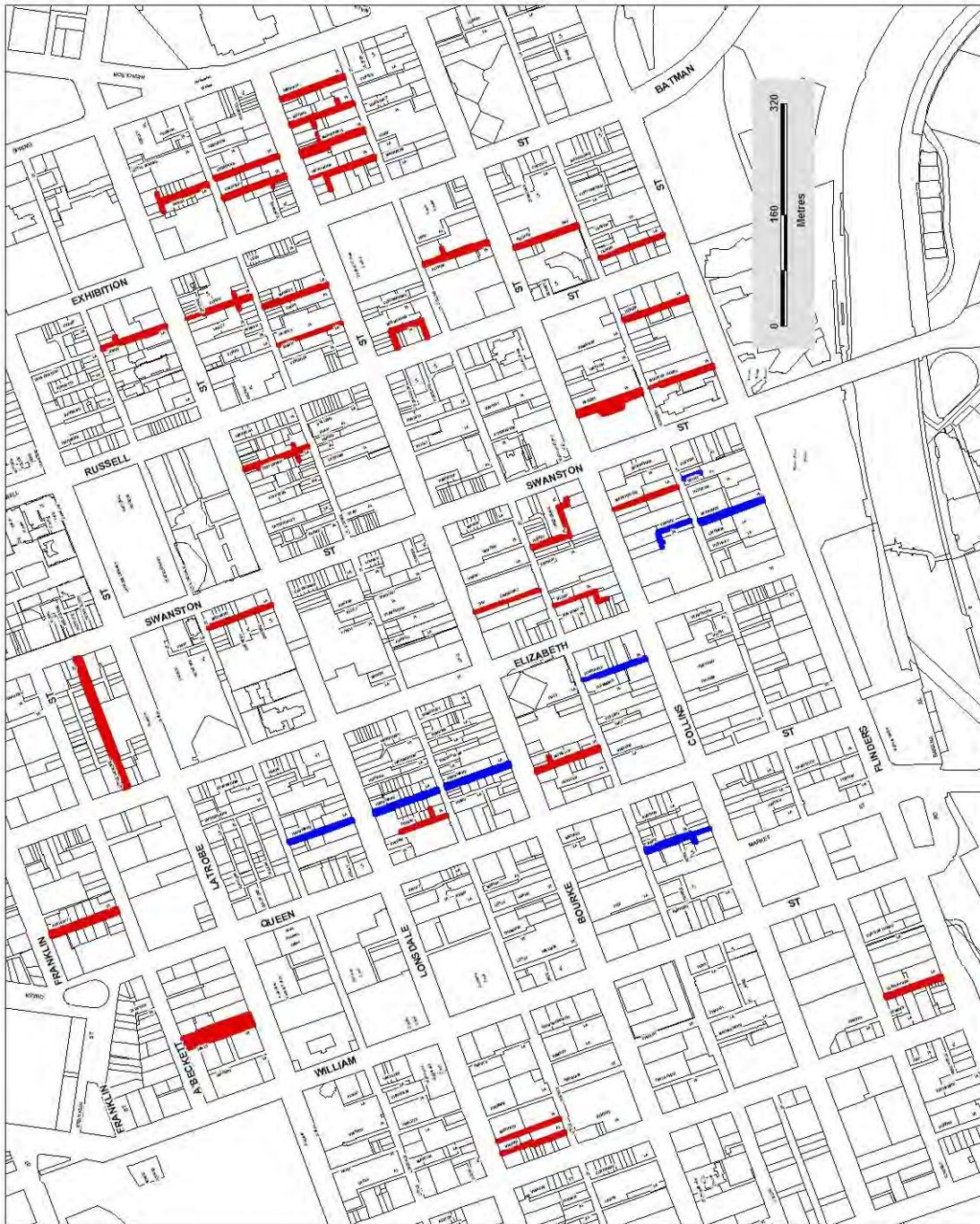
11/12/2008
C105

Expiry

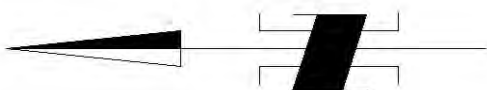
This schedule does not apply after 30 September 2011.

Comment [LR4]: This policy has expired.

MELBOURNE PLANNING SCHEME



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LEGEND

CLASS 1
CLASS 2

13/07/2017
C311

SCHEDULE 60 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO60**.

SPECIAL CHARACTER AREAS- BUILT FORM (SOUTHBANK)

1.0

23/11/2016
C270

Design objectives

- To ensure that the suitability of each development to its context takes precedence over the individual merit of the building.
- To ensure that new buildings respect the future development potential of adjacent sites and allow for an equitable spread of development potential on these sites.
- To ensure that new buildings respect the potential of future development on adjacent sites to access privacy, sunlight, daylight and an outlook from habitable interiors.
- To ensure the height of new buildings does not overwhelm the public domain.
- To allow daylight and sunlight to penetrate to the street and lower building levels.
- To ensure development supports high levels of pedestrian amenity in relation to human scale and microclimate conditions within the public realm including acceptable levels of sunlight access and wind.
- To maintain the visual dominance and views to the Arts Centre Spire as a civic skyline landmark.
- To ensure that development provides a high level of amenity for building occupants.
- To ensure that advertising signs interfacing with or visible from the Shrine of Remembrance do not adversely affect the significance of the Shrine of Remembrance.
- To ensure that the scale and design of new buildings preserve the significance of the Shrine of Remembrance as a historic and cultural landmark and place of reverence.

Area Design Objectives

Areas 1 and 7– Arts Centre and River Environs Design Objectives

- To reinforce the breadth and grandeur of the Yarra River.
- To maintain the existing low-scale urban form along the river corridor.
- To protect and enhance St Kilda Road from Princes Bridge to the Victoria Barracks as a civic boulevard lined with predominantly low/mid rise civic and heritage buildings.
- To maintain the landscape character of St. Kilda Road as a dominant visual element.

Area 4 – Sturt Street Design Objectives

- To enhance Sturt Street as a civic spine through the creation of a mid-rise streetscape with high levels of public amenity.
- To protect and enhance the culturally significant buildings along Sturt Street.
- To ensure development on Sturt Street supports physical and visual connections to the CBD and the Arts Centre Spire.

Area 5 – Dorcas Street and Wells Street Precinct Design Objectives

- To consolidate the existing scale of development.
- To ensure that any new development or redevelopment preserves the cultural significance and setting of the Shrine of Remembrance.

Area 6 – Southbank Village Design Objectives

- To consolidate the existing scale of development.
- To provide a scale of development which is respectful of the Victoria Barracks.

2.013/07/2017
C311**Buildings and works****2.1**13/07/2017
C311**Definitions**

For the purpose of this schedule, unless otherwise specified:

- **street** means a road reserve of a public highway more than 9 metres wide.
- **laneway** means a road reserve of a public highway 9 metres or less wide.
- **street wall** means any part of the building constructed within 0.3 metres of a lot boundary fronting the street.
- **street wall height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the street wall, with the exception of non-habitable architectural features not more than 3.0 metres in height and building services setback at least 3.0 metres behind the street wall.
- **total building height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of non-habitable architectural features not more than 3.0 metres in height and building services setback at least 3.0 metres behind the façade.
- **setback** is the shortest horizontal distance from a building façade, including projections such as balconies, building services and architectural features greater than 300mm, to the boundary.
- **floor area ratio** means the gross floor area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies, divided by the area of the site. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor.
- **unsafe wind conditions** means the hourly maximum 3 second gust which exceeds 20 metres/second from any wind direction considering at least 16 wind directions with the corresponding probability of exceedance percentage.
- **comfortable wind conditions** means a mean wind speed from any wind direction with probability of exceedance less than 20% of the time, equal to or less:
 - 3 metres/second for sitting areas
 - 4 metres/second for standing areas
 - 5 metres/second for walking areas.
- **mean wind speed** means the maximum of:
 - Hourly mean wind speed, or
 - Gust equivalent mean speed (3 second gust wind speed divided by 1.85).
- **additional shadow** means any shadow cast outside any existing shadow from buildings or works, but not a shadow cast by incidental elements such as canopies, kiosks, artworks, screens or trees.

2.2 Buildings and works for which no permit is required

23/11/2016
C270

A permit is not required for:

- Buildings and works at ground level, including external works to provide access for persons with disabilities that comply with all legislative requirements.
- Buildings and works to install or modify plant and service fixtures to an existing building.
- Buildings and works to an existing building(s) which do not alter the height or setback of any part of an existing building or result in any additional habitable or occupiable floor area.

2.3 Requirements

13/07/2017
C311

Built Form

Buildings and works:

- must meet the Design Objectives in this schedule;
- must satisfy the Built Form Outcomes specified for each relevant Area in Table 3 and Table 4 to this schedule and for each relevant Design Element in Table 5 to this schedule;
- should meet the Preferred Building Height or Modified Requirement specified for each relevant Area in Table 4 to this Schedule; and
- should meet the relevant Requirement specified for each relevant Design Element in Table 5 to this Schedule.

An application to exceed the Preferred Building Height or Modified Requirement must document how the development will achieve the specific Design Objectives and Built Form Outcomes of this schedule.

A permit must not be granted for buildings and works, including the replacement of the existing building, which exceed the Maximum Building Height specified in Table 3 to this schedule, with the exception of:

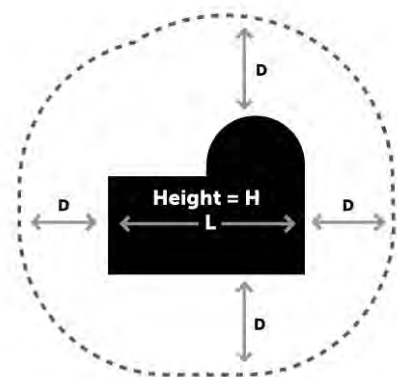
- non-habitable architectural features and building services.
- buildings and works for a replacement building which:
 - retains the existing building envelope, including no increase in height or reduction in setbacks, and
 - does not result in any additional habitable or occupiable floor area (excluding an open balcony).

Wind effects

A permit must not be granted for buildings and works with a total building height in excess of 40 metres that would cause unsafe wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half of the total height of the building, whichever is greater as shown in Figure 1.

A permit should not be granted for buildings and works with a total building height in excess of 40 metres that do not achieve comfortable wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half the total height of the building, whichever is greater as shown in Figure 1.

Figure 1



Assessment distance D = greater of:
L/2 (Half longest width of building)
OR
H/2 (Half overall height of building)

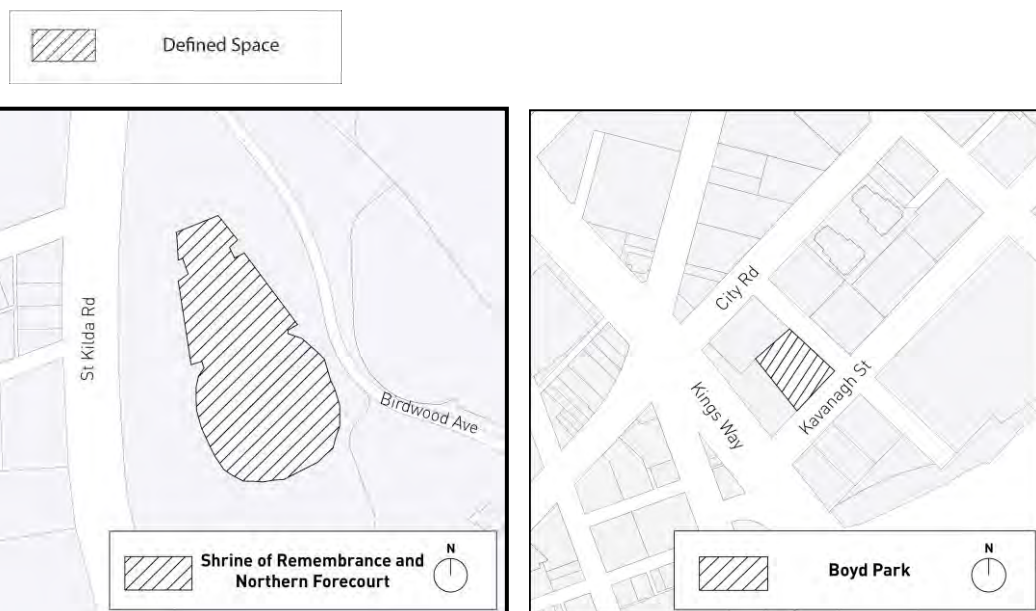
Overshadowing

With the exception of minor works or minor changes to existing buildings within that defined space, a permit must not be granted for buildings and works which would cast any additional shadow across a space listed within Table 1 of this schedule and shown in Figure 2 of this schedule during the hours and dates specified as follows:

Table 1 to Schedule 60

Space	Hours between	Date(s)
Shrine of Remembrance and its northern forecourt	11.00am and 3.00pm	22 April to 22 September
Boyd Park	12.00pm and 2.00pm	22 April and 22 September

Figure 2



A permit must not be granted for buildings and works which would cast any additional shadow across a space listed within Table 2 to this schedule during the hours and date(s)

specified, unless the overshadowing will not unreasonably prejudice the amenity of the space:

Table 2 to Schedule 60

Space	Hours between	Date(s)
Sturt Street Reserve Grant Street Reserve and the Australian Centre for Contemporary Art Forecourt, south side of Grant Street between Sturt Street and Wells Street Dodds Street between Southbank Boulevard and Grant Street	11.00am and 2.00pm	22 April to 22 September
Any public space, public parks and gardens, public squares, open spaces associated with a place of worship and privately owned public spaces accessible to the public	11.00am and 2.00pm	22 September

Table 3 to Schedule 60

Area	Maximum Building Height	Built Form Outcomes
Area 4B – Dodds Street	14 metres	The maintenance of the dominance of the Arts Centre Spire silhouetted against the sky from the south along Sturt Street. The protection of the low scale residential development on the east side of Dodds Street. To enhance the sense of openness, maintains access to expansive sky views and maximises solar access from the low scale residential development on the east side of Dodds Street.
Area 5B – Wells Street Precinct	70 metres to Australian Height Datum	The preservation of the setting of the Shrine of Remembrance. To ensure that any new development or redevelopment does not adversely impact on the historic and cultural significance and visual prominence of the Shrine of Remembrance by reason of height and/or materials and finishes to buildings.
Area 6 – Southbank Village	14 metres	Low scale development that enhances the sense of openness, maintains access to expansive sky views and maximises solar access. Development that respects and complements the adjoining Victoria Barracks heritage buildings. Development that maintains the existing street scale proportions.
Area 7 – Arts Centre	24 metres	The protection of the stature of heritage and civic buildings along St Kilda Road. The maintenance of the importance of St Kilda Road as a grand entrance to the City.

Table 4 to Schedule 60

Area	Preferred Building Height	Modified Requirement	Built Form Outcomes
Area 1 - River Environs	24 metres	6:1 Floor Area Ratio	<p>Development that protects and enhances the Yarra River (including views to and from it), as an important natural, recreational and tourism asset of Melbourne.</p> <p>Low scale development that enhances the sense of openness along both the Yarra River and St Kilda Road.</p> <p>Development that enhances the prominence of the Yarra River by the grading of building heights down to low along its banks.</p> <p>The protection of the stature of heritage and civic buildings along St Kilda Road.</p> <p>The maintenance of the importance of St Kilda Road as a grand entrance to the City.</p> <p>To ensure that the height of new buildings does not overwhelm the public domain.</p>
Area 4A – Sturt Street	40 metres	10:1 Floor Area Ratio	<p>Generally a mid-rise scale of development with opportunities for additional upper levels that are visually recessive from Sturt Street.</p> <p>Development along Sturt Street that provides street definition, a sense of openness, reasonable solar access to street level and an intimate scale for pedestrians.</p> <p>The protection of the stature of civic buildings along Sturt Street.</p> <p>Development that provides a transition in scale and form between higher buildings to the west of Moore Street and the predominantly lower scale buildings to the east of Dodds Street.</p> <p>Low scale development that enhances the sense of openness, maintains expansive sky views and solar access and provides a recessed backdrop of mid rise buildings as viewed from Dodds Street between Grant and Coventry Streets.</p> <p>The maintenance of the dominance of the Arts Centre Spire silhouetted against the sky from the south along Sturt Street and looking south from the Hoddle Grid towards Sturt Street.</p>
Area 5A – Dorcas Street Precinct	60 metres	13:1 Floor Area Ratio	<p>The maintenance of a mid-rise scale of development.</p> <p>The provision of an appropriate transition to development to the north and south of Area 5 is provided.</p> <p>The visual impact of taller buildings, above the preferred building height, is alleviated through increased upper level setbacks.</p>

Table 5 to Schedule 60

Design Element	Requirement	Built Form Outcomes
Street wall height	Street wall height should not exceed 20 metres, or the preferred building height, whichever is lower.	Street wall height is scaled to ensure: <ul style="list-style-type: none"> ▪ have a human scale. ▪ consistency with the prevalent parapet height of adjoining buildings. ▪ height and setback that respects the scale of adjoining heritage places. ▪ adequate opportunity for daylight, sunlight and skyviews in the street.
Upper level street setbacks	Above the street wall, upper levels of a building should be set back a minimum of 5 metres.	Buildings are setback to ensure: <ul style="list-style-type: none"> ▪ larger buildings do not visually dominate the street or public space. ▪ the dominant street wall scale is maintained. ▪ sun penetration and mitigation of wind impacts at street level.
Setback(s) from side boundary	Above 40 metres, upper levels of a building should be setback a minimum of 5 metres from a side boundary. If a laneway: Above 20 metres, upper levels of a building should be setback a minimum of 5 metres from the centreline of a laneway.	Buildings are setback to ensure: <ul style="list-style-type: none"> ▪ provision of adequate sunlight, daylight, privacy and outlook from habitable rooms, for both existing and proposed developments. ▪ provision of adequate daylight and sunlight to laneways. ▪ buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.
Setback(s) from rear boundaries	Above 20 metres, upper levels of a building should be setback a minimum of 5 metres from a rear boundary, or from the centreline of a laneway.	Buildings are setback to ensure: <ul style="list-style-type: none"> ▪ provision of adequate sunlight, daylight, privacy and outlook from habitable rooms, for both existing and proposed developments. ▪ taller buildings transition down in height to adjacent areas that have a lower height limit, so as not to visually dominate or compromise the character of adjacent existing low-scale development areas.
Setbacks on St Kilda Road	Buildings should be set back at least 13.2 metres from St Kilda Road.	The importance of St Kilda Road as a grand entrance to the City is maintained through the use of building setbacks with landscaped garden frontages.
Ground floors height of a building	The ground floor of a building should have a floor to ceiling height of at least 4 metres.	Provide potential for active commercial or retail uses.

2.4

23/11/2016
C270

Exemption from notice and review

An application to construct a building or construct or carry out works for land that is within the Capital City Zone is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

2.513/07/2017
C311**Application Requirements**

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of the application, the responsible authority may waive or reduce the requirement.

Urban context report

An application for permit must be accompanied by a written and illustrated urban context report.

The urban context report must:

- explain the key planning, design and contextual considerations and influence on the proposed buildings and works.
- describe the existing urban context of the area in which the proposed buildings and works are to be located.
- explain how the proposed buildings and works relate to and respond to their urban context including:
 - built form character of adjacent and nearby buildings.
 - heritage character of adjacent and nearby heritage places.
- identify the key opportunities and constraints supporting the design response.
- explain the effect of the proposed buildings and works, including on:
 - microclimate, including sunlight, daylight and wind impacts on streets and other public spaces.
 - vistas.
- Explain how the proposed buildings and works respond to each of the Design Objectives and the Built Form Outcomes in Table 3, Table 4 and Table 5 of this schedule, as appropriate.

Wind analysis report

An application for a permit for a building with a total building height in excess of 40 metres must be accompanied by a wind analysis report prepared by a suitably qualified person. The wind analysis report must:

- explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all façades, or half the total height of the building, whichever is greater.
- at a minimum, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing.
- identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- not rely on street trees or any other element such as screens, within public areas for wind mitigation.

3D digital model of buildings and works

An application for a permit must be accompanied by a 3D digital model of the proposed buildings and works in a format to the satisfaction of the responsible authority. The model may be used for assessing overshadowing and visual impacts caused by the proposal and for general archive, research and public information purposes.

3.0 Subdivision

23/11/2016
C270

A permit is not required to subdivide land.

4.0 Advertising Signs – Area 5B Wells Street

23/11/2016
C270

Notice requirement

Where a permit is required under Clause 52.05 for a sign in Area 5B – Wells Street Precinct and the sign is located above 23 metres to the Australian Height Datum, notice must be given under section 52(1)(c) of the *Planning and Environment Act 1987* to the Shrine of Remembrance Trustees as specified in the schedule to Clause 66.06.

Decision Guidelines

Before deciding on an application to display a sign in Area 5B – Wells Street Precinct located above 23 metres to the Australian Height Datum, the responsible authority must consider, in addition to the decision guidelines at Clause 52.05 and Clause 65:

- Whether the advertising sign detracts from the landmark qualities and historical and cultural significance of the Shrine of Remembrance.
- Whether the location, size, illumination and reflectivity of the advertising signs detracts from important vistas from within the Shrine of Remembrance.

5.0 Decision guidelines

13/07/2017
C311

- The Design Objectives.
- The Built Form Outcomes of Table 3, Table 4 and Table 5 to this schedule.
- Whether the development respects the built form scale and urban structure of the precinct where it is located.
- Whether the development provides a high quality architectural response.
- Whether the cumulative effect of the proposed development in association with adjoining existing and potential development supports a high quality of pedestrian amenity in the public realm, in relation to human scale and microclimate conditions including overshadowing and wind impacts.
- Whether the development provides a high level of amenity for building occupants.
- Whether the development provides a high level of amenity for building occupants in relation to:
 - Daylight to all habitable rooms
 - Privacy to all habitable rooms
- Whether the development minimises loss of sky views from the public domain.
- Whether the development will deliver fine grain built form.
- Whether the development will provide a microclimate where street trees, green roofs, and green walls can flourish.
- Securing the floor area ratio across a site where a site is developed in part to ensure:
 - that an agreement be entered into to acknowledge that the remaining site cannot be later developed;
 - that a heritage building being retained that an agreement be entered into to conserve the heritage building in perpetuity;

- that the proposed building is sited so that adequate setbacks are maintained in the event that the land is subdivided or separate land holdings are administratively effected to create a future development site.
- The effect of the proposed buildings and works on solar access to existing and proposed open spaces and public places.
- The potential for increased ground-level wind gust speeds and the effect on pedestrian comfort and the amenity of public places, with allowance to exceed uncomfortable conditions only if the wind effects of the proposed development do not exceed the existing wind condition(s).

6.0

23/11/2016
C270

Reference documents

- The Southbank Structure Plan 2010
- The Shrine of Remembrance: Managing the Significance of the Shrine, July 2013
- Central City Built Form Review Overshadowing Technical Report, Department of Environment, Land, Water and Planning, April 2016

7.0

23/11/2016
C270

Transitional arrangements

The requirements of this schedule do not apply to:

- an application (including an application to amend the permit) made before the commencement of Amendment C262 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C262, continue to apply.
- an application (including an application to amend the permit) made after the commencement of Amendment C262 but before the commencement of Amendment C270 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C270, continue to apply.

13/07/2017
C311

SCHEDULE 62 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO62**.

SPECIAL CHARACTER AREAS- BUILT FORM (BOURKE HILL)

1.0

23/11/2016
C270

Design objectives

- To protect the unique character of Bourke Hill.
- To protect the built form context of view lines to and from Parliament House to maintain its visual prominence.
- To ensure the scale and prominence of the landmark heritage buildings, the Princess Theatre and the Hotel Windsor, is maintained.
- To ensure development respects and maintains the heritage significance, low scale built form and valued public realm attributes of Bourke Hill.
- To protect sunlight access to streets and key laneways, the steps and ‘forecourt’ area of Parliament House including adjacent public spaces and public spaces.
- To maintain a high level of pedestrian amenity within Bourke Hill.
- To retain expansive open air sky views for pedestrians along streets and key laneways.

2.0

13/07/2017
C311

Buildings and works

2.1

13/07/2017
C311

Definitions

For the purpose of this schedule:

- **street** means a road reserve of a public highway more than 9 metres wide.
- **laneway** means a road reserve of a public highway 9 metres or less wide.
- **street wall** means any part of the building constructed within 0.3 metres of a lot boundary fronting the street.
- **street wall height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the street wall, with the exception of non-habitable architectural features not more than 3.0 metres in height and building services setback at least 3.0 metres behind the street wall.
- **total building height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of non-habitable architectural features not more than 3.0 metres in height and building services setback at least 3.0 metres behind the façade.
- **setback** is the shortest horizontal distance from a building façade, including projections such as balconies, building services and architectural features greater than 300mm, to the boundary.
- **floor area ratio** means the gross floor area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies, divided by the area of the site. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor.

- **unsafe wind conditions** means the hourly maximum 3 second gust which exceeds 20 metres/second from any wind direction considering at least 16 wind directions with the corresponding probability of exceedance percentage.
- **comfortable wind conditions** means a mean wind speed from any wind direction with probability of exceedance less than 20% of the time, equal to or less than:
 - 3 metres/second for sitting areas
 - 4 metres/second for standing areas
 - 5 metres/second for walking areas.
- **mean wind speed** means the maximum of:
 - Hourly mean wind speed, or
 - Gust equivalent mean speed (3 second gust wind speed divided by 1.85).
- **additional shadow** means any shadow cast outside any existing shadow from buildings or works, but not a shadow cast by incidental elements such as canopies, kiosks, artworks, screens or trees.

2.2

Buildings and works for which no permit is required

23/11/2016
C270

A permit is not required for:

- Buildings and works at ground level, including external works to provide access for persons with disabilities that comply with all legislative requirements.
- Buildings and works to install or modify plant and service fixtures to an existing building.
- Buildings and works to an existing building(s) which do not alter the height or setback of any part of an existing building or result in any additional habitable or occupiable floor area.
- Buildings and works which would cast a shadow across the Yarra River Corridor between 11.00 am and 2.00 pm on 22 June caused by unenclosed structures associated with the construction of gangways, mooring poles and pontoons which are constructed by or on behalf of Melbourne Parks and Waterways or Parks Victoria under the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Act 1988*, the *Port of Melbourne Authority Act 1958*, the *Parks Victoria Act 1998*, or the *Crown Land (Reserves) Act 1978*.

2.3

Requirements

13/07/2017
C311

Built Form

Buildings and works:

- must meet the Design Objectives in this schedule;
- must satisfy the Built Form Outcomes specified for each relevant Area in Table 2, Table 3 and Table 4 to this schedule and for each relevant Design Element in Table 5 to this schedule;
- should meet the Preferred Building Height or Modified Requirement specified for each relevant Area in Table 3 to this Schedule;
- should meet the Building Design Features specified for each relevant Area in Table 4 to this Schedule; and
- should meet the relevant Requirement specified for each relevant Design Element specified in Table 5 to this schedule.

An application to exceed the Preferred Building Height or Modified Requirement must document how the development will achieve the specific Design Objectives and Built Form Outcomes of this schedule.

A permit must not be granted for buildings and works, including the replacement of the existing building, which exceed the Maximum Building Height specified in Table 2 to this schedule, with the exception of:

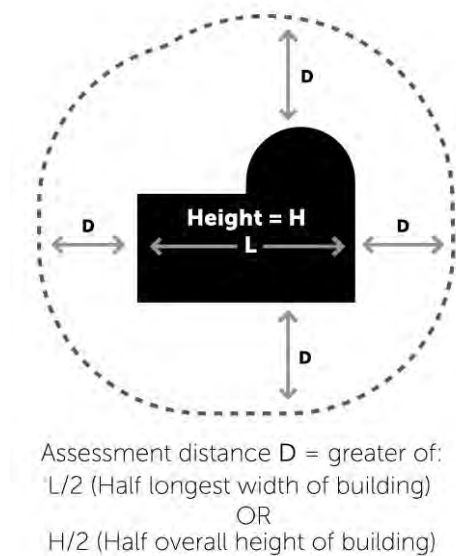
- non-habitable architectural features and building services.
- buildings and works for a replacement building which:
 - retains the existing building envelope, including no increase in height or reduction in setbacks, and
 - does not result in any additional habitable or occupiable floor area (excluding an open balcony).

Wind effects

A permit must not be granted for buildings and works with a total building height in excess of 40 metres that would cause unsafe wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half the total height of the building, whichever is greater as shown in Figure 1.

A permit should not be granted for buildings and works with a total building height in excess of 40 metres that do not achieve comfortable wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half the total height of the building, whichever is greater as shown in Figure 1.

Figure 1



Overshadowing

A permit must not be granted for buildings and works which would cast any additional shadow across a space listed within Table 1 to this schedule during the hours and date(s) specified, unless the overshadowing will not unreasonably prejudice the amenity of the space:

Table 1 to Schedule 62

Space	Hours between	Date(s)
Parliament Gardens Treasury Gardens Gordon Reserve Parliament Steps and Forecourt Old Treasury Steps	11.00am and 3.00pm	22 April to 22 September
Birrarung Marr	11.00am and 2.00pm	22 April to 22 September
The southern footpath of Bourke Street between Spring Street and Exhibition Street	12.00pm and 2.00pm	22 April to 22 September
The southern building line of Little Bourke Street between Spring and Swanston Streets and Cohen Place/Chinatown Plaza Liverpool Street and Crossley Street	12.00pm and 2.00pm	22 April and 22 September
Any public space, public parks and gardens, public squares, open spaces associated with a place of worship and privately owned public spaces accessible to the public	11.00am and 2.00pm	22 September

Table 2 to Schedule 62

Area	Maximum building height	Built form outcomes
B1	15 metres	<p>The low scale and fine grain historic context of the Bourke Hill heritage precinct is respected and new development sensitively responds to this context.</p> <p>The visual prominence of Parliament House is maintained.</p> <p>Maintain the low scale built form context to Bourke Street and the general bowl shaped prospect view from Parliament House.</p> <p>The vista along Bourke Street continues to be characterised by the consistent diminutive scale of buildings facing Bourke Street, an intimate human scale, and a fine grain pattern of buildings and their contrast with the monumentality of Parliament House and its steps at the streets eastern termination.</p> <p>The high level of pedestrian amenity provided by the low scale built form, access to sunlight and active street frontages along Crossley and Liverpool Streets is maintained.</p> <p>Overshadowing of the public realm is limited to maintain the high level of pedestrian amenity by ensuring there is no reduction in sunlight access to the Parliament House steps and 'forecourt' and key streetscapes and public spaces.</p> <p>New development should respect and respond to the high quality public realm and amenity attributes brought about by low scale heritage streetscapes, expansive open air sky views, sunlight access, minimal wind impacts, pedestrian connectivity, active street frontages and development of an intimate human scale.</p>
B2	25 metres	The prominence of the original heritage buildings of

Area	Maximum building height	Built form outcomes
		<p>the Hotel Windsor and the Princess Theatre is maintained.</p> <p>The scale of the landmark heritage buildings as visual anchors, or 'bookends', to the Spring Street streetscape and the prospect view from Parliament House is respected.</p> <p>The built form scale at the eastern entry to Little Bourke Street is complementary to the existing historic built form scale of the Princess Theatre.</p> <p>Overshadowing of the public realm is limited to maintain the high level of pedestrian amenity by ensuring there is no reduction in sunlight access to the Parliament House steps and 'forecourt' and key streetscapes and public spaces.</p> <p>New development should respect and respond to the high quality public realm and amenity attributes brought about by low scale heritage streetscapes, expansive open air sky views, sunlight access, minimal wind impacts, pedestrian connectivity, active street frontages and development of an intimate human scale.</p>
B3	40 metres	<p>The prominence of the original heritage buildings of the Hotel Windsor and the Princess Theatre is maintained.</p> <p>The scale of the landmark heritage buildings as visual anchors, or 'bookends', to the Spring Street streetscape and the prospect view from Parliament House is respected.</p> <p>Development does not detract from, or intrude upon, the built form context of the view lines to and from Parliament House.</p> <p>Maintain the low scale built form context to Bourke Street and the general bowl shaped prospect view from Parliament House.</p> <p>Development does not diminish the prominence of, and view lines to, the decorative roof forms of the Hotel Windsor and Princess Theatre.</p> <p>Development respects the existing built form context of Liverpool Street and Harwood Place.</p> <p>Overshadowing of the public realm is limited to maintain the high level of pedestrian amenity by ensuring there is no reduction in sunlight access to the Parliament House steps and 'forecourt' and key streetscapes and public spaces.</p> <p>The high quality public realm and amenity attributes of low scale heritage streetscapes, expansive open air sky views, sunlight access, minimal wind impacts, pedestrian connectivity, active street frontages and an intimate human scale are maintained.</p> <p>A height of 25 metres is preferred for development at 103-137 Spring Street, Melbourne. Development above this height must meet the above Built Form Outcomes.</p>

Table 3 to Schedule 62

Area	Preferred Building Height	Modified Requirement	Built Form Outcomes
B4	40 metres	10:1 Floor Area Ratio	<p>Development does not visually intrude upon the Parliament House view lines.</p> <p>Maintain the low scale built form context to Bourke Street and the general bowl shaped prospect view from Parliament House.</p> <p>Development responds to the low scale nature of area B1 and provides a transition to the higher built form scale of area B5 and area B6</p> <p>Development responds to the human scale of Little Collins Street.</p> <p>Upper levels are visually recessive from streets and laneways.</p> <p>The visual impact of taller buildings, above the preferred building height, is alleviated through increased upper level setbacks.</p> <p>Overshadowing of the public realm is limited to ensure pedestrian amenity is maintained by providing a high level of sunlight access to the Parliament House steps and 'forecourt', public spaces and:</p> <ul style="list-style-type: none"> ▪ To Little Bourke Street (street frontage on the south side of the street) and to Crossley Street and Liverpool Street, between 11.00 am to 2.00 pm on 22 September. <p>Development does not adversely impact on the highly valued public realm and amenity attributes of areas B1, B2 and B3.</p> <p>Development limits additional overshadowing of the Melbourne Club Garden to protect the viability of existing and future plantings and to ensure that significant trees are not compromised by lack of sunlight resulting from development.</p>
B5	60 metres	13:1 Floor Area Ratio	<p>Development of a scale that will not significantly impact any further on the Parliament House view lines than the buildings extant within Area B5 on the commencement of this provision.</p> <p>Maintain the low scale built form context to Bourke Street and the general bowl shaped prospect view from Parliament House.</p> <p>Overshadowing of the public realm is limited to maintain the high level of pedestrian amenity by ensuring there is no reduction in sunlight access to the Parliament House steps and 'forecourt' and key streetscapes and public spaces.</p> <p>Development responds to the higher scale (in part), commercial edge of Exhibition Street and Spring Street (northern end), without compromising the scale, character and amenity of the wider Bourke Hill area.</p> <p>Development does not adversely impact on the highly valued public realm and amenity</p>

Area	Preferred Building Height	Modified Requirement	Built Form Outcomes
			<p>attributes of areas B1, B2 and B3.</p> <p>The visual impact of taller buildings, above the preferred building height, is alleviated through increased upper level setbacks.</p>
B6	100 metres	15:1 Floor Area Ratio	<p>Development responds to the higher rise, commercial edge of the north side of Lonsdale Street without compromising the integrity and amenity of the low scale Bourke Hill heritage precinct.</p> <p>Overshadowing of the public realm is limited to ensure pedestrian amenity is maintained by providing a high level of sunlight access to the Parliament House steps and 'forecourt', public spaces and:</p> <ul style="list-style-type: none"> To Little Bourke Street (to the building line, south side) and to Crossley Street and Liverpool Street between 11.00 am and 2.00 pm on 22 September. <p>Development does not adversely impact on the highly valued public realm and amenity attributes of areas B1, B2 and B3.</p> <p>The visual impact of taller buildings, above the preferred building height, is alleviated through increased upper level setbacks.</p>

Table 4 to Schedule 62

Area	Building design features	Built form outcomes
B3	<p>Street wall height should not exceed 25 metres.</p> <p>Buildings above the street wall should be setback no less than 5 metres from a laneway or Liverpool Street.</p>	<p>The provision of a street wall and setback is responsive to the characteristics and operational function of the adjoining laneway.</p> <p>The street wall height and setback should respond to the Built Form Outcomes for area B3 as listed at Table 1 to this Schedule.</p>
B4	<p>Street wall height should not exceed 25 metres.</p> <p>Buildings above the street wall should be setback no less than 5 metres from a laneway or Little Collins Street.</p>	<p>The provision of a street wall and setback is responsive to the characteristics and operational function the adjoining laneway.</p> <p>The street wall height and setback should respond to the Built Form Outcomes for area B4 as listed at Table 1 to this Schedule.</p>

Table 5 to Schedule 62

Design Element	Requirement	Built Form Outcomes
Street wall height	Street wall height should not exceed 20 metres, or the preferred building height, whichever is lower, excluding the areas specified in Table 3 above.	<p>Street wall height is scaled to ensure:</p> <ul style="list-style-type: none"> a human scale. consistency with the prevalent parapet height of adjoining buildings. height and setback that respects the scale of adjoining heritage places.

Design Element	Requirement	Built Form Outcomes
		<ul style="list-style-type: none"> adequate opportunity for daylight, sunlight and skyviews in the street.
Upper level street setbacks	Above the street wall, upper levels of a building should be set back a minimum of 5 metres.	<p>Buildings are setback to ensure:</p> <ul style="list-style-type: none"> larger buildings do not visually dominate the street or public space. the dominant street wall scale is maintained. sun penetration and mitigation of wind impacts at street level.
Setback(s) from side boundary	<p>Above the street wall the setback from side boundary should be:</p> <ul style="list-style-type: none"> 5 metres if above 40 metres, or 6% of the total building height if above 80 metres. <p>If a laneway: Above the street wall, the setback to the centreline of the laneway from side boundary should be:</p> <ul style="list-style-type: none"> 5 metres if above 20 metres; or 6% of the total building height if above 80 metres. 	<p>Buildings are setback to ensure:</p> <ul style="list-style-type: none"> provision of adequate sunlight, daylight, privacy and outlook from habitable rooms, for both existing and proposed developments. provision of adequate daylight and sunlight to laneways. buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.
Setback(s) from rear boundaries	<p>Above the street wall the setback from rear boundary should be:</p> <ul style="list-style-type: none"> 5 metres if above 20 metres, or 6% of the total building height if above 80 metres <p>If a laneway: Above the street wall the setback to the centreline of the laneway from side boundary should be:</p> <ul style="list-style-type: none"> 5 metres if above 20 metres; or 6% of the total building height if above 80 metres. 	<p>Buildings are setback to ensure:</p> <ul style="list-style-type: none"> provision of adequate sunlight, daylight, privacy and outlook from habitable rooms, for both existing and proposed developments. taller buildings transition down in height to adjacent areas that have a lower height limit, so as not to visually dominate or compromise the character of adjacent existing low-scale development areas.

2.4

23/11/2016
C270

Exemption from notice and appeal

An application to construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

2.5 Application Requirements

13/07/2017
C311

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of the application, the responsible authority may waive or reduce the requirement.

Urban context report

An application for permit must be accompanied by a written and illustrated urban context report.

The urban context report must:

- explain the key planning, design and contextual considerations and influences on the proposed buildings and works.
- describe the existing urban context of the area in which the proposed buildings and works are to be located.
- explain how the proposed buildings and works relate to and respond to their urban context including:
 - built form character of adjacent and nearby buildings.
 - heritage character of adjacent and nearby heritage places.
- identify the key opportunities and constraints supporting the design response.
- explain the effect of the proposed buildings and works, including on:
 - microclimate, including sunlight, daylight and wind impacts on streets and other public spaces.
 - vistas.
- Explain how the proposed buildings and works respond to each of the Design Objectives and the Built Form Outcomes in Table 2, Table 3 and Table 4 and Table 5 of this schedule, as appropriate.

Wind analysis report

An application for a permit for a building with a total building height in excess of 40 metres must be accompanied by a wind analysis report prepared by a suitably qualified person. The wind analysis report must:

- explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all facades, or half the total height of the building, whichever is greater.
- at a minimum, model the wind effects of the proposed development and surrounding buildings (existing and proposed) using wind tunnel testing.
- identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- not rely on street trees or any other element such as screens, within public areas for wind mitigation.

3D digital model of buildings and works

An application for a permit must be accompanied by a 3D digital model of the proposed buildings and works in a format to the satisfaction of the responsible authority. The model may be used for assessing overshadowing and visual impacts caused by the proposal and for general archive, research and public information purposes.

3.0 Subdivision

23/11/2016
C270

A permit is not required to subdivide land.

4.0 Advertising signs

23/11/2016
C270

None specified.

5.0 Decision guidelines

13/07/2017
C311

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Design Objectives.
- The specific Built Form Outcomes of Table 2, Table 3, Table 4 and Table 5 to this schedule.
- Whether the development adversely impacts on the unique character of the Bourke Hill precinct.
- Whether the development respects the built form scale and urban structure of the precinct where it is located.
- Whether the development provides a high quality architectural response.
- The impact of development on the consistency of scale (low scale) and heritage significance of the Bourke Hill heritage precinct.
- Whether development detracts from the visual prominence of Parliament House both in terms of scale and architectural expression.
- Whether development adversely impacts on the built form context of view lines to and from Parliament House.
- Whether the scale and prominence of the landmark heritage buildings, the Princess Theatre and the Hotel Windsor, is maintained.
- Whether development maintains and responds to the fine grain subdivision pattern and narrow lot frontages of Bourke Hill.
- Whether the distinctive and highly valued public realm attributes of Bourke Hill are maintained and enhanced.
- Whether development adversely impacts on the expansive open air sky views (from pedestrian eye level) along streets and laneways.
- Whether development improves pedestrian connectivity and permeability.
- Whether development provides a comfortable and attractive pedestrian environment at ground level, including frontage activation and protection from adverse wind impacts.
- Whether the development adversely impacts significant trees through overshadowing in the Melbourne Club Garden.
- Securing the floor area ratio across a site where a site is developed in part to ensure:
 - that an agreement be entered into to acknowledge that the remaining site cannot be later developed;
 - that a heritage building being retained that an agreement be entered into to conserve the heritage building in perpetuity;
 - that the proposed building is sited so that adequate setbacks are maintained in the event that the land is subdivided or separate land holdings are administratively effected to create a future development site.

- Whether the cumulative effect of the proposed development is associated with adjoining existing and potential development supports a high quality of pedestrian amenity in the public realm, in relation to human scale and microclimate conditions including overshadowing and wind impacts.
- The effect of the proposed buildings and works on solar access to existing and proposed open space and public places.
- The potential for increased ground level wind speeds and the effect on pedestrian comfort and the amenity of public places, with allowance to exceed uncomfortable conditions only if the wind effects of the proposed development do not exceed the existing wind condition(s).

6.0

Reference documents

23/11/2016
C270

- *Bourke Hill Heritage, Planning and Urban Design Review, Department of Transport, Planning and Local Infrastructure, September 2014*
- *Central City Built Form Review Overshadowing Technical Report, Department of Environment, Land, Water and Planning, April 2016*

7.0

Transitional arrangements

23/11/2016
C270

The requirements of this schedule do not apply to:

- an application (including an application to amend the permit) made before the commencement of Amendment C262 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C262, continue to apply.
- an application (including an application to amend the permit) made after the commencement of Amendment C262 but before the commencement of Amendment C270 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C270, continue to apply.

10/02/2011
C153

SCHEDULE 2 TO THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO2**.

FLEMINGTON RACECOURSE

1.0

Permit requirement

10/02/2011
C153

A permit is not required to construct or carry out any of the following buildings and works on land subject to Schedule 1 to the Special Use Zone (Flemington Racecourse):

- A non-habitable building or an extension of a non-habitable building
- A building for the purpose of an office, where floor levels are at least 500mm above natural surface levels
- A building for the purpose of exhibitions
- A building for the purpose of place of assembly
- A building for the purpose of betting agency
- A building for the purpose of spectators
- An open style building with no walls
- Upper storey extensions or alterations to existing building
- Racing and equine related buildings such as horse stables and yards, swimming pools, sand rolls, TV tote screens, steward towers, tack stores and maintenance workshops and amenities for staff
- Racing and training tracks including trotting and exercise tracks
- An open style fence
- Replacement fences with the same or similar materials as the existing fence
- Advertising signs or posts attached to buildings
- Earth works and landscaping, where no fill is imported to the site and where no flood storage is reduced
- Process equipment and plant
- Footpaths and bicycle paths
- Road
- Car park
- Public toilets
- Pergola
- Marquee

2.0

Application requirements

10/02/2011
C153

An application to construct a building or construct or carry out works must be accompanied by four sets of plans drawn to scale which show:

- The boundaries and dimensions of the site
- Relevant ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor

- The layout of existing and proposed buildings and works
- Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor

3.0

10/02/2011
C153

Referral of Applications

An application to construct a building or construct or carry out works or an application to amend a permit does not have to be referred to the floodplain management authority if the application:

- is accompanied by the relevant floodplain management authority's written approval, The written approval must:
 - Be granted not more than three months prior to lodging with the responsible authority
 - Quote the reference number of the approved plans
 - State applicable flood level and any required floor levels
- is in accordance with an adopted local floodplain development plan.
- Complies with building envelope, filling levels and floor levels specified by Melbourne Water in the previous six months

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16 JAN 2018

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Comment [KCM1]: Consider deletion (Former Fishmarket Site Northbank – expired Dec 2016)

Comment [KCM2]: Clause has been deleted. Reference in TOC should be deleted

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Section	Clause
	<ul style="list-style-type: none"> • Schedule 38 • Schedule 39 ▪ Schedule 40 – Special Character Areas – Built Form (River Environs) • Schedule 41 • Schedule 42 • Schedule 43 ▪ Schedule 44 – South Carlton ▪ Schedule 45 – Swanston Street ▪ Schedule 46 – University East ▪ Schedule 47 – Central Carlton South ▪ Schedule 48 – Central Carlton North ▪ Schedule 49 – Yarra Waters Precinct ▪ Schedule 50 – Victoria Harbour Precinct ▪ Schedule 51 – Batman’s Hill Precinct ▪ Schedule 52 – Stadium Precinct ▪ Schedule 53 – Digital Harbour Precinct ▪ Schedule 54 – Business Park Precinct ▪ Schedule 55 – Gas Regulator Station • Schedule 56 – CBD Lanes, Class 1 and Class 2 ▪ Schedule 57 – Flemington Road ▪ Schedule 58 – 312- 332 St Kilda Road ▪ Schedule 59 – North Wharf Precinct, Docklands ▪ Schedule 60 – Special Character Areas – Built Form (Southbank) ▪ Schedule 61 - City North ▪ Schedule 62 – Special Character Areas – Built Form (Bourke Hill) ▪ Schedule 63 – Macaulay Urban Renewal Area, Kensington And North Melbourne ▪ Schedule 64 – ▪ Schedule 65 – Hospital Emergency Medical Services Helicopter Flight Path Protection (Inner Area) ▪ Schedule 66 - Hospital Emergency Medical Services Helicopter Flight Path Protection (Outer Area) ▪ Schedule 67 - Fishermans Bend Urban Renewal Area ▪ Schedule 68 – 160 Leicester Place, Carlton ▪ Schedule 70 – Melbourne Metro Rail Project – Infrastructure Protection Areas
43.03	<p>Incorporated Plan Overlay</p> <ul style="list-style-type: none"> ▪ Schedule 1 – 236-254 St Kilda Road, Southbank ▪ Schedule 2 – Hobsons Road Mixed Use Precinct • Schedule 3 • Schedule 4 ▪ Schedule 5 – Moonee Ponds Creek Concept Plan

Comment [KCM3]: Expired 2011

MELBOURNE PLANNING SCHEME

Section	Clause
	43.04 Development Plan Overlay <ul style="list-style-type: none"> ▪ Schedule 1 – Lonsdale Street (Golden Square Carpark) area ▪ Schedule 2 – Yarra's Edge ▪ Schedule 3 – Victoria Harbour ▪ Schedule 4 – Batman's Hill ▪ Schedule 5 – Stadium Precinct ▪ Schedule 6 – Digital Harbour ▪ Schedule 7 – Business Park ▪ Schedule 8 – Carlton Housing Precincts ▪ Schedule 9 – 52-76 Buncl Street, Pearl Street & 91-117 Melrose Street, North Melbourne Medium Density Housing Site ▪ Schedule 10 - Carlton Connect Site ▪ Schedule 11 – Queen Victoria Market Precinct
44	Land Management Overlays
	44.04 Land Subject to Inundation Overlay <ul style="list-style-type: none"> ▪ Schedule 1 - ▪ Schedule 2 -
	44.05 Special Building Overlay
45	Other Overlays
	45.01 Public Acquisition Overlay
	45.03 Environmental Audit Overlay
	45.04 Road Closure Overlay
	45.06 Development Contributions Plan Overlay <ul style="list-style-type: none"> ▪ Schedule 1 – Fishermans Bend Urban Renewal Area Development Contributions Plan ▪ Schedule 2 – Macaulay Urban Renewal Area Development Contributions Plan
	45.07 City Link Project Overlay
	45.09 Parking Overlay <ul style="list-style-type: none"> ▪ Schedule 1 – Capital City Zone – Outside The Retail Core ▪ Schedule 2 – Capital City Zone – Retail Core ▪ Schedule 3 – Capital City Zone – Lonsdale Street (Golden Square Car Park) Area ▪ Schedule 4 – Royal Melbourne Showgrounds ▪ Schedule 5 – Royal Melbourne Showgrounds – Non-Core Land ▪ Schedule 6 – Docklands – Victoria Harbour ▪ Schedule 7 – Docklands – Batman's Hill ▪ Schedule 8 – Docklands – Stadium Precinct ▪ Schedule 9 – Docklands – Comtech Port ▪ Schedule 10 – Docklands – Business Park ▪ Schedule 11 – Docklands – Yarra's Edge ▪ Schedule 12 – Residential Development In Specific

MELBOURNE PLANNING SCHEME

Section	Clause	
		Inner City Areas
		▪ Schedule 13 – Capital City Zone – Fishermans Bend
PARTICULAR PROVISIONS	50	Particular provisions
	51	Operation of particular provisions
	52	[no content]
	52.01	Public open space contribution and subdivision
	52.02	Easements, restrictions and reserves
	52.03	Specific sites and exclusions
	52.04	Satellite dish
	52.05	Advertising signs
	52.06	Car parking
	52.07	[no content]
	52.08	Earth and energy resources industry
	52.09	Stone extraction and extractive industry interest areas
	52.10	Uses with adverse amenity potential
	52.11	Home based business
	52.12	Service station
	52.13	Car wash
	52.14	Motor vehicle, boat or caravan sales
	52.15	Heliport and helicopter landing site
	52.16	Native vegetation precinct plan
	52.17	Native vegetation
	52.18	Timber production
	52.19	Telecommunications facility
	52.20	Convenience restaurant and take-away food premises
	52.21	Private tennis court
	52.22	Crisis accommodation
	52.23	Shared housing
	52.24	Community care unit
	52.25	Crematorium
	52.26	Cattle feedlot
	52.27	Licensed premises
	52.28	Gaming
	52.29	Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 road
	52.30	Freeway service centre
	52.31	Broiler farm
	52.32	Wind energy facility
	52.33	Shipping container storage
	52.34	Bicycle facilities
	52.35	[no content]
	52.36	[no content]
	52.37	Post boxes and dry stone walls

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Section	Clause
	52.38 2009 Bushfire recovery
	52.39 2009 Bushfire – replacement buildings
	52.40 Racing dog keeping and training
	52.41 [no content]
	52.42 Renewable energy facility (other than wind energy facility)
	52.43 Live music and entertainment noise
	52.44 Statement of underlying provisions
	52.45 Resource recovery
	52.46 Brothels
	52.47 Planning for bushfire
	52.48 Bushfire protection: Exemptions
54	One dwelling on a lot
	54.01 Neighbourhood and site description and design response
	54.02 Neighbourhood character
	54.03 Site layout and building massing
	54.04 Amenity impacts
	54.05 On-site amenity and facilities
	54.06 Detailed design
55	Two or more dwellings on a lot and residential buildings
	55.01 Neighbourhood and site description and design response
	55.02 Neighbourhood character and infrastructure
	55.03 Site layout and building massing
	55.04 Amenity impacts
	55.05 On-site amenity and facilities
	55.06 Detailed design
	55.07 Apartment Developments
56	Residential subdivision
	56.01 Subdivision site and context description and design response
	56.02 Policy implementation
	56.03 Liveable and sustainable communities
	56.04 Lot design
	56.05 Urban landscape
	56.06 Access and mobility management
	56.07 Integrated water management
	56.08 Site management
	56.09 Utilities
58	Apartment Developments
	58.01 Urban Context Report and Design Response
	58.02 Urban Context
	58.03 Site Layout
	58.04 Amenity Impacts
	58.05

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Section	Clause	
GENERAL PROVISIONS	58.06	On-site Amenity and Facilities Detailed Design
	58.07	Internal Amenity
	60	General provisions
	61	Administration of this scheme
	61.01	Administration and enforcement of this scheme
	61.02	What area is covered by this scheme?
	61.03	What does this scheme consist of?
	61.04	When did this scheme begin?
	61.05	Effect of this scheme
	61.06	Determination of boundaries
	62	Uses, buildings, works, subdivisions and demolition not requiring a permit
	62.01	Uses not requiring a permit
	62.02	Buildings and works
	62.03	Events on public land
	62.04	Subdivisions not requiring a permit
	62.05	Demolition
	63	Existing uses
	63.01	Extent of existing use rights
	63.02	Characterisation of use
	63.03	Effect of definitions on existing use rights
	63.04	Section 1 uses
	63.05	Section 2 and 3 uses
	63.06	Expiration of existing use rights
	63.07	Compliance with codes of practice
	63.08	Alternative use
	63.09	Shop conditions
	63.10	Damaged or destroyed buildings or works
	63.11	Proof of continuous use
	63.12	Decision guidelines
	64	General provisions for use and development of land
	64.01	Land used for more than one use
	64.02	Land used in conjunction with another use
64.03	Subdivision of land in more than one zone	
65	Decision guidelines	
65.01	Approval of an application or plan	
65.02	Approval of an application to subdivide land	
66	Referral and notice provisions	
66.01	Subdivision referrals	
66.02	Use and development referrals	
66.03	Referral of permit applications under other State standard provisions	
66.04		

MELBOURNE PLANNING SCHEME

Section	Clause	
	66.05	Referral of permit applications under local provisions
	66.06	Notice of permit applications under State standard provisions
		Notice of permit applications under local provisions
	67	Applications under Section 96 of the Act
	67.01	Exemptions from Section 96(1) and 96(2) of the Act
	67.02	Notice requirements
	67.03	Notice requirements - native vegetation
	67.04	Notice exemption
DEFINITIONS	70	Definitions
	71	Meaning of words
	72	General terms
	73	Outdoor advertising terms
	74	Land use terms
	75	Nesting diagrams
	75.01	Accommodation group
	75.02	Agriculture group
	75.03	Child care centre group
	75.04	Education centre group
	75.05	Industry group
	75.06	Leisure and recreation group
	75.07	Earth and energy resources group
	75.08	Office Group
	75.09	Place of assembly group
	75.10	Pleasure boat facility group
	75.11	Retail premises group
	75.12	Retail premises group (sub-group of shop)
	75.13	Transport terminal group
	75.14	Utility installation group
	75.15	Warehouse group
	75.16	Renewable energy group
	75.17	Land use terms that are not nested
INCORPORATED DOCUMENTS	80	Incorporated Documents
	81	Documents incorporated in this scheme
	81.01	Table of documents incorporated in this scheme
VICSMART PLANNING ASSESSMENT PROVISIONS	90	VicSmart Planning Assessment
	91	VicSmart planning applications and process
	92	State VicSmart applications
	93	Information requirements and decision guidelines for State VicSmart applications
	93.01	Realign the common boundary between two lots
	93.02	Subdivision of Buildings and Car Parking Spaces

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Section	Clause
	93.03 Front fence in a residential zone
	93.04 Buildings and works in a Zone (Except a Rural Zone)
	93.05 Buildings and works in an Overlay
	93.06 Remove, destroy or lop a tree
	93.07 Applications under a Heritage Overlay
	93.08 Applications under a Special Building Overlay
	93.09 Advertising sign
	93.10 Car parking
	93.11 [no content]
	93.12 Two Lot Subdivision in a Rural Zone
	93.13 Buildings and works in a Rural Zone
	93.14 Extension to one dwelling on a lot in a Residential Zone
	94 Local VicSmart applications
	95 Information requirements and decision guidelines for local VicSmart applications
LIST OF AMENDMENTS	List of amendments to this scheme

MELBOURNE PLANNING SCHEME

21 MUNICIPAL STRATEGIC STATEMENT12/09/2013
C162**21.01 Introduction**12/09/2013
C162

This Municipal Strategic Statement (MSS) sets out the vision, objectives and strategies for managing land use change and development in the City of Melbourne. It provides the basis for the application of local policies, zones, overlays and other provisions in the Melbourne Planning Scheme.

The objectives and strategies for the municipality as a whole are set out under the themes of settlement, environment and landscape, built environment and heritage, housing, economic development, transport and infrastructure. The Local Area section provides more detailed and locally specific information about the strategies.

The MSS ~~has the following eleven sections:~~ is structured as follows:

- 21.01 Introduction
- 21.02 Municipal profile
- 21.03 Vision
- 21.04 Settlement
 - Growth area framework
- 21.05 Environment and Landscape
 - Biodiversity
- 21.06 Built environment and heritage
 - Urban design
 - Sustainable development
 - Heritage
- 21.07 Housing
 - Residential development
- 21.08 Economic development
 - Retail
 - Business
 - Industry
 - Maritime precincts
- 21.09 Transport
 - Integrated transport
 - Sustainable personal transport
 - Cycling
 - Public transport
 - Management of the road system
 - Car parking
 - Ports and freight movement
- 21.10 Infrastructure

Comment [KCM1]: (17 sections)

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MELBOURNE PLANNING SCHEME

- Renewable energy
- Health facilities
- Education facilities
- Community facilities
- Cultural facilities
- Communication infrastructure

21.11 Local Areas

21.12 The Hoddle Grid

21.13 Urban renewal

- Southbank
- Docklands
- Fishermans Bend Urban Renewal Area

21.14 Proposed urban renewal

- City North
- Arden-Macaulay
- E-Gate

21.15 Potential urban renewal

- Dynon Road
- Flemington and Kensington
- Sports and Entertainment Precinct

21.16 Other areas

- St.Kilda Road and South Yarra
- East Melbourne and Jolimont
- Carlton
- Parkville
- North and West Melbourne
- Fishermans Bend Industrial Area

21.17 Reference Documents

Comment [KCM2]: Recommend consolidating these sections with 21.04

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21.02 MUNICIPAL PROFILE12/09/2013
C162**21.02-1 Context and history**12/09/2013
C162

Melbourne is Victoria's capital city and at its heart is the City of Melbourne. The Municipality is the location for many of the State's premier economic and cultural infrastructure and for a wide diversity of uses 24 hours a day, 7 days a week including office and commercial, cultural, leisure, entertainment, research, educational and residential uses. The City is the venue for many major events and festivals attracting visitors from the metropolitan area, Victoria, interstate and globally.

The City of Melbourne is on the Yarra River Estuary where the Yarra and Maribyrnong Rivers and Moonee Ponds Creek meet Port Phillip Bay. ~~Five-Seven~~ inner city municipalities and the Port of Melbourne surround the municipality. The Port is under the planning jurisdiction of the Port of Melbourne Corporation. ~~Places Victoria administers the Docklands development area.~~

~~For 30,000 to 40,000 years before~~~~Prior to~~ the arrival of European settlers, the indigenous peoples occupied the area. For the hunter-gatherers from the Wurundjeri, Boonwurrung and Wathaurong tribes of the Kulin nation alliance it was an important meeting place and source of food and ~~water~~.

Permanent European settlement began in 1835. The surveyor Robert Hoddle laid out the City of Melbourne between 1837 and 1851. Over the next 20 years, the early city developed its key features: the orderly grid and hierarchy of streets, lanes and arcades (the Hoddle Grid); the intricate subdivision pattern; the main boulevards radiating to the northwest, north, east and south; the parks and gardens that ring the City; and the government and public buildings.

The Hoddle Grid developed as a dense and heterogeneous cityscape with a regular and legible pattern of streets and public spaces. On the hills at the east and west ends of the grid there are high-rise commercial precincts. The gully spanning Swanston and Elizabeth Streets has a lower building scale. It has predominantly retail, cafes, restaurants, and professional services, and attracts very high pedestrian activity. In the 1980s, the central city development expanded across the river into Southbank's redundant industrial precincts and made the Yarra River an important focus of the Central City.

In the 1990s, apartment developments in the Hoddle Grid and Southbank began the Central City's revival as a place to live as well as work. About 83 per cent of municipality's housing stock is now units or apartments compared to detached houses and townhouses.

Around 2000 the Central City expanded again with the urban renewal of redundant port land in Docklands. Around this harbour setting high-density commercial and residential buildings were developed. This significantly expanded the Central City's waterfront aspect. Today the Central City encompasses the Hoddle Grid, Southbank and Docklands.

The City's assets include its historic precincts, streetscapes and buildings, the public spaces and activities along the Yarra River corridor including the Sports and Entertainment Precinct, Southbank cultural precinct and river promenade, its ring of parks and gardens, well established, diverse and easily accessible business districts, and its attractive residential areas. The City's laneways and arcades are one of the most iconic elements of the City's character, its social and cultural life and local economy.

One of the great Victorian-era cities in the world, the City contains many precincts, intact streetscapes and buildings recognised for their cultural heritage significance. While mostly known for its Victorian and Edwardian streetscapes, there are many examples of outstanding interwar, post war and contemporary architecture in the municipality.

Comment [KCM1]: This section should be expanded to include a description of Melbourne's known significant Aboriginal Cultural Heritage areas (Yarra River, Royal Park QVM?) subject to further discussion with Aboriginal Melbourne.

MELBOURNE PLANNING SCHEME

21.02-2 Melbourne's growth12/09/2013
C162

The MSS envisages the continued intensive growth in the municipality. The residential population of ~~53,200~~~~93,625~~ in 2016~~4~~ has grown by 485 per cent to ~~135,959~~~~98,200~~ in 2016~~2011~~. By 2037~~0~~, this could reach ~~266,455~~~~177,000~~ people. (ABS and COM ~~City User~~~~Geografia~~ forecasts)

The daily visitor population is also growing with the ~~763~~~~05,000~~ workers, students and visitors now coming into the Municipality each day, expected to exceed ~~1.4~~~~one~~ million by 2036~~0~~. (COM ~~City User forecasts~~~~Daily Population Estimates and Forecasts~~)

The City is a national and international tourist destination and the State's entertainment and celebration capital, regularly drawing crowds from metropolitan Melbourne, regional Victoria and beyond. In 2016~~1~~, there were approximately ~~73,000~~~~88,400~~ daily tourist visitors to the municipality. By 2036~~20~~, around ~~115,180~~~~84,000~~ national and international visitors are expected. (COM ~~City User forecasts~~~~Daily Population Estimates and Forecasts~~)
The numerous large sports and entertainment venues, convention facilities and cultural facilities draw visitors to the city.

21.02-3 People City12/09/2013
C162

The City of Melbourne has a young population with the median age of residents being ~~28~~~~33~~ years. There is a much greater proportion of people aged 12-25, and a smaller proportion of children under 12 years compared to the metropolitan region. (ID Consulting 2011)

The City has a smaller population of older residents. By 2030 however, the number of city residents aged over 55 years could increase ~~by 90 per cent~~ to over ~~46,895~~~~25,000~~. Couple households without children have increased ~~40~~~~63~~ per cent from ~~10,385~~~~4,400~~ to ~~14,514~~~~7,200~~ between 201~~0~~1 and 201~~0~~6. (~~ID Consulting 2011~~~~ABS 2011 & 2016~~)

The City is ethnically and culturally diverse. ~~This diversity is made up of people from 140 different ethnic communities.~~ Approximately ~~67~~~~57~~ per cent of the population were born overseas and about ~~49~~~~8~~ per cent of households speak a language other than English compared to ~~41~~~~36~~ per cent and ~~36~~~~32~~ per cent respectively for the rest of Melbourne. (ID Consulting 2011)

Comment [EG2]: Cannot find this info

21.02-4 Creative City12/09/2013
C162

Melbourne is a national and international leader in creative endeavours such as music, performing and visual arts; film, television and radio; writing, publishing and print media; design and architecture; software and electronic gaming, web and multimedia development; and advertising and marketing.

Along the Sturt Street spine there is a cluster of many of Australia's premier cultural institutions extending from Federation Square to the Arts Centre to the Malthouse Theatre. The North Melbourne Arts precinct is the other main arts cluster. The municipality's rich cultural life contributes to the City's liveability, capacity for innovation, competitiveness and reputation as a creative city. The City has also expanded rapidly as an entertainment and cultural centre with over ~~1,100~~~~1,366~~ cafés and restaurants in the central business district area alone and a multitude of entertainment, cultural and dining venues in its inner suburbs. (CLUE ~~2010-2016~~ Small Area Report: Melbourne (CBD))

Other City cultural assets include the Shrine of Remembrance and Royal Botanic Gardens, the Royal Exhibition Building and the surrounding Carlton Gardens, the Melbourne General Cemetery, the Melbourne Zoological Gardens and Sidney Myer Music Bowl.

MELBOURNE PLANNING SCHEME

21.02-5 Prosperous City

12/09/2013
C162

Metropolitan Melbourne is a global city. Along with Sydney and Brisbane, it is a key hub in Australia’s eastern seaboard economic region and gateway of trade, commerce and culture linking into the world economy.

In 2016+ there were over ~~455,753~~~~461,000~~ people employed in the municipality. Employment has grown at 3.5 per cent per year since 2002, faster than the state average of 2.4 per cent. The Central City has grown at 3.7 per cent since 2001 and by 2011, 319,000 workers were employed there. (SGS 2011, Employment Forecasts)

With Greater Melbourne’s largest concentration of government and advanced business services, the City makes a substantial contribution to Victoria’s prosperity. In ~~2008-2016~~ the City of Melbourne occupied ~~0.4~~ per cent of the land area in the Melbourne Statistical Division but its ~~Gross Local Product (GLP)~~, at an estimated at ~~\$56,824 million~~~~92.12 billion~~, was approximately ~~20.5%~~~~25%~~ of Victoria’s ~~Gross State Product (GSP)~~ and ~~25.835%~~ of the GSP of the Melbourne Statistical Division. Melbourne’s community also extends overseas with a large ex-pat community based overseas further extending the global business connection. (~~Economy ID 2012, Economic Profile~~~~COM Geografia 2016~~)

The Central City is the State’s main retail centre. The Retail Core in the Hoddle Grid’s is Victoria’s largest retail centre with about ~~526,000~~ square metres of retail floor space and an annual turnover of around \$2.18 billion. (City Research, CLUE 2010)

The City has a traditional manufacturing and industry base with over ~~5,990,000~~ square metres of floor space in the municipality used for industrial purposes. (City Research, CLUE 2010) In recent times, there has been substantial change in the manufacturing sector with many manufacturing uses in the inner City areas relocating to areas on the periphery of Melbourne or offshore. In the Fishermans Bend industrial area, however, the City has a vibrant industrial precinct with head offices of leading manufacturers and nationally important clusters in aviation and aerospace and defence. There is also an ongoing need for industrial uses that service the other activities in the City, the construction sector and for management of waste.

Comment [EG3]: Employment has grown by 2% between 2014 and 2016 (COM CLUE 2016) or has grown by 26% between 2006 and 2016 (COM CLUE 2016)

Comment [EG4]: Updated statistics required

Comment [EG5]: Updated statistics required

Comment [EG6]: Could not find figure for Hoddle Grid – did find 463,400sqm of retail floor space in Melbourne CBD in 2016 (COM CLUE 2016).

Comment [EG7]: Updated data required

21.02-6 Knowledge City

12/09/2013
C162

Melbourne is home to the University of Melbourne and RMIT University, the city campuses of four other universities, TAFE institutes and colleges as well as a number of private institutions. The linkages of these tertiary institutions with industry, business and hospitals provide a strong foundation for Melbourne’s future growth and success in the global economy. Research and learning institutions in the City are crucial to the State’s education and innovation economy and the global standing of metropolitan Melbourne as a knowledge city.

Melbourne hosts excellent research institutions in Bioscience and one of Victoria’s greatest strengths is the co-location of key education, hospitals, research institutes and industry in the Parkville and Alfred Hospital precincts.

Melbourne is one of the world’s leading student cities. The municipality’s student population increased ~~594+~~ per cent from ~~22,005~~~~49,000~~ to ~~30,937~~~~78,000~~ between ~~2001-2006~~ and ~~2006~~~~2016~~. Students now comprise 38 per cent of the resident population and about half are enrolled from overseas. (~~City Research (2008) ABS Census 2001 to 2006~~~~COM Daily Population Estimates and Forecasts 2017~~)

Comment [EG8]: Updated statistics required

21.02-7 Eco-City

12/09/2013
C162

Metropolitan Melbourne has a far-reaching ecological footprint reflecting increasingly unsustainable trends of resources consumption, waste generation and greenhouse gas emissions.

MELBOURNE PLANNING SCHEME

The City of Melbourne is one of the most compact, dense and mixed use part of the metropolitan area with the richest network of public transport services and generous reservations of public open space. These characteristics have intrinsic efficiencies and synergies and offer significant potential to drive down per capita energy use for building and transport services, to make the City robust against the predicted impacts of climate change particularly water scarcity and heatwaves.

12/09/2013
C162

Connected City

The Sydney-Melbourne air route is the ~~fourth~~^{second} busiest in the world. Fast daily passenger transport between the capital city centres is essential for Melbourne's business and tourist connections globally and regionally.

The municipality is the hub of the state, regional and metropolitan road, rail, bus, and tram networks. Effective and efficient mobility is essential for the liveability, creativity, prosperity, innovation and environmental sustainability of the metropolitan region and the municipality. The private car is reaching its limits as an effective mode of mass transit for commuting and reliance on rail, tram and bus is increasing for this task.

Bicycle and motorised bikes/scooter have been growing as a mode. They are efficient users of road space and competitive with cars for trips times. These modes can replace some trips within 10km of the city centre currently taken by car and public transport.

A high quality and comprehensive pedestrian network underpins an effective public transport services. It gathers and distributes passengers, safely and conveniently to their final destinations.

The Port of Melbourne is a key hub for Australia's international trade and freight. The Port handled \$58 billion of trade in 2008-2009 with a direct contribution to the Victorian economy of \$2.7 billion. It is the largest container, and one of the largest general cargo ports in Australia, handling 36 per cent of the nation's container trade. (PWC 2010, Economic Impact of PoM) Container freight will grow in the next two decades and the Melbourne International Freight Terminal is being developed in the Dynon Road Precinct to meet the growth and ensure efficient freight transfer and distribution by road and rail.

Comment [EG9]: Updated statistics required

Aboriginal City

Comment [KCM10]: Opportunity to acknowledge Aboriginal cultural identity as a key issue for the city, and to provide a context for local policy (to be developed)

MELBOURNE PLANNING SCHEME

21.03

12/09/2013
C162

VISION

Future Melbourne 2008-2026 is the community's plan to grow Melbourne as a global city and as one of the top ten most liveable and sustainable cities in the world. The plan's vision for the municipality is of a **bold, inspirational and sustainable city**.

To achieve this vision, *Future Melbourne* has six high level goals for Melbourne to be:

- a city for people,
- a creative city,
- a prosperous city,
- a city of knowledge,
- an eco-city, and
- a connected city.

Comment [KCM1]: Consider update to reflect relevant goals in Future Melbourne

Key issues underpinning this vision that direct land use planning in Melbourne are:

Settlement

To accommodate the municipality's growth over the coming 20 to 30 years the footprint of intensive growth areas will need to expand beyond Central City (Hoddle Grid, Docklands and Southbank) into designated new urban renewal areas.

Development in established residential areas will be limited to respect the existing neighbourhood character and heritage values of these areas.

Environment and Landscape Values

Continued protection of the health of ecological systems and the biodiversity they support continues to be relevant.

Built Environment and Heritage

Protecting existing built form character and heritage, in addition to providing an attractive and liveable built environment in parts of the City where development will intensify is essential. Also important is minimizing the ecological footprint of the City and managing the City so that it is responsive to climate change.

Housing

An important role for the city is in providing housing to accommodate the expected significant population growth. In a densely developed city, it is a challenge to achieve a diversity of housing choices, housing affordability, a good standard of building design and amenity.

Economic Development

The City of Melbourne makes an important contribution to the economic prosperity of the state through the provision of its local, corporate and global businesses, its strong retail, major cultural, sporting and tourism industry, and its significant industrial uses.

Transport

A priority for the City is maximising the use of sustainable modes of transport, in particular public transport, and supporting improved cycling and walking connections. Private motor vehicles will continue to be an important part of the mix of modes available but their use will become increasingly complementary to the other transport modes.

Infrastructure

There is a need to reinforce the efficient use of existing infrastructure and to provide new infrastructure to accommodate changing needs particularly in growth areas.

21.04 SETTLEMENT

21.04-1 Growth Area Framework

As the municipality continues to grow and develop, the culture and functioning of the City in twenty years time will be very different from today. However, through these changes the characteristics of the city we value today must be retained.

This can be achieved by: targeting urban growth and development into specific areas of the City; enabling ongoing but incremental growth and development in those parts of the City needing constant renewal of their vitality, and by maintaining the existing character in valued established areas.

The focus of this MSS is on promoting areas of growth and protecting areas of stability. Areas of ongoing and incremental growth will continue to be regulated under the current planning scheme controls. The MSS identifies four types of areas:

- Existing structure plan areas
- Future Structure Plan Areas
- Ongoing Change Areas
- Limited Change areas

The Growth Area Framework Plan at Figure 1 identifies these areas.

21.04-2 Urban renewal areas

The existing structure plan areas include Southbank, Docklands and the Arden Macaulay precinct. These areas have been planned and designed to provide for the expansion of the Central City in optimal living and working environments with a new mix of uses, higher density of development and excellent provision for walking, cycling and public transport services. Here change is guided by well-developed structure plans and master plans adopted by State Government and Council.

The design of the buildings, streets, public open spaces should be integrated over whole precincts with provision of utilities services to minimise the precinct's greenhouse gas emissions, optimise water management, mitigate the effects of extreme storm events, reduce the urban heat island and take precautions against sea level rise.

21.04-3 Future structure plan areas

These areas have been broadly identified as the locations for the next generation of the city's urban renewal. The future structure planning for these areas will define their exact boundaries, and will provide optimal living and working environments, to be energy, water and waste efficient and adapted to predicted climate change.

Once structure plans for each of these areas have been prepared and adopted by Council, the Structure Plans will be incorporated into the planning scheme, and the plan for the relevant local area will be updated with new objectives and strategies and the Growth Area Framework Plan will be updated to show the areas as 'Urban Renewal Areas'.

Until the objectives and strategies of approved structure plans are approved and implemented via a planning scheme amendment, the existing local area policies for the area will apply. It is important to ensure that interim development within Future Structure Plan Areas does not compromise the coordinated development potential of the areas.

21.04-4 Ongoing change areas

Ongoing Change Areas are the product of well established land use and development controls. They have a mix of built form and land uses. Development in these areas tends to occur on a site by site basis and may include changes of use as well as changes to the

buildings, or new development. The degree of change in these areas will be varied and dependent on many factors including location, existing use and form of development. Development will be in accordance with the relevant planning controls within the other sections of the Planning Scheme.

21.04-5 Limited Change Areas

These residential areas are valued for their existing character and the important contribution this makes to the city. In these areas limited change such as in-fill development and alterations and additions will continue to occur so that new land use or development fits in with the existing valued character.

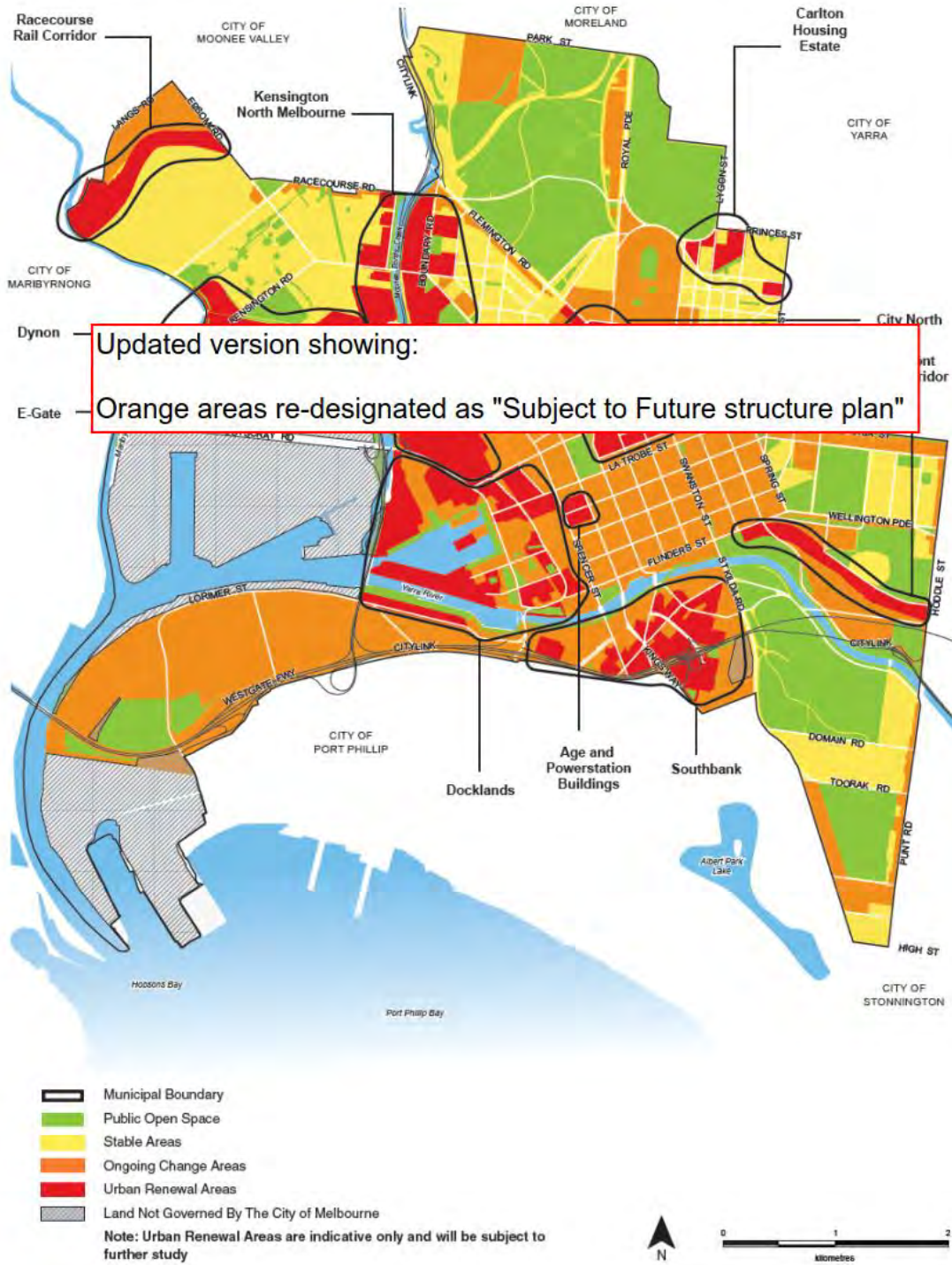


Figure 1 Growth Area Framework Plan

21.04-6 Local Areas

The following local sections provide more detail of strategies at a local level in the municipality for the 16 identified precincts identified within the City.

These are:

- Hoddle Grid
- Southbank
- Docklands
- Fishermans Bend Urban Renewal Area
- City North
- Arden - Macaulay
- E-Gate
- Dynon
- Flemington and Kensington
- Sports and Entertainment Precinct
- St Kilda Road and South Yarra
- East Melbourne and Jolimont
- Carlton
- Parkville
- North and West Melbourne
- Fishermans Bend Industrial Area

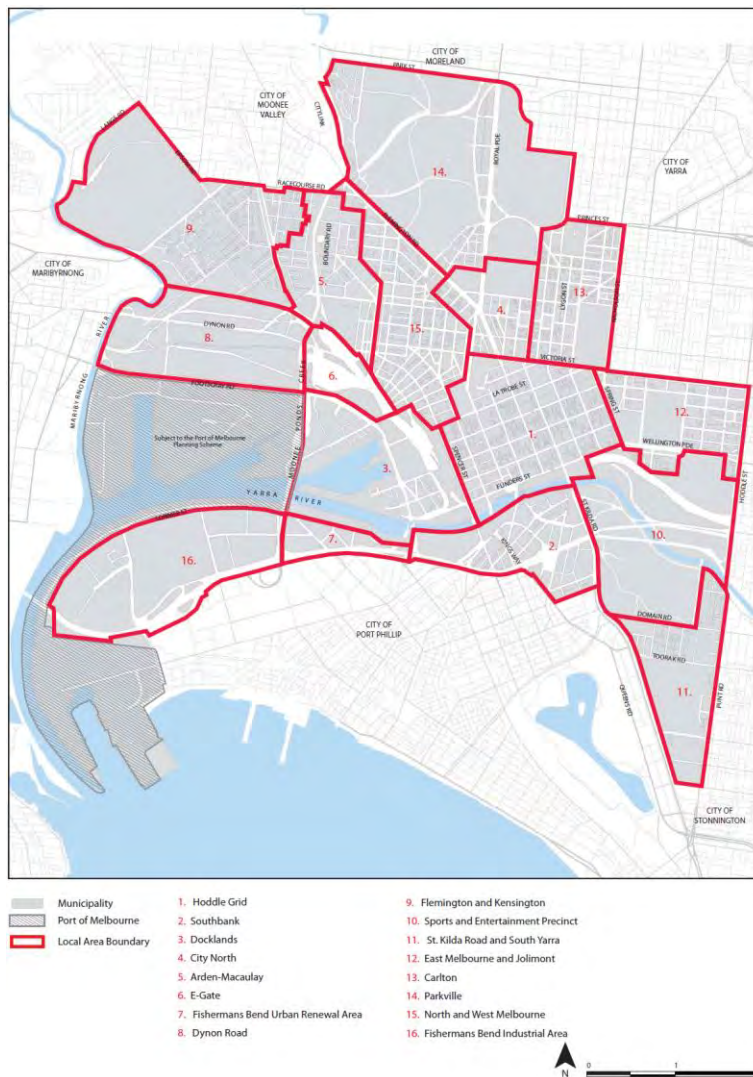


Figure 2 Local Areas Plan

21.04-7 Hoddle Grid

Central City functions will be located in the Hoddle Grid. This area will be managed to facilitate continued growth where appropriate and limit change or the scale of development in identified locations to preserve valued characteristics. A strong emphasis will be placed on a quality public realm and good pedestrian amenity and connectivity.

Housing

- Support permanent and short term residential development in the Hoddle Grid that accommodates a diverse population.

Economic development

- Encourage the development of a range of complementary precincts within the Hoddle Grid that offer a diverse range of specialist retail, cultural and entertainment opportunities.
- Encourage the retention and enhancement of specialised shopping and entertainment precincts within the Hoddle Grid, particularly Hardware Lane, Chinatown, Collins Street and Little Collins Street.
- Support entertainment, bars, eating and other evening uses throughout the Hoddle Grid.
- Support the Retail Core as a compact, high-density retail precinct and facilitate easy pedestrian access.
- Support the consolidation of education clusters on the northern and western edges of the Hoddle Grid and in Flinders Street.
- Ensure the Northbank of the Yarra River has increased open space opportunities.
- Support the Queen Victoria Market as a retail and tourist facility and as a heritage asset of State significance.
- Ensure the form and use of development around the Queen Victoria Market does not detract from its amenity nor compromise its 24 hour function.

Built Environment and Heritage

- Protect the regular grid layout, laneways, tree-lined boulevards and identified significant public open spaces.
- Protect the scale of important heritage precincts, boulevards and other unique precincts that rely on a consistency of scale for their image including the Retail Core, Chinatown, Hardware Lane, Flinders Lane, Bourke Hill, Parliament, the Melbourne Town Hall and the churches on Flinders and Collins Streets.
- Facilitate the civic and ceremonial function of Swanston Street.
- Enhance Swanston Street as part of a boulevard axis which runs from Princes Park to St Kilda Road.
- Maintain a low rise form and streetscapes in the Retail Core and along key views to ensure an intimate pedestrian scale and views to key buildings are maintained.
- Ensure a clear edge between the taller built form of the Capital City Zone and the Docklands Zone and the lower form of the surrounding areas.
- Ensure a strong contrast in scale of development along Elizabeth Street from the lower scale areas to the north of Victoria Street and the higher scale of the Capital City Zone.
- Ensure that development form and scale in the area south of the Queen Victoria Market Precinct achieves built form, urban design and public realm amenity outcomes consistent with those sought for the Hoddle Grid.

- Ensure that the design of tall buildings in the Hoddle Grid promote a human scale at street level especially in narrow lanes, respects the street pattern and provides a context for heritage buildings.
- Ensure that new tall buildings add architectural interest to the city's sky line.
- Ensure tower buildings are well spaced and sited to provide equitable access to an outlook and sunlight for all towers.
- Ensure high quality and robust public space design in arcade and laneway upgrades.
- Link arcades and laneways in the Hoddle Grid.
- Encourage arcade and laneway links between streets and public spaces.
- Ensure development fronting streets creates a continuous building edge and integrated streetscape.
- Ensure that security treatments for shop fronts allow for views into the premises at night and positively contribute to the streetscape.
- Ensure the ground level design of shop fronts on Swanston Street contribute to its role as a pre-eminent retail and lifestyle avenue and entry axis to the Retail Core.
- Ensure sunlight penetration in the middle of the day to key public spaces, appropriate to their role and function.
- Protect the Yarra River and its south bank from overshadowing throughout the year.

Transport

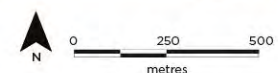
- Ensure that pedestrian use is given priority in the Hoddle Grid.
- Facilitate the development of the Bourke Street Mall as a high quality pedestrian and retail space.
- Ensure that developments provide weather protection along key pedestrian routes and areas where this does not conflict with building or streetscape integrity.
- Ensure that the design of buildings and public realm in the Hoddle Grid enhances the safety of pedestrians, visitors and occupants of buildings.
- Ensure streets and open space are physically and visually linked to the waterfront, where practicable.
- Develop better links between the south western edge of the Hoddle Grid and the Yarra River.
- Develop better links between the waterside entertainment and recreational attractions of the northern and southern banks of the Yarra.
- Encourage the provision of pedestrian links to the Queen Victoria Market from surrounding areas.

Figure 3: Hoddle Grid



- Local Area Boundary
- Rail Station
- Rail Network
- Proposed Melbourne Metro Rail Station
- Proposed Melbourne Metro Rail Alignment
- Freeway Tunnel
- Public Open Space
- Waterways
- Key Views
- Landmarks**
- Royal Exhibition Building
- Parliament Building
- Treasury Building

- Precincts**
- Retail Core
- Queen Victoria Market
- Flinders Street Station
- Bourke Street Mall
- Chinatown
- Hardware Lane
- Bourke Hill
- Collins Street
- State Library of Victoria
- Federation Square
- St Pauls Cathedral
- Melbourne Town Hall



21.04-8 Southbank

Starting in the early 1980s as an "Engaging with the Yarra River Initiative", Southbank has been under urban renewal for close to 30 years. It has now brought the Yarra River into the heart of the city's life and provided a dynamic extension of the Central City with good commercial and residential high-density development opportunities.

Southbank is home to the State's major arts facilities as part of its the internationally recognised Arts Precinct and other major activity areas including the Southbank Promenade, Melbourne Convention and Exhibition Centre and the South Wharf complex.

The Southbank Structure Plan 2010 was prepared to update the 1999 and 2007 plans. It provides a vision and strategy for the next 30 years for the area's continued development as an extension of the central city, with a high-density mix of commercial and residential uses, a built form of a human scale and fine grain detail, greater permeability, activity and pedestrian priority at street level.

Housing

- Support medium scale residential development in the Residential Zones of Southbank Village.

Economic Development

- Support Southbank's development as an extension of the Central City, providing a mix of commercial and residential land uses.
- Support and encourage creative industries, including arts infrastructure within the arts precinct.
- Support a mix of uses, including residential development, with ground floor retail and small scale business uses.
- Deliver a good provision of local services and facilities for workers and visitors and within easy walking distance from all residences.
- Support the ongoing operation and establishment of businesses that provide professional and business support services to the Capital City Zone in the Mixed Use Zones of Southbank.

Built Environment and Heritage

- Connect and integrate Southbank with the Central City and the Yarra River.
- Position Southbank as the natural extension of the city establishing the Yarra River at the City's centre, not its edge.
- Provide easy and attractive access to and across the river from the central and southern parts of Southbank.
- Maintain low rise development on the northern and southern sides of the Yarra River and Arts Precinct to maintain the low scale river edge to protect key views to the Arts Centre Spire and prevent overshadowing of the south bank of the River.
- Encourage high rise tower development to the north of City Link and west of Moore Street.
- Encourage medium scale development in the Arts Precinct and the areas to the east of Moore Street and to the south of City Link.
- Encourage medium scale development in the Southbank Village.
- Support the physical integration and connection of the Victorian College of the Arts to the surrounding area to enhance its connection with other uses in the precinct.
- Ensure that buildings along St Kilda Road and in Sturt Street maintain the visual dominance of the Arts Centre Spire.
- Maintain the landscape character of St Kilda Road.

- Ensure that development maintains views to the Shrine of Remembrance as an important landmark.
- Ensure that the scale and design of buildings south of Coventry Street preserve the setting and significance of the Shrine of Remembrance as a historic and cultural landmark and place of reverence.
- Promote high rise, high density development south of the Crown Casino and the Melbourne Exhibition Centre.
- Ensure all new development creates a high quality pedestrian environment and positively enhances the area's public realm.
- Encourage a mix of public and commercial uses at ground level in new developments to support street life and provide pedestrian interest.

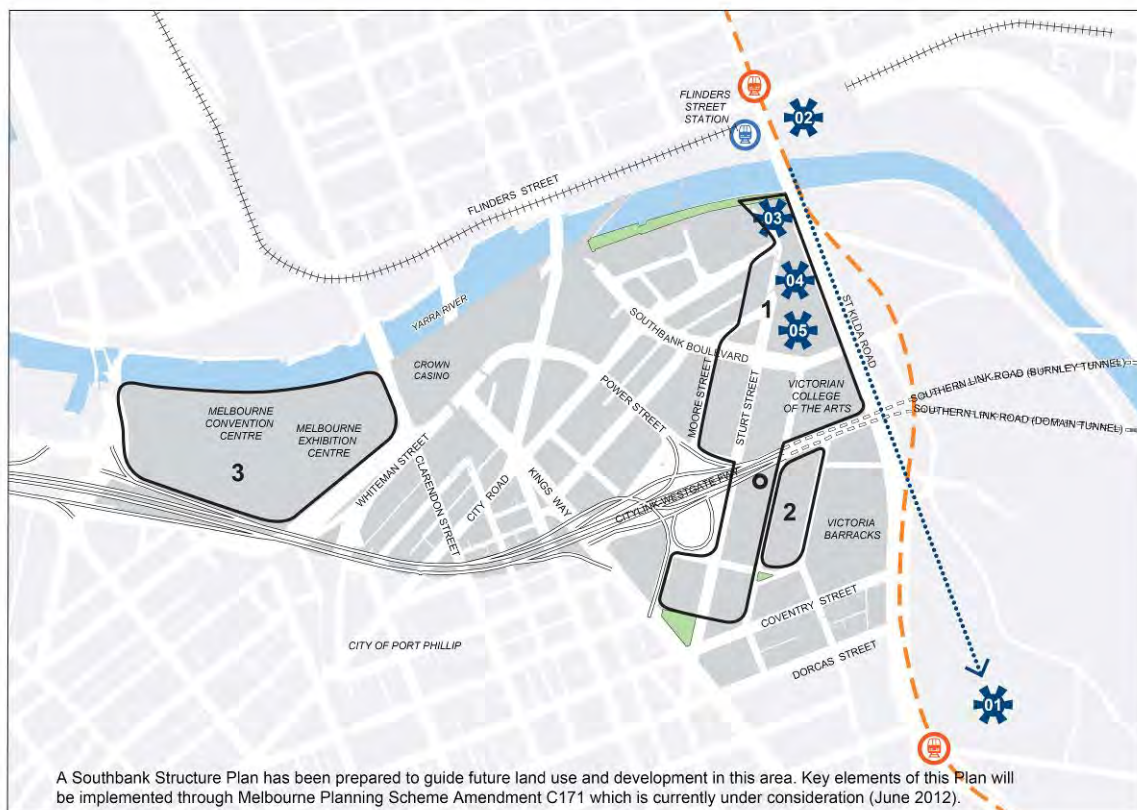
Transport

- Improve the public environment of Southbank by providing public spaces, improving pedestrian facilities and upgrading streetscapes.
- Improve streetscapes as a priority along major pedestrian routes.
- Strengthen pedestrian and cycle connections between Southbank and the Hoddle Grid and South Melbourne.
- Encourage a continuous network of through block links to increase permeability, amenity and safety and to improve access to the Yarra River and Arts Precinct.
- Give greater priority to pedestrian, cyclist and public transport amenity and access ahead of private motor vehicle use.
- Create a connected and permeable neighbourhood.

Infrastructure

- Encourage provision of open space and links between the Port Melbourne foreshore and the Hoddle Grid.
- Support arts and education uses and facilities at Southbank.
- Support arts, entertainment, cultural and educational attractions in Southbank, especially within the Arts Precinct.

Figure 4: Southbank



- Local Area Boundary
- Rail Station
- Rail network
- Proposed Melbourne Metro Rail Station
- Proposed Melbourne Metro Rail Alignment
- Freeway
- Freeway tunnel
- Public Open Space
- Waterways
- Key Views
- Grant Street City Link Exhaust Stack



- Precincts**
- Arts Precinct
 - Southbank Village
 - Melbourne Convention and Exhibition Centre

- Landmarks**
- Shrine of Remembrance
 - Federation Square
 - Hamer Hall
 - The Arts Centre
 - The National Gallery of Victoria

21.04-09 Docklands

Once one of Victoria’s main ports, by the 1990s it was an industrial wasteland. Around 2000 Docklands urban renewal began its transformation into a new residential, commercial and visitor destination providing housing, office, industry, research, institutional, business, education, entertainment/leisure, marina and sporting uses and public spaces. Docklands is

an extension of the Central City and it is intended that leisure-related retailing complementary to retailing in the Retail Core also be provided.

Together, Places Victoria, the City of Melbourne and the Docklands community have been assessing the first decade of development and planning for the second. Where the first decade focussed on creating buildings and attracting investment, the second decade is now being planned to be a place where people want to work, live and visit with a diversity of businesses, activities, residents, public spaces and community infrastructure.

Housing

- Support residential development in Docklands that complements its other functions.
- Encourage medium to high residential density.

Economic Development

- Support mixed use development including office and commercial development in the Digital Harbour, Stadium, New Quay, Victoria Harbour, Yarra's Edge and Batman's Hill Precincts.
- Encourage active uses in the areas fronting the waterfront to promote maximum usage and activity at the waterfront.
- Support Victoria Harbour waterfront and Waterfront City as the primary retail precinct for Docklands that complements retailing in the Hoddle Grid.
- Limit the impact of marina development on public access to the waterfront.
- Encourage local industries and uses such as recreational boating, marinas, fish markets, and port services, particularly where access to the waterfront is available.
- Encourage the establishment of leading edge industries through the development and promotion of Digital Harbour and the installation of high technology infrastructure.
- Encourage the installation of high technology infrastructure throughout Docklands.
- Support the consolidation of education and research clusters in Docklands including the Digital Harbour Precinct and TAFE facilities.

Built Environment and Heritage

- Ensure Docklands is physically and visually linked with the west end of the Hoddle Grid.
- Ensure that buildings provide weather protection and an attractive built form to promote an attractive, vibrant, safe and comfortable street environment.
- Encourage a development pattern that acknowledges Melbourne's traditional hierarchy of streets, lanes and arcades. The development pattern should be permeable and fine-grained to create a clear pattern of access and movement.
- Ensure that the design of buildings encourages sustainable outcomes.
- Encourage the reuse of heritage buildings.
- Encourage interim land uses, reuse of existing buildings, infrastructure and landscaping which presents an attractive physical environment during the development phase.
- Ensure building heights and setbacks along the waterfront in Docklands allow for optimum climatic conditions on the promenades.
- Encourage a built form profile in the Docklands that forms an extension of the Hoddle Grid building profile.
- Maintain and reinforce views to the water from the Hoddle Grid where possible, particularly along the Collins, Bourke and Latrobe Street corridors.
- Ensure buildings on landmark sites which terminate views or vistas or mark key local focal points are designed to the highest quality.

- Ensure development in Docklands extends and reinforces Council’s public environment initiatives and practices.
- Ensure safe, wide and attractive public promenades are provided along the Docklands waterfront as an integrated part of the development of each precinct.
- Ensure continuous pedestrian and cycle promenades along the waterfront in Docklands.
- Ensure marina development in Docklands allows for public access to the water and the waterfront.
- Strengthen Harbour Esplanade as a civic spine for the Docklands.
- Ensure that new streets and open spaces provide physical and visual linkages to the waterfront.

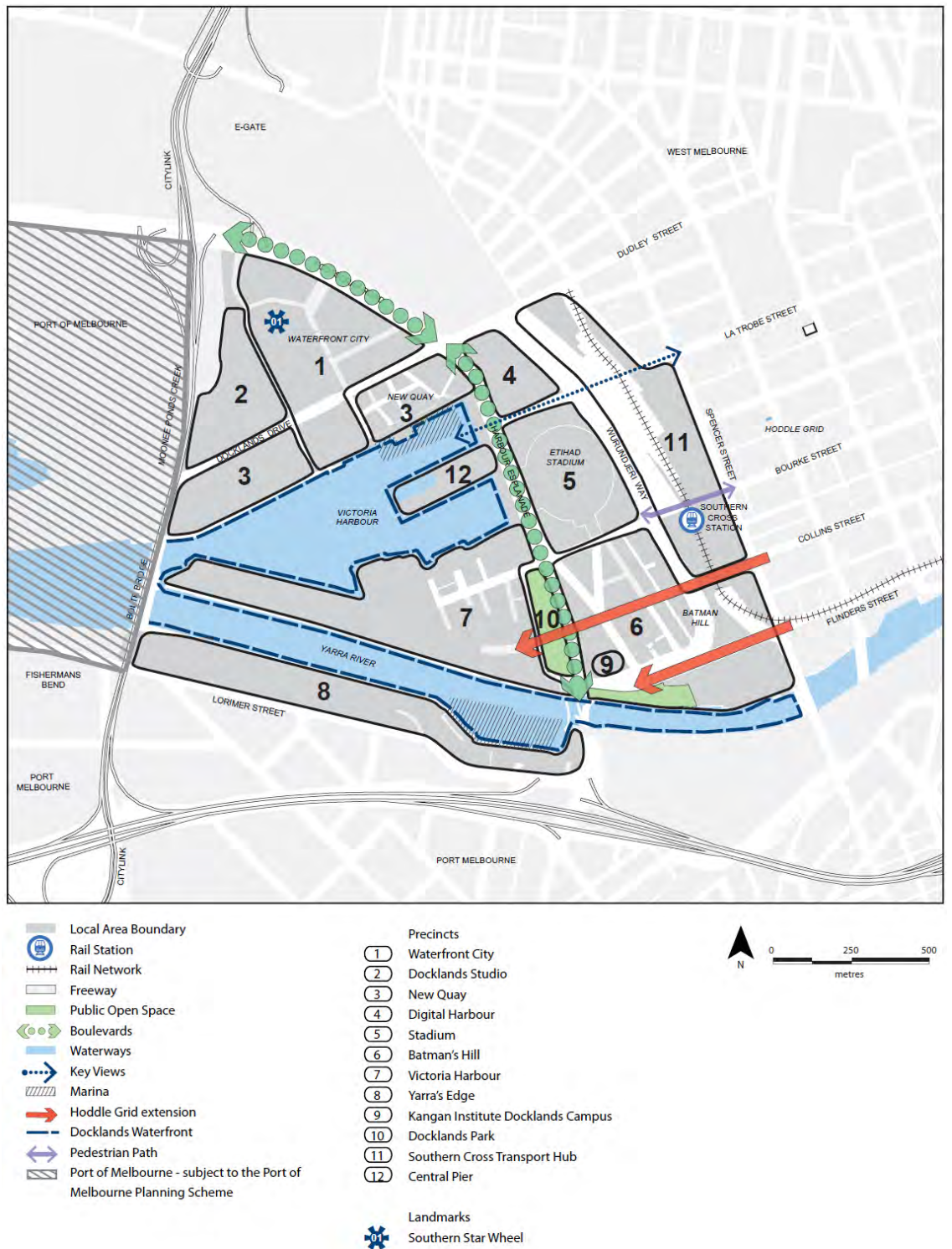
Transport

- Support pedestrian connections to the Southern Cross Major Transport Hub.
- Strengthen pedestrian connections between Docklands and Port Melbourne and West Melbourne.
- Strengthen pedestrian and cycle connectivity between the Hoddle Grid and Docklands.
- Require the development of Docklands to incorporate a high level and quality of pedestrian and bicycle access.
- Support a wide variety of transport modes to and in Docklands, including public, vehicular, pedestrian, cycle and water based transport.
- Support an integrated public transport system in Docklands with a high degree of connectivity between tram, rail and bus services.
- Support the extension of light rail services to Docklands.
- Ensure new developments make provision for on-street car parking and bus and taxi parking adjacent to key public spaces and land uses.
- Encourage the co-location and sharing of car parking facilities where appropriate.
- Develop Footscray Road as a western boulevard entry to the City through the use of strong urban and landscape design elements.
- Ensure the design of roads in Docklands encourages through-traffic to be diverted away from the harbour waterfront.
- Ensure that the provision of car parking for use and development is consistent with environmental considerations and with the efficient operation of the Melbourne Docklands area road network and approach roads.

Infrastructure

- Support the development of continual open space links along the Docklands waterfront, Yarra River and Moonee Ponds Creek that provide for recreational and ecological purposes.
- Support the provision of an integrated network of parks and open spaces in Docklands.
- Support the development of Victoria Harbour, Harbour Esplanade and Docklands Park as the recreational focus for the Docklands.
- Ensure adequate and appropriate space is set aside in Docklands for community facilities and that these facilities can be extended and upgraded when required.

Figure 5: Docklands



21.04-10 Fishermans Bend Urban Renewal Area – Lorimer (Subject to GC81 outcome)

The State Planning Policy identifies Fishermans Bend as a priority urban renewal area. It is an unparalleled renewal opportunity within Melbourne. It will provide for 80,000 jobs (40,000 within the mixed use precinct and 40,000 in the Employment Precinct) and a range of well serviced, high density housing options for 80,000 people. Lorimer is planned to accommodate 12,000 residents and 6,000 jobs.

The Lorimer precinct will promote a mix of residential, retail, commercial, entertainment and employment opportunities that complements the functions and built form of the Central City and Docklands. The area will provide opportunities for co-location of employment and housing, increasing productivity through decreased travel times for residents. Fishermans Bend urban renewal project is driven by the fundamental principles of economic prosperity, social equity and environmental quality that takes advantage of its close proximity to existing employment, residential and transport links in the Central City/ Southbank/ Docklands areas. Design excellence and environmental sustainability is fundamental to delivering a high quality, high amenity urban environment and realising the vision for a highly liveable urban renewal area.

The Fishermans Bend Urban Renewal Area will seek to achieve an affordable housing target of 6% across the precincts. Delivering improved housing affordability, choice and a diversity in this key area of Melbourne.

The Lorimer precinct has a distinct role in realising the vision for Fishermans Bend and will have its own distinct character and identity.

Housing

Ensure new residential areas have a strong sense of community and are welcoming and convenient places to live.

Encourage a vibrant, mixed use precinct close to the Yarra River and connected to Melbourne's Central City, Docklands and other emerging urban renewal areas.

Encourage a high density mixed use precinct centred around a linear green spine and open spaces. To create an important recreational and biodiversity green link, promoting a healthy and diverse lifestyle for people of all ages and backgrounds.

Economic Development

Ensure Lorimer has excellent access to employment and public transport, being located on the doorstep of the Central City, Docklands and adjacent to the Fishermans Bend Employment Precinct (NEIC), connected by the northern Tram Route.

Encourage development to deliver high levels of amenity, focus on the attraction and retention of talent, and to support investment and growth in the knowledge, creative, design, research, education, innovation, engineering, advanced manufacturing and service sectors.

Encourage mixed use outcomes across the four mixed use precincts that create a significant employment growth, complementing existing industries in the Employment Precinct (NEIC), and build on strengths in aeronautical and automotive engineering and defence.

Ensure that new development implements measures to mitigate itself from potential amenity impacts from existing industry and warehouse uses, or from ongoing port operations.

Built Environment and Heritage

Encourage a visual and physical connection to the Yarra River through a series of new north-south laneways that will stitch the precinct across Lorimer Street through to the Yarra River.

Encourage a diversity of mid and high-rise buildings with taller buildings located along the less sensitive interface of the West Gate Freeway providing an attractive architectural backdrop to the precinct.

Encourage a mix of courtyard, perimeter block apartments, and tower developments with hybrid developments that accommodate a mix on larger sites strongly encouraged.

Ensure heights are reduced in key locations to protect existing and proposed open spaces from being overshadowed.

Encourage defined frontages with retail uses activate ground level interfaces with open spaces. Large and smaller format commercial uses are also encouraged within podium or lower levels of development.

Ensure towers are well spaced to provide for outlook and view through to the river, with setbacks to protect amenity of streets and laneways.

Encourage higher street walls along the freeway interface, providing a buffer from freeway traffic.

Sub-precincts: Preferred character outcomes

The following outlines the preferred character within each sub-precinct within the Lorimer precinct (refer Map 10: Sub-precincts within the Fishermans Bend Urban Renewal Area)

Table 1: Preferred future character

Lorimer	Preferred Character
Area L1	Hybrid developments of mid-rise perimeter blocks and tower developments Slender towers located to minimise overshadowing impacts on the Lorimer Parkway Provision of private and communal open space with good access to sunlight to provide high levels of amenity for residents and workers. Activation of the Lorimer Parkway, Ingles Street and the new north-south street through a diversity of fine-grain frontages, nominally 4-8 metres wide. Lower street wall heights along Lorimer Parkway to maximise the amount of sunlight penetrating between tower elements to reach the southern side of the parkway
Area L2	Mid-rise developments with activated laneways leading to Lorimer Street and the Yarra River
Area L3	Slender towers located to minimise overshadowing of the Lorimer parkway Lower street wall heights along Lorimer parkway to maximise the amount of sunlight penetrating between tower elements to reach the southern side of the parkway
Area L4	Hybrid developments of mid-rise perimeter blocks and tower developments Well-spaced towers that avoid a wall-of-towers effect when viewed from the Yarra River, Lorimer Parkway, internal streets and the West Gate Freeway Towers that create a visual landmark to the West Gate Freeway recognising that this is an important arrival point into the central city Location and design of towers to minimise overshadowing of parks and streets in the Sandridge precinct Activation of new north-south laneways and streets Lower street wall heights on the east and west of the new large park on Turner Street Elsewhere, higher street wall heights that assist in mitigating noise pollution from the West Gate Freeway into the Lorimer Precinct. Service access only on the new service road along the West Gate boundary

Transport

Support the creation of the northern tram route along Turner Street and Lorimer Street providing direct, high frequency public transport connection to Docklands and the Central City.

Support the creation of new or upgraded bridges over the Freeway at Ingles Street and Graham Street to provide public transport, bike and pedestrian access to Sandridge.

Infrastructure

Support the creation of the Lorimer Central Open Space located in the heart of the precinct, between Ingles and Boundary Streets

Support Turner Street closure and widening to create a new Linear Parkway along the tram route, and creating a green link to the new Lorimer West Open Space, and additional green link connecting to new open space at intersection of Hartley and Lorimer Streets.

Support a network of new streets and laneways to transform the existing industrial scale blocks into a walkable neighbourhood

Support a pop-up community hub created on land adjacent to the Bolte Bridge, evolving into a Health and Well-Being Hub. Education and Community Hub (primary) is located in the north eastern part of the precinct, and an Art and Cultural Hub is located in the south eastern part of the precinct.

Encourage new facilities to be delivered as part of mixed use development, located in close proximity to the Lorimer Central Open Space or Hartley Street Open Space and northern tram route.

Encourage a Sports and Recreation hub (or part of cluster) to be delivered as part of mixed use development, located within the 'investigation area' at the western part of the precinct.

21.04-11 City North

City North is identified for proposed renewal given its existing role as a specialised activity centre, the proposed Parkville Station as part of the Metro Tunnel project and its proximity as an extension of the Central City.

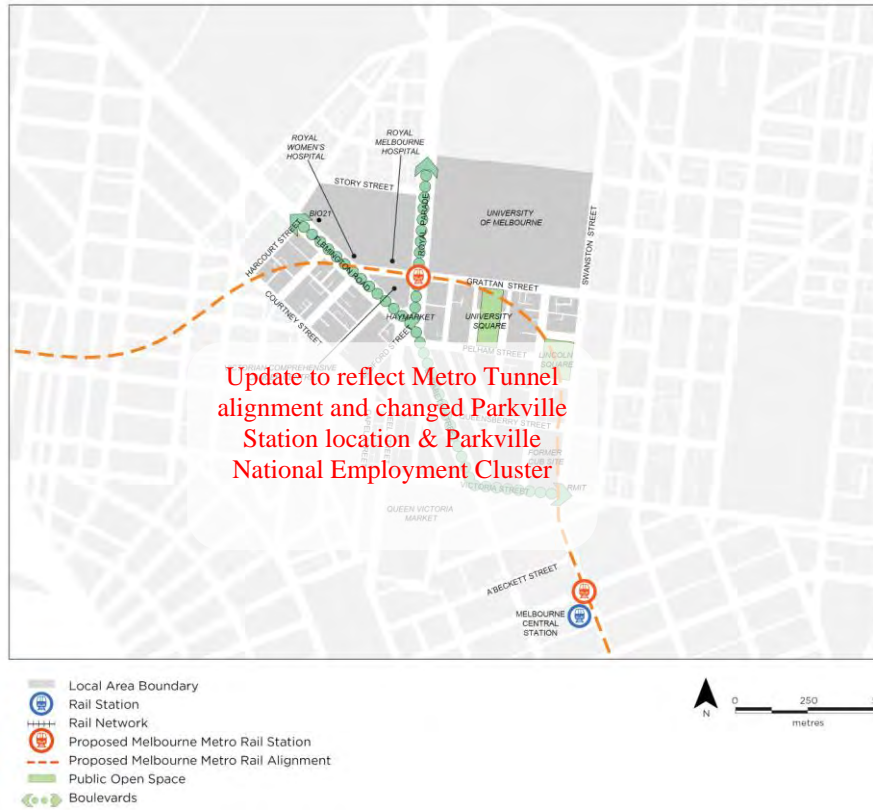
City North, like metropolitan Melbourne, has experienced a shift from a manufacturing economy to a knowledge economy. Historically the area was an edge-of-town district characterised by light industrial, warehousing, bulk goods retailing, hospitals, research, auto sales and services. The opening of the City Loop underground rail line and the associated development of Melbourne Central as a retail complex in the 1980s has seen Central City development expand north of Victoria Street. Alongside this residential and commercial expansion, the University of Melbourne has been expanding its campus south of Grattan Street and RMIT has been expanding north, positioning Victoria Street at the centre of its campus.

City North is undergoing a transition to a high intensity mixed use area of residential, commercial, educational, research, industrial and retail activities. The large areas of land in light and small scale industry and business can be expected to relocate to more appropriate sites over time, freeing land for redevelopment.

Growth in the number of residents, workers and students in City North will drive demand for increased local services such as convenience retailing, shopping, entertainment, social venues and community services. The former Carlton and United Brewery site at the corner of Swanston and Victoria is catalysing change in the area. The site is undergoing significant redevelopment, with high density residential, office, commercial and educational buildings as well as a central public open space.

The City North Structure Plan 2012 has been adopted by the City of Melbourne and has been implemented into the planning scheme via a planning scheme amendment. The directions of this plan for this local area are still to be inserted into the planning scheme.

Figure 7: City North



21.04-12 **Arden-Macaulay**

Arden-Macaulay is an area in transition. Since the 1880's, Arden-Macaulay has been primarily an industrial area supporting the city's economy through manufacturing and production. The profile of business activity in the area has been changing with some degree of land underutilisation given its potential in relation to its proximity to the central City.

The Melbourne Metro station project to be located between CityLink and Laurens Street will lead to major change east of the Moonee Ponds Creek.

The Arden-Macaulay Structure Plan 2012 has been prepared and adopted by the City of Melbourne and will be implemented into the planning scheme via a planning scheme amendment. The directions of this plan for this local area are still to be inserted into the planning scheme.

Planning controls address the interface between on-going industrial and residential areas. The interface between new development and existing residential areas and large manufacturing industry will be protected from sensitive uses by a land use buffer of non-residential development and/or non-sensitive land uses (depicted within Figure 8 as "Commercial and Industrial Buffer").

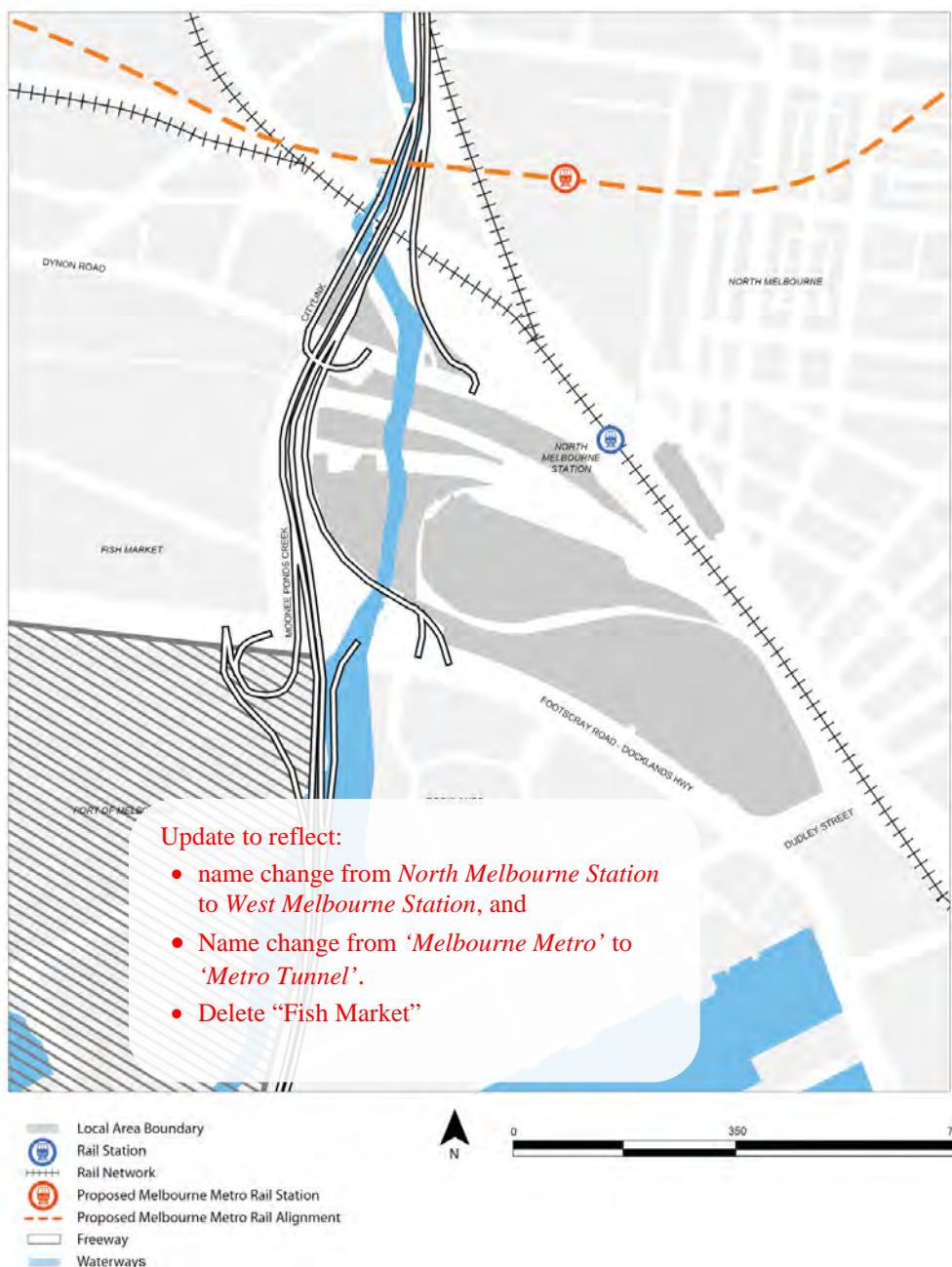
Figure 8: Arden Macaulay



21.04-13 E-Gate

This land is mostly railway reserve in State Government ownership and it adjoins the Docklands and Arden-Macaulay urban renewal areas. State Government is developing plans for this future structure plan area and these plans will be implemented into the planning scheme via a planning scheme amendment.

Figure 9: E-Gate



21.04-14 Dynon

This area accommodates mainly freight and some industrial activities. In the longer term these activities will be reconfigured and rationalised within the area. This will be done in conjunction with the planning and development of the Port of Melbourne and the Melbourne Intermodal Freight Terminal serving the port south of Dynon Road. The State Government's West Gate Tunnel project will traverse the precinct.

The rationalisation and modernisation of the freight functions in the precinct will open up the potential for the renewal of the northern section of this area. This area will be investigated for urban renewal in this context. Any urban renewal of this area should not constrain the operations of the port freight terminal to the south. The planning for this area will be undertaken by the State Government in conjunction with the City of Melbourne.

The current strategies for this local area are outlined below

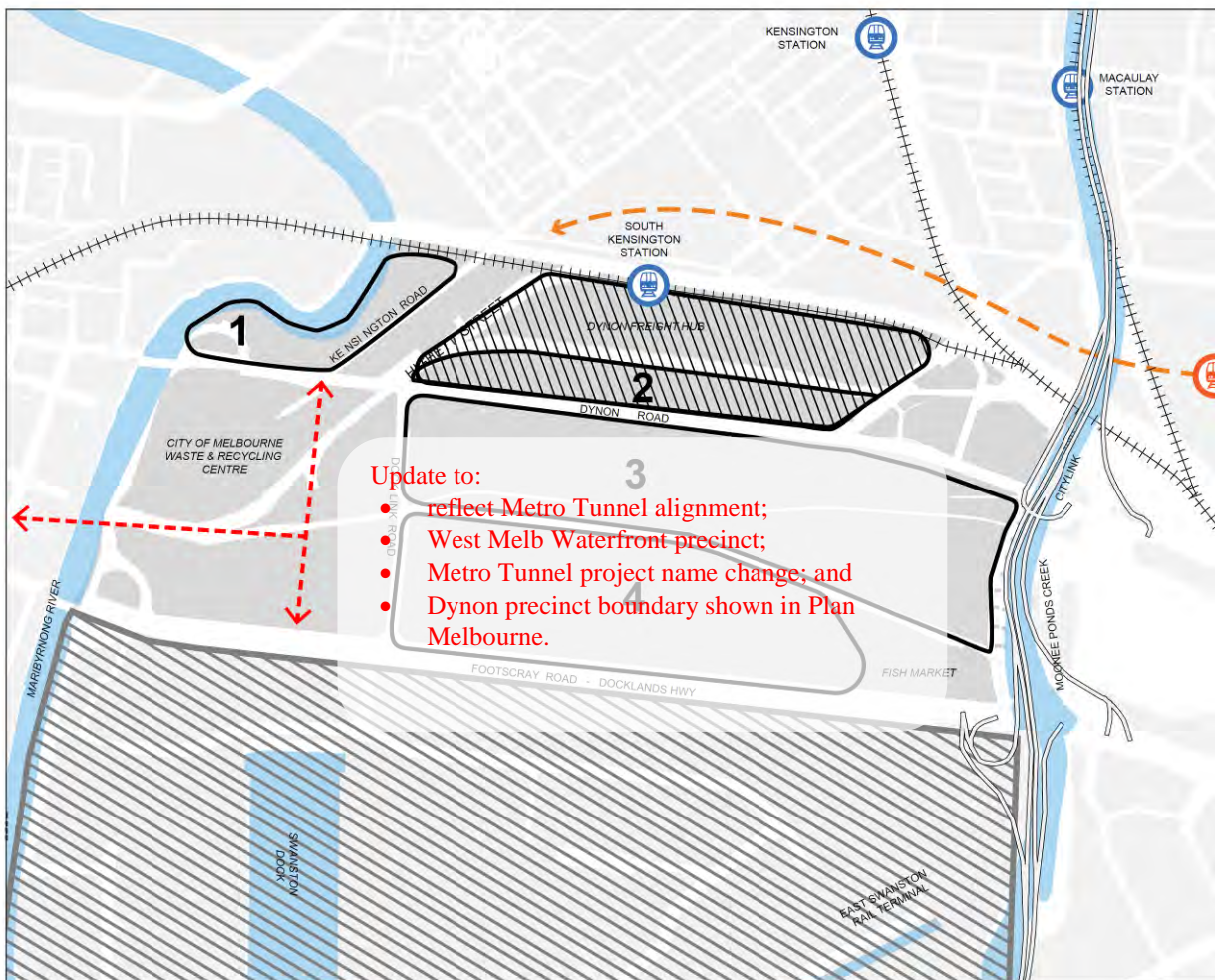
Economic development

- Support the ongoing use of the Dynon Precinct, west of CityLink, for a range of transport, manufacturing, wholesale and distribution industries.
- Support advanced manufacturing, service industries, and port/rail use compatible with the Port of Melbourne and nearby manufacturing, freight and transport logistics industries along the Maribyrnong River while ensuring that the amenity of the river is enhanced.
- Support the development of a freight distribution hub at Dynon Road with enhanced links to the Port of Melbourne.

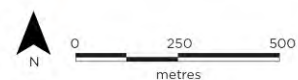
Built Environment

- Encourage buildings fronting Dynon and Footscray Roads to have active and attractive fronts.
- Ensure new development along the Maribyrnong River and Moonee Ponds Creek enhances the recreational and environmental amenity of these waterway corridors and has appropriate setbacks.
- Enhance open space and recreational opportunities along the Maribyrnong River and Moonee Ponds creek.

Figure 10: Dynon



- Local Area Boundary
 - Rail Station
 - Rail Network
 - Proposed Melbourne Metro Rail Station
 - Proposed Melbourne Metro Rail Alignment
 - Freeway
 - Waterways
 - Potential Urban Renewal Area
 - Proposed Port Freight Link
 - Port of Melbourne - subject to the Port of Melbourne Planning Scheme
- Precincts**
- 1** Kensington Road Precinct
 - 2** North Dynon Freight Terminal
 - 3** South Dynon - freight uses
 - 4** Further freight transport uses



21.04-15 Flemington and Kensington

Flemington and Kensington (west) are residential areas adjacent to the Flemington Racecourse, the Royal Agricultural Showgrounds and the Maribyrnong River.

Maintaining and enhancing residential amenity and the heritage characteristics of the area is a priority.

The ongoing operation and growth of Flemington Racecourse and the Royal Agricultural Showgrounds is supported along with the expansion of the recreational role of the Maribyrnong River and its enhancement as part of the Municipality's open space network.

The rail corridor between Flemington Racecourse and the Showgrounds has potential for urban renewal. This will depend on future options for a rail service to the area.

Housing

- Ensure development in residentially zoned areas of Kensington maintains its generally low scale nature of heritage streetscapes and buildings.
- Ensure development in Kensington Banks maintains its generally low scale nature.
- Discourage the encroachment of non-residential uses associated with education and medical institutions into neighbouring Residential Zones.
- Support the provision of a range of housing including social housing in the Office of Housing Estate.
- Support the conversion of industrial uses on land bounded by Hobsons Road, Kensington Road and the Maribyrnong River to a mix of residential, commercial and recreational uses to ensure that they are more compatible with the adjoining Kensington Banks.

Economic Development

- Support the ongoing operation of Flemington Racecourse and the Royal Agricultural Showgrounds, including ancillary activities.
- Support the revitalisation of the Royal Agricultural Showgrounds to enhance its capacity as a recreation facility.
- Minimise the impact of Flemington Racecourse and the Royal Agricultural Showgrounds, including traffic, noise and parking on nearby Residential and Mixed Use Zones.
- Strengthen the role of the Macaulay Road shopping area for convenience shopping and facilities with a neighbourhood focus.
- Strengthen the recreational role of Holland Park and the Maribyrnong River.

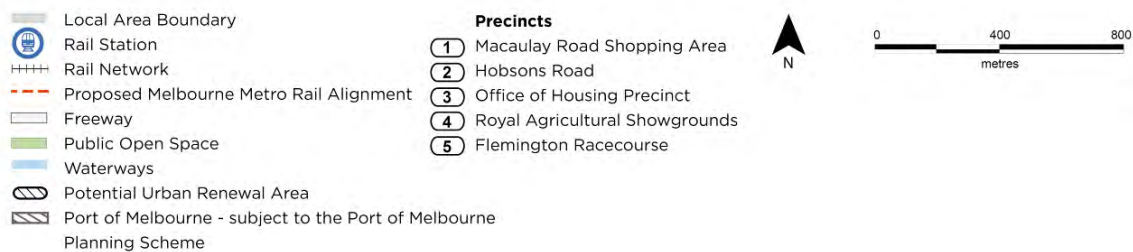
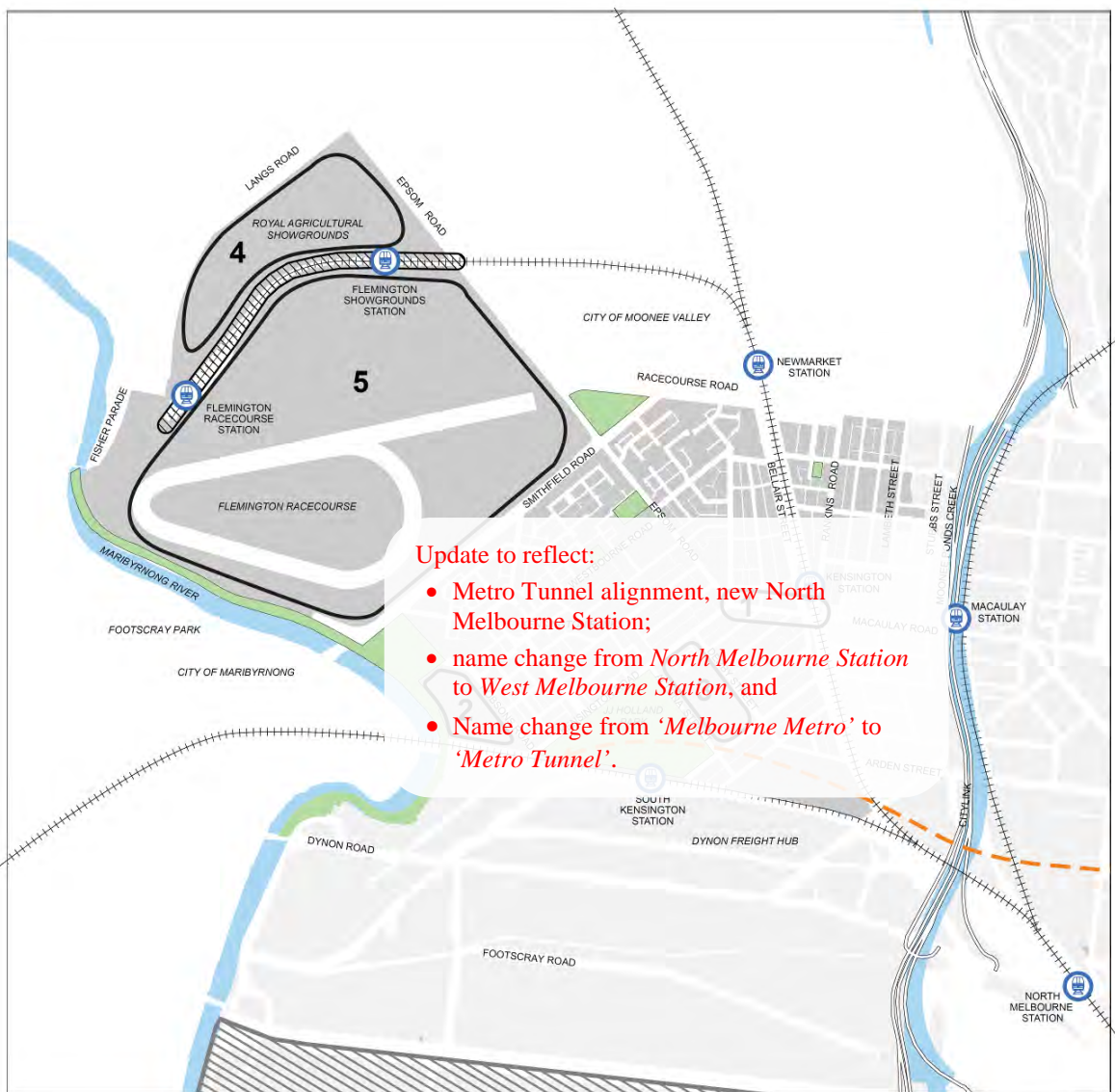
Built Environment and Heritage

- Ensure development in the residentially zoned (stable residential) area of Flemington and Kensington maintains its generally low scale nature of heritage streetscapes and buildings.
- Ensure development in Kensington Banks maintains its generally low scale nature.
- Ensure development along the Maribyrnong River facilitates public access to the river and reflects its increasing recreational role.
- Ensure that development along the Maribyrnong River is river focused and does not dominate in terms of height, scale and bulk of development.
- Encourage sympathetic infill redevelopment and extensions that complement the architecture, scale and character of Kensington and Flemington.
- Ensure that the scale and built form of any new development on land along Hobsons Road is compatible with the prevailing built form of Kensington Banks.

Transport

- Strengthen pedestrian links between Flemington Racecourse and the Footscray Botanical Gardens across the Maribyrnong River.
- Strengthen public space and pedestrian and cycle connections on both sides and across the Maribyrnong River and Moonee Ponds Creek.

Figure 11: Flemington and Kensington



21.04-16 Sports and Entertainment Precinct

The Sports and Entertainment Precinct includes some of Melbourne's major sporting and entertainment venues as well as some of the largest areas of parkland in the vicinity of the Central City along the Yarra River corridor. It provides recreational, cultural and entertainment opportunities including Birrarung Marr, the Shrine of Remembrance, Government House, Sidney Myer Music Bowl and the National Herbarium within the Domain and Royal Botanic Gardens.

The Jolimont rail corridor runs through the middle of the Sports and Entertainment Precinct. The Federation Square development was the first step in the urban renewal of this corridor. As inner and central city locations have become more highly valued development over transport corridors will become increasingly attractive not only for the development space they can yield but also for the opportunity to connect adjacent parts of the city that have been separated.

This area's development will continue to provide Melbourne with world class recreational, entertainment and leisure facilities. Its future development could incorporate the urban renewal of the Jolimont rail corridor.

Economic development

- Ensure that commercial uses in the Royal Botanic Gardens and Domain Parklands do not detract from their landscape qualities and amenity.

Built Environment and Heritage

- Investigate the potential future development of the Jolimont rail yards corridor.
- Protect key views to the Shrine of Remembrance and ensure that new buildings surrounding the Shrine of Remembrance preserve its significance as a historic and cultural landmark.
- Maintain the beauty, cultural values and functionality of the Royal Botanic Gardens and Domain Parklands and the institutions within them.
- Support the maintenance of the natural state of Yarra Park by retaining and enhancing its native vegetation.

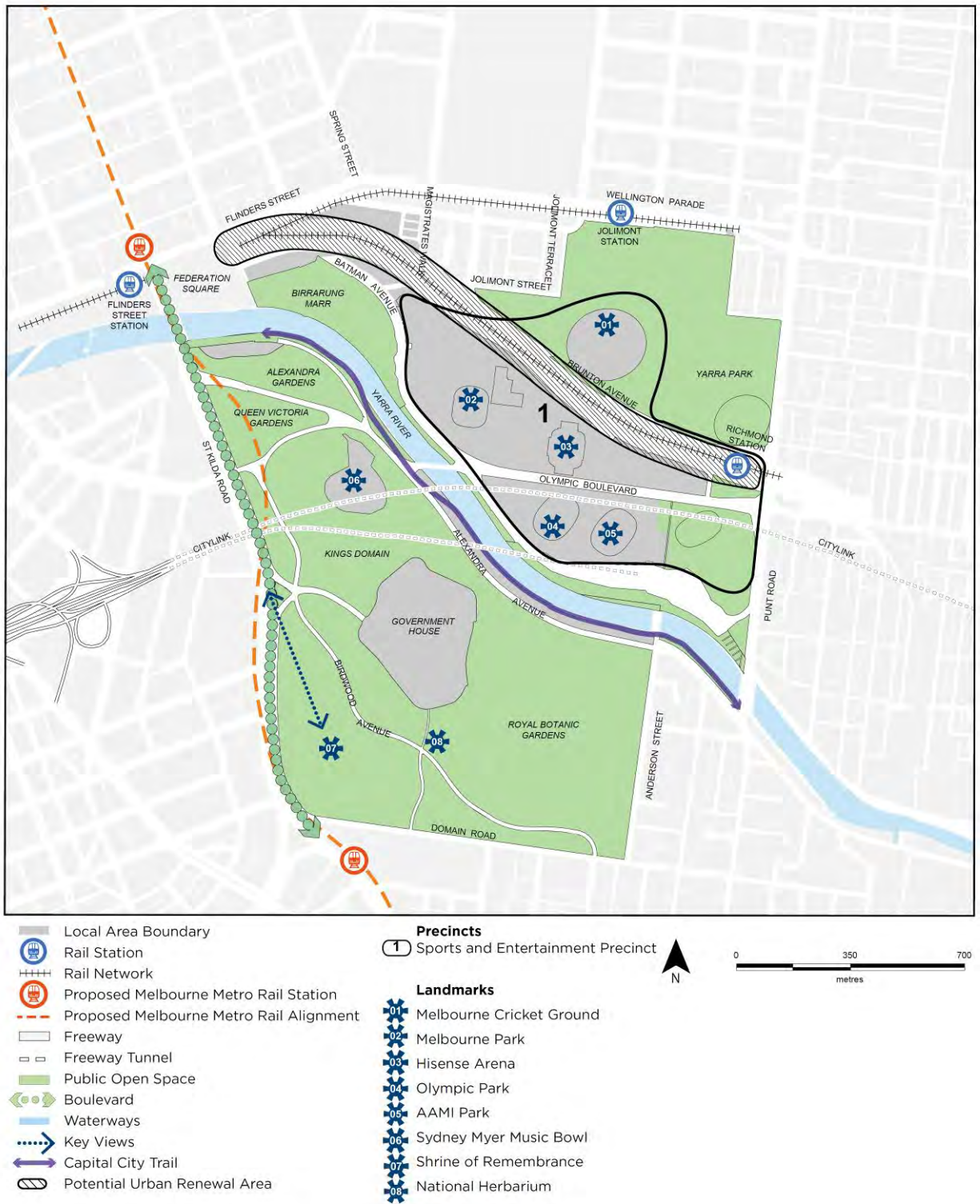
Transport

- Ensure existing access and links to transport facilities in the area are maintained and strengthened.
- Develop pedestrian links between the waterside entertainment and recreational attractions.
- Develop pedestrian links between Birrarung Marr across the Yarra River to Alexandra Gardens.
- Develop pedestrian links from the Sports and Entertainment Precinct to areas to the north and east, especially Richmond Station and other public transport nodes.
- Support the extension of Spring Street to Brunton Avenue and the development of the triangle of land between this new link, Wellington Parade and west of Jolimont Road.
- Minimise the impact of car parking on Yarra Park by reducing vehicle access and car parking as new opportunities arise.

Infrastructure

- Support the functioning and growth of sports and entertainment facilities commensurate with their key state and national role.

Figure 12 Sports and Entertainment Precinct



21.04-17 St Kilda Road and South Yarra

St Kilda Road remains a premier boulevard containing high density office and residential development. The continued development of the area has necessitated the introduction of a wide range of uses and services to support residents, workers and businesses in the area. The Yarra River is an important landscape and open space feature of the South Yarra precinct, and supports areas of Aboriginal cultural heritage sensitivity.

In St Kilda Road and South Yarra the educational, institutional and research facilities continue to be supported. As South Yarra is an area of stability with minimal potential for new development, residential amenity has been maintained and the area's historic character and features have been preserved.

Housing

- Support residential development on St Kilda Road within its context as a premier office and residential boulevard.

Economic development

- Support street level convenience retailing and food and drink premises on St Kilda Road to provide for the needs of workers and residents.
- Ensure that the mix of uses does not prejudice the established character of St Kilda Road as a premier office and residential boulevard.
- Ensure Domain Road shopping area maintains its role for convenience shopping, neighbourhood facilities and as a neighbourhood focus.
- Support the ongoing operation and establishment of offices and related commercial developments along St Kilda Road to support its strategic role as a premier office district.

Built Environment and Heritage

- Ensure development in South Yarra is sensitively designed so that it maintains the generally low scale nature of heritage streetscapes and buildings.
- Ensure future development in St Kilda Road respects and maintains the prominence of the landscaped boulevard character which includes generous landscaped front setbacks, the appearance of "buildings in grounds" and established street trees.
- Ensure that building design along St Kilda Road maintains the prominence of views to the Arts Centre Spire and Shrine of Remembrance.
- Ensure that the scale of buildings along St Kilda Road maintain the silhouette of the Shrine of Remembrance.
- Encourage high rise residential and office developments along St Kilda Road.
- Encourage low rise sympathetic infill redevelopment and extensions that complement the architecture, scale and character of the residential areas in South Yarra.
- Protect the Royal Botanic Gardens by limiting the height of developments around the Gardens.
- Ensure that development around Fawkner Park protects the visual amenity of the park and avoids overshadowing.

Infrastructure

- Support medical research and associated medical uses in South Yarra in a cluster near the Alfred Hospital in the Public Use Zone.
- Support the on-going operation of the State significant Alfred Hospital (including direct 24 hour emergency helicopter access) and other institutions on St Kilda Road.
- Support the functioning and growth of education uses in St Kilda Road and South Yarra, consistent with the local amenity at the interface of Residential and Mixed Use Zones.

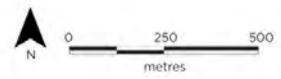
- Preserve and enhance the landscape qualities and recreational role of Fawkner Park.

Figure 13: St Kilda Road and South Yarra



- Local Area Boundary
- Proposed Melbourne Metro Rail Station
- Proposed Melbourne Metro Rail Alignment
- Freeway
- Freeway Tunnel
- Public Open Space
- Boulevards
- Waterways
- Key Views

- Precincts**
- 1 St Kilda Road Area
 - 2 Stable residential area
 - 3 Alfred Hospital and Research Precinct



21.04-18 East Melbourne and Jolimont

The East Melbourne and Jolimont area will continue to accommodate Government facilities, institutions and businesses in the Treasury and Parliament precinct. It has an important role in providing hospital and medical services and supporting Central City edge business uses while maintaining residential amenity through limited development of residential areas.

Housing

- Ensure development in the residential areas of East Melbourne and Jolimont is sensitively designed so that it maintains the generally low scale nature of heritage streetscapes and buildings.
- Support a mix of residential and office development in Commercial Zones in Jolimont.

Economic Development

- Support the continued operation of existing businesses in East Melbourne between Victoria Parade and Albert Street (west of Powlett Street), Wellington Parade and in the Jolimont commercial area.
- Support the government function of the Treasury and Parliament Reserves.
- Discourage medical centres and other commercial uses in the Residential Zones of East Melbourne where they do not serve a local community function or cause adverse impacts on residential amenity.
- Encourage the role of Wellington Parade shopping area for convenience shopping, neighbourhood facilities and a neighbourhood focus.

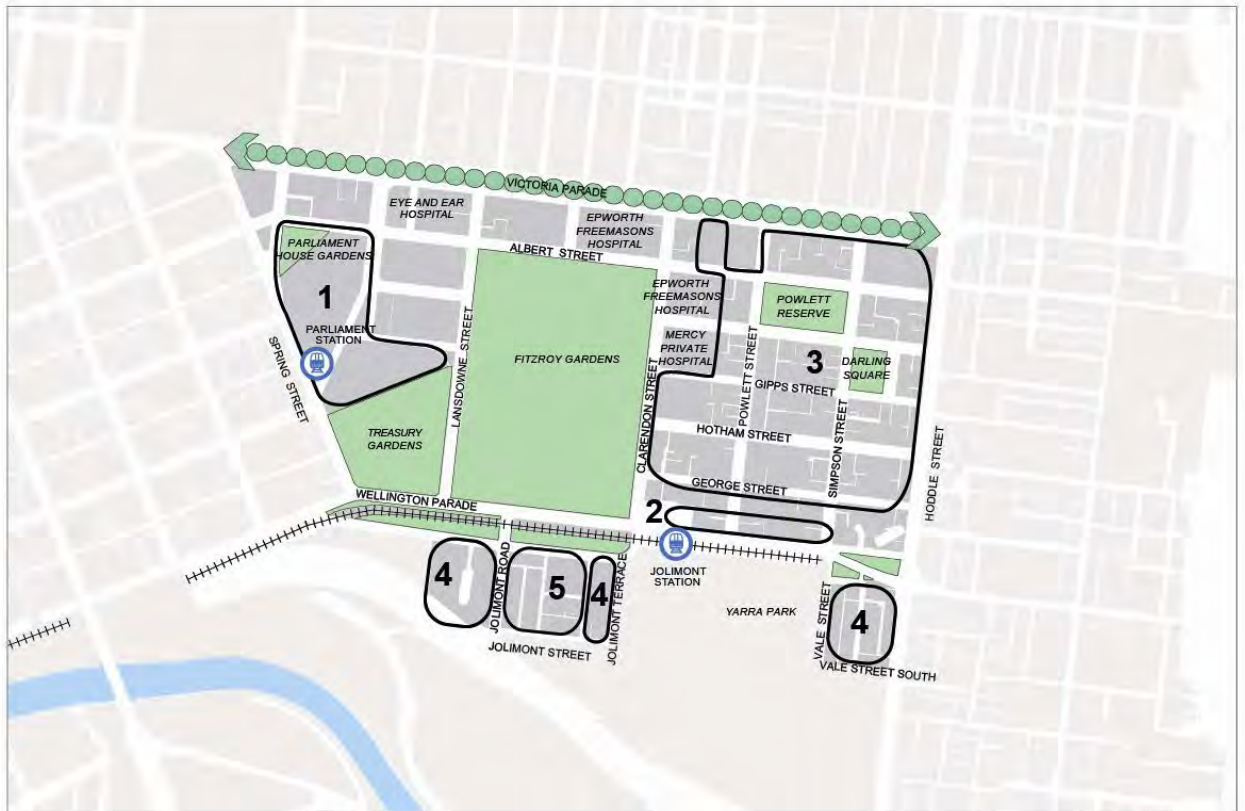
Built Environment and Heritage

- Ensure any redevelopment respects the scale of the surrounding residential area, heritage buildings and Fitzroy Gardens.
- Ensure views to the World Heritage Listed Royal Exhibition Building drum, dome, lantern and flagpole from Spring and Nicholson Streets are protected.
- Encourage sympathetic infill redevelopment and extensions that complement the architecture, scale and character of the areas in the low rise areas of East Melbourne and Jolimont.
- Ensure development in the Commercial Zone along Albert Street and Victoria Parade is consistent with the existing scale and character of the area.
- Maintain and enhance the landscape qualities of Victoria Parade boulevard and ensure that buildings along Victoria Parade are designed to enhance its appearance as a major boulevard.
- Ensure that development along Wellington Parade and Albert Street enhances these roads as key entrances to the Hoddle Grid.
- Ensure that development does not adversely affect Fitzroy Gardens, Treasury Gardens or Yarra Park by minimising the visual impact of buildings and overshadowing of the parks.

Infrastructure

- Support hospital, medical and medical research uses in East Melbourne in the Commercial and Public Use Zones.

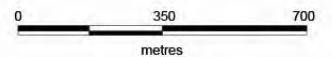
Figure 14: East Melbourne and Jolimont



- Local Area Boundary
- Public Open Space
- Waterways
- Train Stations
- Boulevard

Precincts

- 1 Treasury and Parliament Precinct
- 2 Wellington Parade Local Centre
- 3 East Melbourne Residential Area
- 4 Jolimont Residential Area
- 5 Jolimont Residential and Commercial Area



21.04-19 Carlton

Carlton is a dynamic and diverse local area. It accommodates a range of uses including housing, retailing, entertainment, leisure and cultural activities. Lygon / Elgin Street is an important local shopping centre that also has a regional tourist role based on the popularity of its restaurants. The tourism functions, needs of local residents and the retailing needs of the Commercial Zone in Lygon and Elgin Streets need to be balanced.

Carlton provides for a range of housing needs including a significant amount of public housing and student accommodation.

Carlton will continue to accommodate a mix of retail, commercial, educational, institutional and residential uses of different scales. In the established residential areas it is important that new development maintains the neighbourhood's amenity and complements the highly valued heritage buildings and streetscapes.

The scale and form of development in Carlton is determined by reference to the cultural heritage significance and preferred built form character of the locality in which the development has established.

Housing

- Support limited residential development which maintains the low scale nature of heritage streetscapes and buildings north of Grattan Street.
- Support further residential development (including student accommodation) along Swanston Street (between Elgin and Victoria Streets). This area will continue to accommodate a mix of land uses including education, commercial, medical and research and development uses. It will develop a new built form character over time.
- Support the on-going use of College Square on Swanston Street and Lygon Street as high density student housing accommodation.
- Support shop-top housing in the Lygon Street shopping strip, ensuring that such uses do not affect the viability of commercial activities operating in the shopping centre.
- Ensure existing levels of social housing are retained in the redeveloped Rathdowne and Nicholson Street Public Housing Estates.
- Support redevelopment of the Queen Elizabeth Hospital site for medium density housing (including a component of social housing).

Economic development

- Support the ongoing tourism, cultural and entertainment role of Lygon Street (south of Grattan Street), Melbourne Museum and the Royal Exhibition Building.
- Support the ongoing regional role of Lygon Street (south of Grattan Street) as a retail, restaurant and entertainment precinct.
- Ensure Lygon Street (north of Grattan Street) continues to provide for the convenience retail needs of the local residents and working community while discouraging the encroachment of restaurants and entertainment uses.
- Encourage a mix of retail, tourist and commercial uses around Argyle Square, compatible with the amenity of existing residences.
- Support the ongoing operation and establishment of small scale office and commercial uses (including start-up businesses, consultancies and creative enterprises) in South Carlton, consistent with the local amenity.
- Support the continued operation of service business activity in the Commercial and Mixed Use Zones.
- Encourage small scale office and commercial activities to locate along Elgin Street in the existing Commercial Zone.
- Encourage home offices and small scale ground floor office and commercial activities along the Pelham Street axis to promote active street frontages.

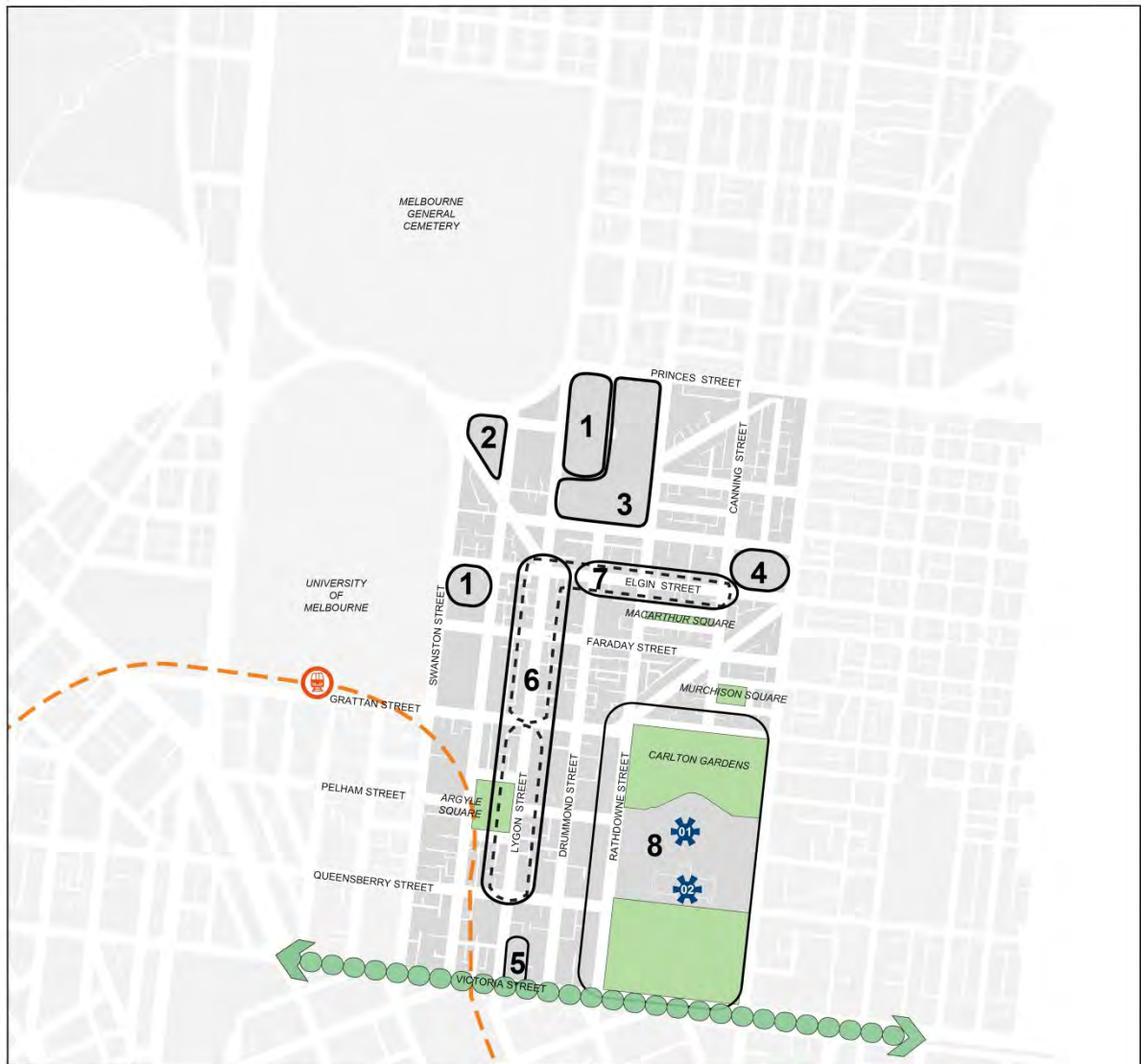
Built Environment and Heritage

- Ensure development north of Grattan Street is sensitively designed so that it maintains the generally low scale nature of heritage streetscapes and buildings.
- Support infill residential development south of Grattan Street where it maintains the predominantly low scale nature of these areas and respects the area's heritage context.
- Maintain a strong contrast in scale between the built form and character of the Hoddle Grid and Carlton at the Victoria Street interface.
- Ensure the scale of development in Victoria Street, west of Carlton Gardens reinforces the distinct contrast between medium rise development in North Melbourne and Carlton, and higher rise development in the Hoddle Grid.
- Ensure that development in the block bounded by Victoria Parade, Drummond Street, Queensberry Street and Lygon Street respects the heritage values of Trades Hall and other significant streetscapes in the area.
- Maintain the predominantly low scale and ensure sympathetic infill redevelopment and extensions that complement the architecture, scale and character of the areas around Carlton Gardens, Lygon Street and residential areas included in the heritage overlay area.
- Ensure any redevelopment of College Square on Swanston Street creates an environment of high pedestrian amenity along Swanston Street, and respects the scale and form of heritage buildings on Faraday and Cardigan Streets.
- Ensure that the height and mass of new development in proximity to Carlton Gardens and the World Heritage Listed Royal Exhibition Building maintains views of this World Heritage Listed site and does not adversely impact on this significance.
- Ensure development fronting Swanston Street (corner of Victoria Street) positively contributes to the built form character.
- Ensure that development is sympathetic to the heritage values of adjacent heritage areas and places.

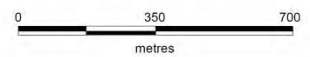
Infrastructure

- Ensure the retention of all parkland and protect Carlton Gardens and the Carlton squares (Macarthur, Murchison and Argyle) from uses that would reduce their landscape character and recreational role.
- Ensure any buildings or structures in parks and gardens in Carlton are sensitively designed and located to minimise impacts on the landscape character and recreational role.

Figure 15: Carlton



- Local Area Boundary
- Proposed Melbourne Metro Rail Station
- Proposed Melbourne Metro Rail Alignment
- Public Open Space
- Boulevard
- Lygon Street Shopping Centre



Precincts

- 1 College Square
- 2 Queen Elizabeth Hospital development site
- 3 Nicholson Street Housing Estate
- 4 Rathdowne Street Housing Estate
- 5 Trades Hall
- 6 Lygon Street Local Centre
- 7 Elgin Street Shopping Strip
- 8 Exhibition Building and Carlton Gardens World Heritage Environs Area

Landmarks

- Melbourne Museum
- Royal Exhibition Building

21.04-20 Parkville

The extensive parklands of Royal Park and Princes Park dominate the land use of this area and provide both local and regional open space. Parkville is identified as a National Employment and Innovation Cluster within Plan Melbourne

Parkville has small established residential neighbourhoods defined by their park context and the high integrity of the heritage buildings.

These will remain residential areas where preservation of heritage and parkland values and maintenance of residential amenity are key priorities. Residential development will be mainly confined to infill development. More intensive residential development will continue in the Parkville Gardens Estate.

Housing

- Support new residential development in Parkville Gardens, West Parkville.
- Support residential buildings associated with the institutions in the Commercial Zone land along Royal Parade.
- Discourage medical centres and other commercial uses in the Residential Zones, the stable residential areas of Parkville, except where they serve a local community function and do not cause adverse impacts on residential amenity.

Built Environment and Heritage

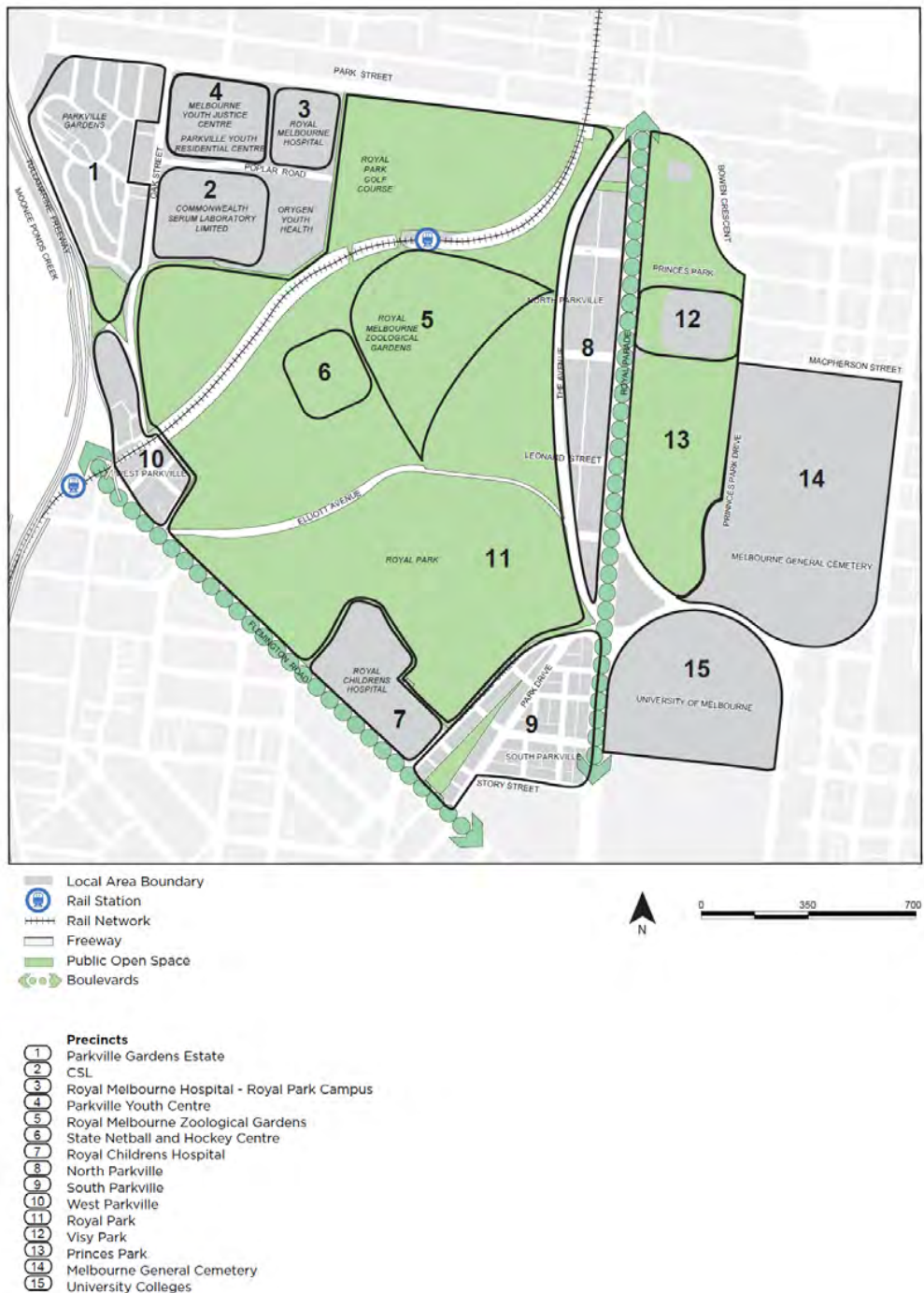
- Ensure that the Residential zoned areas of South Parkville, West Parkville and North Parkville maintain their residential character, predominantly low scale nature and heritage context
- Ensure that Royal Park remains the defining feature of Parkville by protecting the landscape character of the Park, preserving the recreational role of the Park and maintaining the open skyline from inside the Park.
- Reinforce Royal Parade and Flemington Road as major tree-lined boulevards.
- Ensure future development along Royal Parade and Flemington Road respects and maintains the prominence of the landscaped boulevard character which includes heritage buildings, landscaped front setbacks and established street trees.
- Ensure the scale of development respects the heritage and parkland values of the area and does not dominate or visually intrude upon parkland, streetscapes or lanescapes.
- Ensure that new development in North Parkville maintains the existing built form character of buildings in a landscaped setting with generous setbacks from the street and between buildings. At the same time, promote quality building design and a consistent building scale.
- Ensure that development around the perimeter of the Royal Park does not significantly intrude into close range views from Royal Park.

Infrastructure

- Support State significant hospitals (including direct 24 hour emergency helicopter access) and research uses in the Public Use Zoned land along Flemington Road from Elizabeth Street to the Royal Childrens' Hospital, consistent with the local amenity of residential and mixed use zones.
- Support industrial research and development at the Commonwealth Serum Laboratory Limited site to the north of Royal Park, consistent with the local amenity at the interface of Residential and Mixed Use Zones.
- Support research and education uses in the Commercial Zoned land along Royal Parade in North Parkville, consistent with the local amenity in the Residential and Mixed use Zones.
- Discourage the encroachment of institutional uses into parkland and residential areas.

- Ensure the retention of all parkland and protect Royal Park and Princes Park from uses that would reduce its landscape character and recreational role.
- Ensure that buildings and other structures (e.g. communications infrastructure) in Royal Park and Princes Park are sensitively designed and located to minimise impacts on the Park's landscape character.
- Support the on-going operation of the Royal Melbourne Zoological Gardens while ensuring that the landscape character of Royal Park is maintained.
- Encourage the retention and re-growth of predominantly indigenous vegetation in Royal Park.

Figure 16: Parkville



21.04-21 North and West Melbourne

North and West Melbourne has a strong residential base as well as commercial and industrial uses. Many of the area’s streetscapes and buildings have been recognised for their heritage significance. Flemington Road is a key tree-lined boulevard entry into the City.

North and West Melbourne should provide a balance of residential and commercial uses that maintains an emphasis on local community and liveability. There should be a clear

distinction in scale from the Central City with higher scales of development expected located at the Central City fringe, around the North Melbourne railway station and along Flemington Road. In all other areas, a lower scale of development should be maintained.

The role and character of the Errol Street and Victoria Street shopping area should be strengthened as local community centres.

Housing

- Support residential development in the Hoddle Grid fringe. In this area, increased residential densities should be balanced with the strategic role of this area in providing for small to medium enterprises that support the Hoddle Grid and Docklands.
- Promote the retention and refurbishment of existing public housing estates.
- Support limited residential development that maintains the low scale nature of heritage buildings and streetscapes in the Residential Zones (stable residential areas).

Economic Development

- Support a mix of uses with retail and small scale business uses and some light industrial uses in the Mixed Use Zone in North Melbourne.
- Support a mix of uses including retail, small scale business uses with some light industrial uses and small to medium enterprises in West Melbourne south of Hawke and Roden Streets, given the proximity to Docklands and the Hoddle Grid.
- Support commercial development in the Hoddle Grid fringe.
- Strengthen the role of the Errol and Victoria Streets shopping area for convenience shopping, neighbourhood facilities and as a neighbourhood focus.
- Support the ongoing operation and establishment of small to medium enterprises and businesses that provide professional and business support services to the Capital City Zone in the Mixed Use Zone of North and West Melbourne adjacent to the Hoddle Grid.
- Support home business, small to medium offices and other commercial developments in the Mixed Use Zone of North and West Melbourne.
- Support light and service industry in the Mixed Use Zone in North and West Melbourne.

Built Environment and Heritage

- Maintain the predominantly low scale of the Mixed Use Zone in West Melbourne, south of Hawke and Roden Streets.
- Maintain the predominantly low scale of residential areas and the Mixed Use Zone in North Melbourne.
- Maintain lower scale streetscapes in other parts of West Melbourne and North Melbourne. Ensure that development is sympathetic to the architecture, scale and heritage character of the lower scale areas.
- Ensure the area bounded by Latrobe Street, south west of the Flagstaff Gardens, provides a contrast in scale between the lower built form of West Melbourne and the higher scale of the Hoddle Grid.
- Encourage the re-use of existing warehouse and industrial buildings with efficient recycling potential where these contribute to the traditional mixed use character of the area.
- Ensure infill redevelopment and extensions complement the architecture, scale and heritage values of the residential area, especially where it is in a Heritage Overlay.
- Support higher building forms in West Melbourne in the area adjacent to the Hoddle Grid.
- Maintain the existing two storey scale in the Errol and Victoria Streets shopping precinct consistent with the area's heritage buildings.

- Reinforce Flemington Road as a key tree lined boulevard entry to the Central City.

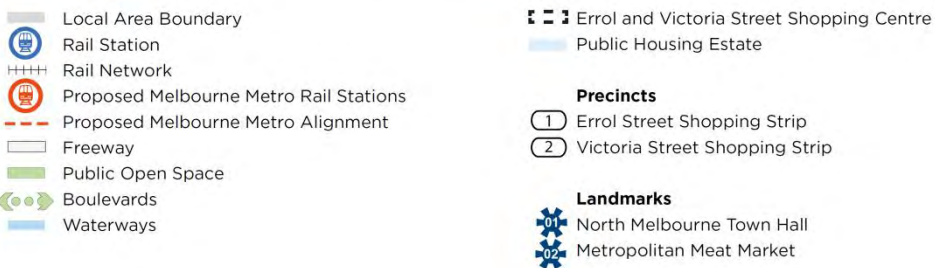
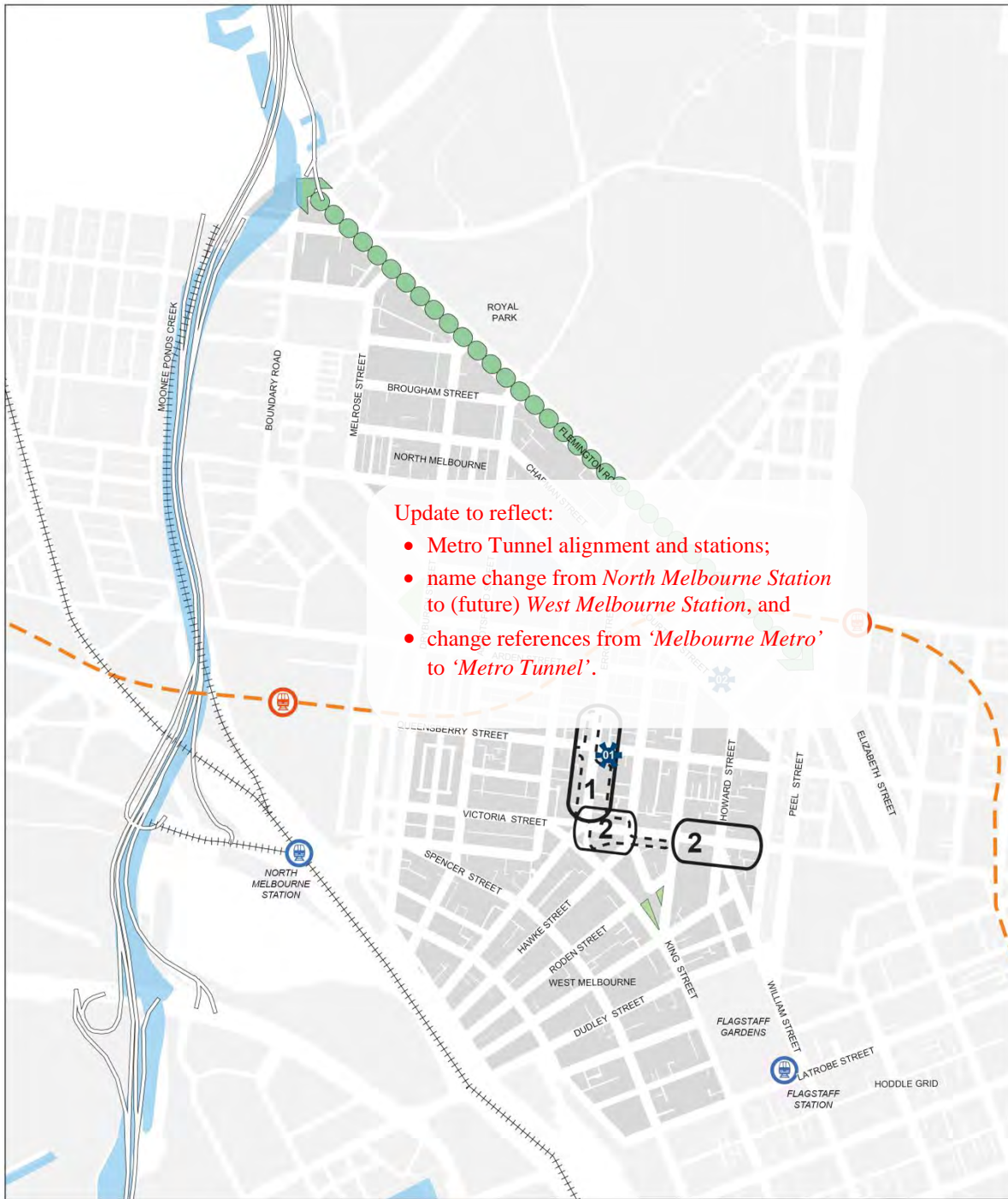
Transport

- Strengthen pedestrian and cycle connections between Docklands and West Melbourne.
- Strengthen public open space and pedestrian and cycle connections in the North and West Melbourne area, across the Moonee Ponds Creek and with the Capital City trails.
- Strengthen pedestrian, cycle and visual connections to Royal Park.
- Encourage better links between existing transport modes in North and West Melbourne and between key precincts, e.g. Errol Street shopping precinct.

Infrastructure

- Support the role of the North Melbourne Town Hall arts precinct, including the Metropolitan Meat Market.
- Support the provision of open space and recreational facilities for the local resident and working community.
- Facilitate opportunities for the creation of new open space in North and West Melbourne.

Figure 17: North and West Melbourne



21.04-22 Fishermans Bend Industrial Area

Fishermans Bend is the area of industrial land to the west of the city adjacent to the Port of Melbourne. The Port of Melbourne is covered by a separate planning scheme administered by the Minister for Planning. While not the responsible authority for the Port, the City of Melbourne must ensure an appropriate interface and access to the Port as Australia's largest container and general cargo port.

The continued protection of industry and the Port from encroachment by residential and other sensitive uses will be important.

Economic Development

- Support the development of limited convenience retail and professional services in Fishermans Bend to support the area's growing workforce.
- Support advanced manufacturing and associated research and development organisations especially within the aerospace and automotive sectors to locate in Fishermans Bend, to provide mutual benefit through proximity to existing businesses and activities.
- Support development of the Corporate Precinct as an area to attract new manufacturing business and corporate headquarters focused on research and technology.
- Support the development of the Small Medium Enterprise Precinct as a transitional area separating the larger manufacturing industries to the west from more intensive industrial businesses to the north east and encourage a variety of business and industrial uses and business incubators.
- Discourage small scale industrial and commercial development and subdivision in Fishermans Bend that is not related to advanced manufacturing and research and development uses.
- Manage the interface between the Docklands' residents by encouraging emission free or office based manufacturing uses and development in Lorimer Street (near the interface with Docklands) that are complementary to the adjacent Docklands development.
- Encourage larger manufacturing businesses to locate in the western portion of Fishermans Bend in the Corporate Precinct to minimise conflict with the Docklands development.
- Discourage the location of sensitive activities in Fishermans Bend that are not compatible with the operations of the Port of Melbourne or other industrial activities.

Built Environment and Heritage

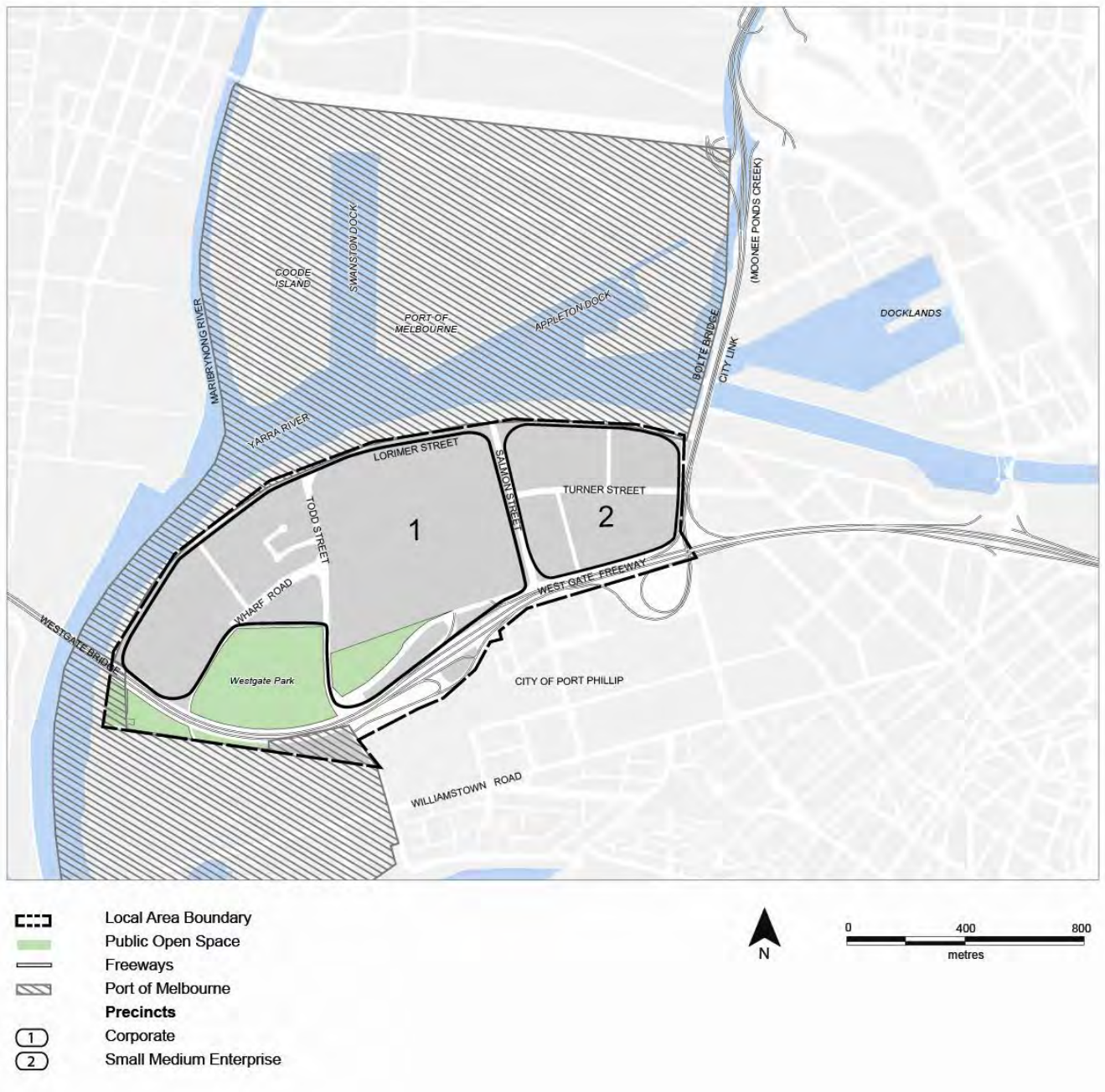
- Strengthen pedestrian and cycle connections and support provision of open space and links through Fishermans Bend between the Port Melbourne foreshore, the Hoddle Grid and Westgate Park.
- Ensure that development in Fishermans Bend visible from Docklands does not detract from the appearance or visual amenity of the Docklands area.
- Support improvements to the physical infrastructure, urban design and amenity of Fishermans Bend to make the area a high quality urban environment and more attractive for business.
- Encourage a high standard of visual amenity along Lorimer Street to reinforce the image of Fishermans Bend and to strengthen main vistas and views.
- Encourage large front landscaped setbacks on larger industrial sites in Fishermans Bend.
- Discourage the location of car parking along Lorimer Street where it is visible from the street.
- Discourage high wire mesh fencing at street frontages particularly along Lorimer Street.
- Enhance the environmental and open space values of Westgate Park.

- Enhance open space in Fishermans Bend to provide for the needs of the working population.

Transport

- Support the extension of bus, fixed and light rail services to Fishermans Bend.
- Support the development of transport infrastructure required for the Port of Melbourne in Fishermans Bend including planning for future rail links to Webb Dock to the south, heavy vehicles and freight and protecting shipping lanes.
- Support the extension of heavy rail to Webb Dock.

Figure 18: Fishermans Bend Industrial Area



MELBOURNE PLANNING SCHEME

21.04 SETTLEMENT

23/10/2017
C190(Part 1)

21.04-1 Growth Area Framework

23/10/2017
C190(Part 1)

As the municipality continues to grow and develop, the culture and functioning of the City in twenty years time will be very different from today. However, through these changes the characteristics of the city we value today must be retained.

This can be achieved by: targeting urban growth and development into specific areas of the City; enabling ongoing but incremental growth and development in those parts of the City needing constant renewal of their vitality, and by maintaining the existing character in valued established areas.

The focus of this MSS is on promoting areas of growth and protecting areas of stability. Areas of ongoing and incremental growth will continue to be regulated under the current planning scheme controls. The MSS identifies five types of areas:

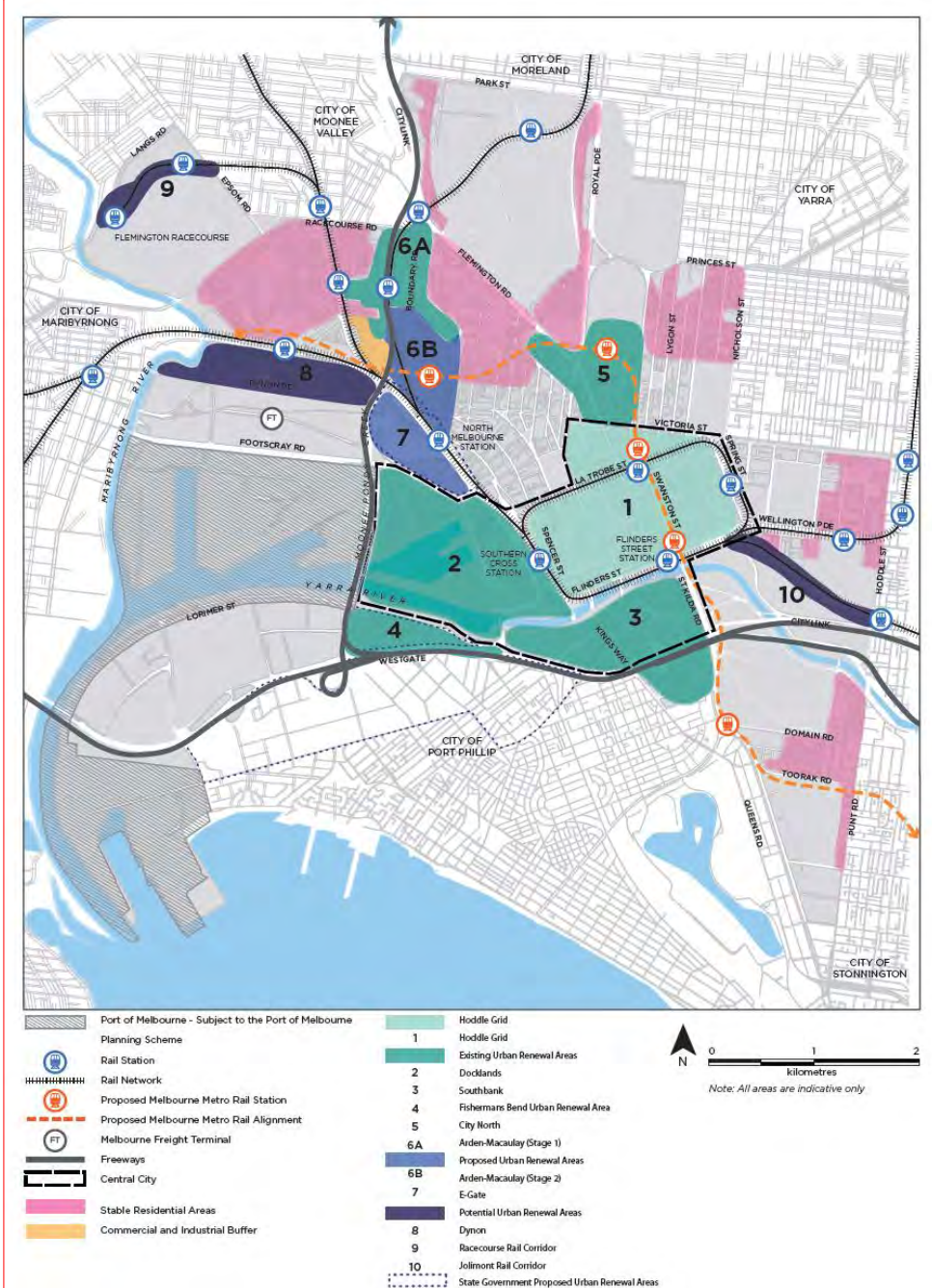
- The original city centre (the Hoddle Grid)
- Urban renewal areas
- Proposed urban renewal areas
- Potential urban renewal areas
- Stable residential areas

The Growth Area Framework Plan at Figure 1 identifies these areas.

Comment [KCM1]: The extended version of Clause 21.04 recommends the overhaul of these terms, and the inclusion of a more detailed plan to identify.

MELBOURNE PLANNING SCHEME

Figure 1 Growth Area Framework Plan



Comment [KCM2]: Misleading and vague. Revert to a more detailed plan that is consistent with the Local Area Policies and zoning provisions, of a form similar to that exhibited with C162

21.04-1.1 The original city centre – the Hoddle Grid

29/01/2015
C225

Central City functions will be located in the Hoddle Grid. This area will be managed to facilitate continued growth where appropriate and limit change or the scale of development in identified locations to preserve valued characteristics. A strong emphasis will be placed on a quality public realm and good pedestrian amenity and connectivity.

MELBOURNE PLANNING SCHEME

21.04–1.2 Urban renewal areas23/10/2017
C190(Part 1)

The urban renewal areas are Southbank, Docklands, Arden, Macaulay and the Fishermans Bend Urban Renewal Area. These areas have been planned and designed to provide for the expansion of the Central City in optimal living and working environments with a new mix of uses, higher density of development and excellent provision for walking, cycling and public transport services. Here change is guided by well-developed structure plans and master plans adopted by State Government and Council.

The design of the buildings, streets, public open spaces should be integrated over whole precincts with provision of utilities services to minimise the precinct's greenhouse gas emissions, optimise water management, mitigate the effects of extreme storm events, reduce the urban heat island and take precautions against sea level rise.

Southbank

Starting in the early 1980s as an "Engaging with the Yarra River Initiative", Southbank has been under urban renewal for close to 30 years. It has now brought the Yarra River into the heart of the city's life and provided a dynamic extension of the Central City with good commercial and residential high-density development opportunities.

Southbank is home to the State's major arts facilities as part of its the internationally recognised Arts Precinct and other major activity areas including the Southbank Promenade, Melbourne Convention and Exhibition Centre and the South Wharf complex.

The Southbank Structure Plan 2010 was prepared to update the 1999 and 2007 plans. It provides a vision and strategy for the next 30 years for the area's continued development as an extension of the central city, with a high-density mix of commercial and residential uses, a built form of a human scale and fine grain detail, greater permeability, activity and pedestrian priority at street level.

Docklands

Once one of Victoria's main ports, by the 1990s it was an industrial wasteland. Around 2000 Docklands urban renewal began its transformation into a new residential, commercial and visitor destination providing housing, office, industry, research, institutional, business, education, entertainment/leisure, marina and sporting uses and public spaces. Docklands is an extension of the Central City and it is intended that leisure-related retailing complementary to retailing in the Retail Core ~~is~~ also be provided.

Together, Places Victoria, the City of Melbourne and the Docklands community have been assessing the first decade of development and planning for the second. Where the first decade focussed on creating buildings and attracting investment, the second decade is now being planned to be a place where people want to work, live and visit with a diversity of businesses, activities, residents, public spaces and community infrastructure.

Fishermans Bend Urban Renewal Area

The area measuring ~~240 over 480~~ hectares is part of the expanded Central City. The four mixed use precincts have ~~has~~ been declared a site of State significance and rezoned as part of an expanded Capital City Zone.

This rezoning expands the Capital City Zone by more than 50 per cent and is expected to accommodate jobs and residents within four mixed use precincts and one employment precinct.

The urban renewal area is also within the City of Port Phillip municipality. The area adjoins the Docklands and Southbank existing urban renewal areas.

City North

City North is identified for proposed renewal given its existing role as a specialised activity centre, the proposed Parkville Station as part of the Melbourne Metro project and its proximity as an extension of the Central City. The City North Structure Plan 2012 has been adopted by the City of Melbourne and has been implemented into the planning scheme via a planning scheme amendment.

Arden-Macaulay

Comment [KCM3]: Amend consistent with GC81 outcome

MELBOURNE PLANNING SCHEME

Arden-Macaulay is an area in transition. Since the 1880's, Arden-Macaulay has been primarily an industrial area supporting the city's economy through manufacturing and production. The profile of business activity in the area has been changing with some degree of land under utilisation given its potential in relation to its proximity to the central City.

The Melbourne Metro station project to be located between Citylink and Laurens Street will lead to major change east of the Moonee Ponds Creek.

The Arden-Macaulay Structure Plan 2012 has been prepared and adopted by the City of Melbourne and will be implemented into the planning scheme via a planning scheme amendment. The directions of this plan for this local area are still to be inserted into the planning scheme.

Planning controls address the interface between on-going industrial and residential areas, and the interface between new development and existing residential areas and large manufacturing industry will be protected from sensitive uses by a land use buffer of non-residential development and/ or non-sensitive land uses (depicted within Figure 11 as "Commercial and Industrial Buffer"). The planning controls are being introduced in two stages (Stage 1 shown as Area 6A and Stage 2 shown as Area 6B on the Growth [Area Framework Plan](#)).

21.04–1.3 Proposed Urban Renewal Areas

23/10/2017
C190(Part 1)

The Proposed Urban Renewal Areas have been broadly identified as the locations for the next generation of the city's urban renewal. Once the structure plans for each of these areas are incorporated into the planning scheme the plan for the relevant local area will be updated with new objectives and strategies and the Growth Area Framework Plan will be updated to show the areas as 'Existing Urban Renewal Areas'.

Until the objectives and strategies of approved structure plans are approved and implemented via a planning scheme amendment the existing local area policies for the area will apply.

E-Gate

This land is mostly railway reserve in State Government ownership and it adjoins the Docklands and Arden Macaulay urban renewal areas. State Government is developing plans for its urban renewal area and these plans being implemented into the planning scheme via a planning scheme amendment. The directions of this plan for this local area are still to be inserted into the planning scheme.

21.04–1.4 Potential Urban Renewal Areas

29/01/2015
C225

The Potential Urban Renewal Areas have been identified as long term options for future urban renewal that are dependant on the resolution of other related infrastructure planning before they can be considered in detail for urban renewal.

Dynon

This area accommodates mainly freight and some industrial activities. In the longer term, these activities will be reconfigured and rationalised within the area. This will be done in conjunction with the planning and development of the Port of Melbourne and the Melbourne Intermodal Freight Terminal serving the port south of Dynon Road.

The rationalisation and modernisation of the freight functions in the precinct will open up the potential for the renewal of the northern section of this area. Any urban renewal of this area should not constrain the operations of the port freight terminal to the south. The State Government in conjunction with the City will undertake the planning for this area.

Racecourse Rail Corridor

The Racecourse Rail Corridor between the Flemington Racecourse and the Showgrounds has potential similar to the Jolimont Rail Corridor. The area's potential for urban renewal will depend on future options of a rail service to the area.

Jolimont Rail Corridor

Comment [KCM4]: Identifying these areas is premature and problematic. The extended version of 21.04 provides revised categories to address this.

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The Jolimont rail corridor runs through the middle of the Sports and Entertainment precinct. The Federation Square development was the first step in the urban renewal of this corridor. As inner and central city locations have become more highly valued, development over transport corridors will become increasingly attractive not only for the development space they can yield but also for the opportunity to connect adjacent parts of the city that have been separated.

21.04–1.5 Stable Residential Limited Change Areas

29/01/2015
C225

These residential areas are valued for their existing character and the important contribution this makes to the city. In these areas limited change such as in-fill development and alterations and additions, will continue to occur so that new land use or development fits in with the existing valued character.

21.04–2 Growth

23/10/2017
C190(Part 1)

Objective 1 To provide for the anticipated growth in the municipality over the next 20 years.

- Strategy 1.1 Retain the Hoddle Grid area as the core of the Central City and plan for its ongoing change and growth.
- Strategy 1.2 Direct new urban growth into ~~the Docklands and Southbank~~ Urban Renewal Areas.
- Strategy 1.3 Plan and design Urban Renewal areas to provide optimal living and working environments, to be energy, water and waste efficient and adapted to predicted climate change.
- Strategy 1.4 Plan identified Urban Renewal Areas, and define their exact extent, through structure planning for the local area.
- Strategy 1.5 Ensure new development in Urban Renewal Areas does not compromise the preferred future renewal of the area.
- Strategy 1.6 In the longer term, ~~prepare structure plans for~~ ~~consider~~ sites of Potential Urban Renewal at Dynon Road, the Jolimont Rail Corridor, the Racecourse Rail Corridor. Urban renewal of these areas will be dependant on the resolution of other related infrastructure planning.

Objective 2 To direct growth to identified areas.

- Strategy 2.1 Support the ongoing development of the Hoddle Grid.
- Strategy 2.2 Support ongoing urban renewal and Central City expansion in:
 - Southbank
 - Docklands
 - Fishermans Bend Urban Renewal Area
 - City North
 - ~~Arden~~
 - ~~Macaulay~~
- Strategy 2.3 Plan for urban renewal in:
 - E-Gate
- Strategy 2.4 Consider potential for urban renewal in:
 - Dynon,
 - Jolimont Rail Corridor
 - Racecourse Rail Corridor
- Strategy 2.5 Develop Structure Plans to guide the local detail of urban renewal.

Comment [KCM5]: Strategies 1.3 – 1.4 should be revisited when references to “potential urban renewal areas” has been addressed.

Comment [KCM6]: Ultimately this will be deleted, as it repeats SPPF

MELBOURNE PLANNING SCHEME

21.04–3 Implementation

29/01/2015
C225

Update structure plans for the existing urban renewal areas and implement structure plans into the planning scheme for proposed urban renewal areas.

MELBOURNE PLANNING SCHEME

21.06
30/07/2015
C240

BUILT ENVIRONMENT AND HERITAGE

Melbourne's character is defined by its distinctive urban structure, historic street pattern, boulevards and parks, heritage precincts, and individually significant heritage buildings. Heritage buildings, precincts and streetscapes are a large part of Melbourne's attraction and the conservation of identified heritage places from the impact of development is crucial.

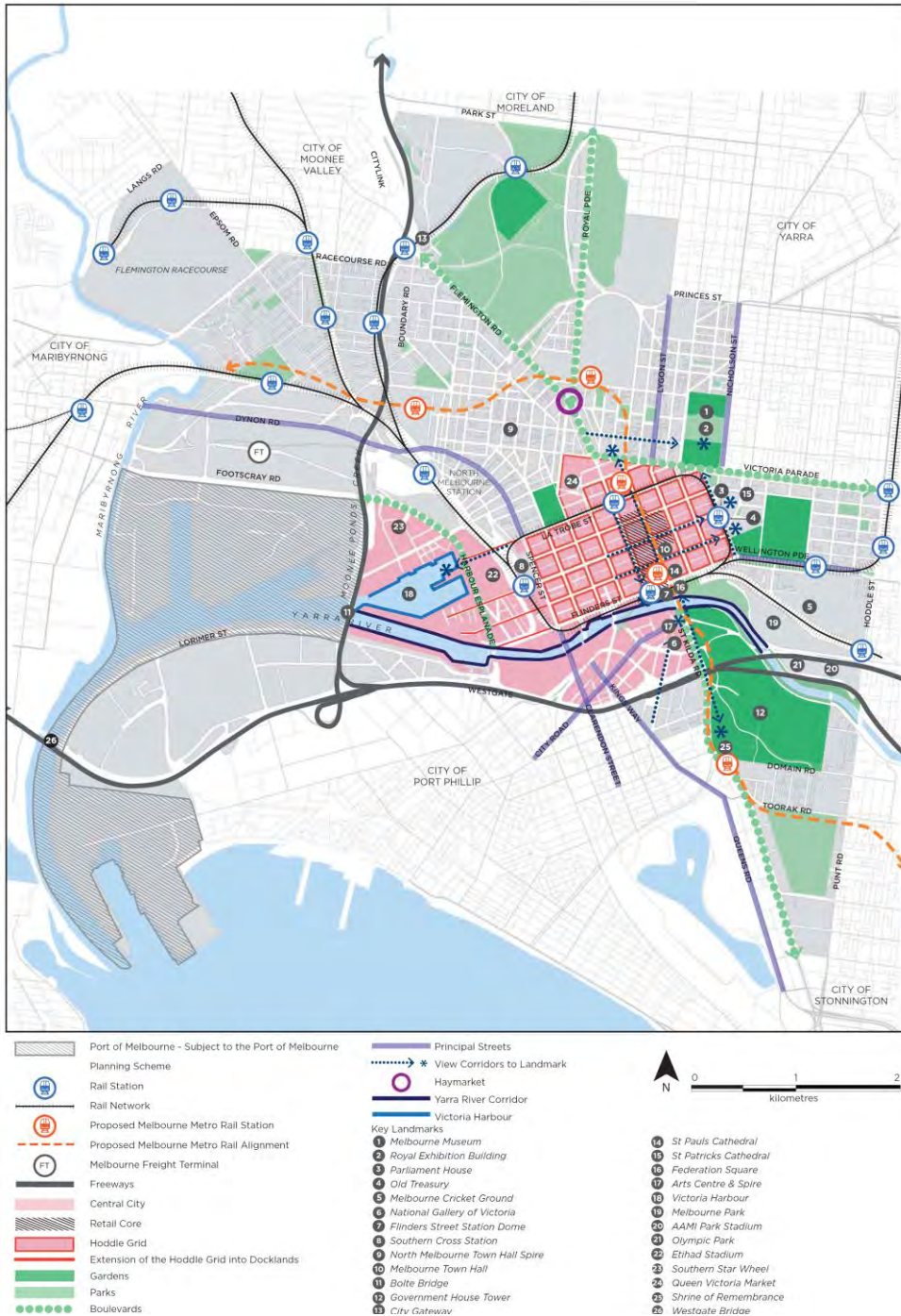
The buildings in the private realm should be coordinated with the development of the streets, paths, parks and places in the public realm. Development must add positively to Melbourne's public realm and contribute to making it safe and engaging for users. Public and private open spaces should be able to support a range of uses including physical movement, communal exercising, social interaction, quiet enjoyment and connections to the natural environment.

Climate change is predicted to deliver reduced rainfall, rising sea level and more extreme flooding, intense storms, and heatwaves. The built environment must be designed to moderate and provide protection from these disruptive climate impacts. This must be done in ways that do not exacerbate the problem.

Comment [KCM1]: Approach to Aboriginal Cultural Heritage should be expressed here.

MELBOURNE PLANNING SCHEME

Figure 2 – Built Environment



MELBOURNE PLANNING SCHEME

21.06 – 1 Urban Design08/05/2014
C220

- Objective 1 To reinforce the City's overall urban structure.**
- Strategy 1.1 Protect Melbourne's distinctive physical character and in particular, maintain the importance of:
- identified places and precincts of heritage significance
 - the World Heritage Listed Royal Exhibition Building and Carlton Gardens
 - The Shrine of Remembrance
 - the Hoddle Grid
 - the Yarra River Corridor, Victoria Harbour and waterways
 - the network of parks and gardens
 - the Hoddle Grid's retail core
 - the network of lanes and arcades
 - Boulevards.
 - the sense of place and identity in different areas of Melbourne.
- Strategy 1.2 Ensure a strong distinction between the built form scale of the Central City with that of development in surrounding areas.
- Strategy 1.3 Promote a high degree of connectivity and urban transition between the Hoddle Grid and Docklands.
- Strategy 1.4 Maintain the formality and legibility of the Yarra River corridor as a key organising element of the city structure.
- Strategy 1.5 Promote development that is compatible with the scale, character and amenity of public open spaces, and the environs of the Yarra River.
- Strategy 1.6 Ensure that development on the City's boulevards respects and maintains the prominence of their landscaped character.
- Objective 2 To maintain the designated Yarra River Corridor as a continuous, high pedestrian amenity focus for the city.**
- Strategy 2.1 Promote active land uses such as cafes, restaurants and leisure venues in buildings along the waterfront, particularly those with a northern orientation.
- Strategy 2.2 Ensure developments along the Yarra River address the waterfront.
- Strategy 2.3 Encourage uses with high levels of activity at the waterfront.
- Objective 3 To protect iconic views in the city**
- Strategy 3.1 Protect iconic views, including views to the:
- Shrine of Remembrance along Swanston Street from the State Library,
 - Parliament House along Bourke Street,
 - The Old Treasury Building along Collins Street,
 - Flinders Street Station clock tower along Elizabeth Street,
 - Victoria Harbour along LaTrobe Street,
 - Royal Exhibition Building drum, dome, lantern and flagpole from along Spring Street and Queensberry Street,

MELBOURNE PLANNING SCHEME

- Yarra River from the Hoddle Grid,
- along the Bourke, Collins and Latrobe Street corridors from Docklands.
- The Arts Centre Spire along Sturt Street

Objective 4 To ensure that the height and scale of development is appropriate to the identified preferred built form character of an area.

- Strategy 4.1 Ensure the design, height and bulk of development in the Urban Renewal Areas creates a high quality built form.
- Strategy 4.2 Ensure development in Urban Renewal Areas provides a complementary transitional scale to adjoining low scale buildings in areas where the existing built form character should be maintained.
- Strategy 4.3 In areas where the existing built form is to be retained, ensure development is designed to maintain the generally low scale and character of those areas.
- Strategy 4.5 In the Hoddle Grid and Urban Renewal areas ensure occupancies in new tower buildings are well spaced and offset to provide good access to an outlook, daylight, sunlight and to minimise direct overlooking between habitable room windows.

Objective 5 To increase the vitality, amenity, comfort, safety and distinctive City experience of the public realm.

- Strategy 5.2 Ensure that the scale, bulk and quality of new development supports a high quality public realm.
- Strategy 5.4 Encourage public art in new developments.
- Strategy 5.6 Create diverse public spaces to serve the needs of the City’s diverse communities, including children, youth, residents, workers and visitors.

~~Strategy 5.7 Ensure advertising signs avoid visual pollution and intrusive light spill and respect the architecture of their host buildings, the surrounding streetscape character and skyline.~~

Comment [LR2]: Remove. Policy guidance is provided in Clause 22.07 and 52.05 which requires this in better detail.

- Strategy 5.8 Ensure development minimises the adverse effects of wind down drafts and provides wind protection to public open spaces suitable for their role and function.
- Strategy 5.9 Ensure that development maximises solar access in public open spaces, and creates microclimatic conditions for a high level of pedestrian comfort.

Objective 6 To improve public realm permeability, legibility, and flexibility.

- Strategy 6.1 Protect and enhance the character and function of laneways.
- Strategy 6.2 Ensure the design of buildings and public spaces enhances the public realm and the pedestrian environment.
- Strategy 6.3 Ensure that new developments in the Capital City, Docklands, Business and Mixed Use zoned areas provide active street frontages and minimise pedestrian disruption from car access.

Objective 7 To create a safe and comfortable public realm.

- Strategy 7.1 Ensure built form and land uses promote surveillance of the public realm at all times of the day and night.
- Strategy 7.2 Support the use of materials resistant to vandalism and graffiti, subject to their being respectful of the preferred built form character.

MELBOURNE PLANNING SCHEME

Strategy 7.3 Ensure that public and private safety design principles of are incorporated in the development of buildings and public open spaces.

21.06 – 2 Heritage

30/07/2015
C240

Objective 1 To conserve and enhance places and precincts of identified post settlement cultural heritage significance.

Strategy 1.1 Conserve, protect and enhance the fabric of identified heritage places and precincts.

Strategy 1.2 Support the restoration of heritage buildings and places.

Strategy 1.3 Maintain the visual prominence of heritage buildings and landmarks.

Strategy 1.4 In heritage precincts protect heritage buildings, subdivision patterns, boulevards and public open space.

Strategy 1.5 Protect the significant landscape and cultural heritage features of the City’s parks, gardens, waterways and other open spaces.

Strategy 1.6 Within heritage precincts and from adjoining areas protect buildings, streetscapes and precincts of cultural heritage significance from the visual intrusion of new built form both.

Strategy 1.7 Protect the scale and visual prominence of important heritage buildings, landmarks and heritage places, including the Shrine of Remembrance, Parliament House and the World Heritage Listed Royal Exhibition Building and Carlton Gardens.

Strategy 1.8 Maintain cultural heritage character as a key distinctive feature of the City and ensure new development does not damage this character.

Objective 2 To conserve and protect areas of Aboriginal cultural heritage protection.

Comment [KCM3]: Strategies needed

21.06 – 3 Sustainable development

12/09/2013
C162

Objective 1 To create an environmentally sustainable urban environment with reduced greenhouse emissions

Strategy 1.1 Ensure that new buildings and new public spaces are environmentally sustainable.

Strategy 1.2 Promote innovative environmentally sustainable development.

Strategy 1.3 Encourage the retention of buildings or parts of buildings that have efficient recycling potential and can be adapted to a variety of uses.

Objective 2 To make the built environment resilient to heatwaves, water shortages, extreme storm events and sea level rise.

Strategy 2.1 Design new buildings, streets and public open spaces to minimise their contribution to the urban heat island effect and to contribute to urban cooling.

Strategy 2.2 Ensure that new development incorporates water sensitive urban design features including stormwater harvesting and flow attenuation, and water recycling and reuse.

Strategy 2.3 Ensure that flood risk by stormwater surges, waterway flooding and sea level rise is mitigated and managed.

Objective 3 To encourage efficient resource use and waste reduction in the City.

MELBOURNE PLANNING SCHEME

- Strategy 3.1 Encourage all new development to maximise water efficiency.
- Strategy 3.2 Encourage provision of purpose built storage for recyclable waste, in all development.
- Objective 4 To encourage environmentally sustainable building design innovation**
- Strategy 4.1 Design all new developments to maximise the use of passive systems to achieve comfortable indoor conditions.
- Strategy 4.2 Support new developments that minimise their embodied energy by their use of materials, construction and retention of reusable building fabric.
- Strategy 4.3 Support on-site renewable and low emission energy generation, such as solar hot water, photovoltaic cells, wind powered turbines or combined heat and power generation systems in new developments.

MELBOURNE PLANNING SCHEME

21.07 HOUSING

12/09/2013
C162

The City of Melbourne supports the growth of the municipality’s residential population, which is forecast to reach ~~177,000~~266,455 people by 2037~~0~~ (~~ID-Consulting-2011, COM Geografia~~, Population Forecasts). Most of this increased population is planned to be accommodated in the City’s areas of urban renewal, planned urban renewal and the Hoddle Grid.

~~Outside these areas increased population growth will be modest and in some established areas such as South Yarra, parts of Parkville, North Melbourne, Kensington, Carlton, East Melbourne and Jolimont, there will be minimal change.~~

Residential growth must be managed to ensure a good quality of life and amenity for existing and future residents. High standards of on-site amenity should be provided in all residential developments including good access to sunlight and daylight and privacy. Residential development also needs to consider the amenity impacts of established and potential uses, including noise and light spill, and take protective steps to minimise these impacts.

Social diversity is an important factor in the social health of the city. A diverse population needs a diversity of housing sizes and types. There is also a need to increase the proportion of lower cost accommodation, social housing and housing for people of all abilities.

Comment [KCM1]: Duplicates issues addressed within 21.04 Settlement

21.07 – 1 Residential development

12/09/2013
C162

Objective 1 To provide for new housing while preserving the valued characteristics of the existing neighbourhoods.

Strategy 1.1 In areas outside the Central City and Urban Renewal Areas, increase housing quantity and density ~~consistent with in a manner that respects~~ the existing character of the area.

Strategy 1.2 Encourage the most significant housing and population growth in the Central City and ~~in Existing Structure Plan Areas~~ Urban Renewal areas.

~~Strategy 1.3 Ensure that new residential development achieves high standards of amenity including access to sunlight and daylight and protection from overlooking.~~

Strategy 1.~~3~~4 In ~~areas of Proposed Urban Renewal~~ Existing Structure Plan Areas, encourage housing that is consistent with an approved structure plan, or where it can be demonstrated it will not adversely impact on ongoing industry or port uses.

Strategy 1.5 Discourage housing where it will undermine the viability of port uses.

Objective 2 To ensure new dwellings are located and designed to protect residents from current and future off-site amenity impacts.

Strategy 2.1 ~~In the Capital City, Docklands and Commercial Zones,~~ Ensure residential developments are designed to mitigate the amenity impacts from surrounding established and future uses, including insulation from noise.

~~Strategy 2.2 Encourage consideration of acoustic attenuation measures in dwellings that adjoin or are located close to the Capital City Zone, Docklands Zone, or Commercial Zones, or are in the Mixed Use Zone.~~

Strategy 2.~~2~~3 ~~Encourage~~ Ensure all residential developments adjacent to industry, rail corridors and major roads ~~to~~ provide acoustic insulation in dwellings.

Strategy 2.~~3~~4 Ensure new residential development close to existing Industrial Zones acknowledges and manages off-site effects caused by ~~these established~~ industrial ~~areas~~ uses.

Objective 3 To ensure the amenity of existing residential uses is protected.

Comment [KCM2]: Now superfluous, achieved via Clauses 55 & BADS

Comment [KCM3]: The agent of change should be responsible for amenity

Comment [KCM4]: Duplicates 2.1

MELBOURNE PLANNING SCHEME

Strategy 3.1 Ensure that the reasonable expectations of amenity for existing residential uses are maintained.

Objective 4 To support a range of housing tenures, types and options to meet the diverse of housing needs.

Strategy 4.1 Support the provision of housing for older people close to public transport and services.

Strategy 4.2 Support the provision of affordable, safe and well designed and managed student housing in locations with good access to public transport, services and tertiary education facilities.

Strategy 4.3 Support the provision of well-designed and managed affordable housing, social housing, crisis accommodation and rooming houses.

Strategy 4.4 Support the development of well-designed and managed tourist accommodation close to major visitor attractions in the Central City.

Objective 5 To ensure new residential developments contribute to the social and physical infrastructure of the City.

Strategy 5.1 Ensure that in areas where a new built form character is sought, new residential development adds to the vitality, amenity, comfort and safety of the area.

Strategy 5.2 Support the provision of facilities and services for residents in new developments, including convenience retail and community facilities.

Comment [KCM5]: Are these areas defined anywhere?

21.08
12/09/2013
C162

ECONOMIC DEVELOPMENT

Retail

Retailing is an important component of Melbourne's Capital City function. The Hoddle Grid will remain the State's pre-eminent retail centre and retailing in its Retail Core needs to be maintained and enhanced as a world class shopping district while respecting the character and heritage of this areas existing buildings and lanes.

There is a need to support the provision of local shops to serve the residential and working communities in local centres. A proliferation of eating and entertainment uses should not undermine the character and range of services offered in these local centres.

Business

The Central City is the prime location for commerce in metropolitan Melbourne, and along with the St Kilda Road commercial area, is of state significance. Areas zoned Mixed Use and Commercial around the Central City have traditionally provided locations for business activities, which support Capital City functions. These areas are under increased pressure for housing, and it is important to ensure their ongoing functioning and viability as business areas, which serve both local community needs and Capital City business activity.

Industry

Manufacturing uses in the inner City areas will continue to relocate to more competitive industrial locations in outer metropolitan Melbourne. The City of Melbourne, however offers unique locational and access advantages, particularly for advanced manufacturing industries. These industries and associated research have consolidated in the municipality. They are cleaner and more compatible with dense inner urban settings and need to be, protected and supported.

Industries can affect the amenity and environment of nearby sensitive land uses such as residential. Carefully manage this tension between the traffic, noise and other impacts of industrial operations and the amenity of surrounding residential areas.

Knowledge

Innovation in business is central to Melbourne's economic vitality and its role as a globally competitive Capital City. The municipality is a dense centre of world standard services and research activity particularly in the financial, engineering, biotechnology and design sectors.

The University of Melbourne and RMIT University, the city campuses of four other universities and a number of TAFE institutes are able to link locally with industry, business, hospitals and research institutes in the Parkville, Alfred Hospital St Vincent's Hospital precincts.

This dense co-location of business, education, and medical and, research centres will be supported to strengthen the City's competitive and innovative capacity. ▲

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MELBOURNE PLANNING SCHEME

Arts Infrastructure

Add discussion on the importance of enhancing and protecting space and infrastructure for the Arts and cultural.

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Tourism

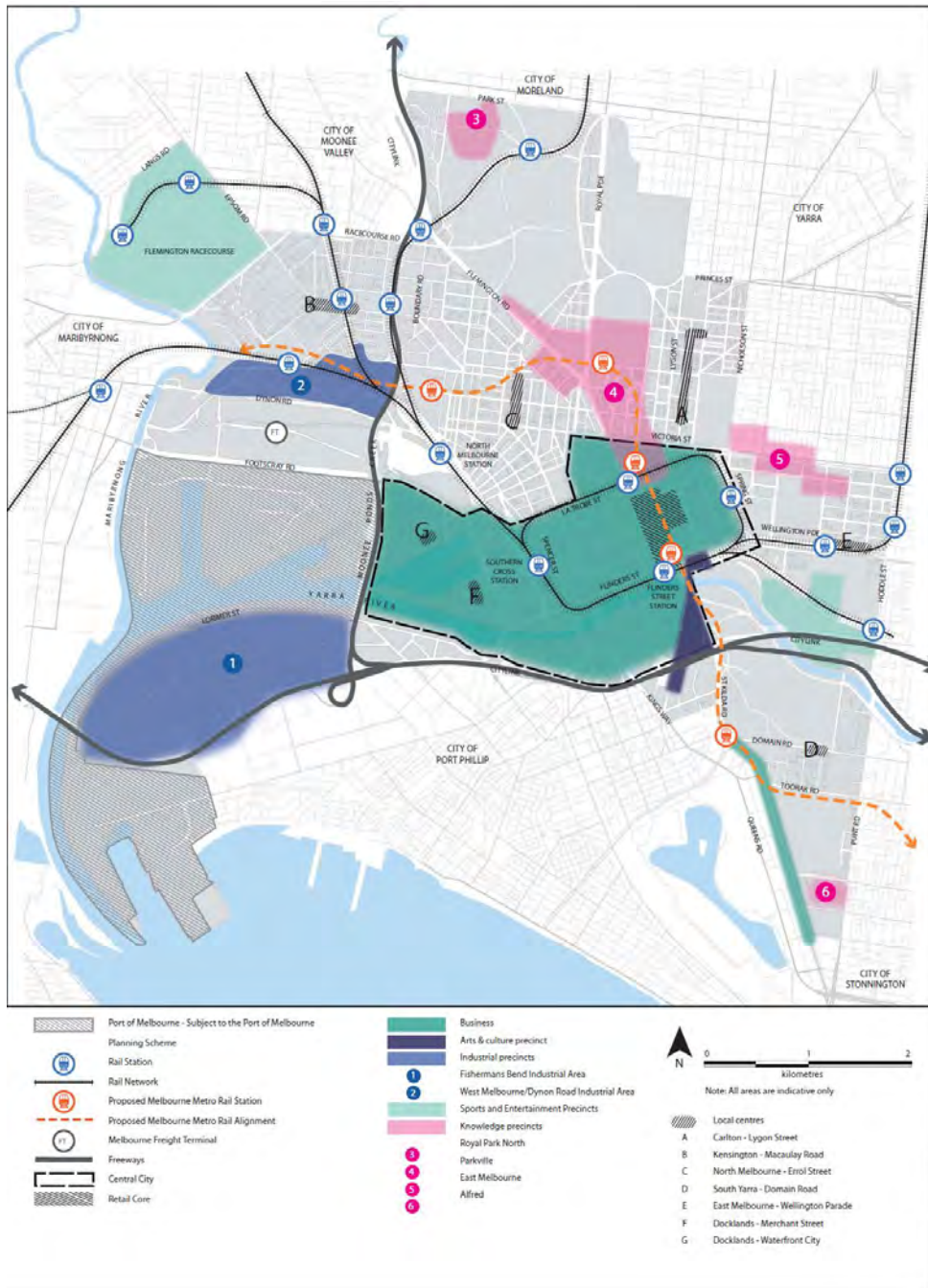
Add discussion on the importance of enhancing tourism related activities.

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MELBOURNE PLANNING SCHEME

Figure 3 Economic Development Map



MELBOURNE PLANNING SCHEME

21.08 – 1 Retail

12/09/2013
C162

Objective 1 To support the Central City and local retail uses.

- Strategy 1.1 Maintain and enhance the Retail Core as a world class retail offer, by supporting land uses and a built form which sustains this.
- Strategy 1.2 Enhance the viability, diversity and vitality of shops and services in local retail centres providing convenience retailing serving the local community.
- Strategy 1.3 Balance the regional tourism and local roles of the Lygon Street centre.
- Strategy 1.4 Ensure that a proliferation of eating and entertainment establishments in local centres does not undermine the viability of their convenience retailing.
- Strategy 1.5 Encourage the provision of convenience retailing and services including supermarkets in the Central City and Urban Renewal Areas for the local workers and residents.

21.08 – 2 Business

12/09/2013
C162

Objective 1 To reinforce the City's role as Victoria's principal centre for commerce.

- Strategy 1.1 Support the Central City as metropolitan Melbourne's principal centre for commerce, professional, business and financial services, and encourage new and innovative business that takes advantage of the Capital City location.
- Strategy 1.2 Support the development of Docklands and Southbank as a vibrant business and retail areas along with the Hoddle Grid.
- Strategy 1.3 Support the consolidation of St Kilda Road as a vibrant office and high density residential district.
- Strategy 1.4 Support improved links between City businesses, tertiary educational institutions, research and development organisations and training institutions.
- Strategy 1.5 Support Melbourne as an Australian and the Asia Pacific gateway for health services, financial and business services, education and biotechnology.
- Strategy 1.6 Support the development of enterprise incubators and facilities for innovative business sectors.
- Strategy 1.7 Support the provision of facilities and services for the changing and diverse needs of residents, visitors and workers.
- Strategy 1.8 Ensure noise and disturbance from late night commerce related activity does not compromise the reasonable needs of residents and other users of the City.

Objective 2 To encourage employment opportunities for local residents.

- Strategy 2.1 Encourage a diversity of small to medium enterprises in the Capital City, Docklands, Commercial and Mixed Use Zones.
- Strategy 2.2 Support the development of home based businesses, consistent with maintaining amenity in Residential and Mixed Use Zones.
- Strategy 2.3 To ensure the nature and intensity of office and commercial activity is appropriate to its location.
- Strategy 2.4 Encourage a mix of commercial and business support and services close to the Central City in identified parts of South Carlton, East Melbourne, Jolimont and North and West Melbourne.
- Strategy 2.5 Ensure that all new office and business uses manage off site impacts such as noise, traffic generation and parking consistent with the local amenity.

MELBOURNE PLANNING SCHEME

Strategy 2.6 In Residential and Mixed Use Zones support business uses that provide services to the local community only where consistent with local amenity.

21.08 – 3 Industry

12/09/2013
C162

Objective 1 To improve the long term viability and security of the City's industries.

Strategy 1.1 Support the development of Fishermans Bend Industrial Precinct as the City's primary industrial area and the preferred location for clean, advanced manufacturing, research and development, and ancillary services.

Strategy 1.2 Limit the development of commercial and retail uses in Fishermans Bend industrial area, which are not ancillary to industrial use.

Strategy 1.3 Facilitate the on going role of industry in the West Melbourne Industrial Precinct.

Strategy 1.4 Support the ongoing 24 hour function of the Port of Melbourne and associated industries as Australia's leading container port.

Strategy 1.5 Support the ongoing function of freight uses in the West Melbourne Industrial Precinct and the development of the Melbourne Freight Terminal to better integrating Port operations and Fishermans Bend industrial area with the rail network.

Objective 2 To encourage industries to adopt the highest standards of environmental management practice.

Strategy 2.1 Encourage industries to adopt Environmental Management Plans and ensure new industrial uses incorporate measures to minimise noise and environmental impacts.

Strategy 2.2 Ensure that the appearance and operation of transport, manufacturing and wholesale and distribution industries minimise their adverse impacts on the surrounding road network and on the amenity and condition of the public realm.

21.08 – 4 Maritime precincts

12/09/2013
C162

Objective 1 To promote water transport for recreational and commuter use as part of a larger integrated transport system and consistent with maintaining safe and efficient Port operation.

Strategy 1.1 Maintain opportunities for potential future transport access to the rivers.

Strategy 1.2 Ensure the capacity for necessary shore based infrastructure such as adequate mooring facilities and passenger and service access.

Strategy 1.3 Minimise the extent of marina encroachment into navigable waterways especially in the Docklands.

21.08 – 5 Knowledge precincts

12/09/2013
C162

Objective 1 To support education, medical and research activities.

Strategy 1.1 Support the operation, development and clustering of education research centres and associated uses whilst protecting the amenity of Residential and Mixed Use zoned areas.

Strategy 1.2 Support the increased integration of the tertiary education facilities into the public realm of the City through better access connections and the design of new development.

Strategy 1.3 Encourage research and development uses in appropriate zones throughout the City.

MELBOURNE PLANNING SCHEME

Strategy 1.4 Discourage the encroachment of non-residential uses associated with research, education and medical institutions into adjoining Residential Zones and parkland.

Strategy 1.6 Manage the off-site impacts of education and research facilities such as car parking and traffic to protect the character and amenity, (including visual amenity) of adjoining areas.

21.08 - 6 Arts Infrastructure

Include objectives and strategies delivered from the Arts Infrastructure Framework November 2016. Strategies should be based upon the key goals of the Framework, which include:

- *Secure commitment for the delivery of three arts hubs that include mid-sized performance spaces and community arts spaces.*
- *To significantly increase the number of creative spaces within the municipality.*
- *Advocate to create and incorporate live/work spaces within the city.*
- *Advocate to support the provision of more affordable housing for artists, as per the city's housing strategy.*
- *To ensure the integration of embedded public art projects in new public and private developments.*

21.08 - 7 Tourism

Include objectives and strategies delivered from the Tourism Action Plan 2016-2019. The strategies should recognise the importance of tourism-related economic activity in the Melbourne municipality.

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MELBOURNE PLANNING SCHEME

21.11

29/01/2015
C225

LOCAL AREAS

The following local sections provide more detail of strategies at a local level in the municipality. ~~The sections are organised under the following Local Area headings:~~

~~21.12~~ Hoddle Grid

~~21.13~~ Urban Renewal Areas

~~21.13.1~~ Southbank

~~21.13.2~~ Docklands

~~21.13.3~~ Fishermans Bend Urban Renewal Area

~~21.14~~ Proposed Urban Renewal Areas

~~21.14.1~~ City North

~~21.14.2~~ Arden-Macaulay

~~21.14.3~~ E-Gate

~~21.15~~ Potential Urban Renewal Areas

~~21.15.1~~ Dynon

~~21.15.2~~ Flemington and Kensington

~~21.15.3~~ Sports and Entertainment Precinct

~~21.16~~ Other Local Areas

~~21.16.1~~ St Kilda Road and South Yarra

~~21.16.2~~ East Melbourne and Jolimont

~~21.16.3~~ Carlton

~~21.16.4~~ Parkville

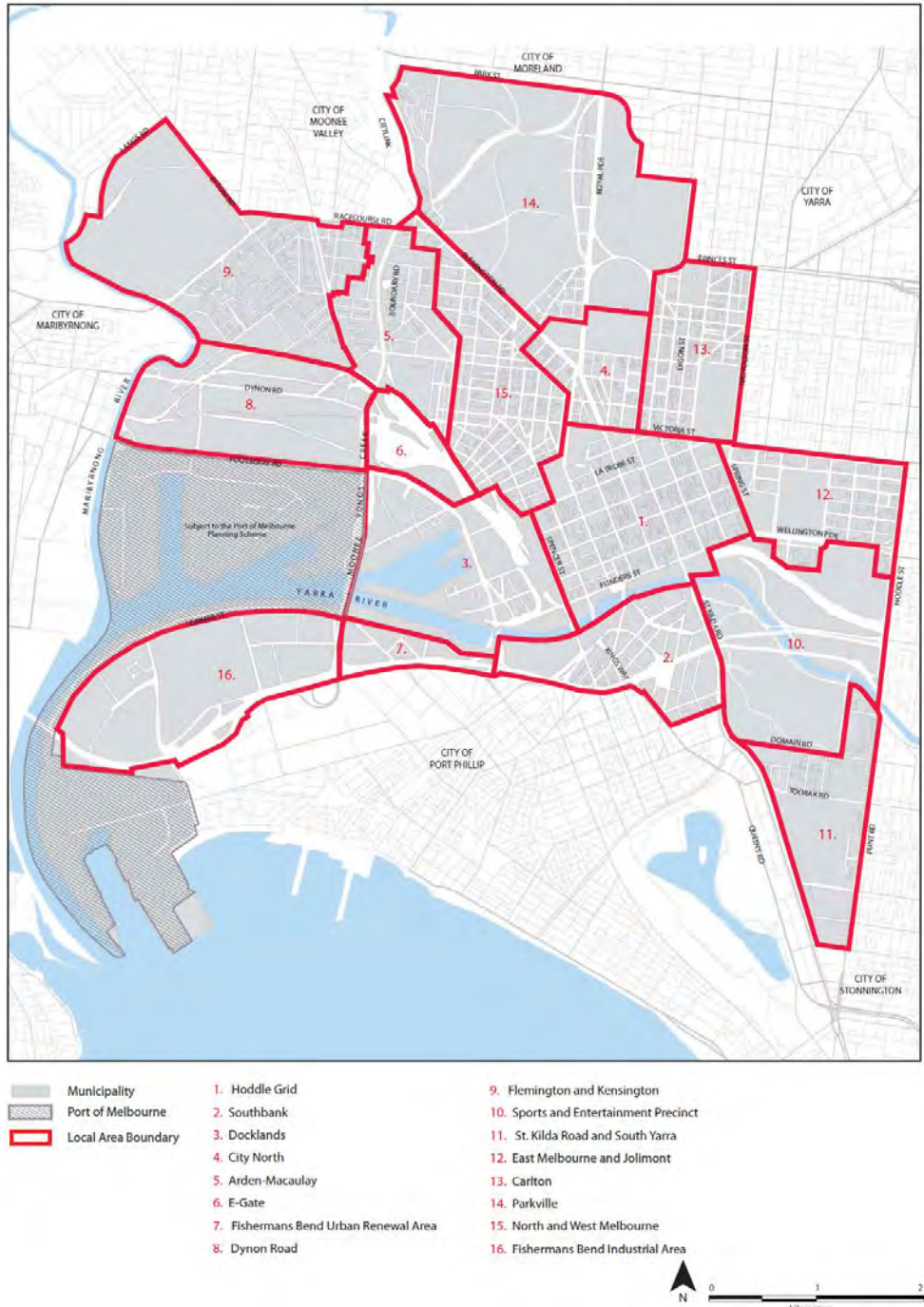
~~21.16.5~~ North and West Melbourne

~~21.16.6~~ Fishermans Bend Industrial Area

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MELBOURNE PLANNING SCHEME

Figure 5: Local Areas



21.12

31/08/2017
C245**HODDLE GRID****Housing**

- Support permanent and short term residential development in the Hoddle Grid that accommodates a diverse population.

Economic development

- Encourage the development of a range of complementary precincts within the Hoddle Grid that offer a diverse range of specialist retail, cultural and entertainment opportunities.
- Encourage the retention and enhancement of specialised shopping and entertainment precincts within the Hoddle Grid, particularly Hardware Lane, Chinatown, Collins Street and Little Collins Street.
- Support entertainment, bars, eating and other evening uses throughout the Hoddle Grid.
- Support the Retail Core as a compact, high-density retail precinct and facilitate easy pedestrian access.
- Support the consolidation of education clusters on the northern and western edges of the Hoddle Grid and in Flinders Street.
- Ensure the Northbank of the Yarra River has increased open space opportunities.
- Support the Queen Victoria Market as a retail and tourist facility; and as a heritage asset of State significance.
- Ensure the form and use of development around the Queen Victoria Market does not detract from its amenity nor compromise its 24 hour function.

Built Environment and Heritage

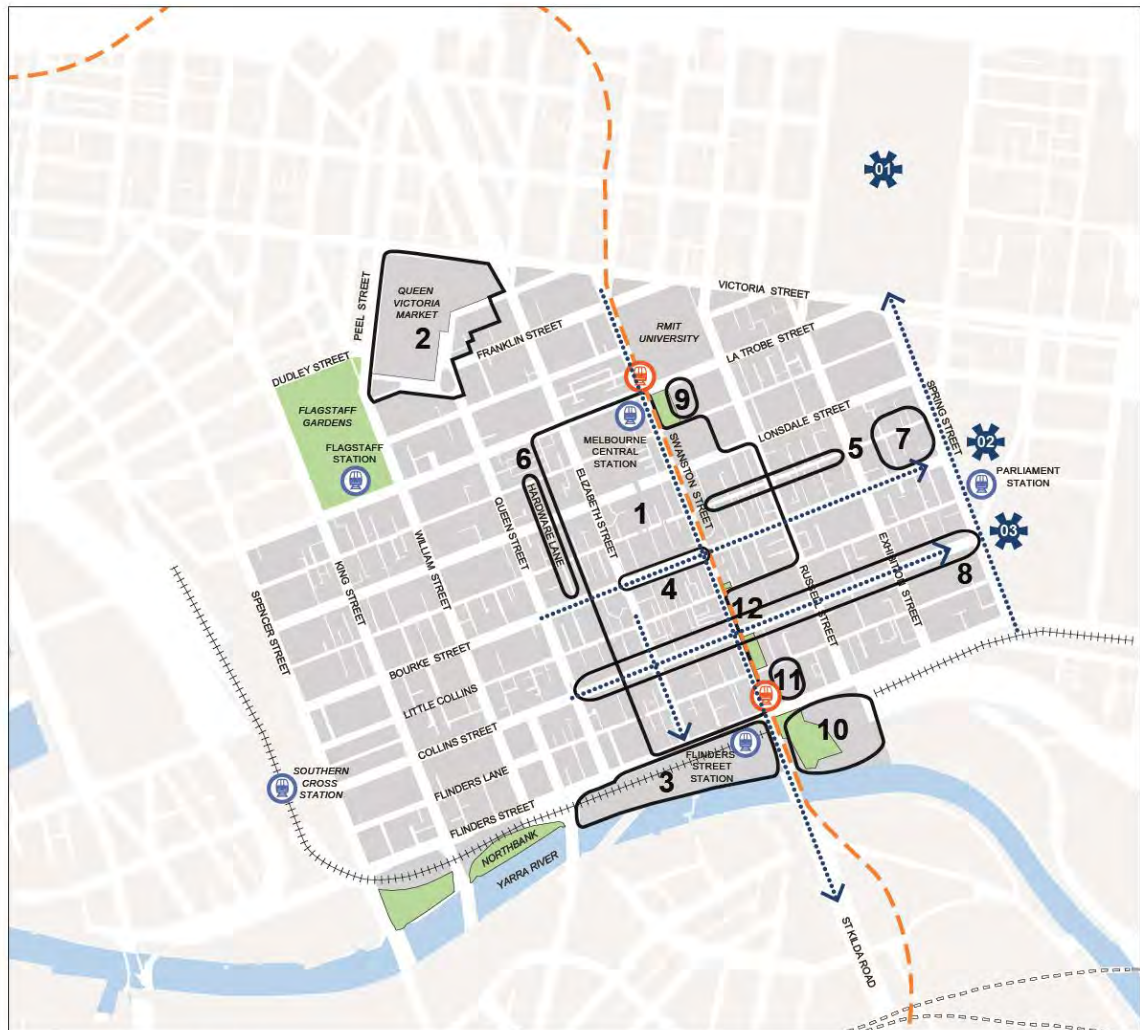
- Protect the regular grid layout, laneways, tree-lined boulevards and identified significant public open spaces.
- Protect the scale of important heritage precincts, boulevards and other unique precincts that rely on a consistency of scale for their image; including the Retail Core, Chinatown, Hardware Lane, Flinders Lane, Bourke Hill, Parliament, the Melbourne Town Hall; and the churches on Flinders and Collins Streets.
- Facilitate the civic and ceremonial function of Swanston Street.
- Enhance Swanston Street as part of a boulevard axis which runs from Princes Park to St Kilda Road.
- Maintain a low rise form and streetscapes in the Retail Core and along key views to ensure an intimate pedestrian scale and views to key buildings are maintained.
- Ensure a clear edge between the taller built form of the Capital City Zone and the Docklands Zone and the lower form of the surrounding areas.
- Ensure a strong contrast in scale of development along Elizabeth Street from the lower scale areas to the north of Victoria Street and the higher scale of the Capital City Zone.
- Ensure that development form and scale in the area south of the Queen Victoria Market Precinct achieves built form, urban design; and public realm amenity outcomes consistent with those sought for the Hoddle Grid.
- Ensure that the design of tall buildings in the Hoddle Grid promote a human scale at street level especially in narrow lanes, respects the street pattern and provides a context for heritage buildings.
- Ensure that new tall buildings add architectural interest to the city's sky line.

- Ensure tower buildings are well spaced and sited to provide equitable access to an outlook and sunlight for all towers.
- Ensure high quality and robust public space design in arcade and laneway upgrades.
- Link arcades and laneways in the Hoddle Grid.
- Encourage arcade and laneway links between streets and public spaces.
- Ensure development fronting streets creates a continuous building edge and integrated streetscape.
- Ensure that security treatments for shop fronts allow for views into the premises at night and positively contribute to the streetscape.
- Ensure the ground level design of shop fronts on Swanston Street contribute to its role as a pre-eminent retail and lifestyle avenue and entry axis to the Retail Core.
- Ensure sunlight penetration in the middle of the day to key public spaces, appropriate to their role and function.
- Protect the Yarra River and its south bank from overshadowing throughout the year.

Transport

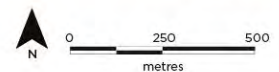
- Ensure that pedestrian use is given priority in the Hoddle Grid.
- Facilitate the development of the Bourke Street Mall as a high quality pedestrian and retail space.
- Ensure that developments provide weather protection along key pedestrian routes and areas, where this does not conflict with building or streetscape integrity.
- Ensure that the design of buildings and public realm in the Hoddle Grid enhances the safety of pedestrians, visitors and occupants of buildings.
- Ensure streets and open space are physically and visually linked to the waterfront, where practicable.
- Develop better links between the south western edge of the Hoddle Grid and the Yarra River.
- Develop better links between the water side entertainment and recreational attractions of the northern and southern banks of the Yarra.
- Encourage the provision of pedestrian links to the Queen Victoria Market from surrounding areas.

Figure 6: Hoddle Grid



- Local Area Boundary
- Rail Station
- Rail Network
- Proposed Melbourne Metro Rail Station
- Proposed Melbourne Metro Rail Alignment
- Freeway Tunnel
- Public Open Space
- Waterways
- Key Views
- Landmarks**
- Royal Exhibition Building
- Parliament Building
- Treasury Building

- Precincts**
- Retail Core
- Queen Victoria Market
- Flinders Street Station
- Bourke Street Mall
- Chinatown
- Hardware Lane
- Bourke Hill
- Collins Street
- State Library of Victoria
- Federation Square
- St Pauls Cathedral
- Melbourne Town Hall



21.13
14/11/2016
GC50

21.13-1
08/05/2014
C220

URBAN RENEWAL AREAS

Southbank

Housing

- Support medium scale residential development in the Residential Zones of Southbank Village.

Economic Development

Support Southbank’s development as an extension of the Central City, providing a mix of commercial and residential land uses.

- Support and encourage creative industries, including arts infrastructure within the arts precinct.
- Support a mix of uses, including residential development, with ground floor retail and small scale business uses.
- Deliver a good provision of local services and facilities for workers and visitors and within easy walking distance from all residences.
- Support the ongoing operation and establishment of businesses that provide professional and business support services to the Capital City Zone in the Mixed Use Zones of Southbank.

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Comment [KCM1]: Identified policy gap

Comment [KCM2]: Strengthen to encourage a percentage commercial component at lower levels.

Built Environment and Heritage

- Connect and integrate Southbank with the Central City and the Yarra River.
- Position Southbank as the natural extension of the city establishing the Yarra River at the City’s centre, not its edge.
- Provide easy and attractive access to and across the river from the central and southern parts of Southbank.
- Maintain low rise development on the northern and southern sides of the Yarra River and Arts Precinct to maintain the low scale river edge to protect key views to the Arts Centre Spire and prevent overshadowing of the south bank of the River.
- Encourage high rise tower development to the north of City Link and west of Moore Street.
- Encourage medium scale development in the Arts Precinct and the areas to the east of Moore Street and to the south of City Link.
- Encourage medium scale development in the Southbank Village.
- Support the physical integration and connection of the Victorian College of the Arts to the surrounding area to enhance its connection with other uses in the precinct.
- Ensure that buildings along St Kilda Road and in Sturt Street maintain the visual dominance of the Arts Centre Spire.
- Maintain the landscape character of St Kilda Road.
- Ensure that development maintains views to the Shrine of Remembrance as an important landmark.

MELBOURNE PLANNING SCHEME

- Ensure that the scale and design of buildings south of Coventry Street preserve the setting and significance of the Shrine of Remembrance as a historic and cultural landmark and place of reverence.
- Promote high rise, high density development, south of the Crown Casino and the Melbourne Exhibition Centre.
- Ensure all new development creates a high quality pedestrian environment and positively enhances the area's public realm.
- Encourage a mix of public and commercial uses at ground level in new developments to support street life and provide pedestrian interest.

Transport

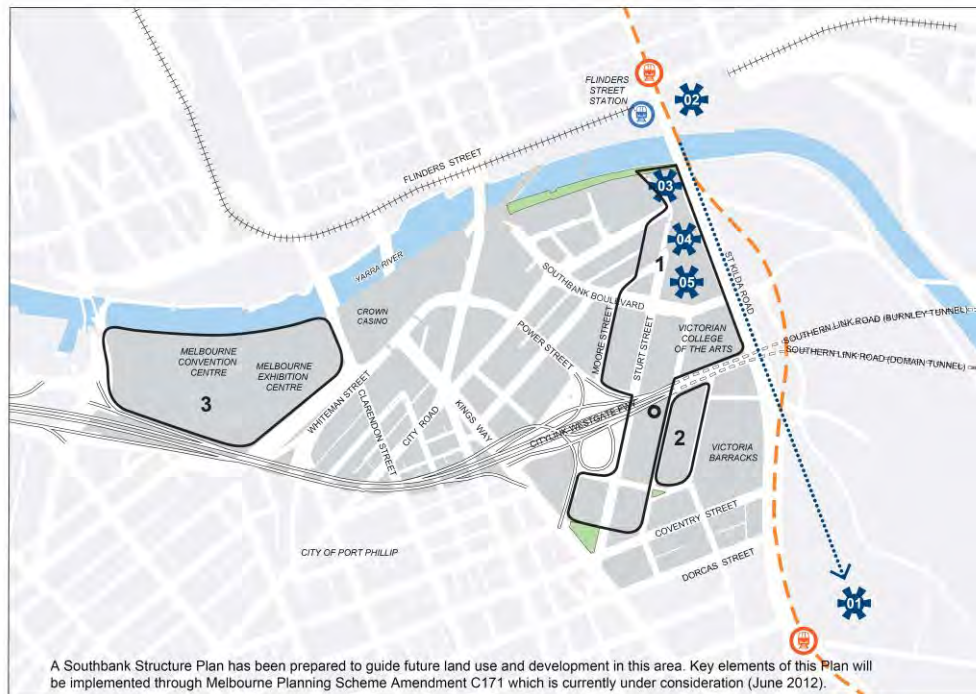
- Improve the public environment of Southbank by providing public spaces, improving pedestrian facilities and upgrading streetscapes.
- Improve streetscapes as a priority along major pedestrian routes.
- Strengthen pedestrian and cycle connections between Southbank and the Hoddle Grid and South Melbourne.
- Encourage a continuous network of through block links to increase permeability, amenity and safety and to improve access to the Yarra River and Arts Precinct.
- Give greater priority to pedestrian, cyclist and public transport amenity and access ahead of private motor vehicle use.
- Create a connected and permeable neighbourhood.

Infrastructure

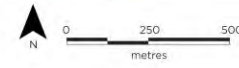
- Encourage provision of open space and links between the Port Melbourne foreshore and the Hoddle Grid.
- Support arts and education uses and facilities at Southbank.
- Support arts, entertainment, cultural and, educational attractions in Southbank, especially within the Arts Precinct.

MELBOURNE PLANNING SCHEME

Figure 7: Southbank



- Local Area Boundary
 - Rail Station
 - Rail network
 - Proposed Melbourne Metro Rail Station
 - Proposed Melbourne Metro Rail Alignment
 - Freeway
 - Freeway tunnel
 - Public Open Space
 - Waterways
 - Key Views
 - Grant Street City Link Exhaust Stack
- Precincts**
- Arts Precinct
 - Southbank Village
 - Melbourne Convention and Exhibition Centre
- Landmarks**
- Shrine of Remembrance
 - Federation Square
 - Hamer Hall
 - The Arts Centre
 - The National Gallery of Victoria



Update to reflect Metro Tunnel alignment and changed Parkville Station location

21.13-2 Docklands

12/09/2013
C162

Housing

- Support residential development in Docklands that complements its other functions.
- Encourage medium to high residential density.

MELBOURNE PLANNING SCHEME

Economic Development

- Support mixed use development including office and commercial development in the Digital Harbour, Stadium, New Quay, Victoria Harbour, Yarra's Edge and Batman's Hill Precincts.
- Encourage active uses in the areas fronting the waterfront to promote maximum usage and activity at the waterfront.
- Support Victoria Harbour waterfront and Waterfront City as the primary retail precinct for Docklands that complements retailing in the Hoddle Grid.
- Limit the impact of marina development on public access to the waterfront.
- Encourage local industries and uses such as recreational boating, marinas, fish markets, and port services, particularly where access to the waterfront is available.
- Encourage the establishment of leading edge industries through the development and promotion of Digital Harbour and the installation of high technology infrastructure.
- Encourage the installation of high technology infrastructure throughout Docklands.
- Support the consolidation of education and research clusters in Docklands, including the Digital Harbour Precinct and TAFE facilities.

Built Environment and Heritage

- Ensure Docklands is physically and visually linked with the west end of the Hoddle Grid.
- Ensure that buildings provide weather protection and an attractive built form to promote an attractive, vibrant, safe and comfortable street environment.
- Encourage a development pattern that acknowledges Melbourne's traditional hierarchy of streets, lanes and arcades. The development pattern should be permeable and fine-grained to create a clear pattern of access and movement.
- Ensure that the design of buildings encourages sustainable outcomes.
- Encourage the reuse of heritage buildings.
- Encourage interim land uses, reuse of existing buildings, infrastructure and landscaping which presents an attractive physical environment during the development phase.
- Ensure building heights and setbacks along the waterfront in Docklands allow for optimum climatic conditions on the promenades.
- Encourage a built form profile in the Docklands that forms an extension of the Hoddle Grid building profile.
- Maintain and reinforce views to the water from the Hoddle Grid where possible, particularly along the Collins, Bourke and Latrobe Street corridors.
- Ensure buildings on landmark sites which terminate views or vistas or mark key local focal points are designed to the highest quality.
- Ensure development in Docklands extends and reinforces Council's public environment initiatives and practices.
- Ensure safe, wide and attractive public promenades are provided along the Docklands waterfront as an integrated part of the development of each precinct.
- Ensure continuous pedestrian and cycle promenades along the waterfront in Docklands.

MELBOURNE PLANNING SCHEME

- Ensure marina development in Docklands allows for public access to the water and the waterfront.
- Strengthen Harbour Esplanade as a civic spine for the Docklands.
- Ensure that new streets and open spaces provide physical and visual linkages to the waterfront.

Transport

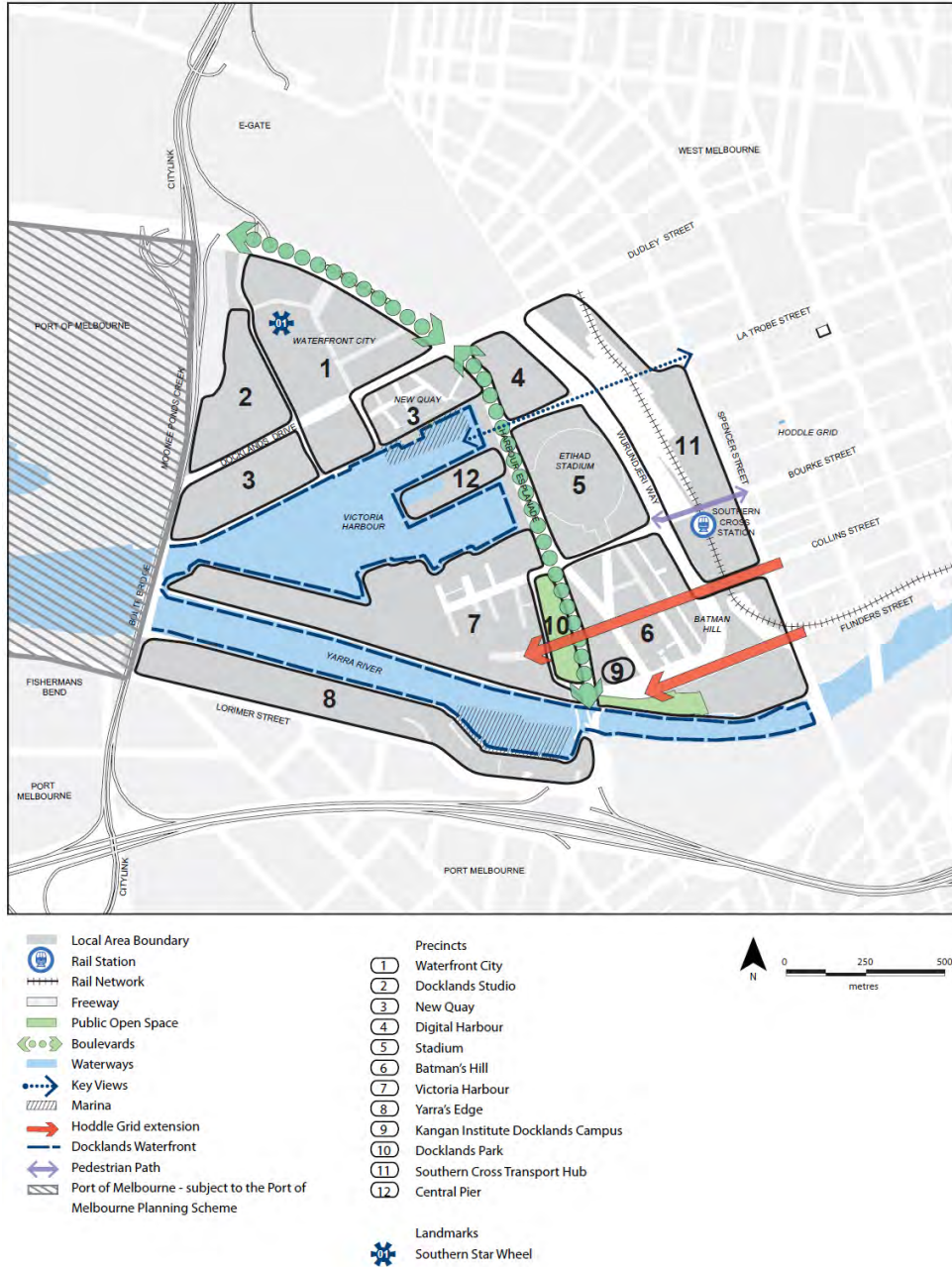
- Support pedestrian connections to the Southern Cross Major Transport Hub.
- Strengthen pedestrian connections between Docklands and Port Melbourne and West Melbourne.
- Strengthen pedestrian and cycle connectivity between the Hoddle Grid and Docklands.
- Require the development of Docklands to incorporate a high level and quality of pedestrian and bicycle access.
- Support a wide variety of transport modes to and in Docklands, including public ~~transport~~, vehicular, pedestrian, cycle and water based transport.
- Support an integrated public transport system in Docklands with a high degree of connectivity between tram, rail and bus services.
- Support the extension of light rail services to Docklands.
- Ensure new developments make provision for on-street car parking and bus and taxi parking adjacent to key public spaces and land uses.
- Encourage the co-location and sharing of car parking facilities where appropriate.
- Develop Footscray Road as a western boulevard entry to the City, through the use of strong urban and landscape design elements.
- Ensure the design of roads in Docklands encourages through-traffic to be diverted away from the harbour waterfront.
- Ensure that the provision of car parking for use and development is consistent with environmental considerations and with the efficient operation of the Melbourne Docklands area road network and approach roads, ~~and with environmental considerations.~~

Infrastructure

- Support the development of continual open space links along the Docklands waterfront, Yarra River and Moonee Ponds Creek that provide for recreational and ecological purposes.
- Support the provision of an integrated network of parks and open spaces in Docklands.
- Support the development of Victoria Harbour, Harbour Esplanade and Docklands Park as the recreational focus for the Docklands.
- Ensure adequate and appropriate space is set aside in Docklands for community facilities and that these facilities can be extended and upgraded when required.

MELBOURNE PLANNING SCHEME

Figure 8: Docklands



MELBOURNE PLANNING SCHEME

21.13-3

14/11/2016
GC50**Fishermans Bend Urban Renewal Area**

Comment [KCM3]: This policy framework will continue to apply until revised through FB Framework currently underway.

The State Planning Policy identifies Fishermans Bend as a priority urban renewal area. It is an unparalleled renewal opportunity within Melbourne. It will provide for 80,000 jobs (40,000 within the mixed use precinct and 40,000 in the Employment Precinct) and a range of well serviced, high density housing options for 80,000 people. Lorimer is planned to accommodate 12,000 residents and 6,000 jobs.

The Lorimer precinct will promote a mix of residential, retail, commercial, entertainment and employment opportunities that complements the functions and built form of the Central City and Docklands. The area will provide opportunities for co-location of employment and housing, increasing productivity through decreased travel times for residents. Fishermans Bend urban renewal project is driven by the fundamental principles of economic prosperity, social equity and environmental quality that takes advantage of its close proximity to existing employment, residential and transport links in the Central City/ Southbank/ Docklands areas. Design excellence and environmental sustainability is fundamental to delivering a high quality, high amenity urban environment and realising the vision for a highly liveable urban renewal area.

The Fishermans Bend Urban Renewal Area will seek to achieve an affordable housing target of 6% across the precincts. Delivering improved housing affordability, choice and a diversity in this key area of Melbourne.

The Lorimer precinct has a distinct role in realising the vision for Fishermans Bend and will have its own distinct character and identity.

Housing

Ensure new residential areas have a strong sense of community and are welcoming and convenient places to live.

Encourage a vibrant, mixed use precinct close to the Yarra River and connected to Melbourne's Central City, Docklands and other emerging urban renewal areas.

Encourage a high density mixed use precinct centred around a linear green spine and open spaces. To create an important recreational and biodiversity green link, promoting a healthy and diverse lifestyle for people of all ages and backgrounds.

Economic Development

Ensure Lorimer has excellent access to employment and public transport, being located on the doorstep of the Central City, Docklands and adjacent to the Fishermans Bend Employment Precinct (NEIC), connected by the northern Tram Route.

Encourage development to deliver high levels of amenity, focus on the attraction and retention of talent, and to support investment and growth in the knowledge, creative, design, research, education, innovation, engineering, advanced manufacturing and service sectors.

Encourage mixed use outcomes across the four mixed use precincts that create a significant employment growth, complementing existing industries in the Employment Precinct (NEIC), and build on strengths in aeronautical and automotive engineering and defence.

Ensure that new development implements measures to mitigate itself from potential amenity impacts from existing industry and warehouse uses, or from ongoing port operations.

Built Environment and Heritage

Encourage a visual and physical connection to the Yarra River through a series of new north-south laneways that will stitch the precinct across Lorimer Street through to the Yarra River.

Encourage a diversity of mid and high-rise buildings with taller buildings located along the less sensitive interface of the West Gate Freeway providing an attractive architectural backdrop to the precinct.

MELBOURNE PLANNING SCHEME

Encourage a mix of courtyard, perimeter block apartments, and tower developments with hybrid developments that accommodate a mix on larger sites strongly encouraged.

Ensure heights are reduced in key locations to protect existing and proposed open spaces from being overshadowed.

Encourage defined frontages with retail uses activate ground level interfaces with open spaces. Large and smaller format commercial uses are also encouraged within podium or lower levels of development.

Ensure towers are well spaced to provide for outlook and view through to the river, with setbacks to protect amenity of streets and laneways.

Encourage higher street walls along the freeway interface, providing a buffer from freeway traffic.

Sub-precincts: Preferred character outcomes

The following outlines the preferred character within each sub-precinct within the Lorimer precinct (refer Map 10: Sub-precincts within the Fishermans Bend Urban Renewal Area)

Table 1: Preferred future character

<u>Lorimer</u>	<u>Preferred Character</u>
<u>Area L1</u>	<p><u>Hybrid developments of mid-rise perimeter blocks and tower developments</u></p> <p><u>Slender towers located to minimise overshadowing impacts on the Lorimer Parkway</u></p> <p><u>Provision of private and communal open space with good access to sunlight to provide high levels of amenity for residents and workers.</u></p> <p><u>Activation of the Lorimer Parkway, Ingles Street and the new north-south street through a diversity of fine-grain frontages, nominally 4-8 metres wide.</u></p> <p><u>Lower street wall heights along Lorimer Parkway to maximise the amount of sunlight penetrating between tower elements to reach the southern side of the parkway</u></p>
<u>Area L2</u>	<p><u>Mid-rise developments with activated laneways leading to Lorimer Street and the Yarra River</u></p>
<u>Area L3</u>	<p><u>Slender towers located to minimise overshadowing of the Lorimer parkway</u></p> <p><u>Lower street wall heights along Lorimer parkway to maximise the amount of sunlight penetrating between tower elements to reach the southern side of the parkway</u></p>
<u>Area L4</u>	<p><u>Hybrid developments of mid-rise perimeter blocks and tower developments</u></p> <p><u>Well-spaced towers that avoid a wall-of-towers effect when viewed from the Yarra River, Lorimer Parkway, internal streets and the West Gate Freeway</u></p> <p><u>Towers that create a visual landmark to the West Gate Freeway recognising that this is an important arrival point into the central city</u></p> <p><u>Location and design of towers to minimise overshadowing of parks and streets in the Sandridge precinct</u></p> <p><u>Activation of new north-south laneways and streets Lower street wall heights on the east and west of the new large park on Turner Street</u></p> <p><u>Elsewhere, higher street wall heights that assist in mitigating noise pollution from the West Gate Freeway into the Lorimer Precinct.</u></p> <p><u>Service access only on the new service road along the West Gate boundary</u></p>

MELBOURNE PLANNING SCHEME

Transport

Support the creation of the northern tram route along Turner Street and Lorimer Street providing direct, high frequency public transport connection to Docklands and the Central City.

Support the creation of new or upgraded bridges over the Freeway at Ingles Street and Graham Street to provide public transport, bike and pedestrian access to Sandridge.

Infrastructure

Support the creation of the Lorimer Central Open Space located in the heart of the precinct, between Ingles and Boundary Streets

Support Turner Street closure and widening to create a new Linear Parkway along the tram route, and creating a green link to the new Lorimer West Open Space, and additional green link connecting to new open space at intersection of Hartley and Lorimer Streets.

Support a network of new streets and laneways to transform the existing industrial scale blocks into a walkable neighbourhood

Support a pop-up community hub created on land adjacent to the Bolte Bridge, evolving into a Health and Well-Being Hub. Education and Community Hub (primary) is located in the north eastern part of the precinct, and an Art and Cultural Hub is located in the south eastern part of the precinct.

Encourage new facilities to be delivered as part of mixed use development, located in close proximity to the Lorimer Central Open Space or Hartley Street Open Space and northern tram route.

Encourage a Sports and Recreation hub (or part of cluster) to be delivered as part of mixed use development, located within the 'investigation area' at the western part of the precinct.

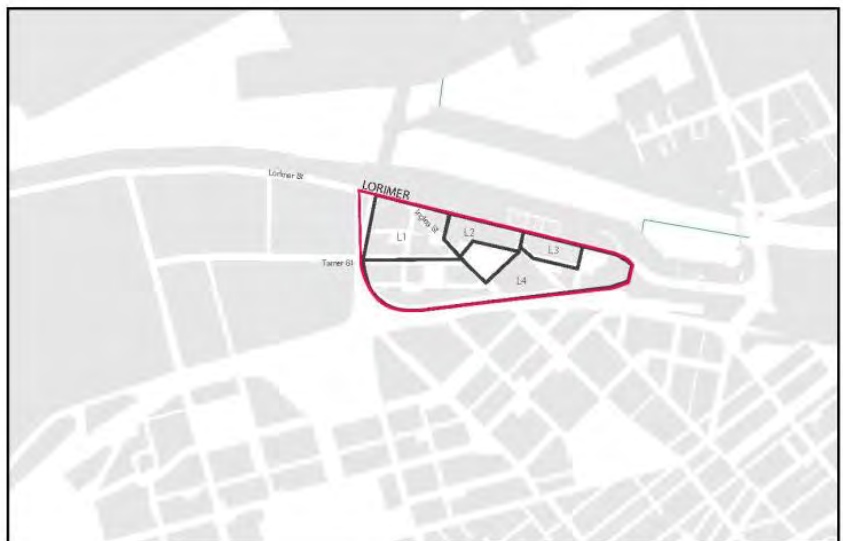
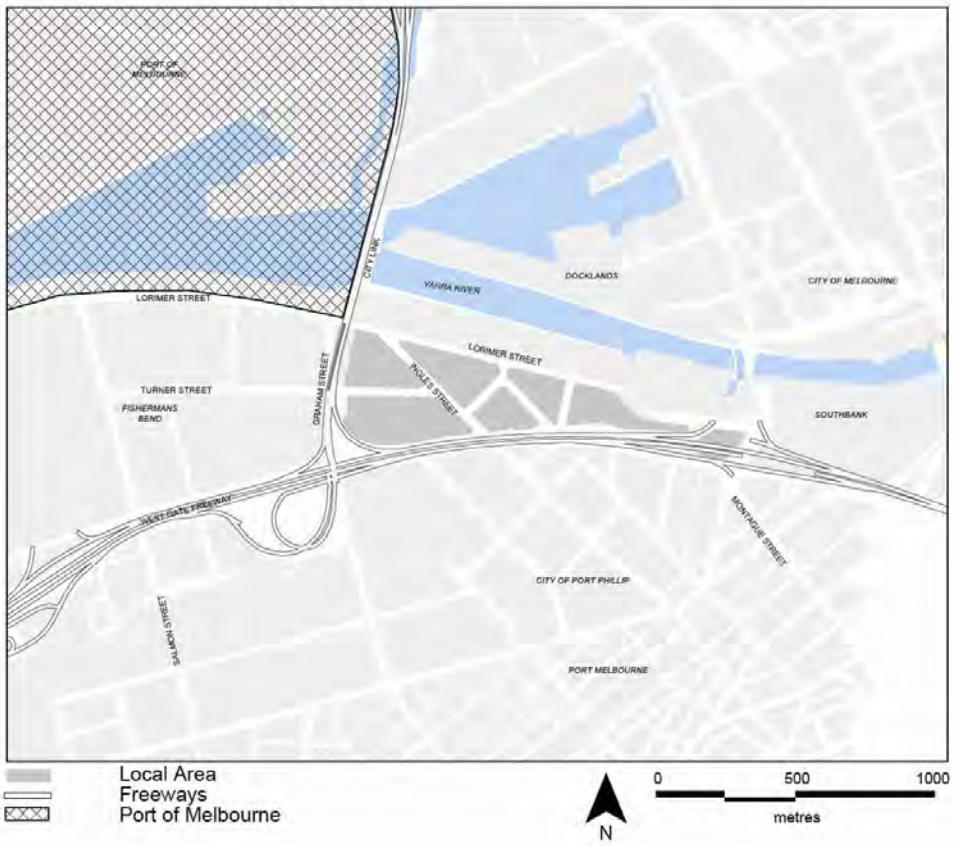
~~The area measuring 250 hectares within the City of Melbourne and City of Port Phillip municipalities has been declared a site of State significance and rezoned as part of an expanded Capital City Zone.~~



~~The area is now part of the Expanded Central City and will accommodate CBD jobs and residents, in high densities.~~

~~The Fishermans Bend Strategic Framework Plan, July 2014 (amended September 2016) sets out the long term vision for the area, and includes statutory requirements for development of the area. This document is incorporated in this planning scheme pursuant to the Schedule to Clause 81.01.~~

Figure 9: Fishermans Bend Urban Renewal Area

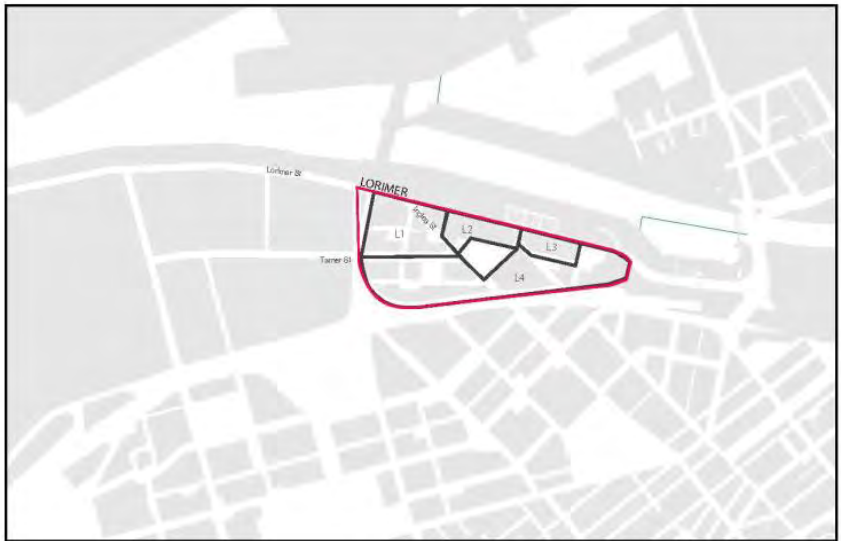
MELBOURNE PLANNING SCHEME





LEGEND	
	Precinct Boundary
	Sub-precinct Boundary

MUNICIPAL STR

MELBOURNE PLANNING SCHEME



LEGEND	
	Precinct Boundary
	Sub-precinct Boundary

MELBOURNE PLANNING SCHEME

21.14 PROPOSED URBAN RENEWAL AREAS

29/01/2015
C225

21.14-1 CITY NORTH

29/01/2015
C225

~~City North is an area in transition and change is already underway. The University of Melbourne, RMIT University, hospitals and research institutions are investing in expansions and renewal of their facilities and the redevelopment of the former Carlton United Brewery site has commenced.~~

~~Further potential for urban renewal exists between the existing Central City and the world renowned knowledge precinct in the south area of Parkville.~~

~~This area's potential for urban renewal (as an extension of the Central City) is currently being planned utilising the directions from the Council adopted City North Structure Plan 2012. This amendment is still to be inserted into the planning scheme.~~

City North is identified for proposed renewal given its existing role as a specialised activity centre, the proposed Parkville Station as part of the Metro Tunnel Project and its proximity as an extension of the Central City.

Comment [KCM1]: Taken from current 21.04 but amended to reference "Metro Tunnel"

City North, like metropolitan Melbourne, has experienced a shift from a manufacturing economy to a knowledge economy. Historically the area was an edge-of-town district characterised by light industrial, warehousing, bulk goods retailing, hospitals, research, auto sales and services. The opening of the City Loop underground rail line and the associated development of Melbourne Central as a retail complex in the 1980s has seen Central City development expand north of Victoria Street. Alongside this residential and commercial expansion, the University of Melbourne has been expanding its campus south of Grattan Street and RMIT has been expanding north, positioning Victoria Street at the centre of its campus.

City North is undergoing a transition to a high intensity mixed use area of residential, commercial, educational, research, industrial and retail activities. The large areas of land in light and small scale industry and business can be expected to relocate to more appropriate sites over time, freeing land for redevelopment.

Growth in the number of residents, workers and students in City North will drive demand for increased local services such as convenience retailing, shopping, entertainment, social venues and community services. The former Carlton and United Brewery site at the corner of Swanston and Victoria is catalysing change in the area. The site is undergoing significant redevelopment with high density residential, office, commercial and educational buildings as well as a central public open space.

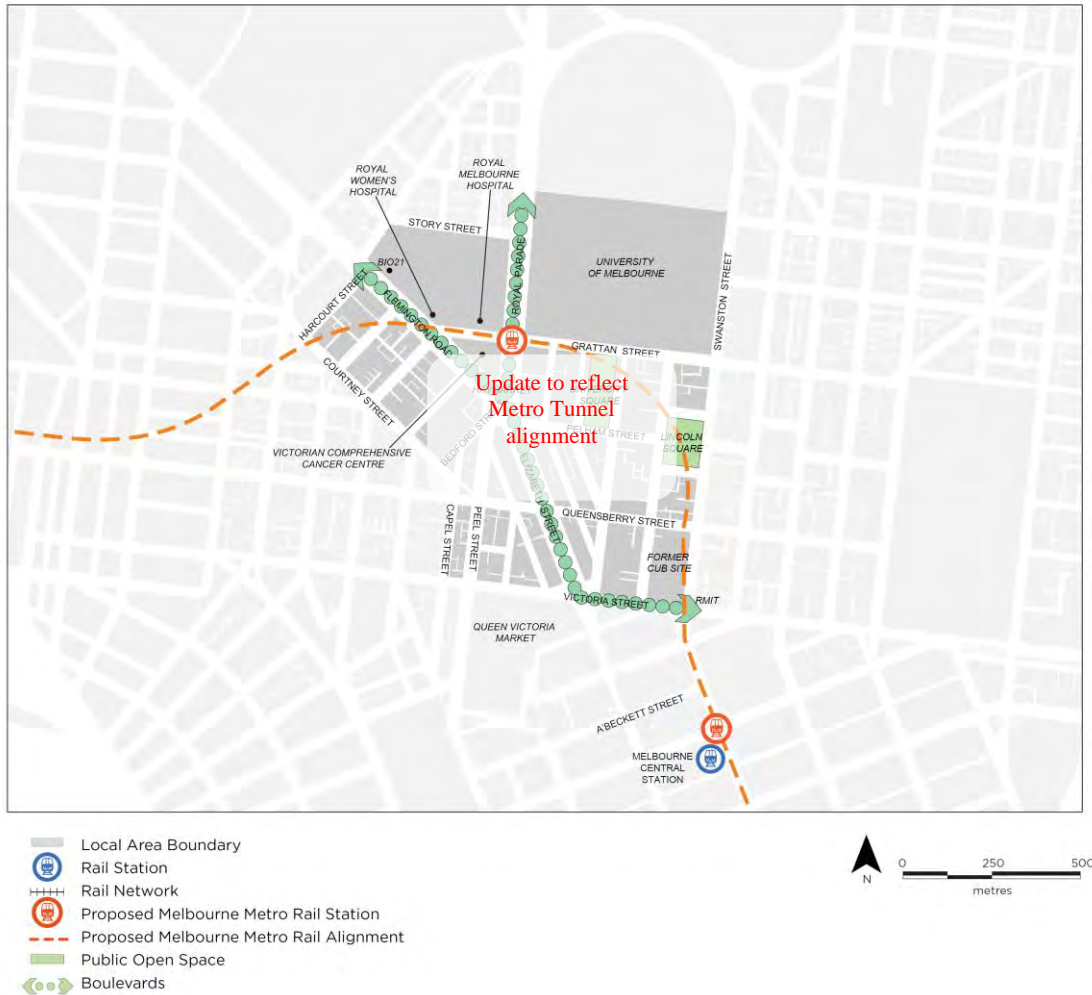
Comment [KCM2]: Taken from CNSP

The City North Structure Plan 2012 has been adopted by the City of Melbourne and has been implemented into the planning scheme via a planning scheme amendment. The directions of the plan for this local area are still to be inserted into the planning scheme.

Comment [KCM3]: Content should be included under headings: Housing, Economic development, Built Environment and Heritage and Infrastructure (as per local area policies)

MELBOURNE PLANNING SCHEME

Figure 10: City_North



21.14-2 Arden-Macaulay

29/01/2015
C225

Arden-Macaulay is an area in transition. Since the 1880's, Arden-Macaulay has been primarily an industrial area supporting the city's economy through manufacturing and production. The profile of business activity in the area has been changing with some degree of land under-utilisation given its potential in relation to its proximity to the central City.

The Melbourne Metro station project to be located between [Citylink-CityLink](#) and Laurens Street will lead to major change east of the Moonee Ponds Creek.

~~The Arden-Macaulay area is currently zoned for industrial use. The proposed Melbourne Metro station project will lead to major change east of the Moonee Ponds Creek. The Arden-Macaulay area is currently zoned for industrial use. The proposed Melbourne Metro station project will lead to major change east of the Moonee Ponds Creek. The Arden-Macaulay area is currently zoned for industrial use. The proposed Melbourne Metro station project will lead to major change east of the Moonee Ponds Creek.~~

[Amendment C190 part 1 approved](#) and adopted by the City of Melbourne and the City of Yarra via a planning scheme amendment. The directions of this plan for this local area are still to be inserted into the planning scheme.

~~Planning controls will address the interface between on going industrial and residential areas, and the interface between new development and existing residential areas and~~

MELBOURNE PLANNING SCHEME

~~large manufacturing industry will be protected from sensitive uses by a land use buffer of non-residential development and/ or non-sensitive land uses (depicted within Figure 10 as “Commercial and Industrial Buffer”). The new planning controls will be introduced in two stages.~~

MELBOURNE PLANNING SCHEME

Figure 11: Arden-Macaulay



MELBOURNE PLANNING SCHEME

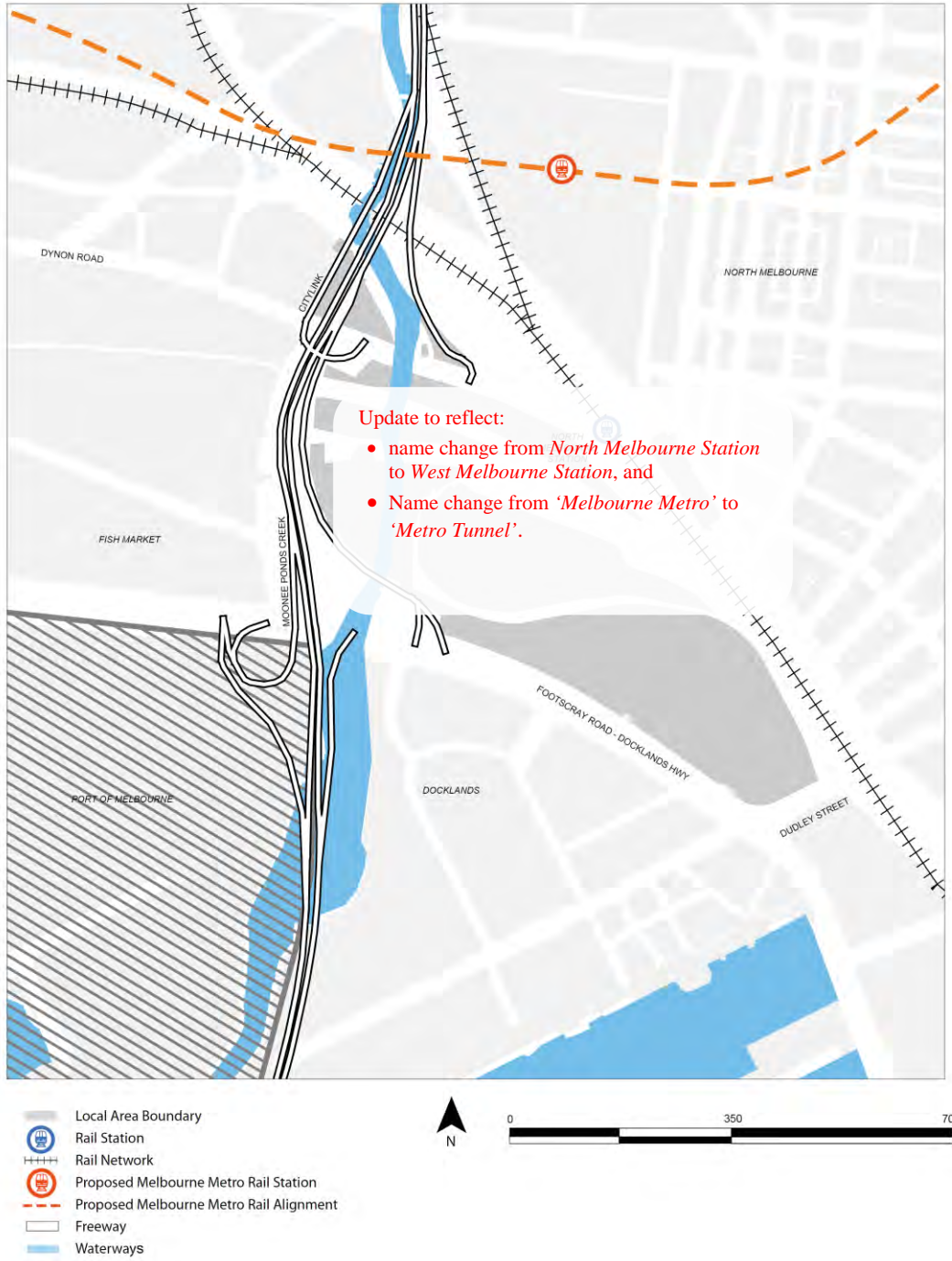
21.14-3 E-Gate

29/01/2015
C225

This land is mostly reserved for railway purposes and is in State Government ownership and adjoins the Docklands and the Arden-Macaulay urban renewal areas. State Government are developing plans for its urban renewal and these plans will be implemented into the planning scheme via a planning scheme amendment. It was identified as an extension of Docklands in the Future Melbourne Community Plan 2008. The directions for this local area are still to be inserted into the planning scheme.

MELBOURNE PLANNING SCHEME

Figure 12: E-Gate



MELBOURNE PLANNING SCHEME

21.15 POTENTIAL URBAN RENEWAL AREAS29/01/2015
C225**21.15-1 Dynon**29/01/2015
C225

This area mainly accommodates freight with some industrial activities. In the longer term these activities could be reconfigured and rationalised within the area in conjunction with the planning and development of the Port of Melbourne and the proposed Melbourne Freight Terminal serving the port south of Dynon Road. The State Government's planned ~~West Link freeway interchange will significantly change the western end of West Gate Tunnel project will traverse~~ the precinct.

As part of this, there is potential for the renewal of the northern section of this area. This area will be investigated for urban renewal in this context. Any urban renewal of this area should not constrain the operations of the port freight terminal to the south. The planning for this area will be undertaken by the State Government in conjunction with the City of Melbourne.

The current strategies for this local area are outlined below

Economic development

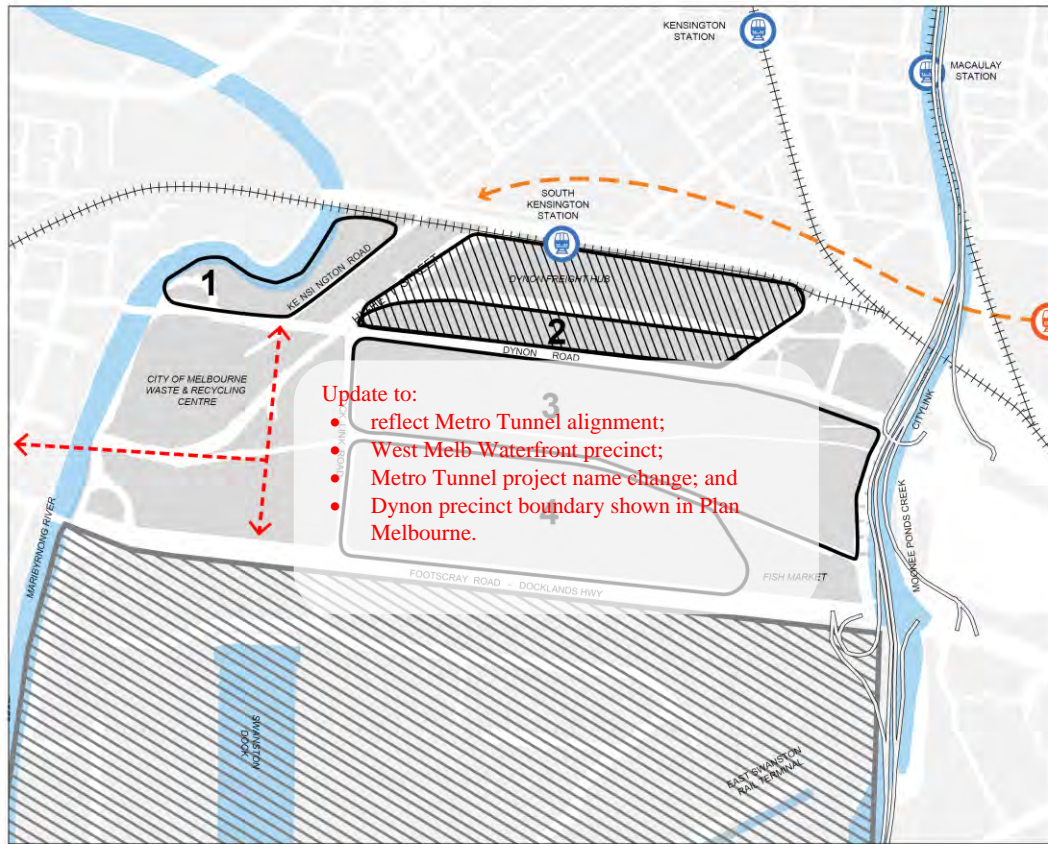
- Support the ongoing use of the Dynon Precinct, west of City-Link, for a range of transport, manufacturing, wholesale and distribution industries.
- Support advanced manufacturing, service industries, and port/rail use compatible with the Port of Melbourne and nearby manufacturing, freight and transport logistics industries along the Maribyrnong River while ensuring that the amenity of the river is enhanced.
- Support the development of a freight distribution hub at Dynon Road with enhanced links to the Port of Melbourne.

Built Environment

- Encourage buildings fronting Dynon and Footscray Roads to have active and attractive fronts.
- Ensure new development along the Maribyrnong River and Moonee Ponds Creek enhances the recreational and environmental amenity of these waterway corridors and has appropriate setbacks.
- Enhance open space and recreational opportunities along the Maribyrnong River and Moonee Ponds creek.

MELBOURNE PLANNING SCHEME

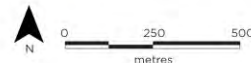
Figure 13: Dynon



Update to:

- reflect Metro Tunnel alignment;
- West Melb Waterfront precinct;
- Metro Tunnel project name change; and
- Dynon precinct boundary shown in Plan Melbourne.

- Local Area Boundary
 - Rail Station
 - Rail Network
 - Proposed Melbourne Metro Rail Station
 - Proposed Melbourne Metro Rail Alignment
 - Freeway
 - Waterways
 - Potential Urban Renewal Area
 - Proposed Port Freight Link
 - Port of Melbourne - subject to the Port of Melbourne Planning Scheme
- Precincts**
- 1 Kensington Road Precinct
 - 2 North Dynon Freight Terminal
 - 3 South Dynon - freight uses
 - 4 Further freight transport uses



21.15-2 Flemington and Kensington

29/01/2015
C225

Flemington and Kensington (west) are residential areas adjacent to the Flemington Racecourse, the Royal Agricultural Showgrounds and the Maribyrnong River.

Comment [KCM1]: Inclusion of Kenginton and Flemington in this policy has led to confusion, as these areas only contain only a portion of urban renewal land. Our principal recommendation is to remove the local areas from these categories – refer alternative version of 21.04.

MELBOURNE PLANNING SCHEME

Maintaining and enhancing residential amenity and the heritage characteristics of the area is a priority.

The ongoing operation and growth of Flemington Racecourse and the Royal Agricultural Showgrounds is supported along with the expansion of the recreational role of the Maribyrnong River and its enhancement as part of the Municipality's open space network.

The rail corridor between Flemington Racecourse and the Showgrounds has potential for urban renewal. This will depend on future options for a rail service to the area.

Housing

- Ensure development in residentially zoned areas of Kensington maintains its generally low scale nature of heritage streetscapes and buildings.
- Ensure development in Kensington Banks maintains its generally low scale nature.
- Discourage the encroachment of non-residential uses associated with education and medical institutions into neighbouring ~~residential~~ Residential zones/Zones.
- Support the provision of a range of housing including social housing in the Office of Housing Estate.
- Support the conversion of industrial uses on land bounded by Hobsons Road, Kensington Road and the Maribyrnong River to a mix of residential, commercial and recreational uses to ensure that they are more compatible with the adjoining Kensington Banks.

Economic Development

- Support the ongoing operation of Flemington Racecourse and the Royal Agricultural Showgrounds, including ancillary activities.
- Support the revitalisation of the Royal Agricultural Showgrounds to enhance its capacity as a recreation facility.
- Minimise the impact of Flemington Racecourse and the Royal Agricultural Showgrounds, including traffic, noise and parking on nearby Residential and Mixed Use Zones.
- Strengthen the role of the Macaulay Road shopping area for convenience shopping and facilities with a neighbourhood focus.
- Strengthen the recreational role of Holland Park and the Maribyrnong River.

Built Environment and Heritage

- Ensure development in the residentially zoned (stable residential) area of Flemington and Kensington maintains its generally low scale nature of heritage streetscapes and buildings.
- Ensure development in Kensington Banks maintains its generally low scale nature.
- Ensure development along the Maribyrnong River facilitates public access to the river and reflects its increasing recreational role.
- Ensure that development along the Maribyrnong River is river focused and does not dominate in terms of height, scale and bulk of development.
- Encourage sympathetic infill redevelopment and extensions that complement the architecture, scale and character of Kensington and Flemington.
- Ensure that the scale and built form of any new development on land along Hobsons Road is compatible with the prevailing built form of Kensington Banks.

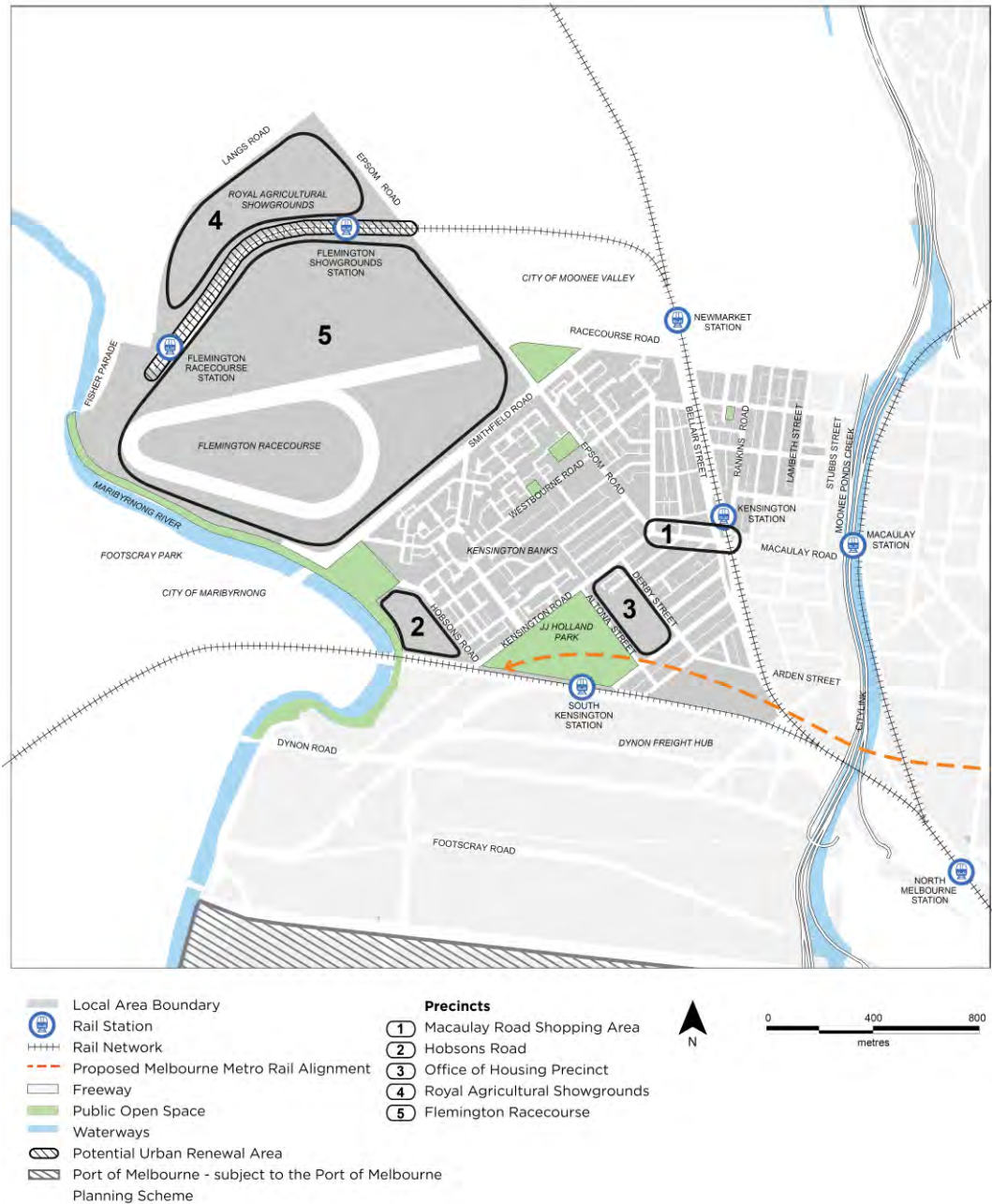
MELBOURNE PLANNING SCHEME

Transport

- Strengthen pedestrian links between Flemington Racecourse and the Footscray Botanical Gardens across the Maribyrnong River.
- Strengthen public space and pedestrian and cycle connections on both sides and across the Maribyrnong River and Moonee Ponds Creek.

MELBOURNE PLANNING SCHEME

Figure 14: Flemington and Kensington



21.15-3
29/01/2015
C225

Sports and Entertainment Area Precinct

The Sports and Entertainment Area Precinct includes some of Melbourne’s major sporting and entertainment venues as well as some of the largest areas of parkland in the vicinity of

Comment [KCM2]: (Changed for consistency with local areas)

MELBOURNE PLANNING SCHEME

the Central City, along the Yarra River corridor. It provides recreational, cultural and entertainment opportunities including Birrarung Marr, the Shrine of Remembrance, Government House, Sidney Myer Music Bowl and the National Herbarium within the Domain and Royal Botanic Gardens.

Comment [KCM3]: Overview should recognise aboriginal cultural heritage

The Jolimont rail corridor runs through the middle of the Sports and Entertainment Precinct. The Federation Square development was the first step in the urban renewal of this corridor. As inner and central city locations have become more highly valued development over transport corridors will become increasingly attractive not only for the development space they can yield but also for the opportunity to connect adjacent parts of the city that have been separated.

Comment [KCM4]: Jolimont Rail corridor text is better located here

This area's development will continue to provide Melbourne with world class recreational, entertainment and leisure facilities. Its future development could incorporate the urban renewal of the Jolimont rail corridor.

Economic development

- Ensure that commercial uses in the Royal Botanic Gardens and Domain Parklands do not detract from their landscape qualities and amenity.

Built Environment and Heritage

- Investigate the potential future development of the Jolimont railyards corridor.
- Protect key views to the Shrine of Remembrance and ensure that new buildings surrounding the Shrine of Remembrance preserve its significance as a historic and cultural landmark.
- Maintain the beauty, cultural values and functionality of the Royal Botanic Gardens and Domain Parklands and the institutions within them.
- Support the maintenance of the natural state of Yarra Park by retaining and enhancing its native vegetation.

Transport

- Ensure existing access and links to transport facilities in the area are maintained and strengthened.
- Develop pedestrian links between the water-side entertainment and recreational attractions.
- Develop pedestrian links between Birrarung Marr across the Yarra River to Alexandra Gardens.
- Develop pedestrian links from the Sports and Entertainment Precinct to areas to the north and east, especially Richmond Station and other public transport nodes.
- Support the extension of Spring Street to Brunton Avenue and the development of the triangle of land between this new link, Wellington Parade and west of Jolimont Road.
- Minimise the impact of car parking on Yarra Park by reducing vehicle access and car parking as new opportunities arise.

Infrastructure

- Support the functioning and growth of sports and entertainment facilities commensurate with their key state and national role.

MELBOURNE PLANNING SCHEME

Figure 15 Sports and Entertainment Precinct



MELBOURNE PLANNING SCHEME

21.1629/01/2015
C225**OTHER LOCAL AREAS**

The following local area plans provide spatial and built form directions for the remaining neighbourhoods of the municipality.

21.16–129/01/2015
C225**St Kilda Road and South Yarra**

St Kilda Road remains a premier boulevard containing high density office and residential development. The continued development of the area has necessitated the introduction of a wide range of uses and services to support residents, workers and businesses in the area.

The Yarra River is an important landscape and open space feature passing through the South Yarra precinct, and supports areas of Aboriginal cultural heritage sensitivity.

In St Kilda Road and South Yarra, the educational, institutional and research facilities continue to be supported. As South Yarra is an area of stability with minimal potential for new development, residential amenity has been maintained and the area's historic character and features have been preserved.

Comment [KCM1]: (Or similar) subject to consultation with Aboriginal Melbourne

Housing

- Support residential development on St Kilda Road within its context as a premier office and residential boulevard.

Economic development

- Support street level convenience retailing and food and drink premises on St Kilda Road to provide for the needs of workers and residents.
- Ensure that the mix of uses does not prejudice the established character of St Kilda Road as a premier office and residential boulevard.
- Ensure Domain Road shopping area maintains its role for convenience shopping, neighbourhood facilities and as a neighbourhood focus.
- Support the ongoing operation and establishment of offices and related commercial developments along St Kilda Road to support its strategic role as a premier office district.

Built Environment and Heritage

- Ensure development in South Yarra is sensitively designed so that it maintains the generally low scale nature of heritage streetscapes and buildings.
- Ensure future development in St Kilda Road respects and maintains the prominence of the landscaped boulevard character which includes generous landscaped front setbacks, the appearance of "buildings in grounds" and established street trees.
- Ensure that building design along St Kilda Road maintains the prominence of views to the Arts Centre Spire and Shrine of Remembrance.
- Ensure that the scale of buildings along St Kilda Road maintain the silhouette of the Shrine of Remembrance.
- Encourage high rise residential and office developments along St Kilda Road.
- Encourage low rise sympathetic infill redevelopment and extensions that complement the architecture, scale and character of the residential areas in South Yarra.
- Protect the Royal Botanic Gardens by limiting the height of developments around the Gardens.
- Ensure that development around Fawcner Park protects the visual amenity of the park and avoids overshadowing.

Comment [KCM2]: Lacks policy to protect Aboriginal cultural heritage

MELBOURNE PLANNING SCHEME

Infrastructure

- Support medical research and associated medical uses in South Yarra in a cluster near the Alfred Hospital in the Public Use Zone.
- Support the on-going operation of the State significant Alfred Hospital (including direct 24 hour emergency helicopter access) and other institutions on St Kilda Road.
- Support the functioning and growth of education uses in St Kilda Road and South Yarra, consistent with the local amenity at the interface of Residential and Mixed Use ~~zones~~Aones.
- Preserve and enhance the landscape qualities and recreational role of Fawkner Park.

MELBOURNE PLANNING SCHEME

Figure 16: St Kilda Road and South Yarra



Comment [KCM3]: Update plan to identify Domain Road Shopping Strip (as per Victorian & Errol St designations in Figure 20)

- Local Area Boundary
 - Proposed Melbourne Metro Rail Station
 - Proposed Melbourne Metro Rail Alignment
 - Freeway
 - Freeway Tunnel
 - Public Open Space
 - Boulevards
 - Waterways
 - Key Views
- Precincts**
- 1 St Kilda Road Area
 - 2 Stable residential area
 - 3 Alfred Hospital and Research Precinct

21.16-2 East Melbourne and Jolimont

29/01/2015
C225

MELBOURNE PLANNING SCHEME

The East Melbourne and Jolimont area will continue to accommodate Government facilities, institutions and businesses in the Treasury and Parliament precinct. It has an important role in providing hospital and medical services and supporting Central City edge business uses while maintaining residential amenity through limited development of residential areas.

Housing

- Ensure development in the residential areas of East Melbourne and Jolimont is sensitively designed so that it maintains the generally low scale nature of heritage streetscapes and buildings.
- Support a mix of residential and office development in Commercial Zones in Jolimont.

Economic Development

- Support the continued operation of existing businesses in East Melbourne between Victoria Parade and Albert Street (west of Powlett Street), Wellington Parade and in the Jolimont commercial area.
- Support the government function of the Treasury and Parliament Reserves.
- Discourage medical centres and other commercial uses in the Residential Zones of East Melbourne where they do not serve a local community function or cause adverse impacts on residential amenity.
- Encourage the role of Wellington Parade shopping area for convenience shopping, neighbourhood facilities and a neighbourhood focus.

Built Environment and Heritage

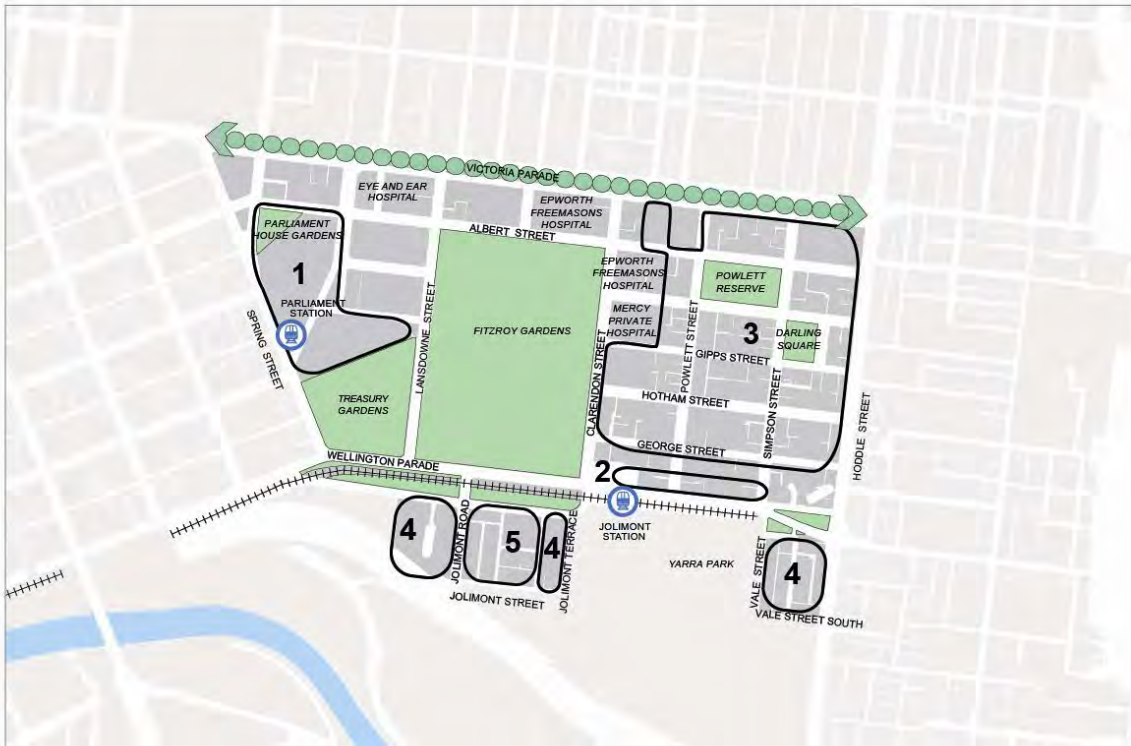
- Ensure any redevelopment ~~of the sites~~ respects the scale of the surrounding residential area, heritage buildings and Fitzroy Gardens.
- Ensure views to the World Heritage Listed Royal Exhibition Building drum, dome, lantern and flagpole from Spring and Nicholson Streets are protected.
- Encourage sympathetic infill redevelopment and extensions that complement the architecture, scale and character of the areas in the low rise areas of East Melbourne and Jolimont.
- Ensure development in the Commercial Zone along Albert Street and Victoria Parade is consistent with the existing scale and character of the area.
- Maintain and enhance the landscape qualities of Victoria Parade boulevard and ensure that buildings along Victoria Parade are designed to enhance its appearance as a major boulevard.
- Ensure that development along Wellington Parade and Albert Street enhances these roads as key entrances to the Hoddle Grid.
- Ensure that development does not adversely affect Fitzroy Gardens, Treasury Gardens or Yarra Park by minimising the visual impact of buildings and overshadowing of the parks.

Infrastructure

- Support hospital, medical and medical research uses in East Melbourne in the Commercial and Public Use Zones.

MELBOURNE PLANNING SCHEME

Figure 17: East Melbourne and Jolimont



21.06-3 Carlton

29/01/2015
C225

Carlton is a dynamic and diverse local area. It accommodates a range of uses including housing, retailing, entertainment, leisure and cultural activities. Lygon / Elgin Street is an important local shopping centre that also has a regional tourist role based on the popularity of its restaurants. The tourism functions, needs of local residents and the retailing needs of the Commercial Zone in Lygon and Elgin Streets need to be balanced.

Carlton provides for a range of housing needs including a significant amount of public housing and student accommodation.

MELBOURNE PLANNING SCHEME

Carlton will continue to accommodate a mix of retail, commercial, educational, institutional and residential uses of different scales. In the established residential areas it is important that new development maintains the neighbourhood's amenity and complements the highly valued heritage buildings and streetscapes.

The scale and form of development in Carlton is determined by reference to the cultural heritage significance and preferred built form character of the locality in which the development has established.

Housing

- Support limited residential development which maintains the low scale nature of heritage streetscapes and buildings north of Grattan Street.
- Support further residential development (including student accommodation) along Swanston Street (between Elgin and Victoria Streets). This area will continue to accommodate a mix of land uses including education, commercial, medical and research and development uses. It will develop a new built form character over time.
- Support the on-going use of College Square on Swanston Street and Lygon Street as high density student housing accommodation.
- Support shop-top housing in the Lygon Street shopping strip, ensuring that such uses do not affect the viability of commercial activities operating in the shopping centre.
- Ensure existing levels of social housing are retained in the redeveloped Rathdowne and Nicholson Street Public Housing Estates.
- Support redevelopment of the Queen Elizabeth Hospital site for medium density housing (including a component of social housing).

Economic development

- Support the ongoing tourism, cultural and entertainment role of Lygon Street (south of Grattan Street), Melbourne Museum and the Royal Exhibition Building.
- Support the ongoing regional role of Lygon Street (south of Grattan Street) as a retail, restaurant and entertainment precinct.
- Ensure Lygon Street (north of Grattan Street) continues to provide for the convenience retail needs of the local residents and working community while discouraging the encroachment of restaurants and entertainment uses.
- Encourage a mix of retail, tourist and commercial uses around Argyle Square, compatible with the amenity of existing residences.
- Support the ongoing operation and establishment of small scale office and commercial uses (including start-up businesses, consultancies, and creative enterprises) in South Carlton, consistent with the local amenity.
- Support the continued operation of service business activity in the Commercial and Mixed Use Zones.
- Encourage small scale office and commercial activities to locate along Elgin Street in the existing Commercial Zone.
- Encourage home offices and small scale ground floor office and commercial activities along the Pelham Street axis to promote active street frontages.

Built Environment and Heritage

- Ensure development north of Grattan Street is sensitively designed so that it maintains the generally low scale nature of heritage streetscapes and buildings.
- Support infill residential development ~~in~~ south of Grattan Street where it maintains the predominantly ly low scale nature of these areas and respects the area's heritage context.
- Maintain a strong contrast in scale between the built form and character of the Hoddle Grid and Carlton at the Victoria Street interface.

MELBOURNE PLANNING SCHEME

- Ensure the scale of development in Victoria Street, west of Carlton Gardens reinforces the distinct contrast between medium rise development in North Melbourne and Carlton, and higher rise development in the Hoddle Grid.
- Ensure that development in the block bounded by Victoria Parade, Drummond Street, Queensberry Street and Lygon Street respects the heritage values of Trades Hall and other significant streetscapes in the area.
- Maintain the predominantly low scale and ensure sympathetic infill redevelopment and extensions that complement the architecture, scale and character of the areas around Carlton Gardens, Lygon Street and residential areas included in the heritage overlay area.
- Ensure any redevelopment of ~~the~~ College Square on Swanston Street creates an environment of high pedestrian amenity along Swanston Street, and respects the scale and form of heritage buildings on Faraday and Cardigan Streets.
- Ensure that the height and mass of new development in proximity to Carlton Gardens and the World Heritage Listed Royal Exhibition Building maintains views of this World Heritage Listed site and does not adversely impact on this significance.
- Ensure development fronting Swanston Street (corner of Victoria Street) positively contributes to the built form character.
- Ensure that development is sympathetic to the heritage values of adjacent heritage areas and places.

Infrastructure

Open Space

- Ensure the retention of all parkland and protect Carlton Gardens, and the Carlton squares (Macarthur, Murchison and Argyle) from uses that would reduce their landscape character and recreational role.
- Ensure any buildings or structures in parks and gardens in Carlton are sensitively designed and located to minimise impacts on the landscape character and recreational role.

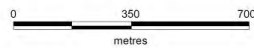
Comment [KCM4]: This heading is inconsistent with the otherwise standard format for local areas policies: Housing, Economic development, Built Environment and Heritage; and Infrastructure

MELBOURNE PLANNING SCHEME

Figure 18: Carlton



- Local Area Boundary
- Proposed Melbourne Metro Rail Station
- Proposed Melbourne Metro Rail Alignment
- Public Open Space
- Boulevard
- Lygon Street Shopping Centre



Precincts

- College Square
- Queen Elizabeth Hospital development site
- Nicholson Street Housing Estate
- Rathdowne Street Housing Estate
- Trades Hall
- Lygon Street Local Centre
- Elgin Street Shopping Strip
- Exhibition Building and Carlton Gardens World Heritage Environs Area

Landmarks

- Melbourne Museum
- Royal Exhibition Building

MELBOURNE PLANNING SCHEME

21.16-4

29/01/2015
C225

Parkville

The extensive parklands of Royal Park and Princes Park dominate the land use of this area and provide both local and regional open space. Parkville is identified as a National Employment and Innovation Cluster within Plan Melbourne.

Comment [KCM5]: Update to acknowledge cultural heritage values within Royal Park

Parkville has small established residential neighbourhoods, defined by their park context and the high integrity of the heritage buildings.

Comment [KCM6]: (To be expanded)

These will remain residential areas where preservation of heritage and parkland values and maintenance of residential amenity are key priorities. Residential development will be ~~been~~ mainly confined to infill development. More intensive residential development will continue in the Parkville Gardens Estate.

Housing

- Support new residential development in Parkville Gardens, West Parkville.
- Support residential buildings associated with the institutions in the Commercial Zone land along Royal Parade.
- Discourage medical centres and other commercial uses in the ~~residential-Residential zones~~Zones, the stable residential areas of Parkville, except where they serve a local community function and do not cause adverse impacts on residential amenity.

Built Environment and Heritage

Comment [KCM7]: Insert new policy requirement for protection of Aboriginal cultural heritage

- Ensure that the Residential zoned areas of South Parkville, West Parkville and North Parkville maintain their residential character, predominantly low scale nature and heritage context
- Ensure that Royal Park remains the defining feature of Parkville by protecting the landscape character of the Park, preserving the recreational role of the Park and maintaining the open skyline from inside the Park.
- Reinforce Royal Parade and Flemington Road as major tree-lined boulevards.
- Ensure future development along Royal Parade and Flemington Road respects and maintains the prominence of the landscaped boulevard character which includes heritage buildings, landscaped front setbacks and established street trees.
- Ensure the scale of development respects the heritage and parkland values of the area and does not dominate or visually intrude upon parkland, streetscapes or lane-scapes.
- Ensure that new development in North Parkville maintains the existing built form character of buildings in a landscaped setting with generous setbacks from the street and between buildings. At the same time, promote quality building design and a consistent building scale.
- Ensure that development around the perimeter of ~~the~~ Royal Park does not significantly intrude into close range views from Royal Park.

Infrastructure

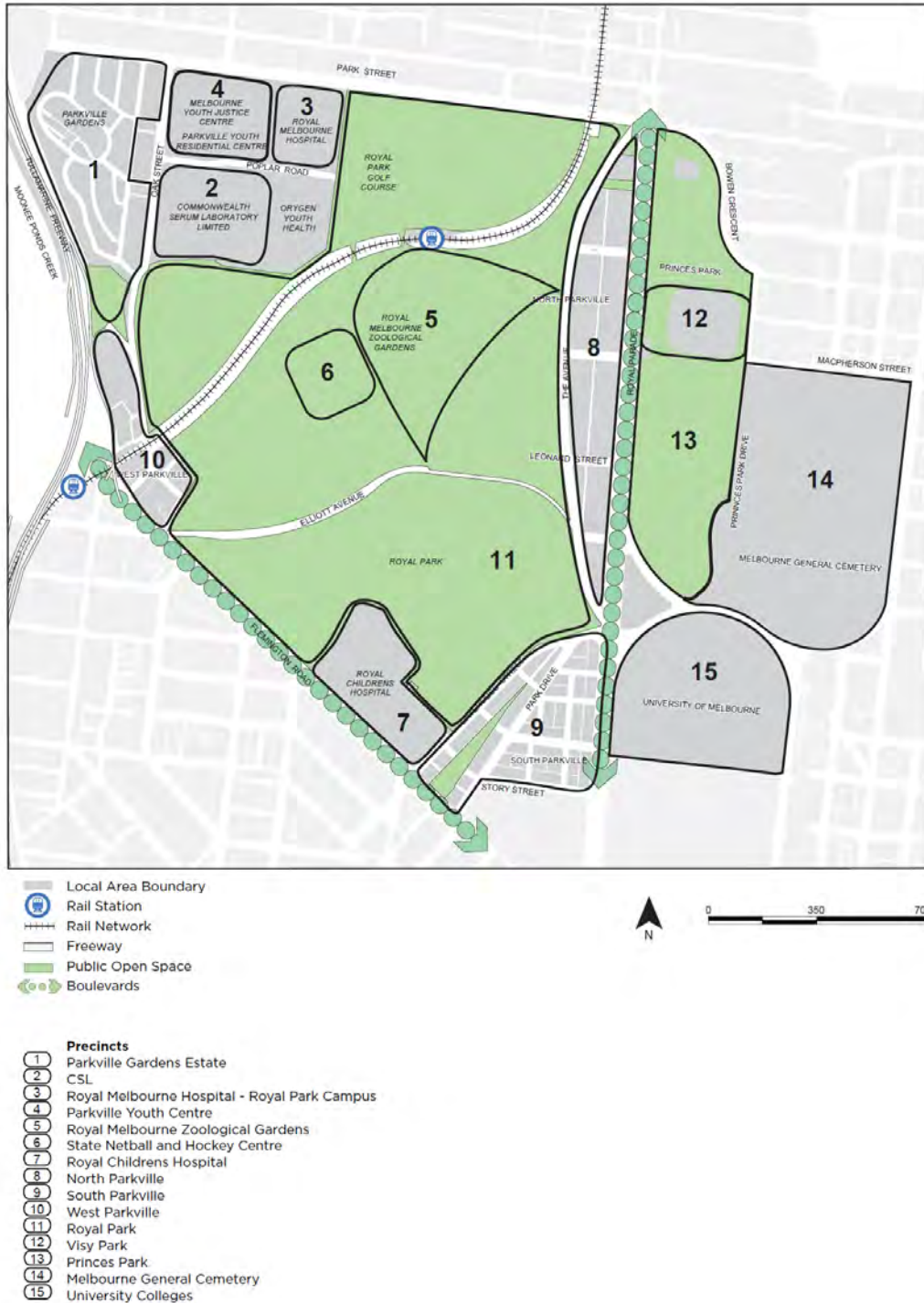
- Support State significant hospitals (including direct 24 hour emergency helicopter access) and research uses in the ~~public-Public use-Use zoned-Zoned~~ land along Flemington Road from Elizabeth Street to the Royal Childrens' Hospital, consistent with the local amenity of residential and mixed use zones.
- Support industrial research and development at the Commonwealth Serum Laboratory Limited site to the north of Royal Park, consistent with the local amenity at the interface of ~~Residential and Mixed Use Zones~~residential and mixed use zones.
- Support research and education uses in the Commercial ~~zoned-Zoned~~ land along Royal Parade in North Parkville, consistent with the local amenity in the Residential and Mixed use Zones.
- Discourage the encroachment of institutional uses into parkland and residential areas.

MELBOURNE PLANNING SCHEME

- Ensure the retention of all parkland and protect Royal Park and Princes Park from uses that would reduce its landscape character and recreational role.
- Ensure that buildings and other structures (e.g. communications infrastructure) in Royal Park and Princes Park are sensitively designed and located to minimise ~~its~~ impacts on the Park's landscape character.
- Support the on-going operation of the Royal Melbourne Zoological Gardens, while ensuring that the landscape character of Royal Park is maintained.
- Encourage the retention and re-growth of predominantly indigenous vegetation in Royal Park.

MELBOURNE PLANNING SCHEME

Figure 19: Parkville



21.16-5 North and West Melbourne

29/01/2015
C225

MELBOURNE PLANNING SCHEME

North and West Melbourne has a strong residential base as well as commercial and industrial uses. Many of the area's streetscapes and buildings have been recognised for their heritage significance. Flemington Road is a key tree-lined boulevard entry into the City.

North and West Melbourne should provide a balance of residential and commercial uses that maintains an emphasis on local community and liveability. There should be a clear distinction in scale from the Central City with higher scales of development expected located at the Central City fringe, around the North Melbourne railway station and along Flemington Road. In all other areas, a lower scale of development should be maintained.

The role and character of the Errol Street and Victoria Street shopping area should be strengthened, as local community centres.

Comment [KCM8]: GAFP does not reflect

Housing

- Support residential development in the Hoddle Grid fringe. In this area, increased residential densities should be balanced with the strategic role of this area in providing for small to medium enterprises that support the Hoddle Grid and Docklands.
- Promote the retention and refurbishment of existing public housing estates.
- Support limited residential development that maintains the low scale nature of heritage buildings and streetscapes in the Residential Zones (stable residential areas).

Economic Development

- Support a mix of uses with retail and small scale business uses and some light industrial uses in the Mixed Use Zone in North Melbourne.
- Support a mix of uses including retail, small scale business uses with some light industrial uses and small to medium enterprises in West Melbourne south of Hawke and Roden Streets, given the proximity to Docklands and the Hoddle Grid.
- Support commercial development in the Hoddle Grid fringe.
- Strengthen the role of the Errol and Victoria Streets shopping area for convenience shopping, neighbourhood facilities and as a neighbourhood focus.
- Support the ongoing operation and establishment of small to medium enterprises and businesses that provide professional and business support services to the Capital City Zone in the Mixed Use Zone of North and West Melbourne adjacent to the Hoddle Grid.
- Support home business, small to medium offices and other commercial developments in the Mixed Use Zone of North and West Melbourne.
- Support light and service industry in the Mixed Use Zone in North and West Melbourne.

Built Environment and Heritage

- Maintain the predominantly low scale of the Mixed Use Zone in West Melbourne, south of Hawke and Roden Streets.
- Maintain the predominantly low scale of residential areas and the Mixed Use Zone in North Melbourne.
- Maintain lower scale streetscapes in other parts of West Melbourne and North Melbourne. Ensure that development is sympathetic to the architecture, scale and heritage character of the lower scale areas.
- Ensure the area bounded by Latrobe Street, south west of the Flagstaff Gardens, provides a contrast in scale between the lower built form of West Melbourne and the higher scale of the Hoddle Grid.
- Encourage the re-use of existing warehouse and industrial buildings with efficient recycling potential where these contribute to the traditional mixed use character of the area.

MELBOURNE PLANNING SCHEME

- Ensure infill redevelopment and extensions complement the architecture, scale and heritage values of the residential area, especially where it is in a Heritage Overlay.
- Support higher building forms in West Melbourne in the area adjacent to the Hoddle Grid.
- Maintain the existing two storey scale in the Errol and Victoria Streets shopping precinct consistent with the area's heritage buildings.
- Reinforce Flemington Road as a key tree lined boulevard entry to the Central City.

Transport

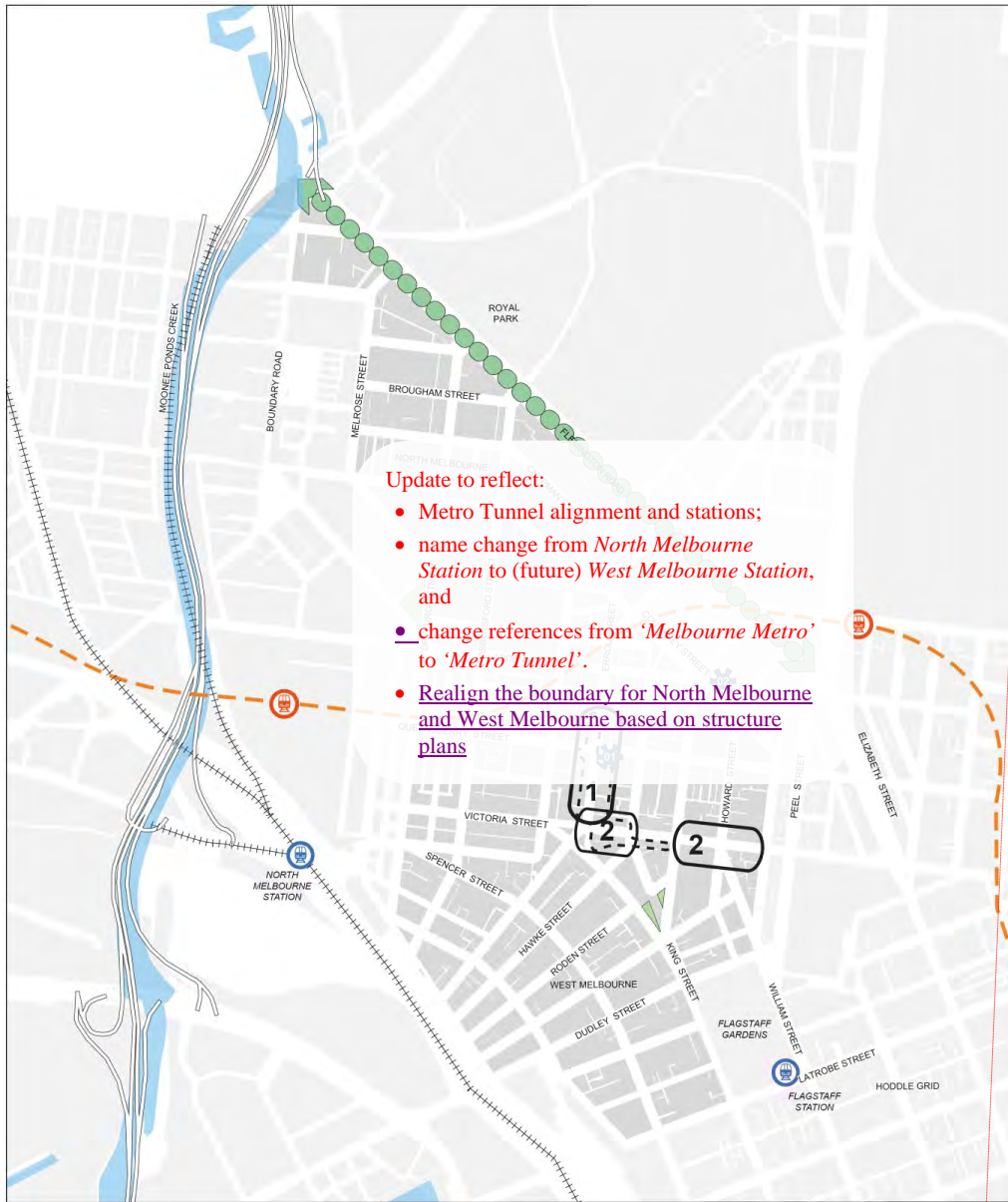
- Strengthen pedestrian and cycle connections between Docklands and West Melbourne.
- Strengthen public open space and pedestrian and cycle connections in the North and West Melbourne area, across the Moonee Ponds Creek and with the Capital City trails.
- Strengthen pedestrian, cycle and visual connections to Royal Park.
- Encourage better links between existing transport modes in North and West Melbourne and between key precincts, e.g. Errol Street shopping precinct.

Infrastructure

- Support the role of the North Melbourne Town Hall arts precinct, including the Metropolitan Meat Market.
- Support the provision of open space and recreational facilities for the local resident and working community.
- Facilitate opportunities for the creation of new open space in North and West Melbourne.

MELBOURNE PLANNING SCHEME

Figure 20: North and West Melbourne



Comment [KCM9]: Ultimately separate North and West Melbourne, and update the plan reflect West Melbourne Structure Plan

- | | |
|--|---|
| Local Area Boundary | Errol and Victoria Street Shopping Centre |
| Rail Station | Public Housing Estate |
| Rail Network | |
| Proposed Melbourne Metro Rail Stations | Precincts |
| Proposed Melbourne Metro Alignment | Errol Street Shopping Strip |
| Freeway | Victoria Street Shopping Strip |
| Public Open Space | |
| Boulevards | Landmarks |
| Waterways | North Melbourne Town Hall |
| | Metropolitan Meat Market |

MELBOURNE PLANNING SCHEME

21.16–6 Fishermans Bend Industrial Area29/01/2015
C225

Fishermans Bend is the area of industrial land to the west of the city adjacent to the Port of Melbourne. The Port of Melbourne is covered by a separate planning scheme administered by the Minister for Planning. While not the responsible authority for the Port, the City of Melbourne must ensure an appropriate interface and access to the Port as Australia's largest container and general cargo port.

The continued protection of industry and the Port from encroachment by residential and other sensitive uses will be important.

Economic Development

- Support the development of limited convenience retail and professional services in Fishermans Bend to support the area's growing workforce.
- Support advanced manufacturing and associated research and development organisations especially within the aerospace and automotive sectors to locate in Fishermans Bend, to provide mutual benefit through proximity to existing businesses and activities.
- Support development of the Corporate ~~precinct~~-Precinct as an area to attract new manufacturing business and corporate headquarters, focused on research and technology.
- Support the development of the Small Medium Enterprise ~~precinct~~-Precinct as a transitional area separating the larger manufacturing industries to the west from more intensive industrial businesses to the north east and encourage a variety of business and industrial uses and business incubators.
- Discourage small scale industrial and commercial development and subdivision in Fishermans Bend that is not related to advanced manufacturing and research and development uses.
- Manage the interface between the Docklands' residents by encouraging emission free or office based manufacturing uses and development in Lorimer Street (near the interface with Docklands) that are complementary to the adjacent Docklands development.
- Encourage larger manufacturing businesses to locate in the western portion of Fishermans Bend in the Corporate Precinct to minimise conflict with the Docklands development.
- Discourage the location of sensitive activities in Fishermans Bend that are not compatible with the operations of the Port of Melbourne or other industrial activities.

Built Environment and Heritage

- Strengthen pedestrian and cycle connections and support provision of open space and links through Fishermans Bend between the Port Melbourne foreshore, the Hoddle Grid and Westgate Park.
- Ensure that development in Fishermans Bend visible from Docklands does not detract from the appearance or visual amenity of the Docklands area.
- Support improvements to the physical infrastructure, urban design and amenity of Fishermans Bend to make the area a high quality urban environment and more attractive for business.
- Encourage a high standard of visual amenity along Lorimer Street to reinforce the image of Fishermans Bend and to strengthen main vistas and views.
- Encourage large front landscaped setbacks on larger industrial sites in Fishermans Bend.
- Discourage the location of car parking along Lorimer Street where it is visible from the street.
- Discourage high wire mesh fencing at street frontages particularly along Lorimer Street.
- Enhance the environmental and open space values of Westgate Park.

MELBOURNE PLANNING SCHEME

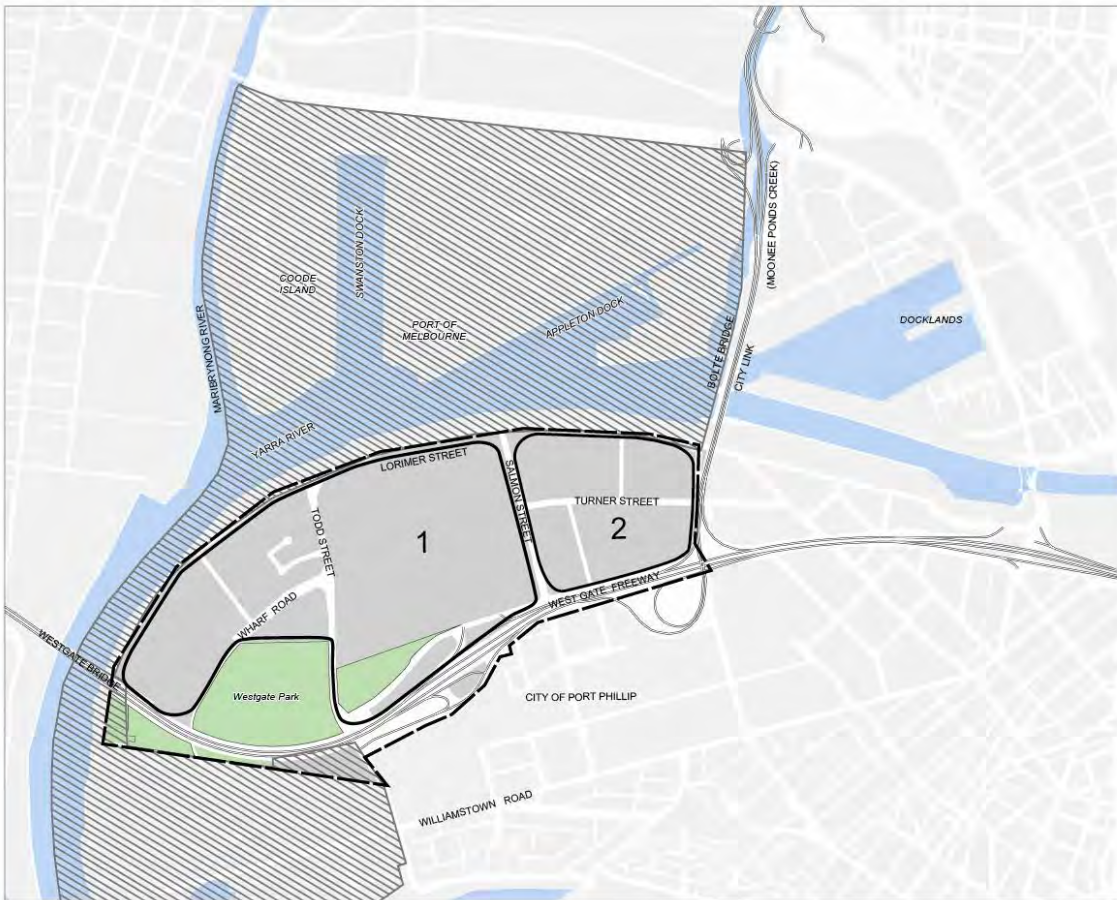
- Enhance open space in Fishermans Bend to provide for the needs of the working population.

Transport

- Support the extension of bus, fixed and light rail services to Fishermans Bend.
- Support the development of transport infrastructure required for the Port of Melbourne in Fishermans Bend including planning for future rail links to Webb Dock to the south, heavy vehicles and freight and protecting shipping lanes.
- Support the extension of heavy rail to Webb Dock.

MELBOURNE PLANNING SCHEME

Figure 21: Fishermans Bend Industrial Area



- Local Area Boundary
- Public Open Space
- Freeways
- Port of Melbourne
- Precincts**
- Corporate
- Small Medium Enterprise

N

0 400 800
metres

MELBOURNE PLANNING SCHEME

21.17

31/08/2017
C245

REFERENCE DOCUMENTS

General

~~City Plan 2010, 2001.~~

~~Council Plan 2017-2021~~

Central City Built Form Review Overshadowing Technical Report, Department of Environment, Land, Water and Planning, April 2016

How to Calculate Floor Area Uplifts and Public Benefits, Department of Environment, Land, Water and Planning (as amended from time to time)

Housing and community

~~Linking People, Homes and Communities – A Social Housing Strategy 2001 – 2004, 2001.~~

~~Homes for People: Housing Strategy 2014-2018~~

City of Melbourne Social Planning Framework, 2002.

~~Docklands Community Development Plan 2001-2016, 2002.~~

~~Drugs Action Plan 2001-2003, 2001.~~

[Aboriginal Heritage Action Plan, 2015 - 2018](#)

Business, ~~and~~ Retail ~~and~~ Arts

~~Retail Core Development Strategy, 2001.~~

Towards a Knowledge City Strategy, 2002.

Melbourne BioAgenda, 2002.

[Arts Infrastructure Framework November, 2016.](#)

[Retail and Hospitality Strategy Report, 2015-2016.](#)

[Tourism Action Plan, 2016-2019.](#)

Urban Form and ~~Structure~~ and character

~~Grids and Greenery, 1987.~~

~~Grids and Greenery Case Studies, 1998.~~

~~Strategy for a Safe City 2000-2002, 2000.~~

~~Integration and Design Excellence, Melbourne Docklands, July 2000.~~

~~Docklands Open Space Strategy.~~

~~Melbourne Docklands Outdoor Signage Guidelines, 2004~~

~~Swanston Street, Carlton – Urban Design Guidelines, 1999~~

~~West Melbourne Structure Plan, April 2005~~

~~Carlton Brewery Masterplan, October 2007~~

~~Queen Victoria Market Precinct Renewal Built Form Review & Recommendations, April 2015.~~

~~Queen Victoria Market Precinct Renewal Master Plan, July 2015.~~

Parks

[Open Space Strategy, 2012](#)

Comment [KCM1]: All reference documents that have a specified timeframe which has expired have been deleted.

In addition, a number of additional documents have been deleted where the policy settings have changed since the publication date.

Comment [KCM2]: Review and implement update

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Comment [KCM3]: Consolidated with Local Areas

Comment [KCM4]: Redundant? This document cannot be found on the internet

Comment [KCM5]: Superseded by the municipality-wide "Open Space Strategy 2012"

MELBOURNE PLANNING SCHEME

~~Carlton Gardens Master Plan, 1991.~~
~~Princes Park Ten Year Plan, 1998.~~
Royal Park Master Plan, 1998.
JJ Holland Park Concept Plan, 1998.
Fitzroy Gardens Management Plan, 1996.
Flagstaff Gardens Master Plan, 2000.
Treasury Gardens Management Plan, 1996.
~~Parks Policy, 1997.~~
[Public Open Space Contribution Register, 2018.](#)
[Urban Forest Precinct Plan, 2013-2023](#)

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Transport and Access

~~Moving Melbourne into the Next Century—Transport Strategy 1997.~~
~~Bike Plan 2002—2007—A Transportation Strategy, 2002.~~
[Bicycle Strategy 2016-2020.](#)
~~Disability Action Plan 2001—2004.~~
Port of Melbourne Land Use Plan, 2002.
City West Plan, 2002.
~~Transport Program 2003-2006, 2003.~~
Carlton Access and Parking Strategy, 2004.
[Road Encroachment Operational Guidelines, 2003](#)
[Bicycle Strategy 2016-2020](#)
[Asset Management Strategy 2015-2025](#)
[Last Kilometre Freight Plan June 2016](#)
[Motorcycle Plan 2015-2018](#)
[Road Management Plan July 2017](#)

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Environment

City of Melbourne Ecologically Sustainable Buildings Guidelines, 2001.
City of Melbourne Stormwater Management Plan, 2000.
Guidelines for Solar Technology Installations in the City of Melbourne’s Residential Areas, 2001.
~~Melbourne’s Greenhouse Action Plan 2001—2003, 2001.~~
[Melbourne Sustainable Energy and Greenhouse Strategy, 2000.](#)
Urban Stormwater Best Practice Environmental Management Guidelines, 1999.
~~Growing Green, 2003.~~
Total Watermark 2004, 2004.
~~Zero Net Emissions by 2020—A Roadmap to a Climate Neutral City, 2003.~~
Business Park Precinct Noise Management Regime 1998.
~~Melbourne Docklands Lighting Regime for the Business Park Precinct 1999.~~
[Climate Change Adaptation Strategy Refresh 2017](#)
[Emissions Reduction Plan for our Operations 2016-2021](#)
[Green Our City Strategic Action Plan 2017-2021](#)

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MELBOURNE PLANNING SCHEME

[Nature in the City April 2017](#)
[Waste and Resource Recovery Plan 2015-2018](#)

Local Area Plans and Urban Form

~~[Integration and Design Excellence, Melbourne Docklands, July 2000.](#)~~
~~[West Melbourne Structure Plan, April 2005](#)~~
~~[Carlton Brewery Masterplan, October 2007](#)~~
~~[Queen Victoria Market Precinct Renewal Built Form Review & Recommendations, April 2015.](#)~~
~~[Queen Victoria Market Precinct Renewal Master Plan, July 2015.](#)~~
~~[Carlton Integrated Local Area Plan—A Vision to 2010, 2000.](#)~~
~~[Port Melbourne Structure Plan, 1999.](#)~~
Southbank Structure Plan 2010.
~~[North West 2010 Local Plan, 1999.](#)~~
The Shrine of Remembrance, Managing the significance of the Shrine, July 2013
~~[City North Structure Plan 2012](#)~~
~~[Docklands Public Realm Plan, 2012](#)~~
[West Melbourne Structure Plan February 2018](#)

Comment [KCM6]: Redundant? This document cannot be found on the internet

Comment [KCM7]: Consider shifting to sit under the heading: **Urban Form and Structure and character**

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MELBOURNE PLANNING SCHEME

22.01
23/11/2016
C270

URBAN DESIGN WITHIN THE CAPITAL CITY ZONE

Comment [KCM1]: NOTE; This policy is under review as part of a separate strategic planning project

This policy applies to land within Schedules 1, 2 and 3 to the Capital City Zone.

Policy Basis

The State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF) recognise the contribution that the following attributes make to the amenity, liveability and economic prosperity of the Central City:

- design excellence
- appropriate building height, setback and scale
- public realm amenity
- internal building amenity
- sunlight
- wind conditions
- attractive publicly accessible spaces, streets, lanes and public parks and gardens.

Melbourne's buildings, streets, open spaces and landscape features combine to give the Central City its unique appearance and feeling.

These elements have created a complex and attractive urban environment, giving Melbourne a grand and dignified civic centre filled with diverse activities and possessing unique charm, character and a pleasant street level environment.

Objectives

- To ensure that development responds to the underlying framework and fundamental characteristics of the Capital City Zone while establishing its own identity.
- To enhance the physical quality and character of Melbourne's streets, lanes and Capital City Zone form through sensitive and innovative design.
- To retain views into and out of the Hoddle Grid and Southbank and vistas to important civic or historic landmarks.
- To ensure that the design of public spaces, buildings and circulation spaces meets high quality design standards.
- To ensure developments contribute to a high quality public realm and to passive surveillance of the public domain.
- To incorporate laneways and through-block links to enhance pedestrian movement and permeability.
- To improve the experience of the city for pedestrians by providing a human scale to the street wall, weather protection, sunlight access, summer shadow, comfortable wind conditions, active
- To address the cumulative impact of the scale, setbacks and height of developments where multiple towers provide the precinct built form context for individual proposals.
- To provide adequate separation between towers to achieve sunlight access to streets, avoid a canyon effect, and provide the opportunity for a high level of internal amenity for occupants of adjacent towers.

MELBOURNE PLANNING SCHEME

- To maintain identified special character areas where a lower scale of development is appropriate in response to identified attributes.
- To encourage the early consideration and integration of public art work into building design to enhance the arts and cultural character of the city.

Additional Objectives for Schedule 3 to the Capital City Zone (Southbank)

- To connect and integrate Southbank with the Hoddle Grid and the Yarra River, providing easy and attractive access from all areas of Southbank to and across the river.
- To develop pedestrian and cycling connections so that Southbank has a fine grain network encouraging permeability and access.
- To encourage the redevelopment of the area bounded by City Road, Kings Way, Haig Street/Lane and the Westgate Freeway into a vibrant, mixed use area that includes smaller premises and establishes a distinct fine grained urban character.

Policy

This policy has nine sections addressing:

- 22.01-1 Building Envelope
- 22.01-2 Building Design
- 22.01-3 Pedestrian Permeability and Connectivity
- 22.01-4 Facades
- 22.01-5 City Roofs and Profiles
- 22.01-6 Projections
- 22.01-7 Wind and Weather Protection
- 22.01-8 Public Spaces
- 22.01-9 Access and Safety in Public Spaces

22.01-1

23/11/2016
C270

Building Envelope

It is policy that a proposed development is designed and assessed against the following requirements, as appropriate:

- Encourage a street wall height which responds to the prevalent street wall context.
- Ensure development, due to its location, scale and character does not detract from key views to:
 - Shrine of Remembrance
 - Parliament House
 - Old Treasury
 - Government House
 - Exhibition Building
 - Flinders Street Station dome and clocktower
 - Arts Centre Spire
 - Yarra River Corridor

MELBOURNE PLANNING SCHEME

- Requires a setback to the street frontage(s) for development above the street wall to maintain a pedestrian scale at street level. Higher street walls may be permitted if defining a main street corner.
- Require an upper level setback to adjoining sites above the street wall height which allows sufficient separation between buildings so as not to reduce the development potential of adjoining sites, to ensure a high level of amenity for both existing and future occupants of buildings, and to ensure adequate sunlight and daylight access to the street.
- Require the overall building envelope, including height and setbacks, to respond to the site's context, taking into account any floor area ratio and uplift provision(s) specified.

22.01-2 Building Design23/11/2016
C270

It is policy that a proposed development is designed and assessed against the following requirements, as appropriate:

- Encourage the lower portion of buildings to align to the street pattern and to respect the continuity of the street wall.
- Encourage buildings to be built to the street frontage at ground level, unless the design response includes a purposeful setback such as publicly accessible open space with a high standard of amenity.
- Encourage the architectural treatment to distinguish the tower from the street wall through the use of a tower setback or the adoption of a different but complementary design approach.
- Encourage a distinction between the street wall and towers through the use of tower setbacks. If an alternative design response is pursued it should include a complementary design approach.
- Maintain the traditional and characteristic vertical rhythm of streetscapes.
- Respect the height, scale, and proportions of adjoining heritage places.
- Encourage buildings with a wide street frontage to be broken into smaller vertical sections.
- Encourage towers to be well spaced, to equitably distribute access to outlook, daylight and sunlight between towers and ensure adequate sunlight and daylight penetration at street level.
- Tower separation should demonstrate that towers are offset and habitable room windows do not directly face one another and that consideration is given to the development potential of adjoining sites.
- Encourage development for new and refurbished residential and other noise sensitive uses to incorporate design measures to attenuate noise associated within the operation of businesses and non-residential activities associated with a vibrant 24-hour city.

22.01-3 Pedestrian Permeability and Connectivity23/11/2016
C270

It is policy that a proposed development is designed and assessed against the following requirements, as appropriate:

- Pedestrian through block connections should be provided where the average length of a street block exceeds 100 metres. For street blocks exceeding 200 metres in length, at least two connections should be provided.

MELBOURNE PLANNING SCHEME

- Connections should be located toward the centre of the street block, no more than 70 metres from the next intersection or pedestrian connection.
- Where a development site is suitably located for a pedestrian connection, but does not extend the full depth of the block, the development should include a connection which will be completed when a connection is provided through the adjoining site.
- Where a development site has the potential to achieve a through block connection by extending an existing or proposed connection on an adjoining site, the new development should provide for the completion of the through block connection.
- Developments should provide pedestrian connections that are aligned with other lanes or pedestrian connections in adjacent blocks (or not offset by more than 30 metres) so as to provide direct connections.
- Developments should provide pedestrian connections which are:
 - Safe, direct, attractive and which provide a line of sight from one end of the connection to the other;
 - Publicly accessible and appropriately secured with an agreement;
 - 6 metres wide;
 - Open to the sky or, if enclosed, be of a double-level height; and
 - Flanked by active frontages

22.01-4 Facades

23/11/2016
C270

It is policy that a proposed development's façade is designed and assessed against the following requirements, as appropriate:

- Encourage new facades to respect the positive attributes of the rhythm, scale, architectural features, fenestration, finishes and colour of the existing streetscape.
- Encourage detail that engages the eye of the pedestrian.
- Encourage the use of high quality building material and details.
- All visible sides of a building should be designed to a high standard, to provide visual interest and an enduring quality of finish.
- Blank building walls that are visible from streets and public spaces should be avoided.
- Buildings should address both street frontages on corner sites.
- Visible service areas (and other utility requirements) should be treated as an integral part of the overall design and fully screened from public areas.
- Signs should be integrated with the architecture of the building.
- Facades should make provision for the location of external lighting for public safety purposes and to give interest to streetscapes at night.
- Areas that might attract graffiti should be treated with graffiti proofing measures.
- Solid roller shutters should not be used on shopfronts. Open mesh security or transparent grills may be used and should be mounted internal to the shopfront.

22.01-5 City and Roof Profiles

23/11/2016
C270

It is policy that a proposed development is designed and is assessed against the following requirements, as appropriate:

- Encourage roof profiles to contribute to the architectural quality of the city skyline.

MELBOURNE PLANNING SCHEME

- Encourage roof profiles to be considered as part of the overall building form.
- Plant, exhaust and intake vents and other technical equipment should be integrated into the building design.
- In addition to views from the street, the views from higher surrounding buildings should be taken into account.
- Buildings should be designed to integrate attachments (including antennae) without disrupting the appearance of the building.
- Where they cannot be screened, attachments should be designed to complement the building.

22.01-6 Projections

23/11/2016
C270

Where a development includes projections over public space or into a laneway it is policy that the design is assessed against the following design standards, as appropriate:

- Projections should be designed to avoid an adverse impact on street trees, including planned street trees as specified in any adopted City of Melbourne plan, and allow for future growth.
- Projections should not adversely affect the service functions of a street or lane.
- Enclosed habitable floor space projecting over public land is discouraged.
- Enclosed floor space and balcony projections should provide a clearance of at least 5 metres from any public space.
- Building materials used for projections should be as durable and as transparent as possible to reduce visual impact and to maximise sunlight penetration.
- Open balconies, projecting cornices, architectural features or other building elements should not overhang a street or lane unless they:
 - Follow a local pattern.
 - Contribute positively to the character and safety of a public space.
 - Are discreet rather than prevailing elements of a building's design.
 - Provide evidence of the building's occupation.

22.01-7 Wind and Weather Protection

23/11/2016
C270

It is policy that wind and weather protection measures are assessed against the following design standards as appropriate:

- Landscaping within the public realm should not be relied on to mitigate wind effects.
- Towers should be appropriately set back from all street frontages above the street wall or podium to assist in deflecting wind downdrafts from penetrating to street level.
- Within the tower setback, some variation in treatment may provide a transition between the podium and tower. Such treatment should be carefully checked for wind effects at street level.
- Areas designated in Schedule 4 of the Design and Development Overlay (Weather Protection) should be protected from rain and wind.
- The design, height, scale and detail of canopies, verandahs and awnings should be compatible to nearby buildings, the streetscape and the precinct character.

MELBOURNE PLANNING SCHEME

- Canopies, verandahs and awnings should be partly or fully transparent to allow light penetration to the footpath and views back up the building facade, and should be designed to avoid an adverse impact on street trees, allowing for future growth.
- Verandah support posts should be located at least 2 metres from tree pits.
- Weather protection does not need to be provided where it would interfere with the integrity or character of heritage buildings, heritage precincts or streetscapes and lanes.

22.01-8 Public Spaces

23/11/2016
C270

The provision of high quality, readily accessible internal and external spaces form an integral part of the public domain. Public spaces include streets and lanes, public parks and gardens and privately owned plaza, forecourts, arcades and atria, and parks and gardens that are used by the public.

It is policy that a proposed development is designed and is assessed against the following requirements, as appropriate:

- Encourage development to provide for high quality public spaces.
- Discourage public space at street intersections to reinforce the form of the city grid.
- Discourage small narrow spaces, alcoves and recesses that lack a clear public purpose.
- Encourage atria where they link different elements of building complexes or link new additions to historic buildings or improve the energy efficiency of the building.
- Atria, arcades and through building links should be publicly accessible during normal business hours, with longer hours encouraged. Other spaces should be publicly accessible 24 hours a day.
- Facades adjoining public spaces should be designed to maintain the continuity of the streetscape and provide active uses and passive surveillance.
- Clear views should be provided through to the other end of a covered public space to encourage pedestrian use.
- Natural lighting should be maximised in covered public spaces.
- Public open space should have a northerly aspect.
- The design and finishes in arcades and atria should provide a high level of noise absorption.
- Shopfronts fronting public spaces should be attractive and secure when the shops are closed. Roller shutters should not be used.
- Development of new or upgrading of existing open space should comply with the City of Melbourne's design standards.
- Provision should be made for facilities such as seating, litter bins, tables, drinking fountains and planters where appropriate.

22.01-9 Access and Safety

23/11/2016
C270

It is policy that access and safety issues in public space design are assessed against the following standards as appropriate:

- Access to car parking and service areas should minimise impact on street frontages.
- The storage of refuse and recyclable material should be provided off-street and be fully screened from public areas.

MELBOURNE PLANNING SCHEME

- Streets and public spaces should be fronted by active uses to increase interest, use, and the perception of safety.
- On major streets and other areas of pedestrian activity, windows at ground floor level should be maximised to provide surveillance.
- Lighting should be provided to improve safety.
- Alcoves and spaces that cannot be observed by pedestrians are not supported.

Policy References

Grids and Greenery – The character of inner Melbourne (1987)

Places for People (1994)

Vision for the Yarra Corridor (1998)

Central City Planning and Design Guidelines (1991)

Strategy for a Safe City 2000-2002 (2000)

The Southbank Structure Plan 2010

Central City Built Form Review Synthesis Report, Department of Environment, Land, Water and Planning, April 2016

MELBOURNE PLANNING SCHEME

22.07

30/06/2016
C293**ADVERTISING SIGNS**

This policy applies to all applications for advertising signs within the municipality ~~and the Docklands Zone.~~

Policy Basis

The Municipal Strategic Statement sets out objectives for public realm quality. The location, size and number of signs have a direct impact on the appearance and character of the municipality. A proliferation of signs may detract from the character and amenity of the place and create visual clutter. Advertising sign requirements are located at Clause 52.05 and various schedules to the zones within the Melbourne Planning Scheme.

Objectives

- To allow for the reasonable identification and marketing of institutions, businesses and buildings and communication of messages.
- To protect the characteristics of significant buildings and streetscapes.
- To protect important vistas from obtrusive and insensitive advertising.
- To ensure that signs in residential areas and other high amenity areas do not detract from the appearance or character of the area.
- To encourage where appropriate, signs that contribute to the lively and attractive character of an area.
- To encourage signs that improve the quality of the area.

Policy

It is policy that proposals are assessed against the following criteria:

General

- Signs should respect the building style and scale and the character of the street.
- Signs should fit within architectural forms and be integrated with the design of the building.
- Signs should not obscure architectural features of buildings, including windows.
- Wall or fascia signs should be applied directly to the building or on a flush mounted panel with minimum projection.
- Signs should not cause visual clutter. Existing signs on a building or site will be taken into account when assessing new proposals.
- An integrated approach should be taken to the provision of signage on buildings with more than one occupancy.
- Where a building is occupied by more than one business, adequate space should be made available for all occupancies to display signage.
- Signs should not interrupt important views and vistas along roads leading to and out of the Central City.
- Views of the sign from all angles should be considered and the supporting structure should be designed with this in mind.
- Promotion, panel and sky signs are discouraged.
- Illumination should be concealed within, or integral to the sign through use of neon or an internally lit box or by sensitively designed external spot-lighting.
- Cabling to signs should be concealed.
- Illumination and light spill from signs should not cause unreasonable amenity impacts.

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MELBOURNE PLANNING SCHEME

- Signs and their support should allow adequate clearance for the servicing requirements of streets and lanes.
- The design and location of new signs should respect the cultural heritage significance, character and appearance of the heritage place.
- Signs which are attached to or form part of a building (including painted signs) and which contribute to the cultural heritage significance of the place should be retained.

Illumination and Animation Illuminated, Electronic and Animated Signs

- Signs should be designed to prevent light spill onto adjacent properties.
- External illumination sources for signs should be concealed where possible or otherwise sensitively designed and located to minimise impact on the surrounding area.
- Illumination should not be a safety hazard or cause a nuisance to vehicular traffic.
- Animated signs should be discouraged unless they achieve a high quality design and contribute to the vitality of the streetscape

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Residential Zones

- Signs should be sensitive to the residential character and amenity of the area.
- Signs should be small in scale.

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Commercial and Industrial Zones

- Signs should be located at ground floor level in a Commercial 1 Zone.
- A balanced approach should be taken between the economic and promotional need for signs and the importance of protecting vistas and avoiding unreasonable clutter.
- Sky signs and promotion signs are not supported unless part of an established signage pattern.

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Public Park and Recreation Zone

- Signs should be sympathetic to the heritage and landscape character of the area.
- Signs should be designed and located to minimise their impact on their immediate surrounds.
- Signs on sports stadiums/grandstands should be limited to that required for building identification purposes.

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Abutting Road Zones

- Signs should not be located in a landscaped area or freeway buffer zone.
- Signs should be limited in number and their size and height should complement the dominant built form or quality of landscape.
- Signs should respect the boulevard quality of St Kilda Road, Victoria Parade, Royal Parade, Flemington Road, Elizabeth Street and Footscray Road.

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Capital City Zone

- Signs within the Capital City Zone should meet the requirements set out in the table to this policy.
- Signs associated with Adult sex product shops or sexually explicit entertainment venues should be minimal and advise in simple terms the use of the premises.

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MELBOURNE PLANNING SCHEME

In addition to the requirements in the table, it is policy to consider the following design requirements for areas of special character.

Bourke Hill

This area is bound by Little Bourke Street, Spring, Little Collins Street and, Exhibition Street. It consists of small-scale buildings of mixed vintage, with entertainment and residential uses dominant. Many older buildings are renovated and new buildings often sympathetically designed.

Objectives

- To enhance the tourism and residential functions.
- To improve pedestrian amenity and interest.
- To retain the small scale character.

Signs are encouraged to:

- Be small scale and at ground floor level.
- Individually crafted with a high degree of detail.
- Illuminated in ways to minimise detriment to the amenity of any surrounding residences.
- Limited in number, and should not include promotional advertising.

Chinatown

This area is bound by Lonsdale, Exhibition, Bourke and Swanston Streets, and consists of small-scale, mainly 19th century buildings with narrow laneways. Its Asian character stems from the existing uses, goods on display, activities and people. A vibrant commercialism is an essential part of its character.

Objective

- To enhance the area's role as part of the entertainment area, its attraction for visitors, and its traditional role as a focus for the Asian community.

Signs are encouraged to:

- Be vertically proportioned. Horizontal projecting signs are discouraged.
- Be small to medium scale to reflect the scale and character of the buildings and the streetscape.
- Be bright and animated.
- Include Chinese characters where in keeping with the tenancy of the building.
- Comprise traditional Chinese colours - red, green, black and gold. White is not culturally appropriate.
- Be of tubular neon.

Greek Precinct

This precinct relates to the south side of Lonsdale Street, between Russell and Swanston Streets, and includes the east side of Russell Street, between Lonsdale and Little Lonsdale Streets. The precinct consists mainly of Victorian small-scale buildings and its special character stems from Greek goods, activities and people.

Objective

- To enhance the area's attraction for visitors, and its role as a focus for the Greek community.

MELBOURNE PLANNING SCHEME

Signs are encouraged to:

- Be horizontal projecting signs.
- Be generally small scale to reflect the scale and character of the buildings.
- Reflect and enhance the Greek character. A Greek border motif and lettering may be appropriate.
- Be compatible with the post-supported verandahs, hence fascia signs are not encouraged.
- Be internally illuminated where appropriate.

Swanston Street and Shrine of Remembrance Environs

This area relates to Swanston Street between Victoria Street and the Yarra River and the area west of the Shrine of Remembrance between Coventry Street and Dorcas Street. Swanston Street provides important vistas to the Shrine of Remembrance and is an important civic and ceremonial spine within the municipality. The area between Coventry Street and Dorcas Street generally east of Wells Street forms part of the setting and built form context surrounding the Shrine of Remembrance.

Objective

- To emphasise the area's civic role, maintain the prominence of the public buildings and protect vistas along the street.
- To ensure that signs interfacing with or visible from the Shrine of Remembrance be respectfully designed to preserve the cultural significance of the Shrine of Remembrance as a place of reverence and contemplation.

Signs are encouraged to be at ground level, usually under the verandah.

Panel, promotion, pole, sky and high wall signs are discouraged on buildings visible from within the Shrine of Remembrance forecourt.

Yarra River Environs

This applies to the Yarra River between Charles Grimes Bridge and Punt Road. The Yarra River and its environs form the landscape and recreational heart of Melbourne and are its greatest natural asset. Being a key tourist area, it is important that new signs add interest to the area's tourism and arts characteristics.

Objective

- To enhance the area's attraction for visitors by preserving the visual characteristics and high amenity of public spaces along the Yarra River corridor, the varied and interesting built form and the intensively used promenades.

Signs should:

- Contribute to the important recreational and visual characteristics of the Yarra River corridor.
- Be limited to that required for business identification purposes.
- Be strictly controlled with particular sensitivity to parkland and promenade areas.
- Be unobtrusive and complementary to the scale and character of buildings and landscaped areas.
- Panel, promotion, pole, sky and high wall signs are discouraged on buildings visible within the Yarra River corridor.

MELBOURNE PLANNING SCHEME

Docklands Zone

The development of the Docklands is to achieve a new waterfront for Melbourne, being a place of character and quality in which to live and work, creating both a tourism asset and a boost to Victoria's prosperity.

Objectives:

- Promote a thriving and vibrant mixed use inner city environment that includes major sporting and entertainment, leisure and recreation facilities.
- Provide for a range of residential development that complements the other functions of Docklands
- Encourage leisure and recreational activities to be located around the waterfront to ensure waterfront access and exposure are maximised.

Signs should:

- Be innovative. Signage should be designed to not only fulfil its primary purpose but also be innovative and creative in the way that it fulfils that purpose.
- Be integrated. Signage should reinforce the contemporary character of Docklands and be designed to enhance and complement the surrounding environment and architecture. The signage response may vary according to its physical context.
- Be durable. Signage design and materials should be of high quality. The marine environment of Docklands should be considered in the choice of materials as well as flexibility for updating and changing the signage in the future.

Policy References

[Central City Planning and Design Guidelines \(1991\)](#)

[Swanston Street Walk—Precinct Amenity Planning Report \(1992\)](#)

[Yarra River: Use and Development Guidelines \(1991\)](#)

Melbourne Docklands Outdoor Signage Guidelines (2004)

The Shrine of Remembrance, Managing the significance of the Shrine, July 2013

MELBOURNE PLANNING SCHEME

Guidelines for Signs within the Capital City Zone

Level	Type	Clearance to pavement	Height, width & depth (metres) h w d	Location	Max. Overall Dimensions	Number	Special Comments
Ground	Horizontal projection	2.7 m min.	0.5 2.5 0.3	Under verandah	1.5 sq m		2.7 m minimum vertical clearance to footpath. If within 0.75m of kerb, 5.0 m minimum vertical clearance to roadway.
	Façade mounted	2.7 m to 3.5 m	0.6 .84 0.3	Projecting from walls, with no verandah			If within 0.75 m of kerb, 5.0 m minimum vertical clearance to roadway. Should not project in total more than 1.0 m from building.
First floor to 40m	Wall mounted projecting	N/A	--- 0.6 0.3 Height to be compatible with building but no more than 2 floors.	Between first floor and facade parapet. Lower levels preferred. Should not be mounted on roof of verandah, canopy or awning		Maximum 1 per facade	May be permitted in individual circumstances where upper-floor tenancies rely on passing trade, subject to urban design and amenity considerations. Should not project in total more than 1.0 m from building.
	Wall sign	N/A				Maximum 1 per facade	May be permitted in individual circumstances subject to urban design and amenity considerations. To be compatible with scale of building and streetscape. Signs to cover a minor proportion of the building facade. Should not be detrimental to the architecture of the host building.

MELBOURNE PLANNING SCHEME

Level	Type	Clearance to pavement	Height, width & depth (metres) h w d	Location	Max. Overall Dimensions	Number	Special Comments
	Sky sign	N/A					<p>In exceptional cases where a sky sign is suitable, the following applies:</p> <p>Should not be detrimental to the city skyline, street parapet line or architecture of the supporting or adjacent building.</p> <p>Rear of support structure not to detract from views and skylines.</p> <p>To be compatible with scale of supporting building/s and streetscape.</p> <p>Signs should cover a minor proportion of the supporting building facade.</p> <p>Signs should not project above planning scheme height controls</p>
Over 40 m	Wall sign and Sky sign	N/A		On building parapet. Painted or fixed directly to building.		Wall sign – 1 per building facade, max. of 4.	<p>Logos of corporate bodies with naming rights, or major tenants, or name of building are supported in this location.</p> <p>Sign to be preferably painted on the wall.</p> <p>Given the high visibility, compatibility with the architecture and the effect on the city skyline is extremely important.</p> <p>Animated signs are discouraged.</p> <p>Sky signs are discouraged. In exceptional circumstances where such a sign is suitable, the above guidelines contained in this table for sky signs apply.</p>

MELBOURNE PLANNING SCHEME

Level	Type	Clearance to pavement	Height, width & depth (metres) h w d	Location	Max. Overall Dimensions	Number	Special Comments
Open site	Free-standing on building forecourt, plazas or vacant sites	N/A	1.2 m high otherwise see max. dimensions	Min. 3 m from any wall; if closer, should be mounted on wall to reduce clutter.	3sq m max per face.	1 per site	Signs should maintain a low profile and be incorporated in landscape design. Where possible, these signs should be avoided by having signs fixed to buildings rather than freestanding. Information should relate to the use of buildings – (directory). Promotional advertising is discouraged.

MELBOURNE PLANNING SCHEME

22.1119/01/2006
VC37**SEXUALLY EXPLICIT ADULT ESTABLISHMENTS**

This policy applies to all land within the Capital City Zone. It applies to the use of land for an Adult ~~Sex-sex Bookshop~~product shop, or Sexually Explicit Adult Entertainment.

Policy Basis

The character and amenity of the CBD is largely determined by the appearance of buildings, the nature of activities within them and the mix of people who live, work and visit the city. The responsible authority is committed to providing a welcoming, livable, attractive and supportive environment for all people in the City. Maintaining this balance is crucial to the City's vitality.

Sexually Explicit Adult Establishments can have adverse off-site impacts in terms of loss of amenity, safety, character and image of an area. These activities tend to 'block out' shopfronts, minimise active street frontages, and can lead to anti-social behaviour by patrons. These problems are exacerbated by the agglomeration of like uses that attract large numbers of people on the street outside them. Agglomeration of these uses affects the mix of people and business attracted to an area and can create de facto red light districts. This is detrimental to the image of the City and contrary to the objectives set out in the Municipal Strategic Statement. A minimum separation distance of half a city block can prevent the agglomeration of these activities.

The retail core is Melbourne's premier shopping centre. Through continuous improvement and by building on its unique attributes and activities, it should offer outstanding customer amenity and service. It is important that development and activities in the retail core contribute positively to its life, activity, appearance, character, and image. Attractive and welcoming street frontages and activities such as specialty shops and cafes are given preference. Adult ~~Sex Bookshops~~sex product shops and Sexually Explicit Adult Entertainment may work against these outcomes.

Objective

- To ensure that the location, appearance and concentration of Adult ~~Sex Bookshops~~sex product shops and Sexually Explicit Adult Entertainment are not detrimental to the amenity, character, image and public perceptions of the city.

Policy

The following matters should be taken into account when considering an application to use land for an Adult ~~Sex Bookshop~~sex product shop, or Sexually Explicit Adult Entertainment.

Location

The premises should not be located:

- Within the retail core.
- Within 100 metres walking distance of an existing Adult Sex Bookshop, or Sexually Explicit Adult Entertainment venue.

Appearance

- The external appearance of any building used for these purposes should not have a detrimental effect on the appearance of the street and character of the building and streetscape.
- Frontages and entries should be designed to be discrete and unobtrusive.

MELBOURNE PLANNING SCHEME

- ~~Signs should be minimal and advise in simple terms the use of the premises. Associated signage should comply with the requirements of Clause 22.07.~~

Operation

- Touting or spruiking will not be supported.
- No form of public address or sound amplification should be audible from outside the premises.

Definitions

Sexually Explicit Adult Entertainment:

- Land used to provide nude dancing, lap dancing and all other forms of sexually explicit entertainment for adults only. It may include the provision of food and drink.

~~Adult Sex Bookshop:~~

- ~~Land used to sell or hire sexually explicit material, including: (a) publications classified as restricted under the Classification (Publications, Film and Computer Games) (Enforcement) Act 1995; and (b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.~~

Comment [KCM1]: Adequately defined in Clause 74

~~Policy Reference~~

~~City Plan - Municipal Strategic Statement~~

Comment [KCM2]: Policy reference is unclear and outdated

22.1215/10/2015
C196**GAMING PREMISES**

This policy applies to applications for gaming premises in the Mixed Use Zone, Public Use Zone, Public Park and Recreational Zone, Commercial Zones, Industrial Zones, Docklands Zone and Schedule 5 to the Capital City Zone. It is noted that gaming premises are prohibited in the Residential Zones.

Policy Basis

The Municipal Strategic Statement sets out objectives and strategies for recreation, entertainment and the arts. These strategies include ensuring that the operation of entertainment venues maintains an appropriate level of amenity within the municipality and that gaming premises do not form concentrations in particular areas. Gaming machines are discouraged in residential areas.

There are a number of gaming premises throughout the Central City and in nearby **business commercial** zones. There are also a large number of existing licensed premises in other zones where gaming could be introduced in the future.

Objectives

- To ensure that amenity, social and economic impacts of gaming are considered when deciding on a planning application.
- To encourage applicants to submit a social and economic impact assessment with the planning application.
- To ensure that gaming premises are primarily located in existing venues in commercial centres.
- To ensure that gaming premises are established in locations that will not detract from the amenity of surrounding residential areas.
- To restrict the proliferation of gaming premises in areas where residential use is encouraged.
- To ensure that a new gaming premises is consistent with the purpose of the zone applying to the land.

Policy

It is policy to require a detailed social and economic impact assessment with any planning application.

It is policy that proposals are assessed against the following criteria:

- Gaming should be located in existing licensed premises that have a range of other entertainment uses.
- Proposals for gaming on public land should be ancillary to the existing use of the land and be consistent with the zoning intent for the land.
- Gaming premises should not be located adjacent to existing residential uses.
- Alterations to the external appearance of the premises and any advertising signs should be of high quality design and should not detract from the visual appearance and amenity of the surrounding area.
- Signs advertising gaming should not be a dominant feature of any building in which gaming is located.

It is policy that the responsible authority considers, as appropriate:

- Likely traffic and car parking demand generated by the proposal.
- Whether the hours of operation change the intensity of the existing use and its compatibility with surrounding uses.
- Whether the social and economic impact assessment supports the location of the gaming premises.
- The extent to which electronic gaming machines are located in the subject area.
- Whether the amenity impacts and appearance are detrimental to the surrounding area.
- Whether alternative entertainment uses exist within the venue.

Policy Reference

Gaming Machine Policy (1997)

22.22 POLICY FOR LICENSED PREMISES THAT REQUIRE A PLANNING PERMIT

11/11/2010
C141

This policy applies to the consideration of all planning permit applications and amendments to permits that involve the sale and consumption of liquor in the municipality. The policy applies where a permit is triggered under Clause 52.27 of the Melbourne Planning Scheme or where a permit for a tavern, hotel or nightclub in the Capital City Zone and Docklands Zone is required.

22.22-1 Policy basis

11/11/2010
C141

The City of Melbourne has approximately 1600 licensed premises across the municipality that provide opportunities for social interaction in the municipality and a vital night-time economy providing music, food and entertainment.

The Municipal Strategic Statement acknowledges that licensed premises contribute to the vibrancy and economic strength of the municipality. The Municipal Strategic Statement (at Clause 21.08-1) also acknowledges that some parts of the municipality (especially the Central City) are encouraged to develop as a “24 hour” precinct where a range of activities, including licensed premises are supported.

Well managed licensed premises contribute positively to the activity, appearance, character, and image of the area. Small licensed premises are particularly important to the vitality of the Central City as a 24 hour city.

The purpose of this policy is to provide guidance for new licensed premises and where existing licensed premises change their operation.

22.22-2 Objectives

11/11/2010
C141

- To identify appropriate locations and trading hours for licensed premises.
- To manage the operation of licensed premises to minimise adverse impacts on the amenity of the area and maintain the positive character, image and function of the city.
- To ensure that the cumulative impacts of licensed premises are assessed where venues are clustered in the one location.

22.22-3 Policy

11/11/2010
C141

It is policy that:

Noise

- The licensed premises should be operated to ensure that noise emissions from the premises:
 - will not have an unreasonable impact on the amenity of the surrounding area;
 - comply with the standards as specified in the State Environmental Protection Policies; and
 - are regulated and monitored, making use of noise limiters where appropriate.
- Where noise attenuation measures are required, ie. Limiters, these should be installed by a suitably qualified person to prevent the attenuation measures being easily tampered with or altered.
- Noise impacts associated with waste management and bottle crushing should be minimised by incorporating measures such as:
 - On site storage of waste;
 - The use of on-site bottle crushers within noise proof enclosures; and
 - Limiting waste collection before 7am and after 9pm or earlier when licensed premises is closed.

Patron numbers

The maximum number of patrons permitted in a licensed premise should be limited to manage any unreasonable impact on the amenity of the surrounding uses and area and the maximum occupancy capacity of the premises, as determined by the Building Act 1993.

Hours of Operation

Applications to extend operating hours beyond the hours otherwise specified for indoor and outdoor areas within this policy will only be supported where the further extension of hours will not unreasonably impact on the amenity of the surrounding area.

Capital City Zone and Docklands Zone

- Taverns, hotels and nightclubs which accommodate less than 100 patrons and which have appropriate noise attenuation will be encouraged throughout the Capital City Zone and Docklands Zone.
- Hours of operation of taverns, hotels and nightclubs in the Capital City Zone and Docklands Zone should be limited to 1am
- Outdoor areas, including smoking areas, rooftops and open courtyards, should not be occupied past 1am and in noise sensitive areas alcohol should not be consumed in those areas after 11pm.

~~Residential 1 and 2~~ Neighbourhood and General Residential Zones

- New licensed premises are discouraged from locating in the ~~Residential 1 Zone~~ Neighbourhood and General Residential Zones.
- Operating hours beyond normal business hours (9am – 6pm) for licensed premises in the Neighbourhood and General Residential Zones ~~Residential 1 Zone~~ beyond will be discouraged.

Mixed Use Zone

- New licensed premises are discouraged in the Mixed Use Zone where the predominant surrounding land use is residential.
- Hours of operation of licensed premises in the Mixed Use Zone should be limited to 11pm.

~~Business Commercial~~ Zones

- Hours of operation of licensed premises in the Business Zones should be limited to:
 - 11pm if the licensed premise is within 30 metres of a residential zone;
 - 1am elsewhere.
- Outdoor areas, including smoking areas, rooftops and open courtyards, should not be occupied past 1am and in noise sensitive areas alcohol should not be consumed in those areas after 11pm.

22.22-4

11/11/2010
C141

Application Requirements

An application for the establishment of a new licensed premise or the extension of existing licensed premises should be accompanied by the following information, as appropriate:

Plans

- Location plan showing the proximity of the premises to other licensed premises.

- Location Plan showing the location of properties used for sensitive uses in direct line of sight and within 100m of the site. Details of doors, windows and open space areas should be shown.
- Site plan showing all areas likely to be used by patrons including areas outside the boundaries of the site i.e. public spaces or footpaths.
- Site plan showing car parking layout (if parking is to be provided).
- Plan showing the existing and proposed internal layout of the premises.
- Plan showing the locations of all doors and windows within the premises.
- Plan showing the total numbers of patrons to be accommodated on the premises and the allocation of these patrons to identified areas.

Written Submission

- Licensed premises operating after 11pm are required to demonstrate how amenity impacts would be addressed, including the potential for cumulative impacts where there are existing late night venues in the locality.
- Applications for a tavern, hotel and/or nightclub should provide a Management Plan, which should include the following:
 - Hours of operation for all parts of the premises.
 - Details of the provision of music.
 - Security arrangements including hours of operation and management to minimise queues outside the venue.
 - Entry and exit locations.
 - Pass-out arrangements.
 - Training of staff in the management of patron behaviour.
 - A complaint management process.
 - Management of any outdoor areas to minimise impacts on the amenity of nearby properties.
 - Management of patrons who are smoking.
 - Lighting within the boundaries of the site.
 - Security lighting outside the premises.
 - General rubbish storage and removal arrangements, including hours of pick up.
 - Bottle storage and removal arrangements, including hours of pick up.
 - Noise attenuation measures including the use of noise limiters.

22.22-5

11/11/2010
C141

Decision Guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

All applications

- Zoning and use of the land.
- Site characteristics.
- Nature and use of surrounding land including;
 - Proximity of the site to sensitive uses.
 - Proximity of the site to other licensed premises including details of the nature of licensed premises, their hours of operation and maximum patron numbers.
- The location of doorways, windows and other noise sources on the premises with respect to nearby residential properties.
- Location of outdoor areas to be used in association with the licensed premises, including outdoor smoking areas, beer gardens and terraces.

- Specific nature of the proposed use including details of activities and entertainment to be provided.
- Proposed hours of operation.
- The number of patrons likely to be on the premises at any time.
- Potential effect of the use on the amenity of the surrounding area including the ability to comply with relevant noise standards and whether noise attenuation measures are required.
- Whether bottles and waste are able to be stored within the premises until 7.00am and the adequacy of removal arrangements.
- Availability of sufficient car parking.
- Proximity of or access to public transport and taxis.
- The cumulative impact of any existing and the proposed liquor license, the hours of operation and number of patrons, on the amenity of the area.

Extensions to existing licensed premises

- For applications to extend the licensed area and/or trading hours of existing licensed premises, regard shall also be given to the following:
 - The views of relevant authorities.
 - Relevant information including complaints and problems with the premises, breach of planning or liquor license permit conditions.
 - The conditions of the existing liquor license or planning permit controlling noise, security, patron numbers and hours of operation.

22.26 PUBLIC OPEN SPACE CONTRIBUTIONS18/02/2016
C209

This policy applies to all development applications that ~~will ultimately include an application for subdivision that would~~ trigger an open space contribution under Clause 52.01, regardless of whether or not the immediate application includes subdivision.

22.26-1 Policy Basis18/02/2016
C209

The Melbourne Planning Scheme sets out broad directions for open space planning in its MSS.

Public open space is highly valued within the City of Melbourne and fulfils a wide range of functions. The importance of public open space in the city environment is heightened by the intensity of development and the limited availability of private open space.

The City of Melbourne Open Space Strategy (CoMOSS) provides an overarching framework and strategic direction for open space planning. The Strategy identifies where new or improved open space will be required in the future, based on detailed research of population growth and development forecasts. The Strategy seeks to ensure that residents and workers have access to a diversity of quality open spaces within easy walking distance. This requires upgrading of existing open space and adding to the open space network into the future.

Public open space contributions from developers is one of a number of potential resources for the acquisition of land for public open space and improvement of existing facilities on behalf of new populations.

Because public open space contributions can only be imposed at the subdivision stage, it is important for developers to ascertain at the site analysis stage of the development design process whether any part of the land proposed to be developed is likely to be required for public open space.

This will ensure that public open space requirements are identified and allowed for at the earliest possible time.

22.26-2 Objectives18/02/2016
C209

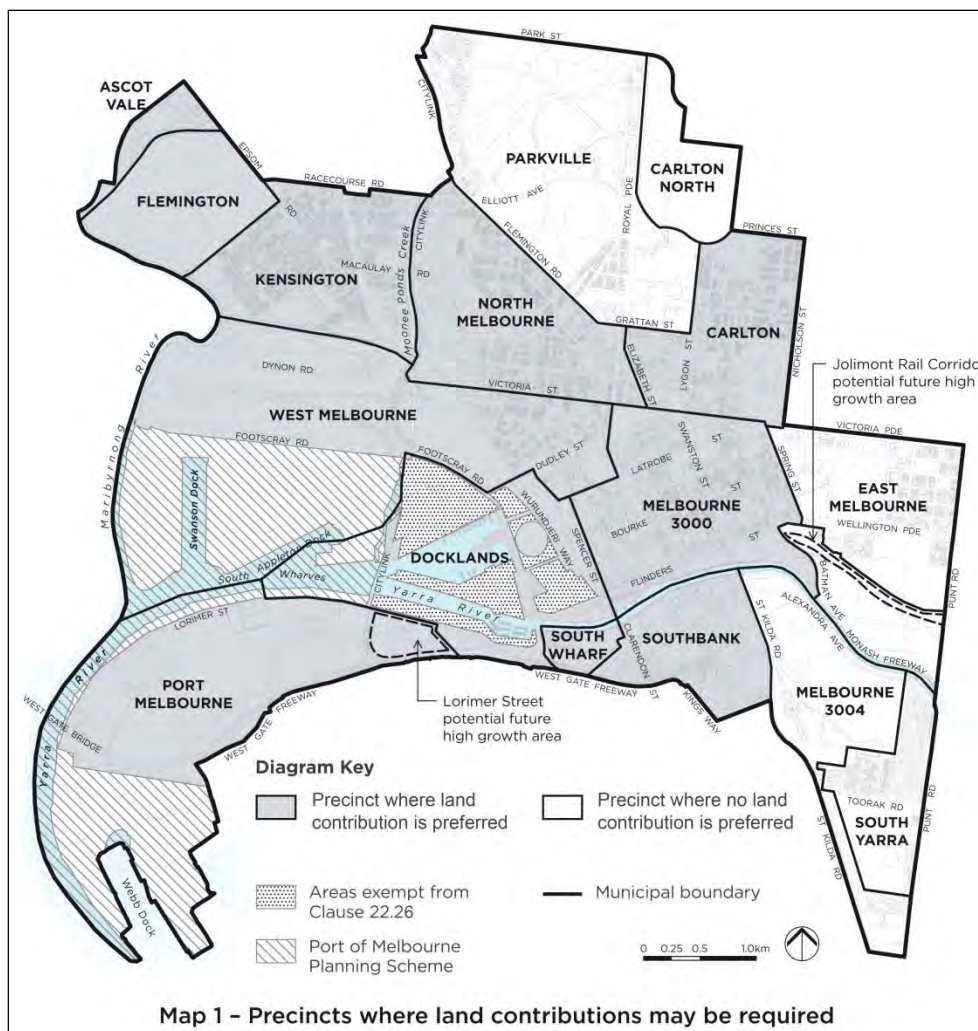
- To implement the City of Melbourne Open Space Strategy.
- To identify when and where land contributions for public open space are preferred over cash contributions.
- To ensure that in areas where a land contribution is preferred, land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council to satisfy the public open space contribution requirement under Clause 52.01.

22.26-3 Policy18/02/2016
C209

It is policy that:

Location

Land contributions for public open space will be preferred over cash contributions for the purposes of Clause 52.01 of the scheme for land proposed to be developed and subdivided within areas identified on Map 1.



In all other areas of the municipality, a cash contribution equal to the amount specified in Clause 52.01 is preferred.

22.26-4 Application requirements

18/02/2016
C209

All applications must be accompanied by a urban context and site analysis plan which demonstrate how the development meets the policy objectives of Clause 22.26-2 and the criteria for public open space of Clause 22.26-5.

22.26-5 Criteria for public open space

18/02/2016
C209

Before deciding on application for development in a precinct where land contributions may be required, as identified on Map 1, the responsible authority will determine whether part of the land proposed to be developed is appropriate for use as public open space having regard to:

- the size of the area of land to be used for open space, on its own or in combination with adjoining land.
- whether the open space area is located at ground level.
- the type of landscaping which might be provided, including whether the land is capable of supporting a large mature canopy tree, can incorporate sustainable water supply and reuse, and moisture retention for passive cooling.
- the potential to accommodate a range of (organised, unstructured and informal) recreational uses;
- whether the open space area is safe and accessible, and its location having regard to a range of transport options and entry from a local street.

- f) whether the open space area enhances the liveability of the neighbourhood by providing visual relief from built form and noise.
- g) whether the open space area receives adequate levels of sunlight (a minimum of 3 hours of direct sunlight between 9am and 3pm on June 22 and at least 5 hours of direct sunlight between 9am and 3pm on September 22).
- h) whether the open space area will remain useable and functional as open space with sea level rise and larger storm events.
- i) the impact of adjoining land uses.
- j) whether the land, or adjoining land is contaminated.
- k) the location of the site and open space area having regard to biodiversity, habitat corridors, and the wider open space network.
- l) whether the open space is restricted by services or easements including roadways, overhead structures, water and power supply, and flood mitigation and drainage infrastructure.
- m) whether the open space contributes to the character and attractiveness of the neighbourhood.
- n) whether the open space is visually prominent to maximise its use.
- o) whether the open space is capable of being transferred to the Council and rezoned for public open space.
- p) whether the open space is able to be improved, maintained and managed by Council.

Early consideration of land contributions

An applicant should consult Council very early in the site analysis phase of a proposal to ascertain whether:

- the land proposed to be developed and subdivided is within an area identified in map 1 as an area where a land contribution is preferred over a cash contribution,
- part of the land proposed to be developed and subdivided is appropriate for setting aside as public open space having regard to the matters identified in this policy.

The design of a building on land which contains an area considered appropriate for public open space should accommodate the provision of public open space in a manner that facilitates and enhances the public open space.

If a contribution under Clause 52.01 is likely to be imposed as a land contribution, and Council is satisfied that an additional part of the land is appropriate for the public open space having regard to the matters identified in this policy, Council may consult with the applicant to determine whether the design of the building could be modified to enable provision of the additional land to Council at Council's cost.

References Documents

City of Melbourne Open Space Strategy, prepared by Thompson Berrill Landscape Design Pty Ltd in collaboration with Environment & Land Management Pty Ltd, et. Al., June 2012.

City of Melbourne Open Space Strategy, Technical Report, prepared by Thompson Berrill Landscape Design Pty Ltd and Environment & Land Management Pty Ltd in association with Professor Nigel Tapper and Dr Serryn Eagleston, June 2012.

City of Melbourne Open Space Strategy, Open Space Contributions Framework, prepared by Environment & Land Management Pty Ltd in association with Thompson Berrill Landscape Design Pty Ltd, June 2012.

22.27 EMPLOYMENT AND DWELLING DIVERSITY WITHIN THE FISHERMANS BEND URBAN RENEWAL AREA

14/11/2016
GC50

Comment [KCM1]: Policy being re-written through GC81

This Policy Applies To All Land In The Fishermans Bend Urban Renewal Area As Shown On Map 1 To This Policy.

22.27-1 Policy Basis

14/11/2016
GC50

Fishermans Bend is an unparalleled renewal opportunity within Melbourne. It will provide for 860,000 jobs and a range of well-serviced, high density housing options for 80,000 people.

To support this growth, it is important to ensure dwelling diversity, affordable housing and employment opportunities are provided consistent with the Vision for Fishermans Bend.

22.27-2 Objectives

14/11/2016
GC50

To ensure development is in accordance with the Vision for Fishermans Bend and contributes to achieving the distinctive vision for each neighbourhood.

To ensure communities have access to a full range of local services and facilities. This will include a mix of residential, commercial, educational, health, spiritual, public and civic uses offering a mixture of housing and employment opportunities to ensure a vibrant community is created.

To ensure large developments are comprehensively planned to create integrated neighbourhoods and deliver high amenity, diversity and a good mix of land uses.

22.27-3 Policy

14/11/2016
GC50

Where a permit is required for buildings or works, it is policy to:

Dwelling Diversity and Affordable Housing

Encourage development on sites greater than 3,000m², proposing more than 300 dwellings or proposing more than 1 building, to prepare a master plan for the whole site that includes provision for:

- Publicly accessible spaces that accommodate local passive recreation that are consistent with the Open Space Key Element of the Strategic Framework Plan;
- Diversity of land uses, including non-residential floor space (see 'Employment');
- Diversity of dwelling types and sizes, including an affordable housing component; and
- Diversity of built form typologies, including low and medium rise buildings.

Encourage all new development that proposes accommodation uses and is over 12 storeys in height should provide at least 30% of dwellings as 3-bedroom units.

Encourage all new development that proposes accommodation uses and is over 12 storeys in height, to allocate at least 6% of dwellings as affordable housing to a registered housing association or provider.

Affordable Housing is generally defined as housing where the cost (whether of mortgage repayments or rent) is no more than 30% of a low-to-moderate household income.

MELBOURNE PLANNING SCHEME

Employment

Encourage all development to provides an opportunity for street level home occupation and non-residential use.

Encourage all development over 12 storeys in height within the Lorimer neighbourhood to provide a minimum amount of non-residential floor space equivalent to at least 15% of total habitable gross floor area.

Encourage all development on sites along Lorimer Street and Ingles Street to provide non residential uses along at least 60% of the ground level street frontage.

22.27-4

14/11/2016
GC50

Application requirements

An application subject to this policy must be accompanied by the following information as appropriate:

- Provide a project schedule that summarises apartment types, land use mix, open spaces, areas, and total gross floor area.

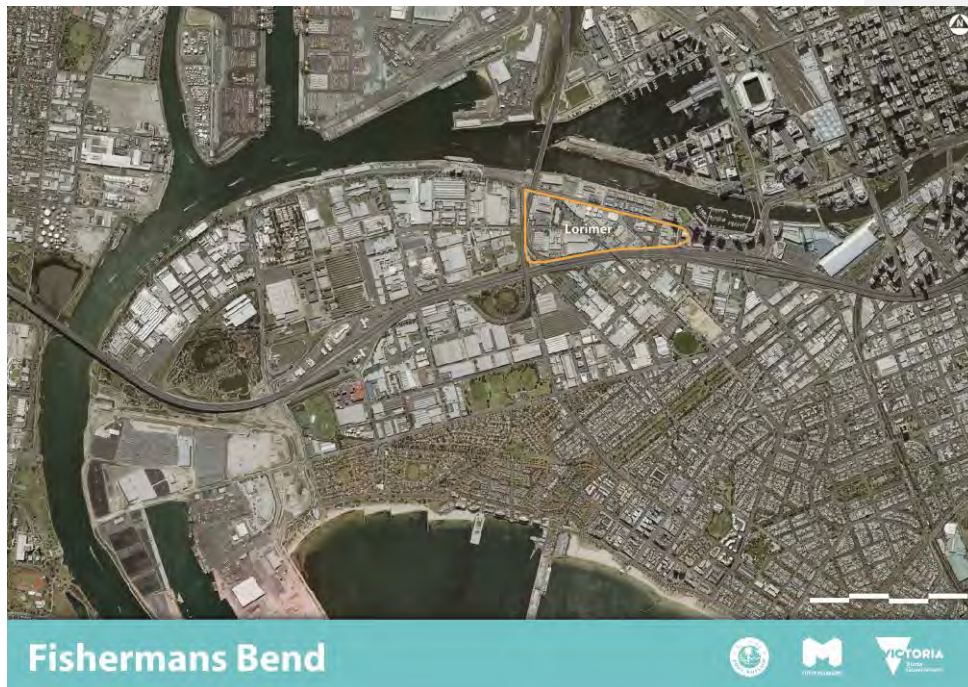
22.27-5

14/11/2016
GC50

References

Fishermans Bend Strategic Framework Plan, July 2014 (amended September 2016)

Map 1 – Fishermans Bend Urban Renewal Area



27/11/2014
C179

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ1**.

GENERAL RESIDENTIAL AREAS

1.0

13/06/2014
GC9

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0

13/06/2014
GC9

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

3.0

13/06/2014
GC9

Maximum building height requirement for a dwelling or residential building

None specified.

4.0

13/06/2014
GC9

Application requirements

None specified.

5.0

13/06/2014
GC9

Decision guidelines

None specified.

MELBOURNE PLANNING SCHEME

29/01/2015
C260

SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ3**.

BISHOPS COURT, EAST MELBOURNE

1.0

27/11/2014
C179

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0

27/11/2014
C179

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

3.0

27/11/2014
C179

Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or a residential building must not exceed a height of 12 metres, with the exception of architectural features and building services.

4.0

27/11/2014
C179

Application requirements

None specified.

5.0

27/11/2014
C179

Decision guidelines

None specified.

6.0

29/01/2015
C260

Transitional provisions

Schedule 3 to clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. ~~The~~ In these circumstances, the requirements of ~~clause 54 as they apply to~~ clause 54.03-2 or of

MELBOURNE PLANNING SCHEME

~~clause 55 as they apply to~~ clause 55.03-2 as in force immediately before ~~the said~~ approved date continue to apply.

Despite the provisions to Schedule 3 to Clause 32.08, these transitional provisions do not apply to an application under section 69 of the Act to extend a permit ~~to construct or extend a development.~~

Comment [KCM1]: unclear

29/01/2015
C260

SCHEDULE 4 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ4**.

SOUTH PARKVILLE

1.0

27/11/2014
C179

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0

27/11/2014
C179

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

3.0

27/11/2014
C179

Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or a residential building must not exceed a height of:

- 10 metres; or
- 9 metres, for areas within 10 metres of Gatehouse Street and Royal Parade with the exception of architectural features and building services.

4.0

27/11/2014
C179

Application requirements

None specified.

5.0

27/11/2014
C179

Decision guidelines

None specified.

6.0

Transitional provisions

29/01/2015
C260

Schedule 4 to clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of ~~clause 54 as they apply to~~ clause 54.03-2 or ~~of clause 55 as they apply to~~ clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions to Schedule 4 to Clause 32.08, these transitional provisions do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.

APPENDIX 4 – FURTHER STRATEGIC WORK PROGRAM

CURRENT AND FUTURE STRATEGIC WORK PROGRAM

This appendix provides a broad overview of key high level land use strategic directions, initiatives and actions that have been identified through this review and preceding reviews of the Melbourne Planning Scheme.

The table below details these initiatives, identifies other smaller projects and lists projects that are scheduled to commence in the future. Where the information is available the table notes their status of progress and where responsibility lies for managing and implementing the projects.

The list identifies projects include *specific* and *measurable* elements such as the implementation of a structure plan or research into a specific area of work. It does not identify commitments that cannot be addressed by the planning process or commitments that do not require planning approval (such as disability services, gender equity initiatives and various other community programs). It excludes capital works that would have previously formed part of a strategic planning exercise, which require *'on the ground'* implementation where planning is not required to guide discretion.

Furthermore, many City of Melbourne documents set out broad strategies that are part of Council's ongoing efforts to achieve particular goals. These include the strategies and objectives set out within the Municipal Strategic Statement (eg: Objective 2 in Clause 21.04-2 *'To direct growth to identified areas'* or *'Support the ongoing development of the Hoddle Grid'*) and various other Council strategies (eg: Priority Action 61 of the Transport Strategy 2012: *'Work with the State Government to ensure that planning for new rail stations and precincts integrates land-use planning with the transport network'*). These types of strategies also do not form part of the further strategic work list below as they are generic in nature.

Strategic work was identified through the following documents:

- Council Plan 2017-2021 (including the Municipal Public Health and Wellbeing Plan 2017 – 2021)
- Council's Annual Budget 2017-2018
- Future Melbourne 2026
- MPS Review 2014
- Future works currently identified in the Municipal Strategic Statement
- Relevant COM strategic documents
- This Review (MPSR 2018) and discussions with Council staff

A recommendation of this report is to recognise major strategic projects and priorities by incorporating a Further Strategic Work Program into Council's MSS. The beginnings of a Strategic Work Program is provided below. It provides a framework to build on, should Council wish to adopt this recommendation. Due to the high volume of further strategic work required to be undertaken by COM, it is recommended that the program identify the priority of each project (ie High, Medium, Low)

Current Planning Scheme Amendments

Item	PSA / Status	Source (MPS Review Reference)	Priority
<p>C208 Development Contribution Plans for City North and Southbank</p> <p>Melbourne Planning Scheme Amendment C208 Development Contributions Plan Overlay (DCPO) proposed to introduce a DCPO over these two urban renewal areas. Planning Scheme Amendment C208 was released for public comment from 31 October to 16 December 2013, with 15 submissions received. A panel hearing was held in October 2014.</p>	Abandoned	TBC	TBC
<p>C308 Urban Design</p> <p>Urban design and built form provisions and rationalisation of the DDOs (including review of 22.01, 22.17, 22.18 and 22.25 urban design policies). Review of urban design issues in the central city and Southbank to develop a streamlined and simplified policy framework.</p>	Underway	2014 MPSR 2018 MPSR Ref 8.3.3	TBC
<p>GC81 – Fishermans Bend</p> <p>Work with the Fishermans Bend Taskforce to develop the Framework and provide leadership on the Neighbourhood Precinct Structure Plans for Lorimer and the Employment Precinct.</p>	Underway	Annual Plan and Budget 2017-18	TBC
<p>C248 Heritage</p> <p>Revises heritage Clauses 22.04 and 22.05, modifies the schedule to Clause 43.01 updates incorporated documents and amends heritage overlay mapping.</p>	Part complete Exhibition finishes May 2018.	2014 MPSR 2018 MPSR Ref 8.3.2	TBC
<p>C271 Guildford and Hardware Laneways</p> <p>Implements the Guildford and Hardware Laneways Heritage Study May 2017 by proposing to create new heritage precincts and individual places</p>	Underway	COM initiated	TBC
<p>C307 – Gaming</p> <p>Review of Clause 22.12 Gaming Premises policy and Clause 52.28 Gaming to consider the suitability of suitable locations for gaming machines</p>	Underway	COM initiated	TBC
<p>C320 – The Corkman Hotel</p> <p>Deletes interim Design and Development Overlay 68 (DDO68) and amends the existing Design and Development Overlay Schedule (DDO61) to introduce permanent built form controls</p>	Underway	COM initiated	TBC
<p>C190 Arden-Macaulay Structure Plan (2012)</p> <p>Implementation of the Arden-Macaulay Structure Plan. Stage 1 implemented through rezoning and DDO63 under Amendment C190 (Part1). October 2017</p>	Underway	Current MPS CI21.14 2018 MPSR Ref 7.3.4	TBC

Future Planning Scheme Amendments

Item	PSA / Status	Source (MPS Review Reference)	Priority
Advertising Signs Review and update 22.07 and 52.05 and schedules to the Capital City Zone and Docklands Zone- Advertising Signs.	Not commenced	2014 MPSR 2018 MPSR Ref 8.3.1 Ref 8.3.5	TBC
Sunlight to public spaces Strengthen Cl. 22.02 Sunlight to Public Spaces.	Underway	2014 MPSR 2018 MPSR Ref 9.3.9	TBC
Transport, Parking, Connectivity Implementation of bicycle and motorcycle parking - <i>Off-street Bicycle and Motorcycle Parking Review</i> , completed in April 2016	Underway	Annual Plan and Budget 2017-18 2014 MPSR 2018 MPSR Ref 10.3.1	TBC
Parkville Knowledge Precinct Include the Carlton Connect hub and Dental Hospital in the Parkville Knowledge Precinct Confirm boundaries of Parkville Knowledge Precinct.	TBC	2014 MPSR 2018 MPSR Ref 7.3.3	TBC
Defined Terms Address the issues identified with the interpretation of architectural features in the height control DDOs	Underway	2014 MPSR 2018 MPSR Ref 9.4.7	TBC
Permit triggers - Docklands Review and amend (where necessary) the DDOs in the Docklands Zone to ensure appropriate permit triggers and guidance	TBC	2014 MPSR	TBC
Open Space Review Council's <i>Open Space Strategy June 2012</i> to secure open space areas and apply the Public Park and Recreation Zone where appropriate.	TBC	2018 MPSR 7.3.3	TBC
MSS Review Review of the City of Melbourne Municipal Strategic Statement	Underway	COM Initiated	TBC
Integrated Water Management Work with stakeholders to plan high quality integrated water management for community protection and liveability in Arden Macaulay and Fishermans Bend	TBC	Annual Plan and Budget 2017-18	TBC
Urban Forest Work with <i>Inner Melbourne Action Plan</i> Councils and <i>Resilient Melbourne</i> to share and extend the objectives of the Urban Forest	TBC	Annual Plan and Budget 2017-18	TBC
Education Sites Advocate for the appropriate siting and staged provision of new schools with a particular focus on Arden Macaulay, Fishermans Bend and Docklands/Central City. Work with the Victorian Government to influence the outcomes of the structure plan in Arden.	TBC	Annual Plan and Budget 2017-18	TBC
Arden Urban Renewal Precinct	Underway	Annual Plan and	TBC

Item	PSA / Status	Source (MPS Review Reference)	Priority
Work with the Victorian Government to influence the outcomes of the structure plan in Arden.		Budget 2017-18 2018 MPSR Ref 7.3.3	
Flinders St Station Precinct Work with the Victorian Government to deliver a masterplan for the Flinders Street Station Precinct that builds on individual projects including the Melbourne Metro Tunnel, Flinders Street Station upgrade and Elizabeth Street improvements and addresses pedestrian pressure	TBC	Annual Plan and Budget 2017-18	TBC
Hoddle Grid/Central City Heritage Review Progress the Hoddle Grid/Central City Heritage Review	TBC		TBC
Development contributions Prepare the evidence base to support Development Contributions for Community Infrastructure in City North and Southbank.	TBC	Annual Plan and Budget 2017-18 MPSR 2018 Ref: 9.4.4	TBC
Waterfront access Develop a strategic approach to integrated waterfront access. Deliver a City River Concept Plan, as a framework for integrated public realm improvements along the river	TBC	Annual Plan and Budget 2017-18	TBC
City North Innovation District Action Plan Complete the City North innovation district action plan and commence implementation.	TBC	Annual Plan and Budget 2017-18	TBC
Stretch Reconciliation Develop a <i>Stretch Reconciliation Action Plan</i> for 2018–21. Look for opportunities to name places to recognise Aboriginal people and culture, and develop understanding of Aboriginal culture and heritage within the city.	TBC	Annual Plan and Budget 2017-18 MPSR 2018 Ref 7.3.2	TBC
West Melbourne Structure Plan Implement the West Melbourne Structure Plan (adopted by COM in Feb 2018)	Underway	Annual Plan and Budget 2017-18 MPSR 2018 Ref 7.3.4	TBC

APPENDIX 5 - INDICATIVE LPPF TO PPF CONVERSION

APPENDIX 5: INDICATIVE LPPF TO PPF CONVERSION

This table suggests a format for the future translation of the MPS Local Planning Policy Framework to the future Planning Policy Framework as part of the Smart Planning Project implementation.

Matters to take into account when reading the table:

- The final form and content of the PPF is yet to be determined and so changes are likely to the allocation of existing policies described below;
- It is likely that additional content will be required to ensure that the Melbourne Planning Scheme includes local content in each of the PPF clauses;
- In some cases an existing LPPF clause could fall into one or more PPF clauses. A best estimate has been taken as to an appropriate future PPF location but this may change.
- Some existing clauses may not be required or may better fit into zone and overly schedules.

Existing MPS LPPF Clause		Proposed Draft PPF Clause	
21	Municipal Strategic Statement		
21.01	Introduction		
21.02	Municipal Profile	10.01	Municipal context
21.03	Vision	10.02	Municipal vision
21.04	Settlement	11.03	Planning for places
21.05	Environment and Landscape Values	12.05	Significant environments and landscapes
21.06	Built Environment and Heritage	15	Built environment and heritage
21.07	Housing	16	Housing
21.08	Economic Development	17	Economic development
21.09	Transport	18	Transport
21.10	Infrastructure	19	Infrastructure
21.11	Local Areas	11.03	Planning for places
21.12	Hoddle Grid	11.03	Planning for places
21.13	Urban Renewal Areas	11.03	Planning for places
21.14	Proposed Urban Renewal Areas	11.03	Planning for places
21.15	Potential Urban Renewal Areas	11.03	Planning for places
21.16	Other Local Areas	11.03	Planning for places
21.17	Reference Documents	TBA	TBA
22	Local Planning Policies		
22.01	Urban Design within the Capital City Zone	15.01	Urban environment
22.02	Sunlight to Public Spaces	15.01	Urban environment
22.03	Floor Area Uplift and Delivery of Public Benefits	15.01	Urban environment

Existing MPS LPPF Clause		Proposed Draft PPF Clause	
22.04	Heritage Places within the Capital City Zone	15.03	Heritage
22.05	Heritage Places outside the Capital City Zone	15.03	Heritage
22.07	Advertising Signs	*	
22.10	Amusement Parlours	*	
22.11	Sexually Explicit Adult Establishments	*	
22.12	Gaming Premises	*	
22.14	Discretionary Uses in Residential 1 Zone	*	
22.15	Lygon and Elgin Street Shopping Centre	11.03	Planning for places
22.17	Urban Design outside the Capital City Zone	15.01	Urban environment
22.18	Urban Design within the Docklands Zone	15.01	Urban environment
22.19	Energy, Water and Waste Efficiency	15.02	Sustainable development
22.20	CBD Lanes	15.01	Urban environment
22.21	Heritage Places within the World Heritage Environs Area	15.03	Heritage
22.22	Policy for Licensed Premises that require a Planning Permit	*	
22.23	Stormwater Management (Water Sensitive Urban Design)	19.03	Development infrastructure
22.24	Student Housing Policy	16.01	Residential development
22.26	Public Open Space Contributions	19.02	Community infrastructure
22.27	Employment and Dwelling Diversity within the Fishermans Bend Urban Renewal Area	11.03	Planning for places

*There is currently no use-specific content proposed in the PPF

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APPENDIX 6 - RELEVANT VCAT, PANEL & ADVISORY
COMMITTEE REPORTS

RELEVANT VCAT, PLANNING PANEL & ADVISORY COMMITTEE MATTERS SINCE 2014 REVIEW

1.1 VCAT Matters

VCAT Case and date	Relevant policies	Key issues /comments
VCAT reference: P2555/2017 C.A.L.C. Investments Pty Ltd v Minister for Planning (January 2018)	CCZ1 Outside the Retail Core DDO10 General Development Area Cl. 52.07 Loading and unloading facilities	Objecting parties sought to be part of VCAT proceedings. CCZ1 and DDO10 exempt notification requirements. VCAT refused parties from proceedings.
VCAT reference: P643/2016 & P644/2016 Capital Alliance Investment Group Pty Ltd v Minister for Planning (November 2016)	DZ6 Business Park Precinct DD12 Noise Attenuation Area DDO54 Business Park Precinct DDO7 Business Park Precinct PO10 Docklands Business Park	Proposal to amend development plans and develop 109 metre residential building and hotel building. Refused by the Minister for Planning due to the lack of a comprehensive review of the waterfront city precinct. VCAT also refused the application yet disagreed with the Minister for Planning, stating that development of individual sites should not be unfairly hindered by the lack of an overall precinct plan.
VCAT reference: 811/2015 CBUS Property West Melbourne Pty Ltd v Melbourne CC (October 2015)	DD028 North Melbourne Station	14 storey residential building opposite North Melbourne Station. Issues relating to heritage building, height and poor internal amenity, sunlight to public spaces. An interim decision was issued, subject to the design been modified to 10 storeys.
VCAT reference: P811/2015 Colonial Range Pty Ltd v Minister for Planning (February 2015)	Section 89 of the Planning and Environment Act 1987 'What are the grounds for cancellation or amendment of permits?'	Exempt from notification requirements. Objectors (VCAT applicant) did not have grounds to object under Section 89 of the ACT.
VCAT reference: 2396/2014 Crown Melbourne Limited v Minister for Planning (May 2015)	Cl. 52.05 Advertising Signs Cl. 22.07 Housing	Electronic major advertising signage approved by VCAT. Objections around amenity and the signs impact on a key gateway into city
VCAT reference: P2335/2015 Department of Health and Human Services and Melbourne Health v Melbourne CC (July 2016)	Section 87 of the Planning and Environment Act 1987 'What are the ground for cancellation or amendment of permits?'	The application revolved around the provision of notice to affected parties. VCAT decision ultimately required COM to provide financial compensation to developers for changes to proposal following presales and commencement of construction. The case also highlighted the building height requirements for emergency helicopter flights paths and resulted in DDO65 and DDO66.

VCAT Case and date	Relevant policies	Key issues /comments
VCAT reference: 1979/2016 DEXUS Property Group Ltd v Minister for Planning (May 2017)	CCZ1 Outside the Retail Core DDO10 General Development Area PO1	Development of high rise residential tower. Overshadowing onto Birrarung Marr and what is an acceptable outcome. VCAT overturned Council's decision and issued a permit, resulting in some overshadowing of Birrarung Marr.
VCAT reference: P961/2017 Drive By Developments Pty Ltd v Minister for Planning (December 2017)	Cl. 21.06-7 Built Environment and Clause 22.07 Advertising Signage 52.07 Advertising Signage	Electronic Major Advertising Sign proposed above Kingsway, part of Crown Casino. Applicant lodged failure to make a decision. Minister for Planning proposed to refuse in the existing form for failing to protect significant vistas from the Yarra River corridor. VCAT upheld Minister for Planning's decision.
VCAT reference: 1984/2014 Melbourne CC v Minister for Planning (Red Dot) (April 2015)	Schedule to Cl. 61.01	Interpretation of schedule to clause 61.01 on who is the responsible authority when developments with a gross floor area exceed 25,000 square metres. VCAT found in favour of the COM as the responsible authority in this case.
VCAT reference: P1348/2014 Melbourne CC v Minister for Planning (April 2015)	DDO33 CBD Fringe Cl. 22.17 Urban Design Outside the Capital City Zone	Residential Development in West Melbourne. Melbourne CC refused due to inappropriate built form and lack of activation. Applicant arguing DDO33 is outdated.. VCAT issued a permit but disagreed with the applicant that the DDO was outdated and agreed with COM that it still served its primary purpose.
VCAT reference: 2195/2016 Minister for Planning v 160 Leicester Pty Ltd (March 2017)	Application proceeding to criminal courts	Unlawful demolition of the Corkman Pub (154-160 Leicester Square Carlton). The VCAT proceedings were delayed pending on related criminal proceedings. <i>The Heritage Act 2017</i> has since significantly increased penalties for developers who ignore building regulations for heritage buildings. Amendment C320 seeks to introduce permanent built form controls over the site, which will guide the reconstruction of the former building.
VCAT reference: P2465/2016 Shiel FCP Pty Ltd v Melbourne CC (May 2017)	Section 39 of the Planning and Environment Act 1987 Consideration of procedural defects regarding Amendment C190	Procedural defects related to notification. Council didn't exhibit adopted proposal for Area 8 Shiel St as part of Arden/Macaulay amendment. Council was instructed to re-exhibit the Shiel Street interface controls.
VCAT reference: P1552/2017 Tisza Pty Ltd v Minister for Planning (November 2017)	CCZ3 Southbank DDO1, 2, 27, 60	Residential tower proposed for Southbank. Adverse impact on Southbank Arts Precinct and civic buildings. VCAT decision concluded that existing policies for the Southbank Arts Precinct including DDOs did not provide strong policy guidance and controls to support creative industries and arts within the precinct.
VCAT reference: P36/2015 Peninsula Blue Developments Pty Ltd Vs Frankston CC	Cl. 52.29 Land Adjacent to a Road Zone, Category 1, or a public acquisition overlay for a category 1 road	VCAT considered that Clause 52.29 not only applied to a physical change to access, but also to any change to the use or development that may result in changes to the opportunity for traffic to approach or enter the road differently.

VCAT Case and date	Relevant policies	Key issues /comments
VCAT reference: P1251/2014 Aitken Properties Pty Ltd v Hobsons Bay SC (September 2016)	GRZ2 General Residential Zone DDO11 Former Port Phillip Woolen Mills and Surrounds	Question of law arising from whether roof structures (eg: air conditioner units) form part of the mandatory height limit specified in DDO11. The Tribunal concluded that roof structures do not constitute part of the mandatory height limit.
VCAT reference: P171/2016 & P P416 Octopus Media Pty Ltd v Melbourne CC & Octopus Media Pty Ltd v Melbourne CC, Victorian Supreme Court Case 429	CCZ1 Outside the Retail Core Cl. 52.05 Cl. 63.05 Cl. 62.02-2	Proposal for major electronic promotion signs within the Yarra River Environs at 500 Flinders Street, Melbourne. Question over whether graffiti constitute continuation of existing use rights. Tribunal determined that the land did not have the benefit of existing use rights and that a permit not be issued for a major electronic promotion sign.
VCAT reference: P545/2007 Dixon v Mornington Peninsula SC [2007] VCAT 1250	N/A	Most recent VCAT decision discussing when a Planning Scheme Amendment becomes 'seriously entertained' (and therefore a relevant consideration in the assessment of a planning application)

1.2 Advisory Committee Reports

There are a number of relevant Planning Advisory Committees that have been appointed to consider key matters that affect City of Melbourne since the 2014 review.

1.2.1 Land Use Terms Advisory Committee

The Smart Planning program recommended that the Minister for Planning appoint an Advisory Committee to review and recommend improvements to land use terms and their definitions in Clause 74 of the VPP. The Committee was appointed in December 2017 and has released a discussion paper and has called for submissions until 3 April 2018.

Throughout this review, issues around appropriate definitions and their inclusion into the Melbourne Planning Scheme have been raised. In particular, questions on how to deliver a consistent language and definitions around architectural features and what should be recognised as a 'landmark' worthy of planning policy recognition.

1.2.2 Government Land Standing Advisory Committee

The Committee was appointed in July 2015 to consider the ongoing suitability of any changes to the planning provisions for land owned, proposed to be owned in the future or to facilitate the delivery of priority projects by the Victorian Government. The Fast Track Government Land Service manages the planning provisions relating to land owned by the Victorian Government and may refer planning scheme amendment proposal to the Committee.

The Committee has considered the following two sites in Melbourne City to date:

- 2 St Andrews Place, East Melbourne – under consideration.
- 87-103 Manningham Street, Parkville – under consideration.

The Fast Track Government Land Service did not refer the following site to the Committee but the Minister for Planning has approved planning scheme amendment GC52 in September 2016:

- 445 Flemington Road, North Melbourne – completed.

1.2.3 Social Housing Renewal Standing Advisory Committee

The Minister for Planning appointed a Standing Advisory Committee in September 2017 to provide advice on the suitability of planning proposals to facilitate the renewal and redevelopment of existing public housing estates to

increase the supply of social housing. The Committee considered Abbotsford Street in North Melbourne during a public hearing in November 2017 and has submitted their report to the Minister for Planning.

1.2.4 Major Hazards Facilities Advisory Committee

An Advisory Committee was appointed in September 2015 to provide advice to the Minister for Planning about improvements to land use planning for areas surrounding major hazard facilities in order to better manage the interface areas between existing and new development and land used for major hazard facilities. The City of Melbourne has two facilities at:

- Stolthaven Coode Island, Mckenzie Road, West Melbourne.
- Terminals Pty Lts, Mckenzie Road, West Melbourne.

The Committee submitted its report to the Minister in July 2016.

1.3 Melbourne Planning Scheme Amendments

The Planning Scheme Amendments listed below reflect a substantial part of the COM's current and completed strategic planning work program. The following amendments, including panel reports (where available) were reviewed as part of the 2018 MPSR:

- C60 MSS Review (2004)
- C142 Stormwater Management (2014)
- C162 MSS Review (2013)
- C171 Southbank Structure Plan
- C179 New Residential Zones (2014)
- C187 Energy, Water and Waste Efficiency (2013)
- C190 (Part1) Arden-Macaulay Structure Plan (2017)
- C196 City North Structure Plan (2015)
- C208 Development Contribution Plans for City North and Southbank (2014)
- C209 Open Space Contribution (2016)
- C212 Exceptional Trees Register (2015)
- C220 Shrine of Remembrance (2014)
- C245 Queen Vic Market (2017)
- C258 Heritage Policies Review and West Melbourne Heritage Review (2018)
- C262 Interim Central City Built Form (2015)
- C270 Central City Built Form (2016)
- C295 DCP for Arden (2017)
- C307 Gaming Policy (2018)
- C308 Urban Design in Central City and Southbank (2017)
- C330 Southbank Arts Precinct (2017)

Note: Amendments that are currently in progress are also listed and detailed further in Appendix 8 (Future Strategic Work Program).

Below is a summary of relevant planning scheme amendments since 2014 (with the exception of Amendment C60 and C162) and their impacts on the operations of the Melbourne Planning Scheme and its users.

Amendment C60 Municipal Strategic Statement (MSS) Review

Amendment C60 replaced the MSS at Clause 21 with a revised MSS and made changes to the local policies. The Amendment sought to respond to the issues highlighted in Council's 2001 MPS Review, as detailed in Section 3.2 of this report. The Planning Panel for Amendment C60 raised significant concerns regarding the structure, form and user friendliness of the exhibited MSS

The Panel's recommendations focused on restructuring the exhibited MSS:

- to further apply plain English drafting principles;
- to remove unnecessary 'background' or supporting material that is not necessary to provide strategic basis, direction or to assist in the exercise of discretion;
- to reduce reiteration and potential conflict between strategic concepts;
- to improve navigability by using a numbered clause structure that moves more deeply into the text. Consideration should also be given to numbering individual objectives and strategies;
- where possible, to reduce the 'many to many' relationship between objectives and strategies by clarifying which strategies serve an individual objective;
- to significantly improve the communication of the City's key directions, enabling the reader to leave the document with a sense of direction that is currently missing; to reduce the volume of material necessary to be read and digested in order
- to apply MSS content to a range of typical use and development scenarios;
- to significantly improve the communication of strategic intentions through the medium of mapping.

The Amendment was adopted with Panel's recommendations in 2005. The recommendations put forward in this Planning Scheme review, in particular the recommendations for the MSS in Section 10 of this report, are cognisant of these past panel recommendations.

Amendment C142 Introduces Clause 22.23 Stormwater Management (Water Sensitive Urban Design)

Amendment C142 introduced a new local planning policy, Clause 22.23 Stormwater Management (Water Sensitive Urban Design) into the Melbourne Planning Scheme. The Amendment was jointly implemented across IMAP project with other metropolitan councils including Yarra, Stonnington and Bayside. The amendment included several reference documents associated with Clause 22.23. No planning hearing was held for this Amendment.

Clause 22.23 states that: *"This policy will expire when superseded (as determined by the Minister for Planning) by Water Sensitive Urban Design provisions in the Victoria Planning Provisions or the Building Code of Australia Regulations, whichever happens first."*

At the time of this review, Clause 56.07 Integrated Water Management was the only state-wide provision to provide strategies to address water sensitive urban design for residential areas.

Amendment C162 MSS Review

Amendment C162 amended the Melbourne Planning Scheme by introducing the concept of 'urban renewal' as part of a settlement strategy for urban growth within the City of Melbourne, and restructuring the MSS to establish new themes and delete the existing local area plans. Amendment C162 sought to adopt many of the issues addressed in the 2008 planning scheme audit as detailed in Section 2 Background.

The Panel made the following remarks regarding the identification of urban renewal areas and the need for structure plans:

'We are concerned that some elements of the strategy 'jump the gun' by designating areas as renewal before relevant controls have been introduced to deliver that renewal. We consider these areas can only be identified as 'potential renewal areas' until further, more detailed planning for these areas is translated into the planning scheme.'

Throughout the course of this Planning Scheme Review, issues related to the designation of areas under the Growth Area Framework Plan were also questioned by Council staff, councillors and the community. For example, it was queried by the community why the Quiet Man Pub redevelopment (Planning Application-2016-797), comprising an eight storey residential development along Flemington Road was in an area identified as 'Stable' in the Growth Areas Framework Plan. It was further commented by Council staff that plans and diagrams, such as the Growth Areas Framework Plan are often inserted into other documents without a reference to the related policy directions of the Planning Scheme. Such plans, when viewed in isolation, can be misleading on Council's preferred direction for the area. It is imperative that the Growth Areas Framework Plan and associated policies are clear in their intent. The body of this report expands more on the proposed recommendations to the MSS.

Amendment C171 Southbank Structure Plan

Amendment C171 sought to introduce significant modifications to the Southbank area. Changes included the introduction of the Southbank Structure Plan 2010 as a reference document in the Melbourne Planning Scheme, and to modify existing zones, overlays and policies relevant to the area. The Amendment attracted 227 submissions and a Planning Panel was requested to resolve the matter.

The Planning Panel generally supported the Amendment's adoption yet did not believe the mandatory built form controls would deliver the aspirations articulated in the Southbank Structure Plan 2010, and cautioned away from this approach. The Panel supported the application of Schedule 3 to the Capital City Zone, and aside from the deletion of some overarching objectives and the mandatory controls, the Panel also supported the inclusion of Schedule 59 to the Design and Development Overlay. The Panel was sympathetic to Council's past frustrations on performance of the precinct, particular its ability to produce a quality public realm and spaces for the community. However, the Panel did not believe the use of mandatory height and setback controls was a suitable response and may deliver a:

'bland inner urban experience where design flair and innovation are quashed in pursuit of a pre-determined outcome which is quite different from the one to which Council aspires.'

Amendment C171 was approved into the Scheme in June 2013 with most of the Panel's recommendation.

Since the approval of Amendment C171, these policies have been tested across several planning applications, such as in VCAT case P1552/2017 (Tisza Pty Ltd v Minister for Planning). As discussed in the review of VCAT cases forming part of this review process and as evident through the recently approved Amendment C330 (specific to the Melbourne Arts Precinct in Southbank) the controls behind Amendment C171 could have been drafted with a greater focus on protecting the arts and cultural precinct, as desired in the actual Structure Plan.

Amendment C179 New Residential Zones

Amendment C179 implemented the new residential zones into the Melbourne Planning Scheme. The changes came into effect in November 2014. Specifically, the Amendment introduced:

- Three new Schedules to the General Residential Zone, applying them to parts of Kensington, Parkville, Carlton, North Melbourne, East Melbourne and Jolimont
- The Residential Growth Zone and apply it to parts of Carlton and Parkville
- The Neighbourhood Residential Zone to parts of South Yarra.

The Planning Panel was generally satisfied that the proposed changes and recommended minor changes to reflect appropriate height controls in some areas.

Amendment C187 Energy, Water and Waste Efficiency

Amendment C187 replaced Clause 22.19 Sustainable Office Buildings with a new Clause 22.19 Energy, Water and Waste Efficiency. Subject to several minor wording modifications, the Panel strongly supported the inclusion of the new policy.

Since the introduction of Clause 22.19 Energy, Water and Waste Efficiency into the Planning Scheme, it has been difficult to gauge the effectiveness of the policy across developments. Therefore, as of late 2016, the City of Melbourne is now including the following permit condition on applications affected by Clause 22.19:

1. *The performance outcomes specified in the Environmentally Sustainable Design (ESD) Statement prepared by <Report Author> dated <Report Date>, endorsed to form part of this permit, must be achieved in the completed development.
Prior to the commencement of the development, excluding demolition and bulk excavation, any change during detailed design that prevents or alters the attainment of the performance outcomes specified in the endorsed ESD Statement must be documented by a suitably qualified person in an addendum to this report, which must be provided to the satisfaction of, and approved by, the Responsible Authority.*
2. *Within six months of the occupation of the development, a report from the author of the endorsed ESD Statement must be provided to the satisfaction of the Responsible Authority, which details design initiatives implemented within the completed development that achieve the performance outcomes specified in the endorsed ESD Statement.*

The outcome of this permit condition is yet to be realised. It is recommended that the City of Melbourne review the results of this additional permit condition in delivering the objectives of Clause 22.19.

Matters related to environmental sustainability, including energy, water and waste efficiency affect all developments and uses across Victoria. Therefore, policies on this matter should generally be dealt with on a State level. With the exception of policies found in Clause 56.07 *Integrated Water Management* for residential subdivisions, there are no specific State policies to guide the environmental sustainability of developments in a similar fashion to Clause 22.19 of the Melbourne Planning Scheme. In lieu of State-wide policies on the matter, Council have subsequently moved forward with the matter via Amendment C187. We are advised that Council plans to develop a new policy, with research commencing next financial year.

Amendment C190 Arden-Macaulay Structure Plan

Amendment C190 introduces the Arden Macaulay Structure Plan in two parts. Part 1 of Amendment C190 was approved into the Planning Scheme in October 2017. Changes included:

- Rezoning much of the existing industrial area to the Mixed Use Zone.
- Applying Schedule 63 to *Design and Development Overlay* to guide building height, setback controls, laneways and awning requirements
- *Schedule 26 to Design and Development Overlay* to consider acoustic measures for residents, and ensure exiting industries were not undermined in their use; and
- An Environmental Audit Overlay applied to former industrial sites marked for residential or other sensitive uses.

Key recommendations from the Planning Panel included:

- *Changing the growth area Framework Plan to show Clause 21.04 to show Arden Macaulay as an 'Exiting Urban Renewal Area'*
- *Rationalising the numbering of areas in the DDO*
- *Review opportunities for open space provision in the renewal area as a matter of priority. Address east-west pedestrian links when preparing the proposed master plan for the Moonee Ponds Creek.*
- *Commence negotiations with VicTrack for the purchase of their land.*
- *Undertake a precinct wide review of contamination issues with the view to refining the application of the Environmental Audit Overlay.*

Since the adoption of the Structure Plan and actual implementation of policies through Amendment C190, the area has experienced significant change. This includes the proposed Arden Metro Station. For this reason and others mentioned by the Panel, Schedule 63 to *Design and Development Overlay* is an interim control and expires in September 2019. Council is currently undertaking a review of the Arden-Macaulay area.

Amendment C196 City North Structure Plan

Amendment C196 introduced the City North Structure Plan's land use, development and built form strategies. The Amendment specifically:

- Rezoned the land north of Victoria Street and bounded by Peel Street, Grattan Street and Swanston Street to schedule 5 of the Capital City Zone
- Introduce the Design and Development Overlay 61 to provide better guidance on building heights, setback, overshadow and quality pedestrian amenity.

Subject to a few minor modifications, the Planning Panel supported the adoption of Amendment C196 into the Melbourne Planning Scheme.

Amendment C208 Development Contribution Plans for City North and Southbank

Amendment C208 sought to introduce a Development Contribution Plan Overlay across the City North and Southbank area. The Amendment also sought to introduce incorporated documents to the schedule at Clause 81.01 Incorporated Documents.

A Planning Panel was requested to form a view on the proposed changes. The Panel and submitters were critical of the approach taken by the City of Melbourne in delivering the Amendment. Key issues raised by submitters during the Panel included:

- *The CNSDCP as drafted cannot be understood as a stand-alone document and much of the information that it relies upon was not exhibited with the Amendment;*
- *The vast majority of the 53 local streetscape projects described in the AECOM report are aspirational;*
- *not sufficiently justified by traffic or technical analysis and are unlikely to come to fruition within the timeframe of the CNSDCP;*
- *The projects are not clearly specified in the CNSDCP, nor is the methodology clearly articulated;*
- *The CNSDCP does not meet the principles of need, equity, accountability and nexus; CNSDCP does not meet the principles of the Development Contributions Guidelines (2007), including those relating to external demand and works in kind; and*
- *The development forecasts upon which the CNSDCP are based are not justified'*

The Panel remarked that the plan lacked the level of detail and transparency that was reasonably sought by the DCP guidelines. Specifically the Panel noted:

'It is unreasonable for the CNSDCP to identify 53 candidate local streetscape projects with a capital value of approximately \$368 million, when Council's funding commitment is limited to \$60 million. Less than 20% of the candidate projects documented in justification and support of the CNSDCP are likely to be constructed in the timeframe of the DCP. The Panel agrees with submissions that it is reasonable for a contributor to a DCP to be able to discern with a degree of specificity what projects will be funded in the life of the DCP. The CNSDCP does not meet this fundamental and reasonable test. It is clear and accepted by all parties (including the Council) that Council's approach, as explained in several post-exhibition documents, does not resemble traditional and simple development contributions plans, but rather it seeks to maximise flexibility and is innovative. The Panel has concluded that the exhibited CNSDCP does not represent the approach outlined in post-exhibition documents; is unnecessarily complex; omits fundamental information which was provided only at the direction of the Panel; and can be misinterpreted.'

The Panel recommended the Amendment be abandoned and Council prepare a new amendment. Since this time, Council has renewed efforts to explore development contribution options for the City North and Southbank area, noting it as a specific piece of work on their 2017-18 Annual Plan and Budget.

Amendment C209 Clause 22.26 Public Open Space Contribution

Amendment C209 implemented the Melbourne Open Space Strategy by introducing a public open space contribution requirement under the schedule to Clause 52.01 (Public Open Space Contributions and Subdivisions), and introducing a new local policy (Public Open Space Contributions) at Clause 22.

Subject to several minor modifications, the Panel supported the overall approach by Council and recommended adoption of Amendment C209 into the Scheme.

It is noted that one of the changes recommended by the Panel and adopted by Council was the exclusion of the University of Melbourne's main campus (zoned Public Use Zone) from the open space contribution requirements of Clause 52.01.

Since its implementation, the Open Space Contribution Plan has generated significant funds for the City of Melbourne. \$7 million was raised through open space contributions during the 2016-2017 financial year (*City of Melbourne, Annual Plan and Budget 2017-18*).

Amendment C212 Exceptional Tree Register

Amendment C212 applied a new Schedule 2 to the Environmental Significance Overlay (ESO) to protect the trees identified on its Exceptional Tree Register. Schedule 2 to the ESO provides statutory control over the removal or lopping of a tree and buildings and works carried out within the Tree Protection Zone. With the exception of several minor modifications, primarily the removal or application of the overlay across some trees and not others, the Panel recommended the adoption of the amendment.

Amendment C220 The Shrine of Remembrance

Amendment C220 implemented the findings of *The Shrine of Remembrance, Managing the significance of the Shrine*, July 2013 planning study by strengthening the planning policies and controls applicable to land that forms the setting and background of the Shrine of Remembrance. Specifically, the Amendment introduced permanent height and vista controls and reference to the Shrine of Remembrance through the Local Planning Policy Framework.

The Amendment did not undergo exhibition or a formal planning panel process. The mandatory controls have generally ensured buildings do not encroach on the Shrine's backdrop and have effectively protected vistas to the Shrine.

Amendment C258 Heritage Policy Review and West Melbourne Heritage Review

Amendment C258 was on exhibition at the time of this review. The purpose of the Amendment was to revise the local heritage planning policies, incorporate new heritage statements of significance and replace the A to D grading system with the significant/contributory/non-contributory grading system. The Amendment also sought to introduce a new heritage overlay across 20 sites in West Melbourne.

The changes proposed under this Amendment are considered to strengthen Council's efforts in heritage conservation. It is anticipated that a Planning Panel will be requested following the exhibition period. Amendment C321 extends the current interim controls over properties in West Melbourne.

Amendment C270 Central City Built Form Review

Amendment C270 introduced a range of built form provisions for the Melbourne CBD and Southbank area. The Amendment was prepared and authorised by the Minister for Planning. Specific changes to the Melbourne Planning Scheme included:

- Introduction of a floor area ratio and floor area uplift requirements, with discretion available for the delivery of public benefits. This was applied to the Capital City Zone schedules 1, 2 and 3
- Comment on the General Development area and Special Character areas
- Introduction of a new Clause 22.03 (Floor Area Ratio and Delivery of Public Benefits) to guide the delivery of the associated public benefit(s) sought in the schedules to the Capital City Zone
- Replaced Design and Development Overlay Schedule 10 (DDO10) with a new schedule that applies street wall height, setbacks (to the street and to neighbouring boundaries), tower separation, overshadowing and wind impact requirements.

The Amendment implemented a floor area ratio of 18:1 for the Central City Area through Schedule 10 to the Design and Development Overlay.

Amendment C295 Development Contributions Plan Overlay for Arden Macaulay

As part of Amendment C190, an interim Development Contributions Plan Overlay (Schedule 2 of the DCPO) was also introduced via Ministerial Amendment C295 over the land affected by Amendment C190 (Part 1). This Amendment came about through the Amendment C190 consultation process. The community raised concerns over the lack of infrastructure to service the new community. In response to these concerns, Council requested the Minister for Planning to apply a Development Contributions Plan Overlay for Arden Macaulay through Planning Scheme Amendment C295. This will enable the collection of development contributions to help fund the new infrastructure needed by the new community, including roads, local drainage and community facilities.

Amendment C307 Gaming Policy

Amendment C307 seeks to introduce a revised gambling policy, at Clause 22.12, modifications to Clause 21.10-6 Cultural/Arts and Entertainment Facilities and Clause 21.16 Hoddle Grid. The Amendment also adds additional venues to 'prohibited sites' in Schedule 3 to Clause 52.28 Gaming. The Amendment was endorsed by the City of Melbourne in October 2017 to seek authorisation from the Minister for Planning. It is currently awaiting authorisation from the Minister.

1.4 VC and GC Amendments

VC and GC planning scheme amendments are amendments that impact more than one municipality or all Victorian municipalities. The amendments listed below were prepared and approved by the State Government between 2014 and early 2018 and impact the MPS.

- GC9 New Residential Zones & Reformed Commercial Zones (2014)
- GC41 and GC49 Emergency Medical Services Heliport Flight Path Protection Project (2016-2017)
- GC45 Melbourne Metro Rail Project (2017)
- GC65 and GC93 West Gate Tunnel Inquiry and Advisory Committee (2017)
- GC81 Fishermans Bend (2017)
- VC110 Residential Zones Review and Garden Area (2017)
- VC114 VicSmart (2014)
- VC120 Live Music and Entertainment (2014)
- VC136 Better Apartment Guidelines (2017)
- VC144 Advertising Signs (2018)

GC9 New Residential Zones & Reformed Commercial Zones

Amendment GC9 replaced all land in the Residential 1 Zone and Residential 2 Zone with the General Residential Zone e and updates the planning scheme maps to reflect the reformed commercial zones.

GC41 and GC49 Helicopter Flight Paths

Amendment GC41 introduced Design and Development Overlay Schedules 23, 65 and 66 to land surrounding the Alfred Hospital, Royal Melbourne Hospital and Royal Children's Hospital. As discussed through the review of VCAT decisions above, this Amendment has had a significant implication for the planning applications which encroach onto the flight paths.

GC45 Melbourne Metro Rail Project

A joint Inquiry/Advisory Committee was appointed in May 2016 to consider the Environment Effects Statement, a draft planning scheme amendment and public submissions associated with the Melbourne Metro Rail Project.

The Melbourne Metro Rail Project includes:

- Twin nine kilometre rail tunnels between South Kensington and South Yarra, following the alignment of Swanston Street, through Melbourne's Central Business District (CBD) and linking the existing Sunbury and Cranbourne/ Pakenham railway lines.
- New CBD North and CBD South stations providing direct interchange with Melbourne Central and Flinders Street stations respectively.
- New stations at Arden, Parkville and Domain, with new train/tram interchange at the latter two stations.

The Committee submitted its report to the Minister for Planning in October 2017 and construction has commenced. The Melbourne Metro Rail Project has a significant impact for the planning of the City of Melbourne. The proposed stations will substantially alter the public realm and act as a catalyst for development of urban renewal sites, such as Arden and West Melbourne. The local area plans contained in the MPS require updates to recognise the revised rail alignment.

GC65 and GC93 West Gate Tunnel Inquiry and Advisory Committee

The Minister for Planning appointed an Inquiry and Advisory Committee in May 2017 to consider the Environment Effects Statement, a draft Planning Scheme Amendment affecting the Brimbank, Hobsons Bay, Maribyrnong, Melbourne, Port of Melbourne and Wyndham Planning Schemes and public submissions associated with the West Gate Tunnel Project.

The West Gate Tunnel Project includes:

- upgrade and widening of the existing West Gate Freeway by two lanes and widening of the Princes Freeway collector-distributor carriageways.
- two bored tunnels catering for three traffic lanes in each direction under Yarraville bridges across the Maribyrnong River connecting the tunnels with the Port of Melbourne, CityLink, Dynon Road and extension of Wurundjeri Way to Dynon Road and widening to Flinders Street.
- improvements, extensions and upgrades to the existing pedestrian and bicycle network, as well as the creation of new public open space areas.

The Committee submitted its report to the Minister for Planning in October 2017 and construction started in January 2018. The City of Melbourne made a submission into the Inquiry, highlighting the Tunnel's adverse impact on future development opportunities across the Dynon precinct. On this note the Advisory Committee commented that there was a lack of strategic direction in the Melbourne Planning Scheme on the future use of the Dynon precinct to warrant removal or realignment of the Tunnel.

Comments on the lack of strategic directions and structure plans have been echoed across this review and it is important that Council prioritise the preparation of structure plans across their urban renewal areas, such as Dynon, or at the least highlight its consideration under the Further Strategic Works listing.

Amendment GC 65 was revoked by the Parliament of Victoria but subsequently facilitated through gazettal of Amendment C93.

GC81 Fishermans Bend Planning Review Panel – Amendment

Fisherman's Bend is a large urban renewal project, covering approximately 480 hectares in the heart of Melbourne. It will consist of five precincts across two municipalities – the City of Melbourne and the City of Port Phillip. Draft planning scheme amendment GC81 seeks to introduce planning scheme controls in the Melbourne and Port Phillip planning schemes to support the implementation of the Fisherman's Bend Framework plan. The Minister for Planning has appointed the Fisherman's Bend Planning Review Panel to report on the appropriateness of draft Planning Scheme Amendment GC81. Public Hearings are expected to be held during March and May 2018.

As part of the City of Melbourne's Annual Plan and Budget 2017-18, Council have confirmed their commitment working with State Government for the planning of Fishermen's Bend.

VC110 Reformed Residential Zones

Amendment VC110 implements the government's response to the recommendations of the Managing Residential Development Advisory Committee by amending Clause 72 to introduce a new general term, "garden

area" and amending the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone and Township Zone.

This Amendment introduced mandatory height limits to the General Residential Zone. The application of this mandatory control was problematic for several sites across the City that had been previously rezoned to General Residential Zone (when a mandatory height control was not in place). An Example was put forward during the Stakeholder Engagement. A site in Sturt Street, Southbank with an existing discretionary Design and Development Overlay height control for 40 metres was suddenly applied with a mandatory 11 metre height limit through the changes to the General Residential Zone.

The garden area requirements have also proved difficult to achieve for many sites, particularly developments converting former industrial buildings (and retaining the building) to a residential use. It is understood that the State Government is currently reviewing the garden area requirements.

VC114 VicSmart

Amendment VC114 introduces VicSmart, the new assessment process for specified planning permit applications into the Victoria Planning Provisions and all planning schemes.

VC120 Live music and entertainment noise

Amendment DC120 changes the Victoria Planning Provisions and all planning schemes by introducing a new Clause 52.43 Live music and entertainment noise.

VC136 Better Apartment Guidelines

Better Apartments Design Standards - Amendment VC136 introduced state-wide planning requirements for apartment developments, namely through a series of objectives and standards in Clause 58 for Apartment designs. Whilst it is difficult to establish the success of these guidelines at this early stage, there is a general consensus by the planning community that these guidelines will help to achieve greater amenity for apartments.

VC144 Clause 52.05 Advertising signs

Amendment VC144 changed the Victoria Planning Provisions and all planning schemes by: Amending Clause 52.05 (Advertising signs) to: specify 'electronic sign' in Section 2 of Category 3 - High amenity areas (Clause 52.05-9), with a condition that the advertisement area must not exceed three square metres. The Amendment also increased the size of the permitted maximum advertisement area of a 'promotion sign' in Section 2 of Category 3 from two to three square metre and amended Clauses 52.05 and 73 to replace the term 'home occupation' with 'home based business'.

These changes are considered to assist Council in resolving some of the matters related to electronic advertising signage. However, review of Clause 22.07 Advertising Signage is still recommended.

APPENDIX 7 – SUMMARY OF ENFORCEMENT MATTERS
2014-2018

APPENDIX 7 – ENFORCEMENT MATTERS

Planning enforcement decisions

Planning Enforcement matters for the City of Melbourne between January 2014 and January 2018 were reviewed. The majority of enforcement matters related to excessive noise from live music venues and bars, unauthorised signage and graffiti, as well as unauthorised building and works and/or land use. The issues raised coincided with the matters identified during the Stakeholder Engagement.

While some issues can be resolved to some extent through new policies, many issues will continue to reoccur due to the intensity and volume of mixed uses occurring across the city, particularly the Central City. Below are the most common enforcement matters that were raised between January 2014 and December 2017.

Summary of enforcement issues

The matters attracting enforcement action are summarised in Table A9.1 below:

Table A9.1 – Enforcement Matter (2014-2018)

Enforcement Matter	Number of complaints
Excessive noise from live music venues and bars	284
Unauthorised building and works and/or land use	313
Non-compliance with endorsed plans/permit conditions	215
Unauthorised signage and graffiti	120
Non-compliance of car parking	24
Unauthorised tree removal	8

APPENDIX 8 – RESIDENTIAL ZONE HEIGHT CONFLICTS

ZONE HEIGHT CONFLICTS

New Residential Zones - Height Conflicts (Source, COM)

Overlay	Title	Maximum height (DDO)
DDO15- A1	Royal Botanic Gardens	12m
DDO21- A1	Wellington Parade & Clarendon Street	12m
DDO21-A2	Wellington Parade & Clarendon Street	14m
DDO21- A4	Wellington Parade & Clarendon Street	24m
DDO21- A6	Wellington Parade & Clarendon Street	40m
DDO21- A20	Wellington Parade & Clarendon Street	24m
DDO29	West Melbourne	13.5m
DDO32	North Melbourne Peripheral	14m
DDO35-A3	Royal Park & Royal Pde	14m
DDO46	University East	36m
DDO60-A4A	Special Character Areas – Built Form (Southbank)	40m
DDO60-A4B	Special Character Areas – Built Form (Southbank)	14m

*exemptions exist for existing buildings, flood prone areas etc.

The COM has identified the following areas where the DDO specified a lower height than permitted under the Zone Review:

- DDO9 is 9m (in GRZ1 – 11m)
- DDO20-A11 is a 9 metre discretionary height control affecting the GRZ1 fronting Victoria Parade East Melbourne (in GRZ1 – 11m)
- DDO48 has a 10.5m discretionary height limit (in GRZ1 – 11m)
- DDO35-A1 has a discretionary limit of between 8-14m depending on the location (in GRZ1 – 11m)
- DDO35-A2 has a discretionary limit of between 9-10m depending on the location (in GRZ1 – 11m).

Attachment 3: Melbourne Planning Scheme Review 2018 Summary of Recommendations

The Melbourne Planning Scheme Review 2018 recommended that further guidance be provided in the Melbourne Planning Scheme in relation to the strategic focus areas identified in Table 1. Multi-year investment is required to address many of these strategic focus areas. The corresponding current 2018–19 Annual Plan Initiatives (APIs) which progress these strategic focus areas are also indicated in Table 1.

The Melbourne Planning Scheme Review 2018 also recommended policy neutral changes, including drafting changes, removing inconsistent language, deletion of expired clauses and deletion of duplicated policy. These policy neutral changes will potentially be addressed through the implementation of the new Planning Policy Framework structure, part of the Victorian Government's Smart Planning program.

Table 1: Strategic focus areas identified and related 2018–19 APIs

Strategic focus area	2018–19 API
1. Review the MSS Growth Area Framework Plan designations and Local Area Plans to provide clear and up-to-date direction for future growth	API 8.3 'Finalise and implement the findings of the review of the Municipal Strategic Statement'
2. Protect Aboriginal heritage	API 8.15 'Further progress the Hoddle Grid Heritage Review and seek appropriate protections for significant places, including Aboriginal and post contact heritage'
3. Implement funding for infrastructure through Development Contribution Plans and/or Infrastructure Contribution Plans	API 8.19 'Pursue developer contributions for community infrastructure in City North and Southbank and advocate for a standard development contribution from the Victorian Government'
4. Develop an affordable housing policy	API 2.7 'Undertake a housing capacity study and needs analysis to build the evidence base on emerging challenges in preparation for further work on affordable housing in the municipality'
5. Progress Environmentally Sustainable Design (ESD) and green infrastructure initiatives	API 1.2 'Implement the Green our City Strategic Action Plan including development of a business case for a future regulatory mechanism to support green roofs and vertical greening'
6. Continue to pursue tailored schedules to zones to deliver desired land use mix	API 4.2 'Advance the delivery of Melbourne Innovation Districts (MID), City North' with a focus on planning and activation'
7. Update the advertising signage policy to respond to changes in technology	May be considered in future Council Annual Plans, as appropriate
8. Ensure all parks are appropriately zoned	May be considered in future Council Annual Plans, as appropriate
9. Continue to work with DELWP to enable off-street bicycle and motorcycle parking rates appropriate to the municipality	API 6.1 'Finalise the Transport Strategy Refresh and begin implementation of priority projects'