

Report to the Future Melbourne Committee

Agenda item 6.3

Planning Scheme Amendment C376: Sustainable Building Design – Consideration of submissions

21 May 2024

Presenter: Evan Counsel, General Manager Strategy, Planning and Climate Change

Purpose and background

1. The purpose of this report is to consider the submissions received during public exhibition of Amendment C376: Sustainable Building Design (the Amendment), and to recommend that the Future Melbourne Committee (FMC) refer all submissions to an independent planning panel in accordance with section 23(1)(b) of the *Planning and Environment Act 1987*.
2. The Amendment proposes to implement sustainability and green infrastructure policy into the Melbourne Planning Scheme, including new mandatory and discretionary sustainable building design standards and requirements.
3. On 15 September 2020, FMC resolved to request the Minister for Planning authorise the Amendment. Following authorisation on 25 October 2022, the Amendment was publicly exhibited between 2 March 2023 and 17 April 2023. Councillors were provided a copy of all submissions on 25 September 2023.

Key issues

4. 73 submissions were received and are summarised at Attachment 2 of report from management. 37 submissions are supportive of the Amendment, seven are not supportive and 29 do not explicitly state whether they are supportive. A summary follows:
 - 4.1. Supportive submitters include the Victorian division of the Property Council of Australia, RMIT, University of Melbourne, Development Victoria, Urban Design Forum Australia, Southbank Residents Association, the Green Building Council of Australia, and the National Australian Built Environment Rating System (NABERS).
 - 4.2. 20 submissions were made about the Green Factor tool, which Council developed as the first tool of its kind in Australia to encourage urban greening for developments, 14 submissions supported its introduction into the Melbourne Planning Scheme, and three were uncertain about how the tool works.
 - 4.3. 11 submissions were made about the sustainable transport requirements, including five requesting the bicycle parking rates be reduced.
 - 4.4. 10 submissions supported introducing mandatory sustainability requirements and three objected.
 - 4.5. 9 submissions raised concern about the impact on economic feasibility for development.
 - 4.6. 7 submissions requested changes to the technical drafting of the Amendment, with one identifying the requirement to provide a technical and economic justification to vary a preferred environmentally sustainable design (ESD) Tool or Energy Efficiency standard is onerous, and two noting how that justification could be difficult to assess.
 - 4.7. 5 submissions identified the blanket NABERS Energy rating requirement is not appropriate for all non-residential buildings.
 - 4.8. 4 submissions objected to the proposed requirement for car parking spaces to be retained as common property.

- 4.9. 4 submissions criticised requirements which exceed National Construction Code standards.
- 4.10. 4 submissions requested transitional provisions be introduced.
5. Having considered the matters raised in submissions, changes are recommended which are summarised in Attachment 3 detailed in Attachment 4, including:
 - 5.1. Removing the requirement to provide an expert report to demonstrate why meeting a preferred ESD or Energy Efficiency standard is not technically achievable or economically feasible in every case of non-compliance. This change recognises the world-leading bar of the preferred ESD and Energy Efficiency standards, and the fact that large development will achieve net-zero emissions under the minimum mandatory standards. The change addresses concerns about economic feasibility by including guidelines for different classes of development, and lessens the cost of preparing planning applications by removing the need to prepare these expert reports in most circumstances.
 - 5.2. Replacing the blanket 5.5 Star NABERS Energy rating requirement for all large non-residential development with the need to enter into a NABERS Energy Commitment Agreement. The specific rating for each building type will be specified by the Green Star Buildings tool. This change is made to provide greater certainty that the rating will be achieved because of the rigorous certification process involved in a Commitment Agreement, and enables the Green Star Buildings tool to specify the energy ratings appropriate to different building types.
 - 5.3. Adjusting the requirements which reduce the impact of the urban heat island effect to better align with Green Star Buildings to avoid inconsistency and assist with industry implementation.
 - 5.4. Reducing the employee and visitor bicycle parking rates in response to submissions that the proposed rates are higher than realistic demand.
 - 5.5. Adding transitional provisions for applications made before commencement of the Amendment.

Recommendation from management

6. That the Future Melbourne Committee:
 - 6.1. Considers the submissions received following the exhibition of Amendment C376: Sustainable Building Design (the Amendment).
 - 6.2. Notes management's response to all submissions set out in Attachment 2 of report from management.
 - 6.3. Requests the Minister for Planning appoints an independent planning panel to consider all submissions referred to it in relation to the Amendment in accordance with section 23 of the *Planning and Environment Act 1987*.
 - 6.4. Notes the form of the Amendment to be presented to the planning panel summarised in Attachment 3 of report from management and detailed in Attachment 4 of report from management, and notes further changes may be made through the panel process in response to submissions and expert evidence.

Attachments:

1. Supporting attachment (page 3 of 377)
2. Summary of Submissions and Management Responses (page 5 of 377)
3. Summary of recommended changes for planning panel (page 146 of 377)
4. Consideration of Submissions (page 153 of 377)

Supporting Attachment

Legal

1. Part 3 of the *Planning and Environment Act 1987* (the Act) deals with the amendment of planning schemes including the requirements for giving notice. Division 2 of the Act outlines the public submissions process. Section 23(1) of the Act provides:

After considering a submission which requests a change to the amendment, the planning authority must:

- a) change the amendment in the manner requested; or
 - b) refer the submission to a panel appointed under Part 8; or
 - c) abandon the amendment or part of the amendment.
2. The recommendations made in this report are consistent with the Act.
 3. Section 9(2) of the *Local Government Act 2020* provides that Council must give effect to overarching governance principles, including to:
 - a) give priority to achieving the best outcomes for the municipal community, including future generations
 - b) promote the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks.

Finance

4. The cost for progressing the planning scheme amendment includes the planning panel fee and expert fees, which are included in the City Strategy 2024-2025 operating budget. Barrister fees are included in the Legal 2024-2025 budget.

Conflict of interest

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

Health and Safety

5. The Amendment will contribute to the mitigation of climate change by reducing emissions, and will improve the health and safety of the community by delivering buildings which are better adapted to climate change impacts, such as increased cooling and greenery, and reduced water and energy consumption.

Stakeholder consultation

6. The Amendment was exhibited from Thursday 2 March 2023 to Monday 17 April 2023 in the following manner:
 - a) A letter and Notice of the Amendment was sent via post to all owners and occupiers in the City of Melbourne and was emailed to key stakeholders, government organisations and the Bunurong Land Council Aboriginal Corporation and the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation.
 - b) A Notice of the Amendment was published in The Age newspaper on 1 March 2023 and in the Victorian Government Gazette on 2 March 2023.
 - c) Informal notice was published through social media, online magazines and newsletters.

- d) All the relevant information was published on Council's Participate Melbourne Amendment C376 webpage and the Department of Transport and Planning's amendment webpage.
 - e) Three virtual public information sessions were held where members of the community and industry bodies were informed of key elements of the Amendment and were provided the opportunity to ask questions of officers.
7. Should FMC resolve to request the appointment of an independent planning panel, submitters will have the opportunity to be heard by the panel. The pre-set panel dates are for a directions hearing in the week of 17 June 2024, and a panel hearing in the week of 19 August 2024.

Relation to Council policy

8. The Amendment is consistent with Council policies, including:

- a) Urban Forest Strategy (2014)
- b) Climate Change Mitigation Strategy to 2050 (2018)
- c) Climate Change Adaptation Strategy Refresh (2017)
- d) Emissions Reduction Plan for Council Operations 2021-26 (2021)
- e) Green Our City Strategic Action Plan 2017-2021 (2017)
- f) Municipal Integrated Water Management Plan (2017)
- g) Nature in the City Strategy (2017)
- h) Transport Strategy 2030 (2019)
- i) Waste and Resource Recovery Strategy 2030 (2019)

Environmental sustainability

9. The amendment is a direct response to Council's declared climate and biodiversity emergency and Council's commitment to zero carbon emissions by 2040 because it will reduce emissions and improve the liveability of the city as the climate gets hotter and more extreme.
10. The Amendment introduces into the Melbourne Planning Scheme the requirement to achieve ratings in the industry-recognised Green Star Buildings, BESS and other environmental assessment tools. This will create greater certainty that developments will include environmentally sustainable design features, including net zero emissions buildings for those required to achieve a Green Star Buildings rating.
11. The Amendment implements the Green Factor tool in the Planning Scheme. The tool encourages provision of a greater quantity and quality of green infrastructure in developments. Applicants are provided with a range of options to meet the required level of green infrastructure, including options suited to the dense central city context including green roofs and vertical greening. The Green Factor tool is the first of its kind in Australia and it will support the industry to better consider green infrastructure upfront in the design process.

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Summary of Submissions and Management Responses

Notes:

- It is recommended that all submissions be referred to the planning panel.
- Names of individuals have been redacted. Organisation names are included.

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1. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment	Noted
	A definite goal to reduce the heat signature of buildings is needed. This could be done by retrofitting buildings with reflective paint or a light colour veneer, while prohibiting dark roof colours.	The Amendment affects new planning permit applications (including applications to modify an existing permit) and otherwise cannot require retrofitting of buildings.
	Neighbourhoods should be heat mapped, and properties with excessive heat should be notified or made public.	The Amendment includes requirements to reduce the urban heat island effect (Table 5 in Schedule 73 to Clause 43.02 Design and Development Overlay).
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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2. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not support the amendment	Noted
The science and need to respond to climate change	A small proportion of carbon dioxide emissions is contributed by human activities, and of that, a smaller proportion by Australia	Council has declared a climate emergency. The Amendment will help reduce the impact development has on the environment.
	A reduction in carbon dioxide emissions will not stop droughts and floods	
	Questions the cost, reduction in carbon dioxide emissions, and reduction in the temperature of the earth as a function of this amendment	
	The amendment is a waste of money and time	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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3. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment	Noted
	More green and attractive buildings will improve our living environment.	
Green infrastructure	Questioned whether government grants are available to cover the design and maintenance of vertical gardens.	A response was provided to the submitter on 21 March 2023. This provided directions to the relevant page on the City of Melbourne's Neighbourhood Portal website for information about grants for vertical gardens.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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4. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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5. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
Green Factor Tool	<p>The Green Factor Tool leaves many definitions open to interpretation, meaning the instructions are unclear.</p> <p>The Green Factor Tool has bugs in the calculation and output of results.</p>	<p>The Green Factor tool page on Council's website explains its purpose and benefits. The page contains information which explains:</p> <ul style="list-style-type: none"> the definitions used, and how the tool works. <p>A video presentation of the Green Factor tool and a public Q&A session is also provided on the page.</p> <p>The tool calculations have been tested and are working as expected.</p>
	More explicit guidance is required about calculating the Urban Heat Island Response requirements, including inclusions and exclusions. Are solar panels excluded from the calculation?	<p>Table 5 of DDO73 provides requirements which aim to reduce the urban heat island effect. All development must provide at least 75% of its site area, or the equivalent number when accounting for vertical elements such as the facade, as an element that reduces the impact of the urban heat island effect.</p> <p>It is agreed that the requirements of Table 5 should be clarified. It is recommended that:</p> <ul style="list-style-type: none"> The first requirement be reworded to 'must provide the equivalent of at least 75% of the development's total site area as <i>solar panels and building and landscape elements that reduce the impact of the urban heat island effect.</i>' The calculation of elements that reduce the impact of the urban heat island effect be closer aligned to that of Green Star Buildings to assist with assessment and industry implementation. The separate requirements

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		<p>relating to façade materials exposed to summer sun and paving treatments be consolidated into the list of elements which reduce the impact of the urban heat island effect.</p> <p>In regards to green infrastructure and hardscaping, these terms are defined in Section 2.1 of DDO73.</p>
Integrated water management	<p>The ability to choose whether water from a rainwater tank supplies either a minimum of 10% internal water demand or is used to sustain green cover may incentivise the watering of green cover over installing internal pipework for flushing and other demands. This will result in long-term inflexibility for the building.</p>	<p>It is agreed that the requirement should be re-worded to no longer be expressed as two options.</p> <p>The requirements relating to integrated water management are recommended to be modified to remove duplication of the requirements. Integrated water management is already partly addressed in the ESD tools nominated in Table 1 (Green Star Building or BESS) which include respective building water use targets. Tables 7 and 8 have been consolidated to reflect this.</p> <p>The recommended changes will require developments to:</p> <ul style="list-style-type: none"> • Achieve the best practice water quality performance objectives in Urban Stormwater Best Practice Environmental Management Guidelines; • Install a rainwater tank to support on-site green cover (unless a precinct scale recycled water source is available); and • Meet either the minimum BESS requirements for reducing potable water (this is addressed by Table 1), or for larger developments, a particular criteria of the Water Use credit in Green Star Buildings for reducing potable water.
Sustainable	Non-residential bicycle parking rates	The Supporting Document, <i>Off-Street</i>

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<p>Transport Requirements</p>	<p>should be based on the number of building occupants rather than net floor area (NFA) to avoid overestimating the number of parks for uses which require high floor area but low occupancy.</p> <p>Is the requirement for the same rate of bicycle parking for visitors as employees a mistake?</p>	<p><i>Bicycle and Motorcycle Parking Review</i>, considers the merits of basing bicycle parking rates on a different factor, such as people, and recommends against doing so because only a small minority of uses would benefit. It concludes that the non-residential rates should be based predominantly on a common factor of 100sqm NFA.</p> <p>In response to submissions on bicycle parking requirements and rates, it is recommended that the following changes are made:</p> <ul style="list-style-type: none"> • The visitor rate for a Dwelling be reduced from two to a minimum of one visitor bicycle space per five Dwellings; • For Retail, Place of assembly, Minor sports and recreation facility and Education centre: <ul style="list-style-type: none"> ○ The employee rate be reduced to one per 200sqm of NFA; & ○ The visitor rate be reduced to one per 200sqm of NFA. • The visitor rate for an Office be reduced from one per 100sqm of NFA to one per 500sqm of NFA; • The references to 'secure' bicycle parking spaces be removed from the Rate Requirement because the relevant considerations are located in the Decision Guidelines; and • The Decision Guidelines be modified to enable consideration of whether the security, number and arrangement of the bicycle facilities are appropriate given the characteristics of the site and proposed use.
<p>Management recommendation</p>		
<ul style="list-style-type: none"> • In response to this submission, it is recommended that: <ul style="list-style-type: none"> ○ At Table 5 of Schedule 73 to Clause 43.02 Design and Development Overlay (DDO73): 		

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- The first requirement be reworded to 'must provide the equivalent of at least 75% of the development's total site area as *solar panels and building and landscape elements* that reduce the impact of the urban heat island effect'.
 - The calculation of elements that reduce the impact of the urban heat island effect be closer aligned to that of Green Star Buildings to assist with assessment and industry implementation.
 - The separate requirements relating to façade materials exposed to summer sun and paving treatments be consolidated into the list of elements which reduce the impact of the urban heat island effect.
 - At Table 7 & 8 of DDO73:
 - Both tables be consolidated into Table 7.
 - Clarification be made that all new buildings must connect to a precinct scale recycled water source if available.
 - The achievement level and criteria required by applications for more than 5000sqm in the Water Use credit of Green Star Buildings be specified.
 - Unnecessary duplication with other requirements of the schedule be removed.
 - At the Requirements for Bicycle, Motorcycle and Car Share Parking of Schedules 1, 2, 3, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone:
 - The bicycling parking rates for Retail, Place of assembly, Minor sports and recreation facility and Education uses be reduced from one employee space per 100 sqm NFA to one per 200sqm, and from one visitor space per 100 sqm NFA to one per 200 sqm NFA.
 - The visitor bicycle parking rates for Dwelling and Office be reduced from two spaces per 5 dwellings to one space per 5 dwellings, and one space per 100sqm NFA to one space per 500sqm NFA, respectively.
 - At the decision guidelines for Buildings and Works of Schedules 1, 2, 3, 4, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone:
 - The Decision Guidelines be modified to enable consideration of whether the security, number and arrangement of the bicycle facilities are appropriate given the characteristics of the site and proposed use.
- Refer this submission to planning panel

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6. Individual Submitter

Key theme (where applicable)	Submission summary	Management response								
	The submitter does not state explicitly whether they support the amendment.	Noted								
Use of mandatory provisions	Requirements should be mandatory rather than discretionary because otherwise they will be ignored and can't be enforced.	<p>The proposed mandatory provisions are consistent with Planning Practice Note 59 Mandatory Provisions in Planning Schemes, including the Criteria for Applying a Mandatory Provision.</p> <p>The Amendment incorporates an interplay of mandatory and discretionary provisions which have been carefully considered in the formulation of the proposed controls. The mandatory provisions are strategically supported by the background work that has informed the proposed controls. It is appropriate to incorporate mandatory requirements in this Amendment, as illustrated in Council's preferred version of the DDO73, rather than rely purely on a performance based approach in order to ensure buildings are energy efficient and the design, construction and operation of buildings properly address climate change challenges.</p>								
NABERS	<p>NABERS Energy is a great idea for offices, but it only covers specific non-residential buildings, meaning it cannot rate the others.</p> <p>NABERS should apply to large residential buildings too. It will help design teams to hit ESD targets and advise their clients if clear guidance is provided on how developers should prove their commitments at each stage of the planning, building and occupancy process.</p>	<p>In response to this issue, it is recommended that the DDO be modified to require large developments (except for Dwellings) to obtain a NABERS commitment agreement, unless it is demonstrated that no NABERS Energy rating is available for the building type. Since these large developments are required under Table 1 to achieve at least a Green Star Buildings rating of 5 Stars, the NABERS Energy ratings will be nominated within the NABERS Energy pathway of Green Star Buildings. These ratings equate to:</p> <table border="1"> <thead> <tr> <th>Building Class</th> <th>NABERS energy rating commitment agreement</th> </tr> </thead> <tbody> <tr> <td>Hotels</td> <td>4.5 Stars</td> </tr> <tr> <td>Offices</td> <td>5.5 Stars</td> </tr> <tr> <td>Shopping Centres</td> <td>5 Stars</td> </tr> </tbody> </table>	Building Class	NABERS energy rating commitment agreement	Hotels	4.5 Stars	Offices	5.5 Stars	Shopping Centres	5 Stars
Building Class	NABERS energy rating commitment agreement									
Hotels	4.5 Stars									
Offices	5.5 Stars									
Shopping Centres	5 Stars									

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		<p>Non-dwelling building classes which do not fall under the above categories would need to follow the Reference Building Pathway in Green Star Buildings by demonstrating 20% less energy usage compared to a reference building.</p> <p>It is not considered necessary to require a NABERS Energy rating for Dwellings because DDO73 prescribes well-established NatHERS rating requirements instead, however similar uses such as hotels will be required by this standard to gain a NABERS rating.</p>
Gas connections	The amendment should ban gas.	<p>From 1 January 2024, new residential properties in Victoria that require planning permits, as well as government buildings including schools and hospitals, will not be connected to gas.</p> <p>Table 3 to DDO73 adds to this by requiring that all development should not incorporate connections to gas services or other non-renewable energy.</p> <p>In addition, as listed in the Minimum (mandatory) column of Table 1 in DDO73, new buildings and buildings and works above 5000sqm gross floor area must achieve a 5 Star Green Star rating, which prohibits gas for most uses, with some allowance for industrial processes (such as manufacturing and research).</p> <p>For developments of 5000sqm or below, the BESS tool required by Table 1 provides credit for all electric developments.</p>
	Upfront or embodied carbon should be included, otherwise the requirements risk being outdated.	As listed in the Minimum (mandatory) column of Table 1 in DDO73, developments above 5000sqm gross floor area require a 5 Star Green Star rating which contains a minimum requirement that the building's upfront carbon emissions are at least 20% less than those of a reference building.
Management recommendation		
<ul style="list-style-type: none"> • In response to this submission, it is recommended that: <ul style="list-style-type: none"> ○ At Table 2 of DDO73, the blanket requirement of a 5.5 star NABERS Energy rating for all non-residential development of more than 5000sqm GFA be replaced with the requirement to enter into a NABERS Energy Commitment Agreement. The requirement in Table 1 for development of more than 5000sqm GFA to achieve a 5 Star Green Star Buildings rating will 		

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ensure that the appropriate NABERS Energy rating is nominated within the Green Star Buildings tool. For example, a 5.5 Star NABERS Energy rating is nominated for an Office. The preferred standard is recommended to be re-worded to align with Green Star Buildings for consistency.

- Refer this submission to planning panel

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7. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not support the amendment.	Noted
The science and need to respond to climate change	A small amount of carbon dioxide in the atmosphere is not changing the climate.	Council has declared a climate emergency. The Amendment will help reduce the impact development has on the environment.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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8. Beulah

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment, but raises specific concerns.	Noted
Gas connections	Excluding gas connections is supported, however consideration must be given to restaurants in new developments because great chefs have been taught on gas stoves, risking the city losing them.	<p>From 1 January 2024, new residential properties in Victoria that require planning permits, as well as government buildings including schools and hospitals, will not be connected to gas.</p> <p>Table 3 to DDO73 adds to this by requiring that all development should not incorporate connections to gas services or other non-renewable energy. There is discretion in the application of this requirement.</p> <p>However as listed in the Minimum (mandatory) column of Table 1 in DDO73, new buildings and buildings and works above 5000sqm gross floor area must achieve a 5 Star Green Star rating which prohibits gas for most uses including cooking, with some allowance for industrial processes (such as manufacturing and research).</p>
Green infrastructure	Incorporating green roofs will benefit the city, but due to high construction costs, could impact the viability and affordability of many projects.	The requirement for green infrastructure does not specify roofs but includes walls and other parts of the land.
	The green roof site area ratio should reduce to 2 because the proposed ratio will seriously impact future project commencement.	
Electric vehicle charging	Fire authorities need to find a solution to locating flammable EV batteries which ensures the safety of residents and property prior to imposing requirements to install them at the planning stage. Beulah have found it challenging to obtain building permission for EV batteries due to this issue.	The issues raised in submissions relate to building permit issues that are being worked through as the industry and authorities navigate the changes with emerging technologies and practices.
Sustainable transport requirements	The existing requirements of Clause 52.34 are insufficient to meet the demand for bicycle parking in the	In response to submissions on bicycle parking requirements and rates, it is recommended that the following changes

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	<p>Central City. Bicycle parking requirements should be reduced if a bicycle-share system is in-place since ownership will reduce over time as these systems become more prevalent.</p>	<p>are made:</p> <ul style="list-style-type: none"> • The visitor rate for a Dwelling be reduced from two to a minimum of one visitor bicycle space per five Dwellings; • For Retail, Place of assembly, Minor sports and recreation facility and Education centre: <ul style="list-style-type: none"> ○ The employee rate be reduced to one per 200sqm of net floor area; & ○ The visitor rate be reduced to one per 200sqm of net floor area. • The visitor rate for an Office be reduced from one per 100sqm of net floor area to one per 500sqm of net floor area; • The references to 'secure' bicycle parking spaces be removed from the Rate Requirement because the relevant considerations are located in the Decision Guidelines; and • The Decision Guidelines be modified to enable consideration of whether the security, number and arrangement of the bicycle facilities are appropriate given the characteristics of the site and proposed use.
	<p>The car share parking requirements are reasonable, however Council should be more proactive in converting on-street paid parking to car share spaces, particularly where operators do not accept spaces within private car parks. This is because some car share operators do not wish to provide spaces within basements due to the challenge for the public to access them.</p>	<p>In response to submissions the car share parking rate is recommended to be consolidated for all applicable uses to a minimum of 5% of all car parking spaces, which aligns with the requirements for Arden and West Melbourne.</p> <p>Policy 17 of Council's Transport Strategy is:</p> <p>"Deliver a new car share policy that aims to support car share growth in consultation with stakeholders."</p>

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		<p>Council is currently developing this policy, which will include measures to accelerate the growth of the car share fleet and increase the number of on-street bays in the central city.</p>
Car parking retained in common property	<p>The requirement to retain car parking in common property will remove cost recovery for building them, adding another cost to construction and delaying commencements.</p>	<p>This discretionary restriction on subdivision of new car parking spaces, and the requirement that applications for subdivision demonstrate how the subdivision will allow for the transition of car parking to alternate uses over time, is essential to supporting a less car dependent transport system.</p> <p>These requirements are established in Fishermans Bend, West Melbourne and Arden. They are the best way of creating the right conditions to encourage adaptable use of car parks when they are no longer required for car parking.</p> <p>In response to concern about this requirement, it is recommended to include an exemption for subdivision applications made after a planning permit issued prior to the commencement of Amendment C376.</p>
Planning application process	<p>The new requirements are beneficial, but will significantly increase the documentation required to be submitted with a planning application, and will add cost and time to an already expensive and lengthy planning process.</p>	<p>It is recommended that the requirements be removed to demonstrate to the satisfaction of the responsible authority that the delivery of the preferred standards for Table 1 (relating to ESD tools) is not technically achievable, and Table 2 (relating to Energy efficiency and renewables) is not technically achievable or economically feasible.</p> <p>The relevant decision guidelines are recommended to be modified to provide greater guidance about which kinds of developments are expected to achieve the preferred standard.</p> <p>These changes are expected to significantly reduce the number of reports prepared by qualified persons which may</p>

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		<p>have otherwise been prepared in support of planning permit applications which sought to vary these standards, and the associated Council resources involved in assessing those reports.</p> <p>It is not expected that the Amendment will result in planning delays given Council's referral process for assessing ESD measures under the existing local policy is already established.</p>
	In the case of adaptive re-use, the Amendment should incentivise retaining buildings and allow discretion in the case of potentially unfeasible controls.	This has been factored into the Amendment in that in a number of instances DDO73 has different requirements for new buildings and building and works, and development scales between 1000 sqm gross floor area and 5000 sqm, and those over 5000 sqm.
Economic feasibility	New requirements must be aware of the cost pressures on development and not render it unfeasible or unaffordable. Please consult the industry on the feasibility of new changes.	<p>The Amendment has been underway for a number of years and has been broadly consulted on including with developers and peak industry bodies.</p> <p>The Supporting Documents include the following reports which indicate the impact of the Amendment on development is economically feasible:</p> <ul style="list-style-type: none"> • Green Our City Action Plan – Draft Planning Requirements Economic Feasibility Testing (HillPDA, November 2020) • Green Our City Action Plan – Draft Planning Requirements 5 Additional Sites (HillPDA, February 2022). <p>Affordability is an important issue for the City of Melbourne, and is being addressed by Council on multiple fronts. However, the fact that the Amendment may increase costs is not of itself a sufficient reason to change the Amendment in the face of the climate emergency.</p>
Management recommendation		

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- In response to this submission, it is recommended that:
 - At Table 1, Table 2 and the Decision Guidelines of DDO73:
 - The need to demonstrate that meeting the preferred standard is not technically achievable or economically feasible whenever this is sought be removed. Submissions identified how the preferred standards for Table 1 & 2 align with world leadership and as such, may not be appropriate to impose on all applicable development. Developments will still be required to achieve the minimum mandatory standards which are considered appropriate.
 - The relevant Decision Guideline be amended to provide greater guidance for assessing the wide range of matters which may impede achieving the preferred standard.
 - At the Requirements for Bicycle, Motorcycle and Car Share Parking of Schedules 1, 2, 3, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone:
 - The bicycling parking rates for Retail, Place of assembly, Minor sports and recreation facility and Education uses be reduced from one employee space per 100 sqm NFA to one per 200sqm, and from one visitor space per 100 sqm NFA to one per 200 sqm NFA.
 - The visitor bicycle parking rates for Dwelling and Office be reduced from two spaces per 5 dwellings to one space per 5 dwellings, and one space per 100sqm NFA to one space per 500sqm NFA, respectively.
 - The car share parking rate be reduced
 - At the decision guidelines for Buildings and Works of Schedules 1, 2, 3, 4, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone:
 - The Decision Guidelines be modified to enable consideration of whether the security, number and arrangement of the bicycle facilities are appropriate given the characteristics of the site and proposed use.
 - The car share parking rate be consolidated for all nominated uses to a minimum of 5% of all car parking spaces, which aligns with the requirements for Arden and West Melbourne.
- Refer this submission to planning panel

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9. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment	Noted
	Questions the reason for Council's delay in introducing such provisions.	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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10. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	Raises concern about the run-off of water by a particular development which has a planning permit.	The Amendment will not apply to developments already granted a planning permit.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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11. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment, but raises specific concerns.	Noted
Sustainable transport requirements	The Amendment should do more to encourage micro-mobility, including electric scooters and electric bicycles, by mandating appropriate parking and charging facilities in buildings.	The Amendment includes rates for bicycle parking and requirements for electric vehicle charging points, however it is not considered necessary at this time to introduce specific requirements for charging and parking facilities for micro-mobility devices.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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12. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	A requirement should be introduced that communal areas and facilities should not require external power. This would reduce external power usage and encourage developers to include more on-site power generation.	<p>The practicality of on-site power generation varies and is not suitable for all building typologies. The Amendment applies to all development in the municipality, from single dwellings to multi-storey towers, each of which has a different capacity to respond to the requirements. The Amendment is framed so that it has sufficient flexibility with the use of a discretionary control in this instance.</p> <p>As listed in the requirements of Table 3 in DDO73, all developments should incorporate on-site renewable energy generation (noting that DDO73 does not apply to building and works under 1000 sqm).</p>
Management recommendation		
<ul style="list-style-type: none"> No changes are recommended in response to this submission Refer this submission to planning panel 		

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13. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
Economic feasibility	Raises concerns about costs and requests an explanation about how more energy efficient buildings will result in lower energy bills.	<p>New developments which meet the requirements of the Amendment may incur higher up-front construction costs, however the improvements to energy efficiency should result in lower ongoing energy bills due to less energy usage.</p> <p>The Supporting Documents include the following reports which indicate the impact of the Amendment on development is economically feasible:</p> <ul style="list-style-type: none"> • Green Our City Action Plan – Draft Planning Requirements Economic Feasibility Testing (HillPDA, November 2020) • Green Our City Action Plan – Draft Planning Requirements 5 Additional Sites (HillPDA, February 2022).
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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14. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
Gas connections	Don't remove gas connections from buildings because it is expensive to purchase induction cookers which work with a wok for Asian styles of cooking.	The Amendment affects new planning permit applications (including applications to modify an existing permit) and otherwise cannot require retrofitting of buildings, such as removing gas connections.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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15. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	Statements and predictions in the Explanatory Report lack sources and substantiation.	It is considered that the explanatory report includes references.
Economic feasibility	The intention of the Amendment is to be commended, however it will add cost to an already stressed economy.	<p>Affordability is an important issue for the City of Melbourne, and is being addressed by Council on multiple fronts. However, the fact that the Amendment may increase costs is not of itself a sufficient reason to change the Amendment in the face of the climate emergency.</p> <p>The Supporting Documents include the following reports which indicate the impact of the Amendment on development is economically feasible:</p> <ul style="list-style-type: none"> • Green Our City Action Plan – Draft Planning Requirements Economic Feasibility Testing (HillPDA, November 2020) • Green Our City Action Plan – Draft Planning Requirements 5 Additional Sites (HillPDA, February 2022).
	Like many other building standards, the requirements should only be implemented on new builds, not works to existing properties.	It is considered appropriate to apply the requirements of the Amendment to both new buildings and to large (over 1000 sqm) alterations and additions since all significant development will need to play its part reducing its impact on the environment.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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16. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	The EPA, councils and water authorities are not enforcing construction site waste discharge laws.	Every building approval includes a Construction Management Plan (CMP). One of the key considerations of a CMP is stormwater and sediment control.
Management recommendation		
<ul style="list-style-type: none"> No changes are recommended in response to this submission Refer this submission to planning panel 		

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17. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	All new buildings should provide renewable energy generation or/and energy storage.	Table 3 of DDO73 includes a discretionary requirement that all buildings should provide for renewable energy generation.
	Provide minimum amounts of green wilderness, such as green walls, courtyards, hanging gardens and nesting sites.	Table 6 of DDO73 includes requirements for urban ecology, including the achievement of a minimum Green Factor score of 0.55. Achieving this score will require the provision of urban greenery, such as those types suggested in the submission.
Management recommendation		
<ul style="list-style-type: none"> No changes are recommended in response to this submission Refer this submission to planning panel 		

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18. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
Economic feasibility	Renovating a small two bedroom house in Carlton would be expensive if the Amendment applied. The Amendment should apply to new developments only rather than modifying 100 year old houses to fit 2023 standards.	<p>All developments requiring a planning permit will be subject to new planning policy, however the specific building design standards and requirements in DDO73 only apply to large additions – those which result in more than 1000 square metres additional gross floor area.</p> <p>Most extensions to a single house would result in less than 1,000sqm additional gross floor area (as would be expected in the case of a century old two bedroom Carlton house), in which case the requirements would not apply.</p>
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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19. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	Please build more protected cycle ways.	<p>The Amendment includes new bicycle parking rates and design requirements for buildings in the Capital City Zone and Docklands Zone. This will encourage the take up of cycling by making it easier to access bicycle parking.</p> <p>The design and implementation of bicycle lanes is outside the scope of the Amendment.</p>
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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20. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	Require a Passive House Institute Plus certification for residential house renovations and new builds, or ideally, for a developments to which the Amendment applies. This will save embodied carbon and reduce carbon output over the long term.	<p>The passive house standard sets a high standard for the industry for energy efficiency and indoor environment quality however it does not cover as many facets of sustainable design as Green Star Buildings and BESS.</p> <p>The ratings tools which are used in Amendment C376, including Green Star and BESS, include embodied carbon credits. On balance the City of Melbourne adopted these ratings tools because of their broader coverage and industry acceptance.</p> <p>The Green Building Council of Australia and the Australian Passive House Association have developed a partnership that recognises the benefits of both tools and supports the uptake of more efficient and comfortable buildings in Australia.</p>
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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21. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	Raises concerns with ATET nightclub in Docklands	The Amendment does not relate to ATET nightclub.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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22. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not support the amendment.	Noted
The science and need to respond to climate change	Climate activism is indoctrination	Council has declared a climate emergency. The Amendment will help reduce the impact development has on the environment.
	Questions what Council considers to be a sustainable building, noting that large CBD office towers and Latrobe Valley coal power stations are sustainable?	
	Sustainability is not an issue	
	Questions how the Amendment will affect residents of the CBD.	<p>The Amendment affects new planning permit applications (including applications to modify an existing permit) and otherwise cannot require retrofitting of buildings.</p> <p>Residents of the CBD will enjoy increased greenery, reduced ambient temperatures and increased biodiversity as a result of the implementation of the new requirements in new developments.</p>
Management recommendation		
<ul style="list-style-type: none"> No changes are recommended in response to this submission Refer this submission to planning panel 		

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23. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment, but raises specific concerns.	Noted
	The provision of sustainable renewable energy generation, such as solar panels, should take precedence over minor heritage impacts due to the greater and more urgent issue of climate change.	<p>Council's Heritage Policy at Clause 15.03-1L-02 states:</p> <p>Ensure services and ancillary fixtures, in particular those that will reduce greenhouse gas emissions or water consumption such as solar panels, solar hot water services or water storage tanks, may be permitted on any visible part of significant or contributory buildings, where:</p> <ul style="list-style-type: none"> ▪ It can be demonstrated there is no feasible alternative. ▪ It will not detract from the character and appearance of the building or heritage place.
	The fixed charges for gas and electricity should be reduced as an incentive to install solar panels.	The setting of utility fees is beyond the scope of the Amendment.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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24. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
Electric vehicle charging	Requests a requirement for all new residential apartment parking to include facilities for charging electric vehicles.	<p>The Amendment includes requirements in the Capital City Zone and Docklands Zone for car parking areas to include the delivery of the infrastructure, space and metering arrangements to support installing electric vehicle charging points</p> <p>The National Construction Code 2022 requires electrical distribution infrastructure in apartment buildings to be able to accommodate chargers for 100% of parking spaces, and 10% for non-residential uses.</p>
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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25. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	Raises concern about the image in communications material depicting a green public space upon the roof of the State Library.	The Amendment does not propose public space for the rooftop of the State Library. The rendered image of greenery on Central City rooftops in communications material does not depict any specific development proposals. It is for indicative purposes only.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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26. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not support the amendment.	Noted
The science and need to respond to climate change	Disagrees with the need to reduce greenhouse gas emissions.	Council has declared a climate emergency. The Amendment will help reduce the impact development has on the environment.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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27. Australasian Green Infrastructure Network

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
Use of the Planning Scheme to address sustainability matters	The amendment is essential for the promotion and enhancement of green infrastructure in Melbourne, which is vital for improving health and well-being, mitigating effects of climate change and enhancing biodiversity.	
	The planning framework needs to be strengthened to ensure green infrastructure is integrated in development of the private realm.	
	The Amendment's requirements provide a clear and consistent policy framework.	
Green Factor Tool	The Green Factor Tool will be invaluable for assessing, measuring and managing green infrastructure in Melbourne, and could be used across Australasia.	
Use of mandatory provisions	Mandatory green infrastructure requirements are strongly supported.	
	Other municipalities and the Victorian State Government should strengthen green requirements up to the level of the Amendment.	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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28. Merri-Bek City Council

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
Use of the Planning Scheme to address sustainability matters	The Planning Scheme is a key mechanism to influence new developments to mitigate and adapt to the impacts of climate change, protect the natural environment and reduce resource consumption, which will support the health and wellbeing of building occupants.	
	Whilst the Planning Policy Framework and key purposes of planning schemes across Victoria provide a framework for sustainability outcomes, more detailed planning scheme policy is needed to drive the necessary design changes.	
Planning Scheme Amendment drafting	The use of the DDO and zone schedules will fill this gap and are supported	
	Requests not to be heard by Panel	
Management recommendation		
<ul style="list-style-type: none"> No changes are recommended in response to this submission Refer this submission to planning panel 		

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29. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	The products of the submitter's company should be used in development.	The Amendment does not endorse the use of particular products.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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30. Plantabox

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
Use of the Planning Scheme to address sustainability matters	The amendment is essential for the promotion and enhancement of green infrastructure in Melbourne, which is vital for improving health and well-being, mitigating effects of climate change and enhancing biodiversity.	
	The planning framework needs to be strengthened to ensure green infrastructure is integrated in development of the private realm.	
	The Amendment's requirements provide a clear and consistent policy framework.	
Green Factor Tool	The Green Factor Tool will invaluable for assessing, measuring and managing green infrastructure in Melbourne, and could be used across Australasia.	
Use of mandatory provisions	Mandatory green infrastructure requirements are strongly supported.	
	Other municipalities and the Victorian State Government should strengthen green requirements up to the level of the Amendment.	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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31. Warwick Savvas OBO ASPECT Studios

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
Use of the Planning Scheme to address sustainability matters	The amendment is essential for the promotion and enhancement of green infrastructure in Melbourne, which is vital for improving health and well-being, mitigating effects of climate change and enhancing biodiversity.	
	The planning framework needs to be strengthened to ensure green infrastructure is integrated in development of the private realm.	
	The Amendment's requirements provide a clear and consistent policy framework.	
Green Factor Tool	The Green Factor Tool will invaluable for assessing, measuring and managing green infrastructure in Melbourne, and could be used across Australasia.	
Use of mandatory provisions	Mandatory green infrastructure requirements are strongly supported.	
	Other municipalities and the Victorian State Government should strengthen green requirements up to the level of the Amendment.	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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32. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	Key land uses such as industrial, leisure and recreation, transport terminals and warehouses are effectively excluded from DDO73.	<p>The Amendment applies to those uses which represent most of the development in the City of Melbourne.</p> <p>Research and development centre, which is nested under the Industry land use term, is captured by the Amendment.</p>
Integrated water management	Integrated water requirements should be more ambitious by requiring both toilets and green cover to be sourced by recycled water.	<p>It is agreed that the requirement should be re-worded to no longer be expressed as two options.</p> <p>The requirements relating to integrated water management are recommended to be modified to remove duplication of the requirements. Integrated water management is already partly addressed in the ESD tools nominated in Table 1 (Green Star Building or BESS) which include respective building water use targets. Tables 7 and 8 have been consolidated to reflect this.</p> <p>The recommended changes will require developments to:</p> <ul style="list-style-type: none"> • Achieve the best practice water quality performance objectives in Urban Stormwater Best Practice Environmental Management Guidelines; • Install a rainwater tank to support on-site green cover (unless a precinct scale recycled water source is available); and • Meet either the minimum BESS requirements for reducing potable water (this is addressed by Table 1), or for larger developments, a particular criteria of the Water Use credit in Green Star Buildings for reducing potable water.

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	Applying an exemption from notice and review rights to the DDO73 provisions excludes citizens from a meaningful role in assessing the sustainability credentials of all proposals.	While the community may still make submissions on sustainability matters if notice of a development is required under other parts of the Planning Scheme, Council does not consider that providing statutory notice and review rights would add value in the quantitative and technical assessment of compliance with DDO73.
	A 5 Star Green Star rating has been a local policy requirement since 2013, so why hasn't the mandatory minimum standard been elevated?	The proposed mandatory requirement to meet a 5 Star Green Star Buildings rating will result in more sustainable buildings than the existing local policy, which refers to the now-replaced Design and As Built tool.
Gas connections	For most land uses, a gas connection should never be approved	<p>From 1 January 2024, new residential properties in Victoria that require planning permits, as well as government buildings including schools and hospitals, will not be connected to gas.</p> <p>Table 3 to DDO73 adds to this by requiring that all development should not incorporate connections to gas services or other non-renewable energy.</p> <p>However as listed in the Minimum (mandatory) column of Table 1 in DDO73, new buildings and buildings and works above 5000sqm gross floor area must achieve a 5 Star Green Star rating which prohibits gas for most uses, with some allowance for industrial processes (such as manufacturing and research).</p> <p>For developments of 5000sqm or below the current version of BESS provides credit for all electric developments.</p>
	Why couldn't Council require the	The application of 5 star Green Star

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	applicant to purchase accredited green power if on-site renewable energy generation isn't achievable?	Buildings for new buildings and buildings and works above 5000sqm gross floor area requires that the building's energy source is provided by 100% renewable electricity.
Management recommendation		
<ul style="list-style-type: none"> • In response to this submission, it is recommended: <ul style="list-style-type: none"> ○ At Table 7 & 8 of DDO73: <ul style="list-style-type: none"> ▪ Both tables be consolidated into Table 7. ▪ Clarification be made that all new buildings must connect to a precinct scale recycled water source if available. ▪ The achievement level and criteria required by applications for more than 5000sqm in the Water Use credit of Green Star Buildings be specified. ▪ Unnecessary duplication with other requirements of the schedule be removed. • Refer this submission to planning panel 		

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33. RMIT

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment, but raises specific concerns.	Noted
Gas connections	Gas is an essential component for some research and education needs.	<p>From 1 January 2024, new residential properties in Victoria that require planning permits, as well as government buildings including schools and hospitals, will not be connected to gas.</p> <p>Table 3 to DDO73 adds to this by requiring that all development should not incorporate connections to gas services or other non-renewable energy.</p> <p>However as listed in the Minimum (mandatory) column of Table 1 in DDO73, new buildings and buildings and works above 5000sqm gross floor area must achieve a 5 Star Green Star rating which prohibits gas for most uses, with some allowance for processes such as manufacturing and research.</p> <p>For developments of 5000sqm or below the current version of BESS provides credit for all electric developments.</p> <p>As such, it is considered that sufficient discretion is granted in DDO73, and exceptions permitted by Green Star Buildings, to enable RMIT to connect to gas for its research and education needs.</p>
Sustainable transport requirements	The new parking requirements are applied on a building basis which will not allow flexibility for RMIT to provide infrastructure to meet the needs for its various precincts.	The proposed bicycle, car share and electric vehicle rates are discretionary rather than mandatory, which will enable Council to accommodate the particular circumstances of large landholders such as RMIT whilst providing a reference point for precinct-based assessments.
	The “mandatory requirement for at least 75% of a development’s site area or building area to be provided as building or landscape elements’ may have significant impacts on design outcomes	With regards to the urban heat island effect requirement (Table 5 in DDO73), the provision requires the <i>equivalent</i> of at least 75% of the development’s total site area as building or landscape elements

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	<p>and is perhaps unrealistic with buildings locating plant services on the roof.</p>	<p>that reduce the impact of the urban heat island effect.</p> <p>This means that the equivalent of that area can be distributed vertically, for instance, such as with façade materials, or green infrastructure throughout the external surfaces of the building. This flexibility recognises the need to locate building plant upon roofs.</p> <p>Given the submissions raising concern with the drafting, it is considered that the requirements of Table 5 should be clarified. It is recommended that:</p> <ul style="list-style-type: none"> • The first requirement be reworded to ‘must provide the equivalent of at least 75% of the development’s total site area as <i>solar panels and building and landscape elements</i> that reduce the impact of the urban heat island effect.’ • The calculation of elements that reduce the impact of the urban heat island effect be closer aligned to that of Green Star Buildings to assist with assessment and industry implementation. • The separate requirements relating to façade materials exposed to summer sun and paving treatments be consolidated into the list of elements which reduce the impact of the urban heat island effect.
<p>Management recommendation</p>		
<ul style="list-style-type: none"> • In response to this submission, it is recommended: <ul style="list-style-type: none"> ○ At Table 5 of Schedule 73 to Clause 43.02 Design and Development Overlay (DDO73): <ul style="list-style-type: none"> ▪ The first requirement be reworded to ‘must provide the equivalent of at least 75% of the development’s total site area as solar panels and building and landscape elements that reduce the impact of the urban heat island effect’. ▪ The calculation of elements that reduce the impact of the urban heat island effect be closer aligned to that of Green Star Buildings to assist with assessment and industry 		

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implementation.

- The separate requirements relating to façade materials exposed to summer sun and paving treatments be consolidated into the list of elements which reduce the impact of the urban heat island effect.
- Refer this submission to planning panel

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34. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
Use of the Planning Scheme to address sustainability matters	Re-iterates similar points made in Submission #27.	See response to Submission #27.
Green Factor Tool	Re-iterates similar points made in Submission #27.	
Use of mandatory provisions	Re-iterates similar points made in Submission #27.	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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35. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
Use of the Planning Scheme to address sustainability matters	Re-iterates similar points made in Submission #27.	See response to Submission #27.
Green Factor Tool	Re-iterates similar points made in Submission #27.	
Use of mandatory provisions	Re-iterates similar points made in Submission #27.	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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36. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
Use of the Planning Scheme to address sustainability matters	Re-iterates similar points made in Submission #27.	See response to Submission #27.
Green Factor Tool	Re-iterates similar points made in Submission #27.	
Use of mandatory provisions	Re-iterates similar points made in Submission #27.	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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37. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
Use of the Planning Scheme to address sustainability matters	Re-iterates similar points made in Submission #27.	See response to Submission #27.
Green Factor Tool	Re-iterates similar points made in Submission #27.	
Use of mandatory provisions	Re-iterates similar points made in Submission #27.	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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38. Master Builders Victoria

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
Economic feasibility	The amendment must not conflict with other building regulations, and should not increase the risk to occupants, builders, project delays and the costs of construction.	<p>The Amendment does not conflict with building regulations and does not increase the risk to occupants.</p> <p>It is not expected that the Amendment will result in planning delays given the referral process for assessing ESD measures under the existing local policy is already in place.</p> <p>The Supporting Documents include the following reports which indicate the impact of the Amendment on development is economically feasible:</p> <ul style="list-style-type: none"> • Green Our City Action Plan – Draft Planning Requirements Economic Feasibility Testing (HillPDA, November 2020) • Green Our City Action Plan – Draft Planning Requirements 5 Additional Sites (HillPDA, February 2022). <p>Affordability is an important issue for the City of Melbourne, and is being addressed by Council on multiple fronts. However, the fact that the Amendment may increase costs is not of itself a sufficient reason to change the Amendment in the face of the climate emergency.</p>
	Most Class A office buildings in the CBD already have contract specifications to meet high levels of NABERS and Green Star scores.	Noted.
Planning application process	Introducing building specifications sitting outside of the NCC which need to undergo a planning process will introduce unnecessary confusion and further planning delays - one of the biggest existing complaints from MBV	It is not expected that the Amendment will result in planning delays given the referral process for assessing ESD measures under existing local policy is already in place.

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	members.	
Relationship with building standards	Additional requirements outside of the NCC could result in delays and costs which lead to deferring or avoiding building upgrades, thereby delaying environmental enhancements.	The Amendment applies to new buildings and to extensions resulting in over 1000sqm additional gross floor area, and not to upgrades to existing buildings.
	Requirements should not be a one size fits all approach and should consider both their benefits, and the building's age in the case of renovations.	<p>The Amendment includes requirements which are appropriate to the size and type of the development proposed, including consideration of whether a new building or additions are proposed.</p> <p>The Amendment will only apply to a renovation if it includes an extension of over 1000sqm.</p>
Green infrastructure	The Green Factor Tool may encourage greening measures which cause water ingress and root penetration problems which damage buildings and cause industry wide repercussions.	Building greening measures can be achieved without damaging building structure. Requirements already existing within the National Construction Code require adequate water proofing of building structures and deal with fire safety in general.
	There needs to be a clear understanding of the risk of fire from vegetation on buildings and how to deal with that risk.	
Electric vehicle charging	Fire authorities are still understanding the fire safety risks of EV charging facilities in buildings, and so the Amendment needs to include requirements which mitigate these risks.	EV charging facilities are regularly included in new developments. NCC 2022 requires electrical distribution infrastructure in apartments be able to accommodate chargers for 100% of parking spaces, and 10% for non-residential uses.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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39. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
Green Factor Tool	The changes are excellent, in particular the urban greening and Green Factor Tool requirements. Absolutely critical for a climate resilient future Melbourne.	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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40. South East Water

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
Integrated water management	The Integrated Water Management provisions may be open to interpretation and potential dispute, which could cause a conflict with the existing provisions introduced by GC81 for the provision of a third pipe and rain tank in Fishermans Bend.	<p>It is agreed that the Integrated Water Management requirements for the Lorimer precinct of Fishermans Bend are better catered for under the existing provisions of Schedule 4 to the Capital City Zone.</p> <p>It is recommended to amend Table 7 Integrated Water Management of DDO73 to exclude the requirements to land subject to Schedule 4 to the Capital City Zone.</p>
Management recommendation		
<ul style="list-style-type: none"> • In response to this submission, it is recommended: <ul style="list-style-type: none"> ○ The requirements of Table 7 of DDO73 be exempted from land subject to Schedule 4 to Clause 37.04 Capital City Zone. • Refer this submission to planning panel 		

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41. My Parcel Locker

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	The Amendment should include requirements for unattended deliveries in multi-residential and commercial buildings to minimise unnecessary vehicle movements, congestion and emissions.	This matter is beyond the scope of the Amendment.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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42. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
Green Factor Tool	It is overreach of the planning scheme to mandate the aesthetics of private spaces.	The Green Factor Tool does not mandate the aesthetic choices of private open spaces. It provides flexibility to achieve the required score of 0.55 in a variety of different ways. More importantly it introduces a new approach for private development to respond to climate adaptation issues including urban heat.
Green infrastructure	The usefulness of rooftop gardens to retain rainwater and reduce flooding is very limited, and requires expensive and greenhouse gas emitting construction techniques.	Amendment C376 does not mandate rooftop gardens, however it is an option that can contribute to a green factor score of 0.55 and does provide water quality and water retention benefits.
	Drainage water from roof gardens and green walls is contaminated with surplus fertiliser which feeds algae blooms.	
	The cooling effects of plants are limited by the amount of water that can be evaporated by plants, except where trees can be grown and provide shade.	There are many benefits to increasing the amount of planting in the urban environment; one of these benefits is cooling. The cooling effects of green infrastructure have been considered and balanced within the Green Factor tool. Greening that contributes to cooling provides the highest weighting within the scoring of the tool.
	Rooftop gardens and green walls require ridiculous amounts of irrigation water which requires electricity to desalinate during times of drought.	Table 7 of DDO73 requires the connection of precinct water sources or rainwater tanks to support on-site green cover. Larger scale developments (above 5000sqm Gross Floor Area) will ensure at least 100% of the building's electricity comes from renewable electricity by virtue of the requirement under Table 1 of DDO73 to achieve at least a 5 Star Green Star Buildings rating.
	Rooftops are unlikely to attract many types of native wildlife.	Research indicates that green roofs support greater biodiversity than conventional non-vegetated roofs and can provide habitat for a wide range of fauna.

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	Green walls and roofs will increase the cost of housing and body corporate maintenance fees, risking the reduction of maintenance and creating eyesores of dying landscapes.	The Amendment does not mandate the provision of roof top gardens and green walls in particular. Both are types of green infrastructure which may be used to meet the requirements of Table 5 and Table 6, however other options are available to applicants.
	Green Star rating is not mentioned in the Definitions of DDO73, and where the rating is applied, the reference is to the applicable rating, with no guidance as to how many stars are required.	In accordance with planning scheme drafting conventions, it was not considered necessary to include a distinct definition for Green Star since the provisions under Section 2.3 Requirements sufficiently explain what is meant by meeting the Green Star Buildings standards, and Table 1 provides the minimum and preferred ratings.
Use of third-party tools	The Amendment cannot be understood or assessed without the ability to access and understand the third party tools, Green Factor Tool and Green Star. The models, algorithms and weighting of their factors are inaccessible. People have a right to know what rules apply to them. As a result, it's unclear how an applicant would make an appeal to VCAT based on a failure to achieve the score for the tools.	<p>The Green Factor tool page on Council's website explains its purpose and benefits.</p> <p>A video presentation of the Green Factor tool and a public Q&A session is provided on the page.</p> <p>The calculations of Green Star and the Green Factor Tool are not confidential. In developing the Green Factor tool, the City of Melbourne commissioned the University of Melbourne to prepare peer-reviewed research titled 'Integrating Green Infrastructure into Urban Planning: Developing Melbourne's Green Factor Tool'. This research incorporates a contextually-relevant weighting system which underpins how the Green Factor score is calculated. The research article is available at the Green Factor tool page on Council's website.</p> <p>Green Star is owned by the Green Building Council of Australia and further information in regards to the Green Star Buildings tool can be found on their website. Green Star is commonly adopted and used throughout the construction industry across Australia.</p>

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	<p>The use of third party tools does not allow an applicant to develop an optimum design for particular circumstances, which is all about making the right compromises.</p>	<p>Each tool referred to by the Amendment provides flexibility to arrive at the required rating. They are designed to allow for site-specific choices.</p>
	<p>The use of third party tools will delay the planning permit process</p>	<p>The use of ratings tools will not delay the planning permit process because no direct referral to a third party will be required. Instead, the Application Requirements of DDO73 specify how evidence of compliance with the relevant tool at the time of submission should be provided.</p>
<p>Management recommendation</p>		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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43. Housing Institute of Australia

Key theme (where applicable)	Submission summary	Management response
	The submitter does not support the amendment.	Noted
Relationship with building standards	Objects to any aspect of the Amendment that mandates sustainable building design which exceeds the standards of the NCC and State planning policies - providing a number of examples from the Amendment.	The NCC only covers energy efficiency and does not provide a broad enough scope to adequately address all aspects of sustainable design. The proposed amendment does this in order to achieve outcomes that address climate change.
	Where gaps exist in the NCC, state-wide codes already facilitate good outcomes for planning applications.	State planning policies do not address the comprehensive suite of sustainability outcomes provided for in the Amendment, nor do they prescribe sufficient requirements.
	The NCC applies the minimum necessary standards in the design and construction of new buildings, although the changes effective 1 October 2023 for energy efficiency performance could no longer be appropriately labelled as minimalistic.	The Amendment seeks to rectify gaps in NCC and State planning policies in a manner appropriate for the context of the City of Melbourne, and to provide sufficient statutory weight to the requirements to ensure they are implemented.
Planning application process	Multiple and unnecessary layers of planning permit requirements contribute to time and cost blowouts burdening the residential construction sector.	It is not expected that the Amendment will result in planning delays given the referral process for assessing ESD measures under existing local policy is already in place.
	Introducing the Amendment is premature and could lead to ad hoc decision making because the State government is investigating a state-wide Particular Provision of ESD matters.	Existing State and local policy is at present insufficient to deliver on Council's position to ensure sustainable development in the municipality, and to reach net-zero emissions by 2040.
Exemption and transitional provisions	An exemption should apply for applications for single and dual occupancy dwellings.	The Amendment has been designed to tailor requirements in accordance to building scale. An exemption would contradict the strategic intent to ensure buildings address climate change impacts.
	A 12-month expiry provision should apply in lieu of any new state-wide policies superseding the Amendment.	

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		including an application to amend a permit, made before the commencement of the Amendment.
Management recommendation		
<ul style="list-style-type: none"> • In response to this submission, it is recommended: <ul style="list-style-type: none"> ○ A transitional provision be added to DDO73 to exempt applications made before the commencement of Amendment C376, including applications to amend a permit. ○ Transitional provisions be added to Schedules 1, 2, 3, 4, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone to exempt: <ul style="list-style-type: none"> ▪ The requirement to retain car parking spaces in a single or a consolidated title as common property from the subdivision of land following the issue of a planning permit before the commencement of Amendment C376. ▪ The requirements introduced by Amendment C376 from an application made before the commencement of the Amendment, including an application to amend a permit. • Refer this submission to planning panel 		

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44. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
	The Amendment is essential for the promotion and enhancement of green infrastructure.	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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45. Urban Development Institute of Australia

Key theme (where applicable)	Submission summary	Management response
	The submitter does not support the amendment.	Noted
	The Amendment is inconsistent with the objectives for planning outlined in Section 4 of the Planning and Environment Act 1987.	It is considered that the Amendment is consistent with the Planning and Environment Act and particularly objectives a, b, and c: <i>(a) to provide for the fair, orderly, economic and sustainable use, and development of land;</i> <i>(b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;</i> <i>(c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;</i>
Economic feasibility	<p>Many of the proposed controls will add significant cost and complexity to project delivery when development and construction sectors face significant and well-documented challenges, well below demand.</p> <p>The feasibility testing was completed more than a year ago under vastly different conditions, does not reflect long-term conditions, and demonstrates that the proposed requirements are expected to impact viability. The report's reliance on an increase to sale price to achieve feasibility would have a material impact on dwelling price in Melbourne during a housing affordability crisis.</p>	<p>The Supporting Documents include the following reports which indicate the impact of the Amendment on development is economically feasible:</p> <ul style="list-style-type: none"> Green Our City Action Plan – Draft Planning Requirements Economic Feasibility Testing (HillPDA, November 2020) Green Our City Action Plan – Draft Planning Requirements 5 Additional Sites (HillPDA, February 2022). <p>While the HillPDA feasibility testing was a point in time assessment, the Amendment proposes long term changes to the planning scheme that will endure through different market conditions and development cycles. Importantly, as ESD measures become more common and technology advances, the costs of ESD measures will also likely reduce over time. Further, while the HillPDA work did indicate that sale prices would likely increase, it also identified the ESD measures required by the Amendment</p>

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		would potentially increase amenity and in some cases provide cost savings for occupants. Affordability is an important issue for the City of Melbourne, and is being addressed by Council on multiple fronts. However, the fact that the Amendment may increase costs is not of itself a sufficient reason to change the Amendment in the face of the climate emergency.
Planning scheme amendment drafting	Adding zoning and policy provisions, and a new municipal wide DDO is an unconventional approach.	The use of a municipal-wide DDO is the only practical tool under the Victoria Planning Provisions by which mandatory requirements can be introduced across the municipality. The use of schedules to the Capital City Zone and the Docklands Zone is the only practical tool under the Victoria Planning Provisions by which bicycle parking requirements and related provision can be introduced for these areas.
	The DDO and policies discourage innovation or site-specific and use specific, responsive outcomes, all of which should be considered since they may make outcomes undesirable or infeasible.	The DDO prescribes standards and requirements, however most provide for flexibility in how they are met, often with the use of an industry-recognised tool which supports innovative approaches.
	The Amendment proposes to incorporate a number of documents which are outdated and have not benefited from appropriate levels of community consultation, including The Growing Green Guide and the Greening Our City Strategic Action Plan.	The only proposed incorporated document is Guidelines for Waste Management Plans, City of Melbourne, 2021.
Use of mandatory provisions	The inclusion of mandatory provisions is inconsistent with Planning Practice Note 59 because without a clear demonstration of why discretionary controls are insufficient, they would disallow discretion.	The Amendment is considered to be consistent with Planning Practice Note 59 Mandatory Provisions in Planning Schemes, including the Criteria for Applying a Mandatory Provision. The Amendment incorporates an interplay of mandatory and discretionary provisions which have been carefully considered in the formulation of the proposed controls. The mandatory provisions are strategically supported by

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		the background work that has informed the proposed controls. It is appropriate to incorporate mandatory requirements in this Amendment, as illustrated in Council's preferred version of the DDO73, rather than rely purely on a performance based approach in order to ensure buildings are energy efficient and the design, construction and operation of buildings properly address climate change challenges.
Relationship with building standards	CoM should evaluate the specifics, coordination and effects of the updates to the NCC and NatHERS planned for October 2023 before imposing further local planning requirements.	The City of Melbourne is aware of the updates made to the NCC and NatHERS. The Planning Scheme remains the best vehicle for ensuring that all ESD matters are considered up front in the planning and design process.
	Regulating environmental sustainability across local, state and federal planning and building controls, as well as ensuring compliance with other authority prerequisites such as the EPA is becoming increasingly complicated, costly and inefficient.	
Green Factor Tool	It's unclear how the Green Factor Tool will work in practice, nor how it will be employed alongside existing ESD tools. It is not a recognised industry-wide tool and there is no evidence provided for its appropriateness.	The Green Factor tool page on Council's website explains its purpose and benefits. A video presentation of the Green Factor tool and a public Q&A session is provided on the page. In developing the Green Factor tool, the City of Melbourne commissioned the University of Melbourne to prepare peer-reviewed research titled 'Integrating Green Infrastructure into Urban Planning: Developing Melbourne's Green Factor Tool'. This research incorporates a contextually-relevant weighting system which underpins how the Green Factor score is calculated. The research article is available on the Green Factor tool page.
Electric vehicle charging	There are challenges for delivering integrated EV charging infrastructure, especially in multi storey and basement car parks. The Amendment does not	EV Charging is currently delivered in many new developments. NCC 2022 requires electrical distribution infrastructure in apartments be able to

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	demonstrate adequate consideration of the challenges in delivering this infrastructure safely and cost-effectively.	accommodate chargers for 100% of parking spaces, and 10% for non-residential uses.
Car parking retained in common property	The requirement for shared parking facilities (car parking spaces must be retained in a single or consolidated title as common property) depart from current market expectation and are not viable.	In response to concern about this requirement, it is recommended to include an exemption for subdivision applications made after a planning permit issued prior to the commencement of Amendment C376.
	There is no assurance that adaptable car parks will result in adapting to new uses, and the challenges of owner's corporation approvals, inter-owner agreements, and safe access are not addressed by the Amendment.	<p>This discretionary restriction on subdivision of new car parking spaces, and the requirement that applications for subdivision demonstrate how the subdivision will allow for the transition of car parking to alternate uses over time, is essential to supporting a less private car dependent transport system.</p> <p>These requirements are already established in Fishermans Bend, West Melbourne and Arden. They create the right conditions to encourage adaptable use of car parks when they are no longer required for car parking.</p> <p>Owner's Corporation agreements are dealt with by their own legislation. Safe access to car parks is addressed by other parts of the planning scheme.</p>
Exemptions and transitional provisions	The Amendment should include transitional provisions so as not to impact existing projects or those in progress.	A transitional provision is recommended to be added to DDO73 and the Capital City Zone and Docklands Zone schedules. This will exempt applications, including an application to amend a permit, made before the commencement of the Amendment.
Green infrastructure	Requirements for green infrastructure will incur capital cost and maintenance burden, while there is limited evidence for their ecological benefit.	There are many benefits of green infrastructure including ecological benefits. This can be found in the Background Document, Growing Green Guide.
Management recommendation		
<ul style="list-style-type: none"> • In response to this submission, it is recommended: <ul style="list-style-type: none"> ○ A transitional provision be added to DDO73 to exempt applications made before the 		

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- commencement of Amendment C376, including applications to amend a permit.
- Transitional provisions be added to Schedules 1, 2, 3, 4, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone to exempt:
 - The requirement to retain car parking spaces in a single or a consolidated title as common property from the subdivision of land following the issue of a planning permit before the commencement of Amendment C376.
 - The requirements introduced by Amendment C376 from an application made before the commencement of the Amendment, including an application to amend a permit.
 - Refer this submission to planning panel

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46. HWL Ebsworth OBO RSA Holdings

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	Concerned about the parts of the Amendment which relate to stormwater and flood management standards, particularly if those standards are underpinned by the flood modelling and/or data which underpinned Amendment C384 to the Planning Scheme 7.	The Amendment is not underpinned by any specific flood modelling or flood data. There is no justification for halting the progress of Amendment C376 on the basis of matters relating to Amendment C384.
	Amendment C376 should not be progressed until Amendment C384 and its underlying modelling and data is resolved given: <ul style="list-style-type: none"> the underlying flood modelling and data for Amendment C384 requires further work with respect to climate change assumptions and is inconsistent with existing standards, Amendment C384 is subject of a review at VCAT Amendment C376 focusses on stormwater and flood management standards. 	
Management recommendation		
<ul style="list-style-type: none"> No changes are recommended in response to this submission Refer this submission to planning panel 		

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47. Cerclos

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
	The submitter promotes a product for use in building design.	The Amendment cannot be used to promote any particular product.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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48. Development Victoria

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
	Development Victoria recognises the importance of sustainable development and the need for strong policy which responds to the changing environment.	
Use of the Planning Scheme to address sustainability matters	<p>Development Victoria seeks to implement industry best practice across all projects where possible through the implementation of their Sustainability Strategy.</p> <p>Development Victoria supports raising the minimum sustainability requirements for private development within the City and further aligning planning policy and requirements with Development Victoria's best practice standards.</p>	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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49. HWL Ebsworth on behalf of Rockford Constant Velocity Pty Ltd

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	Concerned about the parts of the Amendment which relate to stormwater and flood management standards, particularly if those standards are underpinned by the flood modelling and/or data which underpinned Amendment C384 to the Planning Scheme 7.	The Amendment is not underpinned by any specific flood modelling or flood data. There is no justification for halting the progress of Amendment C376 on the basis of matters relating to Amendment C384.
	Amendment C376 should not be progressed until Amendment C384 and its underlying modelling and data is resolved given: <ul style="list-style-type: none"> the underlying flood modelling and data for Amendment C384 requires further work with respect to climate change assumptions and is inconsistent with existing standards, Amendment C384 is subject of a review at VCAT Amendment C376 focusses on stormwater and flood management standards. 	
Management recommendation		
<ul style="list-style-type: none"> No changes are recommended in response to this submission Refer this submission to planning panel 		

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50. Jan Talacko, Ark Resources

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
Use of the Planning Scheme to address sustainability matters	We fully support the Council's stated objective of strengthening the standards/requirements in the Melbourne Planning Scheme to align with the Council's strategic environmental policy objectives, in particular the City of Melbourne's target of zero emissions by 2040.	
	The background and supporting reports do not provide sufficient evidence for the particular standards.	The following two background documents provide evidence for the proposed requirements: <ul style="list-style-type: none"> • GOCAP - Strategic Justification for Regulatory Requirements for Sustainability (Arup, 2019); & • Sustainable Building Design Planning Scheme Amendment C376 (Hansen, 2020).
	Concerned that, as currently drafted, many of the standards proposed for new developments are inappropriate and will fail to deliver on the strategic targets which are the rationale for this Amendment.	The standards will deliver on actions in the background document, Climate Change Mitigation Strategy to 2050 (City of Melbourne, 2018), which explains how Council is taking action to ensure all new residential and commercial buildings are zero emissions by 2030.
	The ARUP report fails to provide any extrapolation of the quantitative impact of the proposed new standards to the City as a whole based on forecasted new building activity. It is crucial that a detailed quantitative analysis based on current tools is undertaken to analyse the outcomes and credible evidence to justify the standards.	
	The omission of a Net Zero Emissions standard is peculiar, given the City of Melbourne's aspiration of achieving this target in less than 20 years. This is a major flaw which could readily be remedied by adopting NatHERS Whole-of-Home, NABERS Energy or Climate Active standards as mandatory requirements.	The requirements of DDO73 set developments on a pathway of meeting Net Zero Emissions. Table 1 in DDO73 requires that larger developments meet a minimum 5 Star rating of Green Star Buildings, which has an integrated climate positive pathway. BESS features a similar approach for

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		smaller developments. There is no need to duplicate requirements where the tools can deliver this outcome.
	Urges the Council to nominate a quantitative target for renewable energy which encourages and rewards all applications for optimising renewable energy generation whilst allowing for site constraints. This could be readily achieved via a 'generation intensity' metric – the submitter would be happy to share the details of the analysis they provided to the Victorian Government's Embedded Network review which proposed this approach.	The diversity and density of sites within the City of Melbourne make a mandatory quantitative target for on-site renewable energy challenging to achieve.
Sustainable transport requirements Electric vehicle charging	Welcomes the proposed increase to bicycle parking ratios and the provision of share car spaces. However, the proposed standards for electric vehicle infrastructure are insufficient and do not align with predictions in the inevitable transition to electric vehicles in Australia.	The requirements of the Amendment are complemented by NCC 2022, which requires electrical distribution infrastructure in apartments be able to accommodate chargers for 100% of parking spaces, and 10% for non-residential uses.
Planning scheme amendment drafting	The requirement for applicants to provide a technical and financial justification in every application which seeks to meet the mandatory standard of DDO73 is onerous and inconsistent with an orderly planning process.	The following change to DDO73 is recommended to be made in response to this submission: <ul style="list-style-type: none"> • Removing the requirements to provide a technical and/or economic justification for not meeting the preferred standards in Table 1 and Table 2 in every circumstance; and • Modifying the relevant Decision Guideline to emphasise the need for permit applications for particular development types to meet the preferred standards.
	The use of mandatory and preferred standards in DDO73 introduces uncertainty about outcomes- ie. Is Council's Net Zero target achieved only if all buildings achieve the mandatory standards, or do a proportion of buildings need to achieve the preferred standards? Instead, only a mandatory target should be stipulated in the policy.	The Amendment aims to achieve comprehensive sustainable design outcomes for future development. Whilst emissions targets and net zero development targets play a significant part, they are not the only outcomes that we are seeking to be delivered through the Amendment. Discretionary standards exist within the Amendment to indicate a trajectory towards delivering best practice

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		sustainable design outcomes.								
	Further increases in stringency should be built-in to occur over time to allow for industry to adapt and the cost of compliance to reduce- eg. 5 star Green Star mandatory until 2025, then 6 star mandatory from 2025 onwards, and the same approach for NABERS ratings.	<p>The tools nominated in DDO73 may be updated over time to maintain currency.</p> <p>Council's Planning Scheme is reviewed every 4 years at which time decisions can be made as to whether the planning scheme provisions require review.</p>								
	A 50% BESS score is readily achieved now so the minimum should be higher, or BESS algorithms re-worked	A BESS 50% score is achieving industry best practice for its category. Recent changes to National Construction Code would see changes that make the 50% BESS score aligned to the dynamic industry best practice standard.								
Use of third-party tools	Green Star should be also provided as an alternative to BESS for smaller developments	<p>BESS is a well-accepted and established tool for smaller scale development in Victoria. Green Star is typically associated with larger scale development in Australia.</p> <p>That said, if the standards sought to be used by the applicant under Green Star Buildings are demonstrated to be equivalent to BESS, then it may be used in accordance with Clause 2.3.</p>								
NABERS	<p>The 5.5 NABERS Energy rating is based on the Office rating and is likely to be unachievable for other building types.</p> <p>The spread of NABERS ratings vary significantly and should be nominated accordingly, eg. Hotels, Shopping Centres, Warehouses</p>	<p>In response to this issue, it is recommended that the DDO be modified to require large developments (except for Dwellings) to obtain a NABERS commitment agreement, unless it is demonstrated that no NABERS Energy rating is available for the building type. Since these large developments are required under Table 1 to achieve at least a Green Star Buildings rating of 5 Stars, the NABERS Energy ratings will be nominated within the NABERS Energy pathway of Green Star Buildings. These ratings equate to:</p> <table border="1"> <thead> <tr> <th>Building Class</th> <th>NABERS energy rating commitment agreement</th> </tr> </thead> <tbody> <tr> <td>Hotels</td> <td>4.5 Stars</td> </tr> <tr> <td>Offices</td> <td>5.5 Stars</td> </tr> <tr> <td>Shopping</td> <td>5 Stars</td> </tr> </tbody> </table>	Building Class	NABERS energy rating commitment agreement	Hotels	4.5 Stars	Offices	5.5 Stars	Shopping	5 Stars
Building Class	NABERS energy rating commitment agreement									
Hotels	4.5 Stars									
Offices	5.5 Stars									
Shopping	5 Stars									

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		<p>Centres</p> <p>Non-dwelling building classes which do not fall under the above categories would need to follow the Reference Building Pathway in Green Star Buildings by demonstrating 20% less energy usage compared to a reference building.</p>
	The energy efficiency requirements for residential buildings should be stipulated at 0.5 stars above the prevailing NCC standards to stay in phase with building code standards.	Future increases in the National Construction Code will likely not occur for some time, during which Council will monitor the need for amending the control.
	NatHERS Whole-of-Home tool should be referenced for a Net Zero target.	The NatHERS changes for whole of home are transitional and are similar to Green Star, BESS and NABERS where there is a broader suite of options to achieve best practice sustainable design outcomes.
Gas connections	How will commercial gas cooking equipment be dealt with?	<p>From 1 January 2024, new residential properties in Victoria that require planning permits, as well as government buildings including schools and hospitals, will not be connected to gas.</p> <p>Table 3 to DDO73 adds to this by requiring that all development should not incorporate connections to gas services or other non-renewable energy.</p> <p>However as listed in the Minimum (mandatory) column of Table 1 in DDO73, new buildings and buildings and works above 5000sqm gross floor area must achieve a 5 Star Green Star rating which prohibits gas for most uses including cooking, with some allowance for industrial processes (such as manufacturing and research).</p>
Green Factor Tool	It is unlikely that the 0.55 Green Factor score requirement will be feasible for single dwellings.	A score of 0.55 can be achieved for small residential building types. In the case of extensions, the tool is not mandatory and would only apply to large extensions which result in over 1000sqm additional GFA.

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	Use of the MUSIC tool should be mandatory.	<p>The MUSIC tool is valuable for assisting in the modelling of urban stormwater, however there is no strategic justification for mandating its use in every planning application.</p> <p>Credit Achievement level is equivalent to a 45% reduction of potable water use which is setting a very high standard. The exceptional performance standard increases this to 75% which would be unachievable for some building designs. It is acknowledged that the requirement should clarify what is meant by 'the relevant Water credit' and as such it is recommended to clarify that development resulting in more than 5000sqm GFA must achieve the Minimum Expectation for the Reducing Water Use criteria of Credit 25.</p> <p>It is recommended the requirement for non-residential buildings to meet a NABERS water rating be removed, since all development can achieve either the relevant BESS water standards or Green Star Buildings Water Use credit.</p>
	Residential developments should aim for a Credit Achievement in Credit 25 (water target) under Green Star Buildings as a minimum target, Exceptional Performance preferred.	
	For non-residential buildings seeking a NABERS water rating, the rating should be applicable to the specific building type.	

Management recommendation

- In response to this submission, it is recommended that:
 - At Table 1, Table 2 and the Decision Guidelines of DDO73:
 - The need to demonstrate that meeting the preferred standard is not technically achievable or economically feasible whenever this is sought be removed. Submissions identified how the preferred standards for Table 1 & 2 align with world leadership and as such, may not be appropriate to impose on all applicable development. Developments will still be required to achieve the minimum mandatory standards which are considered appropriate.
 - The relevant Decision Guideline be amended to provide greater guidance for assessing the wide range of matters which may impede achieving the preferred standard.
 - At Table 2 of DDO73, the blanket requirement of a 5.5 star NABERS Energy rating for all non-residential development of more than 5000sqm GFA be replaced with the requirement to enter into a NABERS Energy Commitment Agreement. The requirement in Table 1 for development of more than 5000sqm GFA to achieve a 5 Star Green Star Buildings rating will ensure that the appropriate NABERS Energy rating is nominated within the Green Star Buildings tool. For example, a 5.5 Star NABERS Energy rating is nominated for an Office. The preferred standard is recommended to be re-worded to align with Green Star Buildings

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for consistency.

- At Table 7 & 8 of DDO73:
 - Both tables be consolidated into Table 7.
 - The achievement level and criteria required by applications for more than 5000sqm in the Water Use credit of Green Star Buildings be specified.
 - Unnecessary duplication with other requirements of the schedule be removed.
- Refer this submission to planning panel

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51. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
Green Factor Tool	Delighted to see mandates for green infrastructure using the Green Factor Tool, which is similar to instruments used in central Brisbane that delivered good results.	
	Hopes it is not easy to gain exemptions.	Some of the requirements are mandatory.
	Hopes green infrastructure is properly maintained.	Applicants are required to provide a maintenance plan to demonstrate how the plants will be maintained.
	Welcomes a gradual increase in the amount of greening required.	Noted
Management recommendation		
<ul style="list-style-type: none"> No changes are recommended in response to this submission Refer this submission to planning panel 		

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52. GoGet

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
	Commends Council for leading by example and encouraging more sustainable and green building practices.	
	Should the Amendment be implemented, Council will have created the ideal framework for decreasing private vehicle ownership and increasing active and public transport use. This framework comprises parking maximums (in place already), restricting on-street parking (in place already) and requiring new developments to integrate car share services on-site (proposed by the Amendment).	
	This framework yields outstanding results in the City of Sydney, where GoGet operates 120 vehicles within private developments, in contrast to the four within private developments in the City of Melbourne. The Amendment will enable Melbourne's car share network to grow quickly in line with the City of Sydney.	
	The current growth of the car share network is not keeping pace with the post-pandemic demand, however the Amendment would resolve this.	
Sustainable transport requirements	Enforceable conditions relating the delivery and design of car share parking spaces should be included in each planning permit – the submitter suggests a number of ideal conditions. The conditions are required to ensure the provision of legal access to the car share parking spaces from the day the development is launched, which prevents the need for residents to bring private vehicles with them.	Council will consider the need to amend its standard permit conditions to align with the gazetted requirements of the Amendment. It is agreed that car share parking spaces should be available for use at the time of occupancy.
	Ensure that car share parking spaces are interpreted as minimums rather than maximums by adding the word	It is recommended to amend the Capital City Zone and Docklands Zone to include the word 'minimum' when specifying the

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	<p>'minimum' to the rate requirements table in the schedules to the Capital City and Docklands Zones.</p>	<p>car share parking space rate requirements.</p>
	<p>All car share parking spaces should be located in front of the car park security barrier where possible to facilitate a convenient access route for all local car share members.</p>	<p>There are practical difficulties in achieving this in certain contexts. The needs of car share providers are able to be satisfied by having car share vehicles behind security barrier but still remain accessible by arrangement with the operator.</p>
<p>Management recommendation</p>		
<ul style="list-style-type: none"> • In response to this submission, it is recommended: <ul style="list-style-type: none"> ○ At the Requirements for Bicycle, Motorcycle and Car Share Parking of Schedules 1, 2, 3, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone, express the car share parking rate as a minimum. • Refer this submission to planning panel 		

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53. MAB

Key theme (where applicable)	Submission summary	Management response
	The submitter does not support the amendment.	Noted
	The Amendment imposes prescriptive controls that have no strategic basis and would result in inappropriate planning outcomes that have the potential to conflict with other provisions in the Melbourne Planning Scheme.	The strategic basis for the Amendment is contained in the Background Documents and Supporting Documents.
	The Amendment is inconsistent with the objectives for planning outlined in Section 4 of the Planning and Environment Act 1987.	It is considered that the Amendment is consistent with the Planning and Environment Act and particularly objectives a, b, and c.
Economic feasibility	<p>The Amendment fails to deliver sustainable development outcomes that provide an appropriate balance with the delivery of residential development, including affordable housing.</p> <p>MAB, like other major developers, is unable to bring new apartment supply to the inner city at affordable prices due to deteriorating development conditions.</p> <p>The Amendment is expected to stall the delivery of housing, further compounding affordability issues.</p> <p>The City of Melbourne will be placed at a disadvantage compared to adjoining municipalities in attracting investment in and renewing key precincts.</p> <p>The amendment will stymie the immediate recovery from Covid-19 when inflation, supply shortages and building industry uncertainty are causing disruption.</p> <p>The HillPDA Economic Feasibility Testing reports are over 12 months old have no regard for existing and expected economic conditions. The report relies on a 5-8 percent increase to sale price to achieve feasibility, which would have a material impact on dwelling prices during a growing affordability crisis. Construction prices, the capacity for prospective purchasers</p>	<p>All surrounding councils have sought authorisation from the Minister for Planning for a planning scheme amendment to introduce similar ESD provisions in their planning schemes.</p> <p>The Supporting Documents include the following reports which indicate the impact of the Amendment on development is economically feasible:</p> <ul style="list-style-type: none"> Green Our City Action Plan – Draft Planning Requirements Economic Feasibility Testing (HillPDA, November 2020) Green Our City Action Plan – Draft Planning Requirements 5 Additional Sites (HillPDA, February 2022). <p>While the HillPDA feasibility testing was a point in time assessment, the Amendment proposes long term changes to the planning scheme that will endure through different market conditions and development cycles. Importantly, as ESD measures become more common and technology advances, the costs of ESD measures will also likely reduce over time. Further, while the HillPDA work did indicate that sale prices would likely increase, it also identified the ESD</p>

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	to access finance due to inflation and interest rate increases are now barriers for the development industry when considering whether to commit capital to deliver housing.	measures required by the Amendment would potentially increase amenity and in some cases provide cost savings for occupants. Affordability is an important issue for the City of Melbourne, and is being addressed by Council on multiple fronts. However, the fact that the Amendment may increase costs is not of itself a sufficient reason to change the amendment in the face of the climate emergency.
Planning application process	The Amendment will delay the approval of new dwellings whilst rigorous assessment is undertaken of sustainability credentials – which is then repeated at the building permit stage.	It is not expected that the Amendment will result in planning delays given Council's referral process for assessing ESD measures under existing local policy is already in place.
	The amendment will pressure VCAT to make complex technical assessments of sustainability credentials.	VCAT currently assesses these matters. As is currently the case when technical matters are heard by VCAT, the relevant experts will be appointed.
Planning scheme amendment drafting	Adding zoning and policy provisions, and a new municipal wide DDO is an unconventional approach. A DDO is not intended to be applied across a municipality where different zones and overlays apply. Rather than creating a separate planning permit trigger to deal with ESD in a DDO, these matters should be dealt with under zone and policy provisions, and ResCode and Apartment Guidelines. Instead, the DDO would create unnecessary and burdensome planning permit triggers for applicants and Council. Sustainability matters, already mandated in the building permit process, do not warrant a planning permit trigger, and are instead more readily and fairly implemented in policy.	Current planning scheme and building provisions do not address ESD holistically nor are the requirements and standards sufficient to make an impact on sustainability outcomes. The use of a municipal-wide DDO is the only practical tool under the Victoria Planning Provisions by which mandatory requirements can be introduced across the municipality. The use of Schedules to the Capital City Zone and the Docklands Zone is the only practical tool under the Victoria Planning Provisions by which bicycle parking requirements and related provisions can be introduced for these areas.
	The policy documents sought to be relied on (and some to be introduced as Background or Incorporated documents in the Melbourne Planning Scheme) are outdated and not subject to adequate community consultation or rigour in adoption.	The supporting, background and incorporated documents of the Amendment were exhibited as a part of the Amendment. Each is considered to play a useful and important role in supporting the Amendment, and in the cases of the background and

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		incorporated documents, meet the relevant tests in Practitioner's Guide to Victoria's Planning Schemes (Version 6).
	The drafting of the provisions is poor and requires modification to become fair, appropriate and readily understood.	See responses to each individual issue raised below.
	The Decision Guideline under Subdivision in the Docklands Zone schedules about future adaptation or repurposing of car parking areas is unreasonable because the Decision Guidelines of Clause 65 contemplate "existing use and possible future development."	The Decision Guideline about possible future development in Clause 65 does not make specific reference to the adaptation or repurposing of car parking areas.
	There is a lack of guidance about how discretion will be applied to the bicycle parking requirements proposed for the Docklands Zone schedules, nor about how conflicts with Clause 52.06, 52.34 and a parking overlay would be resolved.	<p>The provision of bike parking is an important part of the transition from private vehicles to sustainable transport.</p> <p>Discretion will only be applied in exceptional circumstances or where it can be demonstrated that the development supports the transition to a 70% mode share for public transport, walking, and cycling.</p> <p>In response to this submission, the schedules to the Capital City Zone and Docklands Zone are recommended to state that the bicycle parking rates supersede the relevant parking rate at Clause 52.34.</p>
	Drafting issues with the planning permit triggers under Clause 2.2 of DDO73 could trigger a 100sqm dwelling in a residential zone. Even if there are no issues, the proposed trigger would result in a significant increase in planning permit applications, contrary to the Explanatory Report.	There is no evidence to suggest the proposed permit triggers will result in a 'significant amount of additional planning permit applications' in the City of Melbourne.
	It is unclear what is meant by the terms 'technically achievable' and 'economically feasible' which are important terms.	The terms have been removed from the requirements, and further detail has been provided in the Decision Guidelines.
	The Amendment has not considered where its outcomes may not be feasible or desirable, such as heritage places or	Alterations to heritage buildings of less than 1000sqm will not be subject to the amendment.

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	social and affordable housing.	<p>Housing affordability and the climate emergency are major issues for society and the City of Melbourne.</p> <p>The objectives apply to buildings in general, which reflects the City of Melbourne's commitment to addressing the climate emergency. This must occur in tandem with increasing the provision of social and affordable housing.</p>
Relationship with building standards	The controls are not benchmarked against forthcoming NCC changes.	Changes contained within NCC 2022 do not conflict with the proposed C376 standards.
Use of mandatory provisions	The Amendment is inconsistent with the test for mandatory provisions in Planning Practice Note 59 because it fails to apply to the principle of discretion and does not provide a 'clear demonstration' of why discretionary controls are insufficient. Further, prescriptive and mandatory ESD requirements hinder flexibility, and results in poor urban design and worsens housing affordability.	<p>The Amendment is considered to be consistent with Planning Practice Note 59 Mandatory Provisions in Planning Schemes, including the Criteria for Applying a Mandatory Provision.</p> <p>The Amendment incorporates an interplay of mandatory and discretionary provisions which have been carefully considered in the formulation of the proposed controls. The mandatory provisions are strategically supported by the background work that has informed the proposed controls. It is appropriate to incorporate mandatory requirements in this Amendment, as illustrated in Council's preferred version of the DDO73, rather than rely purely on a performance based approach in order to ensure buildings are energy efficient and the design, construction and operation of buildings properly address climate change challenges.</p> <p>There is no evidence that ESD requirements hinder flexibility or results in poor urban design.</p>
Car parking retained in common property	Regulating ownership of car parking spaces in a residential subdivision by mandating it be in common ownership lacks strategic justification, will deprive apartment owners of a parking space, would increase owners corporation fees	In response to concern about this requirement, it is recommended to include an exemption for subdivision applications made after a planning permit issued prior to the commencement of Amendment C376.

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	<p>and create owners corporation management issues, and potentially result in unallocated spaces. No allowance has been made for existing or approved developments. It is unclear whether an appeal right exists if no agreement to an alternative arrangement is reached under s149 of the Act, nor any considerations provided about when Council would agree to an alternative arrangement.</p>	<p>This discretionary restriction on subdivision of new car parking spaces, and the requirement that applications for subdivision demonstrate how the subdivision will allow for the transition of car parking to alternate uses over time, is essential to supporting a less car dependent transport system.</p> <p>These requirements are established in Fishermans Bend, West Melbourne and Arden. They are the best way of creating the right conditions to encourage adaptable use of car parks when they are no longer required for car parking.</p>
	<p>The following provisions are unreasonable:</p> <ul style="list-style-type: none"> • The requirement for car parking to be retained in common ownership. • The lack of distinction between basement and above ground car parking by the requirement for adaptable car parking, since neither are suitable for alternative uses. 	
Exemptions and transitional provisions	<p>The Amendment has not properly considered impacts on existing approvals and development plans. Transitional provisions should be introduced for approved developments, the subject of planning permit applications and to development plans.</p>	<p>A transitional provision is recommended to be added to DDO73 and the Capital City Zone and Docklands Zone schedules. This will exempt applications, including an application to amend a permit, made before the commencement of the Amendment.</p>
Electric vehicle charging	<p>There are challenges in delivering EV infrastructure in multi-level and basement parking areas.</p>	<p>The introduction of EV facilities is becoming standard practice with many new developments. NCC 2022 requires electrical distribution infrastructure in apartments be able to accommodate chargers for 100% of parking spaces, and 10% for non-residential uses.</p>
Sustainable transport requirements	<p>There is no delineation between residential and commercial bicycle parking facility requirements.</p> <p>There are excessive car share parking ratios which are not sustainable for commercial operators, and in many cases it is unsafe for the general public access such parking spaces, while</p>	<p>The rates and facility requirements for bicycle parking differ for dwellings and commercial developments.</p> <p>The car share parking design requirements prescribe that the spaces should be publicly accessible, however they are discretionary, as are the rates</p>

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	owners corporations will not allow it.	<p>themselves, to allow consideration of the particular circumstances in which they cannot be reasonably provided.</p> <p>In addition, the following changes are recommended in response to submissions about bicycle and car share parking rates::</p> <ul style="list-style-type: none"> • The bicycle parking rates have been reduced; and • The car share parking rate has been consolidated into a minimum of 5% of all car parking spaces, which aligns with the requirements for Arden and West Melbourne.
Green Factor Tool	There is a lack of detail about the Green Factor Tool, which is not applied industry-wide.	<p>The Green Factor tool page on Council's website explains its purpose and benefits. The page contains information which explains:</p> <ul style="list-style-type: none"> • the definitions used, and • how the tool works. <p>A video presentation of the Green Factor tool and a public Q&A session is also provided on the page.</p> <p>The Green Factor tool, which appears under varying names, has emerged in many cities around the world to assess the sustainability of landscape designs and construction based on the proportion of green areas and built-up areas.</p>
Green infrastructure	The questionable benefits and costs of green infrastructure, the requirements for which are excessive.	There are many benefits of green infrastructure including ecological benefits. This can be found in the background document, the Growing Green Guide.
Management recommendation		
<ul style="list-style-type: none"> • In response to this submission, it is recommended: <ul style="list-style-type: none"> ○ At Table 1, Table 2 and the Decision Guidelines of DDO73: <ul style="list-style-type: none"> ▪ The need to demonstrate that meeting the preferred standard is not technically achievable or economically feasible whenever this is sought be removed. Submissions identified how the preferred standards for Table 1 & 2 align with world leadership and as such, may not be appropriate to impose on all applicable development. Developments will still be required to achieve the minimum mandatory 		

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- standards which are considered appropriate.
- The relevant Decision Guideline be amended to provide greater guidance for assessing the wide range of matters which may impede achieving the preferred standard.
 - A transitional provision be added to DDO73 to exempt applications made before the commencement of Amendment C376, including applications to amend a permit.
 - Transitional provisions be added to Schedules 1, 2, 3, 4, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone to exempt:
 - The requirement to retain car parking spaces in a single or a consolidated title as common property from the subdivision of land following the issue of a planning permit before the commencement of Amendment C376.
 - The requirements introduced by Amendment C376 from an application made before the commencement of the Amendment, including an application to amend a permit.
 - At the Requirements for Bicycle, Motorcycle and Car Share Parking of Schedules 1, 2, 3, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone:
 - The following sentence be added: 'The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.'
 - The bicycling parking rates for Retail, Place of assembly, Minor sports and recreation facility and Education uses be reduced from one employee space per 100 sqm NFA to one per 200sqm, and from one visitor space per 100 sqm NFA to one per 200 sqm NFA.
 - The visitor bicycle parking rates for Dwelling and Office be reduced from two spaces per 5 dwellings to one space per 5 dwellings, and one space per 100sqm NFA to one space per 500sqm NFA, respectively.
- Refer this submission to planning panel

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54. Urban Design Forum Australia

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
Use of the Planning Scheme to address sustainability matters	The policy will have a positive impact on the environmental performance of the city, including addressing climate change and biodiversity loss.	
	The amendment establishes an improved baseline for all new development, within a municipal area where the highest levels of design and development sophistication should be expected.	
	The likely need for future updates is relevant to all planning policies and does not diminish the need to implement this policy now to urgently address the climate change impacts of the built environment.	
Green Factor Tool	The Green Factor Tool with a minimum requirement of 40% landscaping positions the city as a leader in Australia for embedding greening in development, while following well established frameworks in Europe and Asia.	
Use of mandatory provisions	Supports mandatory environmental performance provisions, noting that voluntary requirements are no longer a legitimate public-interest policy position.	
	The linking of environmental performance to development scale is a practical response to the impact of larger developments, the cost of certification and the level of sophistication by developers.	
	The requirement to achieve a minimum 5 Star Green Star rating is effectively a requirement to achieve carbon neutrality, which is supported.	
	Setting a 6 Star Green Star rating as a 'should have' is supported because it recognises the ambition and track record of ambitious developers.	
	The policy should focus on quantifiable performance standards which allow for	

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	<p>ease and economy of evaluation- these standards can be in the policy itself, or as is proposed, linked to existing tools such as Green Star, which has a reputable overseeing body. The submitter is 'agnostic' about which method is used, so long as they are transparent and effective.</p>	
	<p>Council should commit to evaluating, reviewing and ratcheting up the policy in order to ensure the construction industry fulfils its obligations to the climate emergency and positions itself as a leader in sustainable building design.</p> <p>Ratcheting up would require commitments to a reduction in upfront embodied carbon, greater integration of materials recovery and re-use, and waste minimisation during construction.</p>	<p>Council reviews its Planning Scheme every four years. Amendment C376 is the result of a review of Council's current ESD policy.</p>
	<p>The reliance on Green Star will need to be monitored to ensure it remains best practice, which is important since the governing body sits outside of the planning system.</p>	<p>Noted. DDO73 has been updated to prescribe the use of Green Star Buildings which is the current tool that allows best practice to be demonstrated by the development community.</p>
<p>Management recommendation</p>		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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55. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
	The matter is urgent and the standards should be implemented immediately, and new high rise buildings should not be constructed until this time.	Council does not have the power to place a moratorium on development.
	The lessons about ventilation and building design learnt in Covid should be implemented.	The use of natural ventilation and access to sunlight will be encouraged through the use of the rating tools Green Star and BESS.
	All buildings and alterations should be carbon neutral.	The Green Star rating tool provides a framework for buildings to achieve net-zero, and Council believes it appropriate to apply this rating tool to larger developments due to the economies of scale required to do so at this time.
	Stop removing affordable housing and heritage and replacing it with new expensive apartments.	These matters are beyond the scope of the Amendment.
	Certain homes should have a heritage overlay applied to the land.	
	Increase building separation from old, significant and heritage listed buildings.	
Green Factor Tool	Homes, apartments and offices should have trees planted.	The Amendment's requirement to achieve a score of 0.55 in the Green Factor Tool will require all applicable developments to include greenery, which could be in the form of trees and gardens, or other green infrastructure such as living facades and green roofs.
	Community gardens and peaceful park areas must be included in new developments, especially where there is concentrated living.	
	The Green Factor Tool is inadequate for providing sufficient greening, and buildings must reduce their footprints on a site to achieve greater levels of planting.	
	Buildings should be required to turn off their lights at night.	This requirement would be beyond the scope of this Amendment
	High-rise buildings have sound issues which should not be replicated.	The acoustic standards of buildings is beyond the scope of the Amendment but is addressed in a number of provisions in

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		the Melbourne Planning Scheme.
	Concrete and imported products with a high carbon price should be limited.	Embodied carbon is considered by the Green Star Buildings rating tool.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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56. Australian Pipelines and Gas Association 16418845

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
Gas connections	Renewable gases such as hydrogen and biomethane can play a real, technically viable and affordable role in decarbonising gas use for both wholesale and retail customers.	
	No basis is provided for the requirement that developments should not incorporate connections to gas services or other non-renewable energy.	The basis for the requirement is to minimise use of non-renewable energy in order to meet Council's ambition to reach net-zero emissions by 2030.
	Discouraging gas connections risks consumers being worse off by developers choosing more costly zero emission energy solutions.	From 1 January 2024, new residential properties that require planning permits, as well as government buildings including schools and hospitals, will not be connected to gas. Table 3 to DDO73 adds to this by requiring that all development should not incorporate connections to gas services or other non-renewable energy.
	Direct gas use and electricity from gas power stations are significantly lower in emissions than coal or liquid fuel power sources.	Noted
	Providing access to renewable gas is explored in the Victorian Gas Substitution Roadmap, and since it provides lower cost and lower emissions, it should be considered alongside renewable electricity.	
	The majority of buildings in the City of Melbourne are commercial and could readily take advantage of the efficiencies of gas heating systems.	
	The NCC presently incentivises higher emission electric homes over lower emission gas homes.	
Management recommendation		
<ul style="list-style-type: none"> No changes are recommended in response to this submission Refer this submission to planning panel 		

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57. Southbank Residents Association

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment, but raises specific concerns.	Noted
Use of the Planning Scheme to address sustainability matters	Supports the measures included within Amendment C376 and believes that they will strengthen the planning system's ability to deliver a more sustainable long-term environmental, health and economic outcomes.	
	It will be crucial to ensure future development improves the liveability of the local community, while contributing to climate change mitigation and adaptation.	
	Southbank represents the most densely populated part of Melbourne, where compact urban form consistently traps heat due to reduced vegetation and increased hard surfaces, as such, Southbank's liveability may be compromised as average temperatures and hot days increase unless the urban heat island effect is reduced. Supports the use of the planning system to help mitigate urban heat.	
	The baselines for ESD measures align with Victorian State planning policy, such as Action 80 of Plan Melbourne. The Amendment also aligns with international agreements and policies, such as the Paris Agreement on Climate Change and the United Nations Sustainable Development Goals, which emphasise the importance of ESD in reducing emissions, improving resource efficiency, and promoting healthy lifestyles.	
Use of mandatory provisions	Applying best-practice minimum ESD standards for new built development will significantly decrease the level of building emissions, mitigating future impacts of climate change.	
	There is a strong evidence base that ESD has a positive effect on health and	

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	wellbeing, and the new standards proposed by the amendment, will positively contribute to the health and wellbeing of the Southbank community.	
	Greater detail should be provided about what types of building or landscape elements are preferred for heat mitigation, considering the urban heat island is often a complicated combination of morphological and climatic conditions.	<p>It is agreed that the requirements of Table 5 should be clarified. It is recommended that:</p> <ul style="list-style-type: none"> • The first requirement be reworded to 'must provide the equivalent of at least 75% of the development's total site area as <i>solar panels and building and landscape elements</i> that reduce the impact of the urban heat island effect.' • The calculation of elements that reduce the impact of the urban heat island effect be closer aligned to that of Green Star Buildings to assist with assessment and industry implementation. <p>The separate requirements relating to façade materials exposed to summer sun and paving treatments be consolidated into the list of elements which reduce the impact of the urban heat island effect.</p> <p>In regards to green infrastructure and hardscaping, these terms are defined in Section 2.1 of DDO73.</p>
Planning Scheme Amendment drafting	The requirement to re-utilise stormwater and achieve a minimum 50% water rating in the BESS tool represent current best practice, however a more contemporary urban stormwater guideline should be used to the now outdated Urban Stormwater Best Practice Environmental Guidelines by the CSIRO, which dates back to 1999 and lacks an accurate reflection of the climatic conditions.	<p>The Urban Stormwater Best Practice Environmental Guidelines by the CSIRO remains an important and useful document in the industry.</p> <p>The Victorian Guideline for Water Recycling (EPA, 2021) is already a Policy document referenced in the Planning Scheme at cl19.03-2L.</p>
Green Factor Tool	The requirement to achieve a score of 0.55 in the Green Factor Tool is appropriate, and that using an	Noted

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	innovative, user friendly, and evidence based tool will demonstrate the City of Melbourne's potential to be a global leader in the provision of green infrastructure.	
	Protecting and enhancing biodiversity is a pressing challenge, and will help to achieve the vision for Southbank as an urban forest.	
	Embodied carbon should be addressed in a follow up amendment in the future.	Reducing embodied carbon is captured for developments that exceed 5000sqm GFA by the requirement to achieve a minimum 5 Star rating in Green Star Buildings. These developments will need to demonstrate a reduction in carbon emissions of at least 20% less than a reference building.
Management recommendation		
<ul style="list-style-type: none"> • In response to this submission, it is recommended that: <ul style="list-style-type: none"> ○ At Table 5 of Schedule 73 to Clause 43.02 Design and Development Overlay (DDO73): <ul style="list-style-type: none"> ▪ The first requirement be reworded to 'must provide the equivalent of at least 75% of the development's total site area as <i>solar panels and building and landscape elements that reduce the impact of the urban heat island effect</i>'. ▪ The calculation of elements that reduce the impact of the urban heat island effect be closer aligned to that of Green Star Buildings to assist with assessment and industry implementation. ▪ The separate requirements relating to façade materials exposed to summer sun and paving treatments be consolidated into the list of elements which reduce the impact of the urban heat island effect. • Refer this submission to planning panel 		

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58. Goodman Property Services

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment, but raises specific concerns.	Noted
	Supports the intent of the Amendment to ensure future development achieves best practice in ESD, which is an important step in reaching net zero emissions by 2040.	
	The submitter seeks to achieve most of the minimum mandatory requirements of the Amendment.	
	Raises concern about the ability of large scale industrial buildings to achieve the mandatory Green Factor Tool score. As such, specific exemptions to the Green Factor Tool requirements should be provided for industrial developments in industrial zones.	The only industrial use to which the Amendment applies is Research and Development Centre, which shares building typology characteristics with offices, and so achieving a Green Factor Tool score of 0.55 is considered to be reasonable.
	Further clarity should be provided in Clause 2.3 about whether the two dot points are cumulative or alternatives by inserting an 'and' or 'or'.	The suggested drafting is inconsistent with the Practitioner's Guide to Victoria's Planning Schemes (Version 6).
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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59. Melbourne Climate Futures 'Built and Living Environment' theme research group of the Faculty of Architecture Building and Planning, The University of Melbourne

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment, but raises specific concerns.	Noted
	More emphasis could be placed in Clause 2.03-4 on the role of built form and overall performance in reducing emissions and increasing energy efficiency.	The role of built form and overall performance in reducing emissions is sufficiently dealt with in this clause.
	Clause 02.03-3 does not acknowledge bushfires and their impacts. The Melbourne Planning Scheme should address the response by the built environment by considering air filtration systems and insulation.	The amendment affects land within inner metropolitan Melbourne which is not in a designated bushfire prone area. Indoor air quality is currently not a mandatory consideration but can be addressed via minimum and voluntary standards in both ESD tools (Green Star Buildings and BESS).
	The generalisation of 'intense storms' in Clause 02.03-3 does not break down the specific impacts, including flash flooding, increased extreme wind gusts, all of which have specific built environment impacts which should be considered in design. Further nuance here in Clause 02.03-3 would be beneficial since these same climate change impacts are referred to throughout the Scheme, such as Clause 15.01-2L-01.	The impacts of climate change are addressed in provisions throughout the Melbourne Planning Scheme and through Amendment C376.
	Additional matters should be considered, including the design of low-lying buildings in flood prone areas and the design of public spaces and urban form.	Council is progressing Amendment C384: Inundation Overlays to update its approach to urban design in flood prone areas. Further, the Victorian State Government and Council have published strategies to guide a climate responsive approach to the design of the public realm and broader urban form, including the Climate Change Mitigation Strategy to 2050, the Fishermans Bend Water Sensitive City Strategy, the Green Our City Action Plan 2017-2021, the Growing Green Guide, the Municipal Integrated Water

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		Management Plan, and the Climate Change Adaptation Strategy Refresh.
	The title of Clause 15.01-2L-01 should be renamed from Sustainable Development to focus on the actual content, which is specifically about climate change adaptation and mitigation.	Agreed. In response to this submission, it is recommended cl15.01-2L-01 be renamed to 'Environmentally Sustainable Building Design' to better reflect its policy intent and relationship with the parent State policy at cl15.01-2S.
Sustainable transport requirements	The EV requirements do not give due consideration to facilities with less than 50 spaces.	<p>NCC 2022 requires electrical distribution infrastructure in apartments be able to accommodate chargers for 100% of parking spaces, and 10% for non-residential uses. This will give building owners flexibility to expand as uptake increases, subject to demand from residents/users.</p> <p>The Amendment includes a requirement for all car parking areas, no matter the number of spaces, to include the delivery of infrastructure to support the installation of EV charging points.</p> <p>The Amendment includes rates for bicycle parking and requirements for electric vehicle charging points, however it is not considered necessary at this time to introduce specific requirements for charging and parking facilities for micro-mobility devices.</p>
	Consideration should be provided for electric bicycle facilities.	
Management recommendation		
<ul style="list-style-type: none"> • In response to this submission, it is recommended that: <ul style="list-style-type: none"> ○ The title of Clause 15.01-2L-01 be renamed to 'Environmentally Sustainable Building Design' to better reflect its policy intent and relationship with the parent State policy at cl15.01-2S. • Refer this submission to planning panel 		

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60. Green Building Council of Australia

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
	Commends CoM on its bold ambition to achieve net zero carbon by 2040 through developing and implementing a range of complementary policies, programs and regulations.	
	Green Star is Australia's most widely used sustainability rating system for the design, construction and performance of buildings – including social infrastructure – fitouts and communities.	
Use of third-party tools	GBCA commends the inclusion of recognised sustainability tools in the proposed planning rules such as NatHERS, NABERS, BESS, the Green Factor Tool and Green Star. Use of such tools provides clear expectations and guidance to project proponents, as well as methods for verifying that intended outcomes are achieved in practice.	
	The introduction of a mandatory 5 Star Green Star Buildings rating would be a new benchmark, and while many developers operating in the municipality will be familiar with Green Star, others will not.	
	Welcomes the opportunity to continue to work with CoM to ensure that planning staff have the information they need to understand and respond to Green Star-related queries as well as being able to direct project proponents towards GBCA and relevant resources for any information they need about the Green Star Buildings rating tool and certification process.	
Management recommendation		
<ul style="list-style-type: none"> No changes are recommended in response to this submission Refer this submission to planning panel 		

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61. Bernd Bartl

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	The Amendment should incorporate planning provisions for visitable, adaptable and accessible housing.	These matters are beyond the scope of the Amendment. Clause 58.05-1 of the Scheme addresses these matters with regard to the design of Apartment developments.
	Provides the reasons for why these provisions are important, including the energy and material requirements for retrofitting are higher than when addressing them in a new build.	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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62. Victorian Chapter of the Australian Institute of Landscape Architects

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment.	Noted
	<p>AILA has adopted a policy position about 'Cooling Cities' for:</p> <ul style="list-style-type: none"> • Greater protection of existing trees within urban areas through increased value assessment of their worth to deter removal and drive responsive design outcomes. • Commitment from all tiers of government to annually increase net tree canopy cover across urban areas, including streetscapes, parks and public spaces. • Greater incentivisation or regulation for the inclusion of green roofs and green walls in new urban developments and maximise opportunities to retrofit into existing sites. • Greater awareness of the value in maximising the greening of new and existing urban spaces. 	
	Considers that Amendment C376 is consistent with the objectives and values and policies of the Australian Institute of Landscape Architects.	
Use of third-party tools	The implementation of tools (such as the Green Factor Tool) to assist with quantifying the extent of 'greening' buildings is an appropriate approach to ensuring increased greening and increased sustainability in the City of Melbourne. Embedding this in the planning scheme ensures a level playing field across all new developments that effectively removes the perceived costs incurred by developers in providing landscapes to roofs, balconies and façades.	
Green Factor Tool	Community spaces should be included in the Green Factor Tool to ensure that	Note the requirements of Clause 58 for private open space and communal open

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	landscaped areas also provide the benefit of providing engaging and functional spaces for people - rather than solely for the benefit of plantings.	space separately address this matter. The Green Factor tool does however consider the impact of proposed greening and if it is visible and accessible by public occupants on private land. It provides a higher value if the proposed greening provides broader benefits to the general public.
	A roadmap should be provided to progressively achieve improved outcomes, including an increase in the required Green Factor Tool score.	Because of the planning scheme amendment process, no roadmap for increased ESD requirements in the proposed planning provisions has been prepared at this time. It is noted that the Green Star Buildings tool will feature increased requirements for 5 Star and 6 Star ratings up to the year 2030. Council's Planning Scheme is reviewed every 4 years at which time decisions can be made as to whether the planning scheme provisions require review.
	The requirements should be 'tenure blind' so that improvements to public open space, such as a laneway, street or forecourt, are considered. This would be consistent with the goal of greening the city.	The Amendment pertains to private development rather than improvements to the public domain. The City of Melbourne has other programs that deal with the public domain.
	The Planning Scheme should include a requirement that all landscapes in new developments must be designed by registered landscape architects, as determined by AILA.	It is not considered appropriate to limit the preparation of landscape designs subject to DDO73 to persons registered with AILA.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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63. Individual Submitter

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	The Amendment may slightly improve the status quo, but the requirements are too vague to make meaningful impact.	The Amendment is introducing prescriptive mandatory requirements and supporting discretionary requirements that will ensure change will occur.
	Show leadership by promoting stringent requirements, such as healthy building materials without toxic substances.	The exposure to toxic substances is captured for developments that exceed 5000sqm GFA by the requirement to achieve a minimum 5 Star rating in the Green Star Buildings tool. Credit 13 Exposure to Toxins prescribes minimum expectations for off-gassing of paints, adhesives, sealants, carpets and engineered wood, and exposure to highly toxic materials is banned.
	Specifiers need to know where products are made, what from, and where they go at the end of their life.	Guidance is provided via the Responsible Construction, Structure, Envelope. Systems and Finishes credits within the Green Star Buildings tool.
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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64. Fishermans Bend Taskforce

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	The City of Melbourne is to be commended for developing the Sustainable Building Design Amendment. This supports the Fishermans Bend vision to create 'a thriving place that is a leading example for environmental sustainability, liveability, diversity and innovation'.	Noted
	The Amendment conflicts with some provisions introduced by GC81 for Fishermans Bend Urban Renewal Area.	Amendment C376 introduces controls across all environmental categories that are stronger than the controls that exist within the Lorimer Precinct of Fishermans Bend except for integrated water management, in which case, the requirements are substantially different due its particular third-pipe and water tank needs.
	The Taskforce does not support the introduction of controls, provisions or policies that would result in different requirements being in place for the Lorimer Precinct of the Fishermans Bend Urban Renewal Area in the City of Melbourne to those within the City of Port Phillip (Montague, Sandridge and Wirraway). This position does not apply to the NEIC, which GC81 did not substantially alter.	As a result, it is recommended to exempt the requirements of Table 7 in DDO73, which relate to Integrated Water Management, from land in the Lorimer precinct of Fishermans Bend.
Management recommendation		
<ul style="list-style-type: none"> • In response to this submission, it is recommended: <ul style="list-style-type: none"> ○ The requirements of Table 7 of DDO73 be exempted from land subject to Schedule 4 to Clause 37.04 Capital City Zone. • Refer this submission to planning panel 		

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65. NABERS 16430815

Key theme (where applicable)	Submission summary	Management response
	The submitter does not state explicitly whether they support the amendment.	Noted
	The NABERS team is very supportive of the City's steps to utilise opportunities in the planning system to contribute to achieving net zero. NABERS supports the City's focus on driving measured improvements in energy performance and reduced carbon emissions in buildings, and was humbled to see the use of NABERS ratings to underpin some of those initiatives.	
NABERS	20 years of experience with the Commitment Agreement process has shown NABERS that 94% of buildings achieve their target within the first 3 ratings. 36% of those buildings have even exceeded their targets and achieved greater energy efficiency levels than their original design suggested.	<p>In response to this submission, it is recommended that:</p> <ul style="list-style-type: none"> Table 2 be modified to require permit applications for developments over 5000sqm GFA be accompanied by a signed NABERS Energy Commitment Agreement. A standard condition for planning permits be introduced which will require the submission of NABERS Energy rating design documentation, including evidence that the project is on the Commitment Agreement register, to the satisfaction of the Responsible Authority. A standard condition be introduced which will require that within 24 months of occupation, or a time otherwise agreed with the Responsible Authority, the development must be certified as achieving the applicable NABERS Energy star rating.
	If possible, specifying that a Commitment Agreement Certificate must be sighted (by a Private Certifier or Council) before a Building Permit is granted is recommended. This is the most accurate way to ensure that an independent review has been completed and signed off by NABERS. Effective intervention before construction can begin ensures the building is still in the design stage and changes can be made, if needed, to ensure the target is reached.	
	NABERS strongly recommends that C376 (and other relevant planning documents) have specific references to Commitment Agreements, as opposed to NABERS ratings, to ensure buildings are in fact designed and built to achieve their ratings.	
	NABERS has developed a new product called a Compliance Rating for Energy	The recommended addition of a requirement for developments to enter

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	<p>and Water. This product requires developers to commit to obtaining NABERS Energy & Water ratings for their new buildings or major refurbishments once they meet the conditions for a rating to be undertaken. NSW State Government has incorporated Compliance Ratings in the NSW Sustainable Buildings State Environmental Planning Policy (2022) to reduce the compliance burden on assessment authorities and reduce the performance gap between the design and the as-built development.</p>	<p>into a Commitment Agreement in Table 2 and the deletion of the requirement to meet NABERS Water ratings from Table 7 negates the benefits of introducing a requirement for developments to enter into a Commitment to Rate (the new name for the 'Compliance Rating' referred to in the submission).</p>				
	<p>Referring to Compliance Ratings will ensure independent verification of energy performance targets set by applicants during development and design stages by enforcing post-occupancy assurance of the NABERS Energy rating.</p>					
	<p>While no Commitment Agreement for Water exists, NABERS supports maintaining the current wording to encourage water-efficient commercial design. Alternatively, NABERS suggests requiring Compliance Ratings for water performance targets, similarly to those for energy.</p>					
	<p>A target of 5.5 stars might be difficult for some sectors other than offices and shopping centres. NABERS would be happy to share data and work with City of Melbourne to help set targets for other sectors where a 5.5 star rating might be too high.</p>	<p>In response to this issue, it is recommended that the DDO be modified to require large developments (except for Dwellings) to obtain a NABERS commitment agreement, unless it is demonstrated that no NABERS Energy rating is available for the building type. Since these large developments are required under Table 1 to achieve at least a Green Star Buildings rating of 5 Stars, the NABERS Energy ratings will be nominated within the NABERS Energy pathway of Green Star Buildings. These ratings equate to:</p> <table border="1" data-bbox="943 1845 1442 1917"> <thead> <tr> <th>Building Class</th> <th>NABERS energy rating commitment</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Building Class	NABERS energy rating commitment		
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		<table border="1"> <thead> <tr> <th colspan="2">agreement</th> </tr> </thead> <tbody> <tr> <td>Hotels</td> <td>4.5 Stars</td> </tr> <tr> <td>Offices</td> <td>5.5 Stars</td> </tr> <tr> <td>Shopping Centres</td> <td>5 Stars</td> </tr> </tbody> </table> <p>Non-dwelling building classes which do not fall under the above categories would need to follow the Reference Building Pathway in Green Star Buildings by demonstrating 20% less energy usage compared to a reference building.</p>	agreement		Hotels	4.5 Stars	Offices	5.5 Stars	Shopping Centres	5 Stars
agreement										
Hotels	4.5 Stars									
Offices	5.5 Stars									
Shopping Centres	5 Stars									
	Existing building refurbishments going through the planning system should also comply with NCC standards and/or target high performance to contribute to Council's net zero goal.	Existing building retrofits are not the focus of the Amendment.								
	NABERS will introduce a Renewable Energy Indicator in Q4 2023 which could assist Council's goal of increased uptake of renewable energy.	Noted								
	The office sector is a global leader when it comes to high performance and energy efficiency. This is in large part thanks to the commonwealth Commercial Building Disclosure (CBD) legal requirement to rate and disclose their energy efficiency at the point of lease or sale. Embedding the practice of measuring and managing building performance has resulted in a sector that improves in energy efficiency and also undertakes non-mandatory water ratings. This has integrated NABERS-certified performance into core tenant-attraction strategies and the commercial value of building portfolios. Expansion to other sectors may be explored by the Commonwealth Government in future. Should this happen, we recommend City of Melbourne consider supporting this proposal.	Noted								
Management recommendation										
<ul style="list-style-type: none"> • In response to this submission, it is recommended that: <ul style="list-style-type: none"> ○ At Table 2 of DDO73, the blanket requirement of a 5.5 star NABERS Energy rating for all non-residential development of more than 5000sqm GFA be replaced with the requirement 										

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to enter into a NABERS Energy Commitment Agreement. The requirement in Table 1 for development of more than 5000sqm GFA to achieve a 5 Star Green Star Buildings rating will ensure that the appropriate NABERS Energy rating is nominated within the Green Star Buildings tool. For example, a 5.5 Star NABERS Energy rating is nominated for an Office. The preferred standard is recommended to be re-worded to align with Green Star Buildings for consistency.

- Refer this submission to planning panel

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66. Property Council of Australia, Victoria 16430873

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment, but raises specific concerns.	Noted
	There remains significant scope to accelerate our progress on emissions reduction through improvements in the built environment. The Property Council recognises the C376 amendment is for new builds, but also supports an increased focus on enhancing the performance of existing lower grade commercial buildings and notes the City of Melbourne's efforts to promote increased retrofitting to support both improved energy and commercial performance.	<p>Council is grateful for the co-operation of the Property Council in its development of the Amendment, and will continue to engage with industry about its wider sustainability initiatives.</p> <p>Council is developing a zero carbon buildings plan to address existing building refurbishments which will encapsulate lower grade commercial buildings and which aims to increase their performance.</p> <p>The City of Melbourne's Climate Change Mitigation Strategy to 2050 outlines our target of 2040 for zero emissions for the municipality. Action from the state and federal governments will have a major influence on our ability to meet these targets.</p>
	To ensure effective delivery of the built form, the Property Council believes clear and regular collaboration between industry and government at all levels is essential. Transparent and continuous reporting requirements about targets will benefit the property industry and upskilling of workers who design and build in the City of Melbourne, driving a skill uplift for the entire industry.	
	The Property Council is broadly supportive of the changes proposed within C376, except for the proposed car parking provisions. The new standards outlined are largely being delivered by our members, who are renowned as world leading in this space and are often the organisations delivering on the upskilling of staff.	Response provided to the detailed issues raised below.
	While the high-level suggested changes to be delivered by the amendment are positive, there is a noted lack of detail in the material about how they will be delivered. The Property Council recommends the City of Melbourne puts out further detail on implementation strategies as part of the next phase of consultation as that would support a	Depending on the need, the City of Melbourne will liaise with the property industry with regard to developing a set of practice notes for meeting the requirements of the Amendment.

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	greater understanding within the industry.	
	During the consultation process with members from across the industry, many said they did not understand certain passages of the amendment. Therefore, we recommend a more thorough industry communications strategy to support a greater understanding of the new requirements, including new and additional examples that demonstrate how requirements can be achieved, to support the industry to design and produce it.	
Exemption and transitional provisions	As there are no transitional provisions proposed within the amendment, current planning applications or sites with advanced designs could potentially be captured by this amendment. We recommend the City of Melbourne implement an appropriate transitional arrangement that supports the feasibility of 'in progress' work.	A transitional provision is recommended to be added to DDO73 and the Capital City Zone and Docklands Zone schedules. This will exempt applications, including an application to amend a permit, made before the commencement of the Amendment.
	A considered approach for people with disabilities is needed with appropriate car parking retained, while doing more to make public transport as disability friendly as possible.	Agreed however this matter is beyond the scope of the Amendment.
	The submitter broadly supports the objectives of DDO73, however it is not clear how the planning scheme can ensure operational outcomes, and recommends reference to 'operation' in the Design Objectives is amended.	DDO73 seeks to achieve operational sustainability outcomes by requiring the achievement of certain ratings in the relevant tools, many of which involve post-construction certification. In addition, the requirements for a Sustainability Management Plan or Sustainable Design Assessment, a landscape maintenance plan or landscape plan, and a waste management plan, as applicable, will address operational outcomes.
	Asks for clarity around the terms Green infrastructure and Ecosystem services that are defined in the DDO, highlighting that "ecosystem services" says that these services are provided by natural elements including those built by	Both of these terms are used in the context of the Green Factor tool definition and the Urban Heat Island Response requirements. 'Green infrastructure' refers to physical

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	<p>humans such as “green infrastructure elements.” The definition of green infrastructure includes “stormwater and rainwater harvesting interventions”, which the submitter interprets to include tanks, pumps and filters. There is a question as to whether a decision maker would consider these items natural.</p>	<p>items, whereas ecosystem services are a function of that infrastructure.</p> <p>The definition for ecosystem services refers to services that are provided by natural elements of the environment, however it is explicit that human constructed green infrastructure can also provide those services. For example, water filtration is a service provided in nature by vegetation near waterways, however a human constructed water garden as part of WSUD can also fulfil that service.</p> <p>The definition does not specify that green infrastructure need be itself natural. Tanks, pumps and filters which form part of a stormwater and rainwater harvesting infrastructure (itself thereby providing ecosystem services) fall under the definition of green infrastructure.</p>
	<p>Recommends that the definition of Hardscaping is reviewed to remove ambiguity. Given that the schedule encourages green cover on a variety of surfaces (including roofs and walls), it is not clear whether a roof without green cover is considered “hardscaping”.</p>	<p>A roof without green cover would only be considered hardscaping if it forms a landscape element. If not, Table 5 specifies specific SRI values for roof materials rather than hardscaping.</p>
	<p>The submitter highlights that the amendment refers to outdated waste guidelines and should reference the most up to date guidelines</p>	<p>The Amendment incorporates Council’s Guidelines for Waste Management Plans (2021), which is the contemporary policy document.</p>
	<p>The submitter notes that Sustainability Victoria’s guideline, Waste and Recycling in Multi Unit Development (2019) should also be taken into account.</p>	<p>Waste and Recycling in Multi Use Developments (Sustainability Victoria, 2019), is already referenced as a Policy document in Clause 15.01-2S Building design, in the Melbourne Planning Scheme.</p>
	<p>The submitter recommends ensuring appropriate sewerage treatments under the amendment to prevent untreated sewage pouring into our waterways.</p>	<p>Sewerage standards are sufficiently dealt with under the National Construction Code (NCC)</p>
Planning Scheme Amendment drafting	<p>The submitter recommends the provisions for amending an existing permit be further explained and made</p>	<p>It is recommended the provision in Clause 2.3 of DDO73 include wording to specify that it only applies to permits</p>

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	clear.	issued before the commencement of the Amendment. This will clarify the applicability of the provision.
	<p>Section 2.3 under Schedule 73 states “The development must be designed to be able to achieve certification to the applicable Green Star Buildings rating.” It is noted that Green Star contains a number of performance-based credits and it is not clear what level of analysis is expected to “demonstrate” that a project is able to achieve certification. The submitter recommends clear guidelines about how to demonstrate how a project is likely to achieve that sought after certification.</p>	<p>The Application Requirements of DDO73 include:</p> <ul style="list-style-type: none"> • Evidence needs to be provided to the responsible authority that the project has been registered to seek the applicable Green Star Buildings rating with the Green Building Councils of Australia. • A Sustainability Management Plan (SMP) that details how each of the applicable standards in the schedule are met. • In the case of Table 1 (which includes the requirement to meet a Green Star Buildings rating) and Table 2, the SMP must include an assessment of how the development has the potential to meet the standards, and the steps that will be taken to ensure that the development is constructed to achieve the relevant standards. <p>It is considered these application requirements will ensure information is provided to enable an assessment.</p>
	<p>The DDO requires that “Within 12 months of occupation of the building, the development must be certified as achieving the applicable Green Star Buildings rating with the Green Building Council of Australia (GBCA).”</p> <p>The GBCA requires projects to be certified within 2 years of practical completion and it often takes 12 to 18 months to finalise certification with Green Star. Therefore, the timeframe for certification should be more directly aligned and have an overarching timeline of two years for consistency.</p>	<p>Agreed. It is recommended to replace 12 months with 24 months and to also enable the responsible authority to agree to another time. This will better align with the typical GBCA timeline and also allow for unforeseen circumstances in the certification period.</p>
	The proposed amendment refers to the CSIRO 1999 Stormwater Best Practice Environmental Guidelines, which is	The Victorian Guideline for Water Recycling (EPA, 2021) is already a Policy document referenced in the Planning

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	<p>almost 25 years old. The submitter recommends updating the guidelines to the most current, noting that the Environment Protection Authority released updated stormwater management guidance in 2021.</p>	<p>Scheme at c19.03-2L. The Guidelines are still relevant.</p>								
NABERS	<p>Table 2 in section 2.3 requires NABERS Energy rating for all non-residential buildings; NABERS is not available for all non-residential building types, such as teaching and research buildings, laboratories and private hospitals.</p> <p>It is not clear whether the decision maker will consider the energy and carbon requirements of Green Star to be sufficient. There is a need for further clarity and a firm decision about which pathway to take for energy ratings in non-residential buildings.</p>	<p>In response to this issue, it is recommended that the DDO be modified to require large developments (except for Dwellings) to obtain a NABERS commitment agreement, unless it is demonstrated that no NABERS Energy rating is available for the building type. Since these large developments are required under Table 1 to achieve at least a Green Star Buildings rating of 5 Stars, the NABERS Energy ratings will be nominated within the NABERS Energy pathway of Green Star Buildings. These ratings equate to:</p> <table border="1"> <thead> <tr> <th>Building Class</th> <th>NABERS energy rating commitment agreement</th> </tr> </thead> <tbody> <tr> <td>Hotels</td> <td>4.5 Stars</td> </tr> <tr> <td>Offices</td> <td>5.5 Stars</td> </tr> <tr> <td>Shopping Centres</td> <td>5 Stars</td> </tr> </tbody> </table> <p>Non-dwelling building classes which do not fall under the above categories would need to follow the Reference Building Pathway in Green Star Buildings by demonstrating 20% less energy usage compared to a reference building.</p>	Building Class	NABERS energy rating commitment agreement	Hotels	4.5 Stars	Offices	5.5 Stars	Shopping Centres	5 Stars
Building Class	NABERS energy rating commitment agreement									
Hotels	4.5 Stars									
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	<p>The amendment states “The development must be constructed so as to be able to become certified to the applicable NABERS star rating.”</p> <p>It is not clear whether a current or future commitment to procure green power is permitted in achieving the applicable NABERS rating. The submitter recommends further clarity about using green power as permissible for the</p>	<p>Commitments to procure Green Power is supported as a mechanism, in addition to other energy efficiency measures that will assist in delivering net zero developments.</p>								

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	<p>NABERS rating.</p> <p>The amendment seeks that a development must be certified as achieving the applicable NABERS star rating within 24 months of occupation of the building, NABERS has rules about when a rating can be achieved. Regarding occupancy in offices, the 12-month rating period can only start at the stage where 75 per cent of the net lettable area is occupied by tenants, Alignment of the certification timeframes is recommended.</p>	<p>In response to this submission, the Amendment is recommended to be modified to enable agreement with the Responsible Authority to another time. This change is made to enable consideration of the specific triggers to the rating period which do not align with a fixed timeframe.</p>
<p>Sustainable transport requirements</p>	<p>Charging facilities for electric scooters should be provided, and Council should engage with the Victorian State Government about establishing clearer laws about their safe usage.</p> <p>There are legal and practical issues in delivering the mandatory car share parking spaces – as these spaces will need to be designated as common property in the ownership of the Owner's Corporation. The allocation requirement is excessive. It is not commercially feasible or linked to anticipated demand. For example, at a rate of two spaces plus one per 25 dwellings, if you consider a moderate sized building such as one example project in Docklands with 317 apartments, you would need 15 car share spaces for the development.</p> <p>The combined requirement of bicycle and motorcycle spaces, shower and changing facilities, and car share parking spaces and EV charging point infrastructure increases the overall demand for space.</p> <p>The amendment makes no reference to potential EV utilisation for freight and deliveries, and it is likely that these will be imminent. Therefore, it is recommended that the amendment references how to accommodate these vehicles.</p>	<p>The Amendment includes rates for bicycle parking and requirements for electric vehicle charging points, however it is not considered necessary at this time to introduce specific requirements for charging and parking facilities for micro-mobility devices such as electric scooters.</p> <p>The car share parking design requirements prescribe that the spaces should be publicly accessible, however they are discretionary, as are the rates themselves, to allow consideration of the particular circumstances in which they cannot be reasonably provided.</p> <p>In response to this submission, it is recommended that the following changes are made:</p> <ul style="list-style-type: none"> • The visitor rate for a Dwelling be reduced from two to a minimum of one visitor bicycle space per five Dwellings; • For Retail, Place of assembly, Minor sports and recreation facility and Education centre: <ul style="list-style-type: none"> ○ The employee bicycle parking rate be reduced to one per 200sqm of net floor area; & ○ The visitor bicycle parking rate be reduced to one per 200sqm of net

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		<p>floor area.</p> <ul style="list-style-type: none"> • The visitor bicycle parking rate for an Office be reduced from one per 100sqm of net floor area to one per 500sqm of net floor area; • The references to 'secure' bicycle parking spaces be removed from the Rate Requirement because the relevant considerations are located in the Decision Guidelines; • The Decision Guidelines be modified to enable consideration of whether the security, number and arrangement of the bicycle facilities are appropriate given the characteristics of the site and proposed use; • Car share and motorcycle parking only be required where car parking is provided; and • The car share parking rate be consolidated to a minimum of 5% of all car parking spaces, which aligns with the requirements for Arden and West Melbourne. <p>Given the relatively short time that freight vehicles spend serving a particular building it seems unlikely that mandating EV charging facilities for these vehicles would deliver a significant benefit.</p>
Electric vehicle charging	Ongoing innovation is underway to address fire safety issues with EV chargers. Council should engage with Fire Rescue Victoria about this matter.	<p>EV chargers are becoming more common. NCC 2022 requires electrical distribution infrastructure in apartments be able to accommodate chargers for 100% of parking spaces, and 10% for non-residential uses.</p> <p>Fire safety will be resolved at a national level.</p>
Car parking retained in common property	The Property Council recommends the proposed changes to car parking provisions be excised from the rest of the amendment and be worked through in more detail with further consultation.	This discretionary restriction on subdivision of new car parking spaces, and the requirement that applications for subdivision demonstrate how the subdivision will allow for the transition of

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	<p>This is due to serious concerns about the impact to the commercial viability of new residential projects, especially at a time when the state's primary focus should be the addition of new and diverse housing supply.</p> <p>If car spaces form part of common property, developers and vendors will not be able to separately price and sell car parking spaces, and financiers will not take into account the car parking space that may be assigned or available to use by a lot owner for the purposes of valuation and lender security. As a result, developers may need to adjust pricing, and there will be a follow through to purchaser financing. This will impact the commercial viability of apartment projects at a critical time for the sector.</p>	<p>car parking to alternate uses over time, is essential to supporting a less car dependent transport system.</p> <p>These requirements are established in Fishermans Bend, West Melbourne and Arden. They are the best way of creating the right conditions to encourage adaptable use of car parks when they are no longer required for car parking.</p> <p>In response to concern about this requirement, it is recommended to include an exemption for subdivision applications made after a planning permit issued prior to the commencement of Amendment C376.</p>
Economic feasibility	<p>The submitter highlights that there is a correlation between housing affordability and the requirements under the proposed amendment and welcomes further clarity to determine if there is some mechanism to offset the additional cost, such as additional height/yield or a fast-tracked planning process</p>	<p>Affordability is an important issue for the City of Melbourne, and is being addressed by Council on multiple fronts. However, the fact that the Amendment may increase costs is not of itself a sufficient reason to change the Amendment in the face of the climate emergency.</p> <p>The Supporting Documents include the following reports which indicate the impact of the Amendment on development is economically feasible:</p> <ul style="list-style-type: none"> Green Our City Action Plan – Draft Planning Requirements

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		<p>Economic Feasibility Testing (HillPDA, November 2020)</p> <ul style="list-style-type: none"> Green Our City Action Plan – Draft Planning Requirements 5 Additional Sites (HillPDA, February 2022).
Gas connections	<p>The sustainability targets outlined in 15.01-2L-01 align with what Property Council members are generally working towards.</p> <p>Where this policy encourages the increased delivery of local renewable energy generation, this should align with the Gas Substitution Roadmap delivered by the Victoria Government and allow an appropriate transition.</p>	<p>The Amendment encourages local renewable energy generation without mandating it, which will allow for an appropriate transition.</p>
Management recommendation		
<ul style="list-style-type: none"> In response to this submission, it is recommended: <ul style="list-style-type: none"> At Clause 2.3 of DDO73, the exemption to mandatory requirements be clarified to apply only to applications for an amendment to a permit which was issued before the commencement of C376. At Table 1 of DDO73, the time period after occupation in which a development's Green Star Buildings rating must be certified be changed from 12 months to 24 months, or as otherwise agreed with the responsible authority, to align with the Green Star timeline. At Table 2 of DDO73, wording of 'The requirement to meet the standard' be clarified to include that the development may be certified with NABERS at a time agreed with the responsible authority, to reflect the need to achieve a threshold of building occupancy before the certification can be completed. At Table 2 of DDO73, the blanket requirement of a 5.5 star NABERS Energy rating for all non-residential development of more than 5000sqm GFA be replaced with the requirement to enter into a NABERS Energy Commitment Agreement. The requirement in Table 1 for development of more than 5000sqm GFA to achieve a 5 Star Green Star Buildings rating will ensure that the appropriate NABERS Energy rating is nominated within the Green Star Buildings tool. For example, a 5.5 Star NABERS Energy rating is nominated for an Office. The preferred standard is recommended to be re-worded to align with Green Star Buildings for consistency. A transitional provision be added to DDO73 to exempt applications made before the commencement of Amendment C376, including applications to amend a permit. Transitional provisions be added to Schedules 1, 2, 3, 4, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone to exempt: <ul style="list-style-type: none"> The requirement to retain car parking spaces in a single or a consolidated title as common property from the subdivision of land following the issue of a planning 		

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- permit before the commencement of Amendment C376.
- The requirements introduced by Amendment C376 from an application made before the commencement of the Amendment, including an application to amend a permit.
 - At the Requirements for Bicycle, Motorcycle and Car Share Parking of Schedules 1, 2, 3, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone:
 - The following sentence be added: 'The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.'
 - References to 'secure' bicycle parking spaces be removed because the relevant considerations are in the Decision Guidelines.
 - Clarification be provided that car share and motorcycle parking spaces are only required if car parking is proposed.
 - The bicycling parking rates for Retail, Place of assembly, Minor sports and recreation facility and Education uses be reduced from one employee space per 100 sqm NFA to one per 200sqm, and from one visitor space per 100 sqm NFA to one per 200 sqm NFA.
 - The visitor bicycle parking rates for Dwelling and Office be reduced from two spaces per 5 dwellings to one space per 5 dwellings, and one space per 100sqm NFA to one space per 500sqm NFA, respectively.
 - At the Decision Guidelines for Buildings and Works of Schedules 1, 2, 3, 4, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone, the bicycle parking related guidelines be modified to enable consideration of whether the security, number and arrangement of the bicycle facilities are appropriate given the characteristics of the site and proposed use.
 - Refer this submission to planning panel

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67. Planners Declare

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment, but raises specific concerns.	Noted
	The submitter highlights that Council's legislative responsibility and duty of care now extends to decision making in the context of climate change risk and adaptation under the Local Government Act (2020) and the Climate Change Act 2017.	
	The submitter highlights the strong strategic foundation and background work undertaken to develop the Amendment that has resulted in sustainability categories that provide a good breadth of opportunity areas for sustainable development at the building-scale and standards that are not only desirable and linked to reputational and financial value but that are technically deliverable and feasible, and will result in multi-layered short, medium, and long-term benefits	
	It is submitted that the minimum 50% BESS score is seen as too low and needs to be strengthened to 70% minimum for meaningful improvements to occur.	The sustainability requirements of a building to meet a minimum 50% BESS score are constantly being strengthened by the BESS Governance Board. Recent industry changes including National Construction Code 2022 (delayed in Victoria to early 2024) will see changes to the minimum baseline BESS project of 50%. Future changes aligned to the Council Alliance for a Sustainable Built Environment (CASBE) Planning Scheme Amendment (submitted by 24 member councils) will see further changes of the 50% BESS score towards net zero development outcomes.
Use of third-party tools	The submitter highlights the use of industry-recognised frameworks and tools and sees this as favourable as it ensures the best tools are used for each typology and ESD targets across the municipality continue to align with	Noted

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	evolving best practice.	
	<p>It is submitted that the mandatory requirements within tools such as Green Star need to be reflected in the planning controls put forward to avoid any ambiguity and ensure that all typologies are subject to the same mandatory standards.</p> <p>Rather the smaller typologies would defer to the discretionary requirement not to incorporate gas listed in the DDO.</p> <p>This is at odds with the City's zero emissions by 2040 target. The submitter requests that this standard be made mandatory for all developments</p>	<p>The intention of the DDO is to match appropriate sustainability requirements with the scale of developments rather than to ensure all typologies are subject to the same standards, as suggested by the submission. This is because larger developments have more capacity to include ESD measures.</p> <p>From 1 January 2024, new residential properties that require planning permits, as well as government buildings including schools and hospitals, will not be connected to gas.</p> <p>Table 3 to DDO73 adds to this by requiring that all development should not incorporate connections to gas services or other non-renewable energy.</p>
	Similarly for embodied energy, 5 star Green Star requires a 20% reduction, but this is not required in the DDO for smaller typologies. The submitter believe that this requirement should not be overlooked for the smaller typologies.	
Sustainable transport requirements	It is submitted in relation to the sustainable transport requirements, that these should be applied municipal wide rather than just within the Capital City Zone and the Docklands Zone.	The sustainable transport requirements proposed in the Amendment are designed for high density mixed-use developments in the Central City and surrounding urban renewal areas. It would not be strategically justified to introduce the requirements across the municipality.
	Consideration should be given to requiring EV charging stations to use only renewable energy.	Noted
Green Factor Tool	The submitter strongly supports the introduction of the Green Factor Tool and notes the strong alignment with the Victoria Planning Provisions.	
	The submitter believes that additional clarity, education and training will be required to support the industry in meeting these requirements including use of the embedded tools, and that practice notes and webinars would be valuable.	The City of Melbourne will work with the development industry regarding the the preparation of guidelines for meeting the requirements of the Amendment.
	The Victorian State government is	Noted

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	<p>playing catch up in terms of sustainability, with State planning policy having historically lacked the necessary support to accelerate the uptake of sustainability in the development of our cities.</p> <p>The submitter hopes that this Amendment translates into broader application at the State level, perhaps superseding this Amendment with a robust VPP.</p>	
	<p>Beyond this amendment, we note that once performance standards of new buildings and additions are set, we will need to rapidly shift our focus to the decarbonisation of our existing building stock.</p>	<p>The City of Melbourne has ongoing projects to encourage the decarbonisation of existing buildings.</p>
<p>Management recommendation</p>		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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68. University of Melbourne

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment, but raises specific concerns.	Noted
	The submitter believes a precinct-scale lens to the achievement of sustainability parameters could be given greater support in the proposed requirements	
	<p>The University has a formal campus setting (Parkville Campus) and also an urban campus setting (City North) and considers the site specific approach to the achievement of sustainability requirements is not always suitable.</p> <p>While the submitter highlights that there is some flexibility in these provisions, they suggest that explicit reference be made to allowing the use of precinct wide facilities</p>	The premise of the Amendment is that each new development must be able to meet the provisions in its own right. In some cases this can be facilitated by precinct wide systems such as water recycling or electricity generation, but each development will nevertheless achieve the standards of the Amendment.
	For example, in regards to the Green Factor Tool requirements, the submitter believes that a new building on the Parkville campus should be able to rely on the existing contributions made by the wider Parkville Campus to green cover, with similar ability for other university owned buildings in the City North area.	<p>The premise of the Amendment is that each new development must be able to meet the provisions in its own right. The Green Factor tool has been configured to rely on a defined site boundary that is critical to providing a fixed site area that informs the Green Factor score. Essentially this means the tool is appropriate for land parcels and it does consider existing greening that is being retained within the site area.</p> <p>A precinct approach for greening is adequately covered by council strategies which influence the public realm.</p>
	<p>Likewise in regard to the new sustainable transport requirements, the submitter notes that there may be instances where a precinct-based approach to bicycle parking and end of trip facilities is appropriate.</p> <p>Acknowledges that there is some flexibility in these provisions, however explicit reference should be made to</p>	<p>The proposed bicycle, car share and electric vehicle rates are discretionary rather than mandatory, which will enable Council to accommodate the particular circumstances of large landholders such as the University of Melbourne.</p> <p>In response to this submission it is recommended the Decision Guidelines be modified to enable consideration of</p>

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	allowing the use of precinct wide facilities.	whether the security, number and arrangement of the bicycle facilities are appropriate given the characteristics of the site and proposed use.
Sustainable transport requirements	Clause 37.04 - Capital City Zone Schedules – The University would like to confirm that the proposed bicycle parking rates for visitors (one secure space per 100sqm of NFA plus a minimum number of spaces) for retail, office and education centre development is drafted as intended, noting that the rate for employee spaces is a minimum of one secure space for 100sqm of NFA.	<p>In response to submissions on bicycle parking requirements and rates, it is recommended that the following changes are made in addition to the change to the Decision Guidelines described above:</p> <ul style="list-style-type: none"> • The visitor rate for a Dwelling be reduced from two to a minimum of one visitor bicycle space per five Dwellings; • For Retail, Place of assembly, Minor sports and recreation facility and Education centre: <ul style="list-style-type: none"> ○ The employee rate be reduced to one per 200sqm of net floor area; & ○ The visitor rate be reduced to one per 200sqm of net floor area. • The visitor rate for an Office be reduced from one per 100sqm of net floor area to one per 500sqm of net floor area; and • The references to 'secure' bicycle parking spaces be removed from the Rate Requirement because the relevant considerations are located in the Decision Guidelines.
	<p>The submitter highlights that the application of DDO73 to land zoned Public Use (PUZ), applies a new permit trigger where a permit trigger had not previously applied.</p> <p>The submitter does not consider it appropriate to introduce new planning permit triggers for buildings and works on land within the PUZ given the intent of the PUZ and an alternative approach to achieve the same sustainability outcomes for land within this zone</p>	<p>It is not considered desirable or practical to translate the requirements of DDO73 into conditions of the Schedule to Clause 36.01 Public use zone given the formatting requirements of Ministerial direction s7(5) – The form and content of planning schemes. As such, it is unclear what alternative approach could ensure the same sustainability outcomes are achieved for land within the Public Use Zone without a permit trigger in the DDO.</p>

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	should be considered.	
	A proposed building design strategy at Clause 15.01-2L-01 Sustainable Development is to 'Encourage increased delivery of local renewable energy generation, such as solar hot water, photovoltaic cells (for which the sustainability benefits of low-emission energy production outweigh the impact on the urban heat island effect), wind powered turbines or combined heat and power generation systems in new developments. It is noted that combined heat and power systems are not typically a form of 'local renewable energy generation', as they are typically reliant on mains gas. Council therefore may wish to modify the proposed strategy to address this.	In response to this submission, it is recommended that references to combined heat and power generation systems be removed from this provision.
	A proposed urban design strategy, also at Clause 15.01-2L-01, is: Require development to exceed minimum standards in environmentally sustainable design and energy efficiency. Council may wish to consider whether this strategy should be revised to refer to "meet or exceed" rather than just "exceed", consistent with a similar proposed strategy relating to water efficiency under building design strategies.	In response to this submission, the provision is recommended to be reworded to "Require development <u>meet or exceed</u> minimum standards in environmentally sustainable design and energy efficiency". The minimum expectation for certain development typologies and scales is set out in DDO73.
	Clause 19.03-3L Stormwater Management (Water Sensitive Urban Design) makes reference to the Urban Stormwater Best Practice Environment Guidelines (CSIRO, 1999). It is noted that updated urban stormwater management guidance was released by EPA Victoria in 2021.	The Victorian Guideline for Water Recycling (EPA, 2021) is already a Policy document referenced in the Planning Scheme at cl19.03-2L.
	2.1 Definitions – Council may wish to refine the definitions of 'ecosystem services' and 'green infrastructure' to remove any potential ambiguity. Currently, the definition of 'ecosystem services' notes that these services	Both of these terms are used in the context of the Green Factor tool definition and the Urban Heat Island Response requirements. 'Green infrastructure' refers to physical items, whereas ecosystem services are a

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	<p>“...are provided by natural elements of the environment (including natural elements that have been constructed by humans such as green infrastructure)...”.</p> <p>The definition of green infrastructure includes “...stormwater and rainwater harvesting interventions...”, which presumably could include tanks, pumps and filters. These items would not be considered “natural elements”.</p>	<p>function of that infrastructure.</p> <p>The definition for ecosystem services refers to services that are provided by natural elements of the environment, however it is explicit that human constructed green infrastructure can also provide those services. For example, water filtration is a service provided in nature by vegetation near waterways, however a human constructed water garden as part of WSUD can also fulfil that service.</p> <p>The definition does not specify that green infrastructure need be itself natural. Tanks, pumps and filters which form part of a stormwater and rainwater harvesting infrastructure (itself thereby providing ecosystem services) fall under the definition of green infrastructure.</p>
	<p>2.3 Requirements (Environmentally sustainable design) – In relation to the Green Star Building standards, this section directs: “The development must be designed to be able to achieve certification to the applicable Green Star Buildings rating” It is noted that Green Star contains a number of performance-based credits and the University would appreciate further direction on the level of analysis that would be expected to demonstrate that a project is able to achieve certification, for the purpose of this requirement</p>	<p>The Application Requirements of DDO73 include:</p> <ul style="list-style-type: none"> • Evidence needs to be provided to the responsible authority that the project has been registered to seek the applicable Green Star Buildings rating with the Green Building Councils of Australia. • A Sustainability Management Plan (SMP) that details how each of the applicable standards in the schedule are met. • In the case of Table 1 (which includes the requirement to meet a Green Star Buildings rating) and Table 2, the SMP must include an assessment of how the development has the potential to meet the standards, and the steps that will be taken to ensure that the development is constructed to achieve the relevant standards. <p>It is considered these application requirements will ensure information is provided to enable an assessment.</p>

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<p>Planning Scheme Amendment Drafting</p>	<p>2.3 Requirements (Environmentally sustainable design) – In relation to the Green Star Building standards, this section directs: “Within 12 months of occupation of the building, the development must be certified as achieving the applicable Green Star Buildings rating with the Green Building Council of Australia” It is noted that the GBCA requires projects to be certified within 2 years of practical completion.</p> <p>It is the University’s experience that certification often takes 12-18 months to finalise. It is also noted that “occupation of the building” is not used as a milestone within Green Star building certification. Further clarification is therefore requested in relation to this element, and what occupation means for the purpose of this requirement</p>	<p>It is recommended that DDO73 be modified to replace 12 months with 24 months and to also enable the responsible authority to agree to another time. This will better align with the typical GBCA timeline and also allow for unforeseen circumstances in the certification period.</p>
	<p>Table 5 – This table lists “shading structures” as elements that reduce urban heat, however no requirement is stated for the solar reflectance index rating of shading structures. Council may wish to provide an SRI rating for such structures.</p>	<p>It is not considered that this change is necessary to achieve the intent of the control, which is to reduce heat.</p>
	<p>Table 8 – For residential, the requirement just refers to the relevant water credit under 5-star green star buildings. It is not clear which of the three levels of performance in the water credit is required: minimum compliance, credit achievement or exceptional performance?</p>	<p>The Minimum Expectation for the Water Use credit needs to be met to ensure the development meets the minimum 5 Star Green Star Buildings rating for applicable developments.</p> <p>The requirements relating to integrated water management are recommended to be modified to remove the duplication of requirements already addressed in the ESD tools nominated in Table 1 (Green Star Building and BESS), which involves a consolidation of Table 7 and Table 8 in DDO73. In response to this submission, the consolidation includes clarifying the requirement referred to in the submission as achieving the Minimum Expectation in the Reducing Water Use criteria of the</p>

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	<p>2.3 Requirements – It is noted that a paragraph within this section (on page 2) reads as follows: “Where the schedule identifies the use of a specific tool external to this planning scheme, applicants must use the most current version of the specified tool or may use an alternative tool, provided it is demonstrated to be equivalent to the identified tool and results in comparable outcomes, to the satisfaction of the responsible authority.</p> <p>The University would like to confirm that the above direction would be applicable to the use of Green Star instead of the Built Environment Sustainability Scorecard (BESS) for certain smaller application types. It is noted that some organisations have internal policies regarding the use of Green Star and may be pursuing a Green Star rating for such smaller applications anyway.</p>	<p>Water Use credit.</p> <p>In response to submissions about this provision, the wording ‘comparable outcomes’ is proposed to be replaced with ‘equivalent or better outcomes’ in order to provide greater clarity.</p> <p>If the Green Star Buildings tool is demonstrated to be equivalent to BESS, and results in equivalent or better outcomes, then it may be used in accordance with this provision.</p>
Use of third-party tools	<p>2.3 Requirements (Energy Efficiency and renewables) – The Schedule requires that “The development must be constructed so as to be able to become certified to the applicable NABERS star rating”. In regard to this requirement, The University would like to clarify whether a current or future commitment to procure ‘Green Power’ is permitted in achieving the applicable NABERS star rating under this requirement.</p>	<p>Commitments to procure Green Power is supported as a mechanism in addition to other energy efficiency measures that will assist in delivering net zero developments.</p>
NABERS	<p>2.3 Requirements (Energy Efficiency and renewables) – The schedule requires that “Within 24 months of occupation of the building, the development must be certified as achieving the applicable NABERS star rating”.</p> <p>It is noted that NABERS has rules about when a rating can be achieved. In regard to occupancy in offices, the 12-</p>	<p>In response to this submission, the Amendment is recommended to be modified to enable agreement with the Responsible Authority to another time. This change is made to enable consideration of the specific triggers to the rating period which do not align with a fixed timeframe.</p>

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	<p>month NABERS rating period can only start after 75% of the NLA is occupied by tenants. Clarification is requested on the compatibility between the requirement and rules used in NABERS.</p>									
	<p>Table 2 – This table requires a minimum NABERS energy rating for non-residential buildings of more than 5000sqm GFA and buildings and works which result in more than 5000sqm additional GFA. It is noted however that NABERS is not available for all non-residential building types (e.g. teaching and research buildings, laboratories, private hospitals). In such instances, would Council consider the energy and carbon requirements of Green Star to be sufficient?</p>	<p>In response to this issue, it is recommended that the DDO be modified to require large developments (except for Dwellings) to obtain a NABERS commitment agreement, unless it is demonstrated that no NABERS Energy rating is available for the building type. Since these large developments are required under Table 1 to achieve at least a Green Star Buildings rating of 5 Stars, the NABERS Energy ratings will be nominated within the NABERS Energy pathway of Green Star Buildings. These ratings equate to:</p> <table border="1" data-bbox="943 965 1445 1234"> <thead> <tr> <th>Building Class</th> <th>NABERS energy rating commitment agreement</th> </tr> </thead> <tbody> <tr> <td>Hotels</td> <td>4.5 Stars</td> </tr> <tr> <td>Offices</td> <td>5.5 Stars</td> </tr> <tr> <td>Shopping Centres</td> <td>5 Stars</td> </tr> </tbody> </table> <p>Non-dwelling building classes which do not fall under the above categories would need to follow the Reference Building Pathway in Green Star Buildings by demonstrating 20% less energy usage compared to a reference building.</p>	Building Class	NABERS energy rating commitment agreement	Hotels	4.5 Stars	Offices	5.5 Stars	Shopping Centres	5 Stars
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Hotels	4.5 Stars									
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	<p>Table 8 - It is noted that a NABERS Water rating is not available for all non-residential building types. We suggest that Council consider stating that the Green Star credit is an acceptable alternative.</p>	<p>It is recommended the requirement for non-residential buildings to meet a NABERS water rating be removed, since all development can achieve either the relevant BESS water standards or Green Star Buildings Water Use credit.</p>								
	<p>Table 3 – This table states that all developments should not incorporate connections to gas services or other non-renewable energy. The University is working to reduce its reliance on gas for space and water heating. It is noted that</p>	<p>From 1 January 2024, new residential properties that require planning permits, as well as government buildings including schools and hospitals, will not be connected to gas.</p>								

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	<p>some laboratory uses still require gas (whether from mains or bottles). While it is noted that the requirement includes a discretionary 'should' rather than a mandatory 'must', clarification is requested from Council in regard to how it would assess applications by the University where gas use is still considered necessary.</p>	<p>Table 3 to DDO73 adds to this by requiring that all development should not incorporate connections to gas services or other non-renewable energy.</p> <p>In addition, as listed in the Minimum (mandatory) column of Table 1 in DDO73, new buildings and buildings and works above 5000sqm gross floor area must achieve a 5 Star Green Star rating, which prohibits gas for most uses, with some allowance for industrial processes (such as manufacturing and research).</p>
<p>Management recommendation</p>		
<ul style="list-style-type: none"> • In response to this submission, it is recommended: <ul style="list-style-type: none"> ○ At Clause 2.3 of DDO73, the wording 'comparable outcomes' be replaced with 'equivalent or better outcomes' in order to provide greater clarity. ○ At Table 1 of DDO73, the time period after occupation in which a development's Green Star Buildings rating must be certified be changed from 12 months to 24 months, or as otherwise agreed with the responsible authority, to align with the Green Star timeline. ○ At Table 2 of DDO73, wording of 'The requirement to meet the standard' be clarified to include that the development may be certified with NABERS at a time agreed with the responsible authority, to reflect the need to achieve a threshold of building occupancy before the certification can be completed. ○ At Table 2 of DDO73, the blanket requirement of a 5.5 star NABERS Energy rating for all non-residential development of more than 5000sqm GFA be replaced with the requirement to enter into a NABERS Energy Commitment Agreement. The requirement in Table 1 for development of more than 5000sqm GFA to achieve a 5 Star Green Star Buildings rating will ensure that the appropriate NABERS Energy rating is nominated within the Green Star Buildings tool. For example, a 5.5 Star NABERS Energy rating is nominated for an Office. The preferred standard is recommended to be re-worded to align with Green Star Buildings for consistency. ○ At Table 7 & 8 of DDO73: <ul style="list-style-type: none"> ▪ Both tables be consolidated into Table 7. ▪ The achievement level and criteria required by applications for more than 5000sqm in the Water Use credit of Green Star Buildings be specified. ▪ Unnecessary duplication with other requirements of the schedule be removed. ○ At the Requirements for Bicycle, Motorcycle and Car Share Parking of Schedules 1, 2, 3, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone: <ul style="list-style-type: none"> ▪ The following sentence be added: 'The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.' ▪ References to 'secure' bicycle parking spaces be removed because the relevant considerations are in the Decision Guidelines. ▪ Clarification be provided that car share and motorcycle parking spaces are only required if car parking is proposed. 		

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- The bicycling parking rates for Retail, Place of assembly, Minor sports and recreation facility and Education uses be reduced from one employee space per 100 sqm NFA to one per 200sqm, and from one visitor space per 100 sqm NFA to one per 200 sqm NFA.
- The visitor bicycle parking rates for Dwelling and Office be reduced from two spaces per 5 dwellings to one space per 5 dwellings, and one space per 100sqm NFA to one space per 500sqm NFA, respectively.
- At the Decision Guidelines for Buildings and Works of Schedules 1, 2, 3, 4, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone, the bicycle parking related guidelines be modified to enable consideration of whether the security, number and arrangement of the bicycle facilities are appropriate given the characteristics of the site and proposed use.
- At Clause 15.01-2L-01:
 - Reference be removed to combined heat and power generation systems because of their typical reliance on gas power.
 - Clarification be made in the Urban Design Strategies that development will be required to '*meet or exceed* minimum standards' to reflect the introduction of minimum requirements by the Amendment.
- Refer this submission to planning panel

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69. ADP Consulting

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the Amendment.	Noted
Use of third-party tools	Believes that this is an impactful and appropriate planning amendment – it proposes tools the industry is familiar with and targets that are tough but generally achievable.	
Green Factor Tool & NABERS	The submitter believes that the 5.5 Star NABERS rating and Green Factor Score of 0.55 can be obtained simultaneously. The submitter has recently had issue getting tiered structures to achieve a 5.5 star rating in NABERS due to the small roofs that can't support highly efficient plant or solar PV and notes that these are the best type of buildings for supporting high levels of vegetation.	The requirement for green infrastructure does not specify roofs but includes walls and other parts of the building.
	5.5 Stars in NABERS is generally achievable, but there is then limited roof plant space over for green spaces.	
	The submitter highlights that a big challenge of greening a city is the competition for rooftop space between: Green roofs; Solar panels; and HVAC plant, which are all important if we want to achieve a low energy building with good green coverage, but there isn't always enough roof space	
	Finding alternative thermal sources that buildings can plug into, such as Waste heat; district heating and cooling systems and ground source heat pumps, will allow roof plant areas to shrink, allowing more space for greening.	
	The submitter highlights that achieving best practice Green Factor Score (0.84) would be difficult simultaneous to achieving 5.5 star NABERS due to the greening of the roof required for the optimised Green Factor Tool score.	
	The submitter proposes that it may be worthwhile allowing a slightly lower NABERS rating, such as 5.2 Stars,	While striving for a best practice score in the Green Factor Tool is certainly encouraged, the Amendment does not require a best practice Green Factor Score.
		Instead, the Amendment seeks to achieve a balance of reasonable energy efficiency outcomes in NABERS, and

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	when a building strives for the best practice Green Factor Score, if the buildings were still all-electric, powered by renewables and net zero in operation.	reasonable ecology outcomes in the Green Factor Tool.								
NABERS	<p>6.0 Star NABERS is incredibly difficult (and often impossible!) and using the word “should” is very hopeful. There are currently only 3 buildings in Melbourne which have achieved this rating. For context a 6.0 Star building uses half the energy of a 5.0 Star</p> <p>And typically, 6.0 Stars NABERS can't be achieved without either: capturing large amounts of heat from a nearby source (e.g. data centre or transport system); a huge solar array larger than the typical roof of an office building; expanded comfort conditions (e.g. 18-27°C) in the commercial office tenancies, which may not attractive to tenants.</p>	<p>The exhibited DDO73 nominated a 6 Star NABERS Energy rating as a preferred standard rather than a mandatory requirement.</p> <p>It is recommended that the requirements be removed to demonstrate to the satisfaction of the responsible authority that the delivery of the preferred standards for Table 1 (relating to ESD tools) is not technically achievable, and Table 2 (relating to Energy efficiency and renewables) is not technically achievable or economically feasible.</p> <p>The relevant decision guidelines are recommended to be modified to provide greater guidance about which kinds of developments are expected to achieve the preferred standard.</p> <p>Furthermore, it is recommended that the DDO be modified to require large developments (except for Dwellings) to obtain a NABERS commitment agreement, unless it is demonstrated that no NABERS Energy rating is available for the building type. Since these large developments are required under Table 1 to achieve at least a Green Star Buildings rating of 5 Stars, the NABERS Energy ratings will be nominated within the NABERS Energy pathway of Green Star Buildings. These ratings equate to:</p> <table border="1"> <thead> <tr> <th>Building Class</th> <th>NABERS energy rating commitment agreement</th> </tr> </thead> <tbody> <tr> <td>Hotels</td> <td>4.5 Stars</td> </tr> <tr> <td>Offices</td> <td>5.5 Stars</td> </tr> <tr> <td>Shopping</td> <td>5 Stars</td> </tr> </tbody> </table>	Building Class	NABERS energy rating commitment agreement	Hotels	4.5 Stars	Offices	5.5 Stars	Shopping	5 Stars
Building Class	NABERS energy rating commitment agreement									
Hotels	4.5 Stars									
Offices	5.5 Stars									
Shopping	5 Stars									

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		<p>Centres</p> <p>Non-dwelling building classes which do not fall under the above categories would need to follow the Reference Building Pathway in Green Star Buildings by demonstrating 20% less energy usage compared to a reference building.</p>
	The submitter queries whether Commitment Agreements will be required for NABERS	It is recommended DDO73 be modified to include signed Commitment Agreements as Application Requirements for developments larger than 5000 sqm GFA, in addition to the modifications described above.
	Pursuing a Whole Building rating for NABERS is challenging	The Amendment C376 standards do not stipulate the need for a Whole Building rating.
	NABERS ratings should state the cost to tenants to go net-zero.	Amendment C376 uses a variety of mechanisms to assist progressing the industry towards net zero. The tools referenced are often owned and managed by other parties (except for the Green Factor tool) who would be able to provide the cost efficiency information to planning applicants.
	The submitter queries whether there will be any penalties for non-compliance for example if buildings fall short of the NABERS requirement or if the Green Factor maintenance isn't kept up	Permit conditions will be applied to ensure development satisfies its ESD commitments. If these are breached, the permit-holder would be liable for enforcement action.
	The submitter also highlights that the Amendment doesn't go into encouraging adaptive reuse, large retrofits and the use of low embodied carbon materials.	<p>Adaptive re-use and retrofits are subject to different policies of Council.</p> <p>The use of low embodied carbon materials is a requirement from 1 January 2023, via Upfront Carbon Emissions Credit 21 in Green Star Buildings.</p>

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Management recommendation

- In response to this submission, it is recommended that:
 - At Table 1, Table 2 and the Decision Guidelines of DDO73:
 - The need to demonstrate that meeting the preferred standard is not technically achievable or economically feasible whenever this is sought be removed. Submissions identified how the preferred standards for Table 1 & 2 align with world leadership and as such, may not be appropriate to impose on all applicable development. Developments will still be required to achieve the minimum mandatory standards which are considered appropriate.
 - The relevant Decision Guideline be amended to provide greater guidance for assessing the wide range of matters which may impede achieving the preferred standard.
 - At Table 2 of DDO73, the blanket requirement of a 5.5 star NABERS Energy rating for all non-residential development of more than 5000sqm GFA be replaced with the requirement to enter into a NABERS Energy Commitment Agreement. The requirement in Table 1 for development of more than 5000sqm GFA to achieve a 5 Star Green Star Buildings rating will ensure that the appropriate NABERS Energy rating is nominated within the Green Star Buildings tool. For example, a 5.5 Star NABERS Energy rating is nominated for an Office. The preferred standard is recommended to be re-worded to align with Green Star Buildings for consistency.
- Refer this submission to planning panel

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70. Moonee Valley City Council

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the Amendment	Noted
	The Amendment is complementary to a number of Moonee Valley objectives as outlined in Moonee Valley 2040.	
	The Amendment will help reduce the emissions of new and redeveloped buildings and achieve net zero emissions by 2040.	
	The Amendment will also help to create climate resilient buildings that are more comfortable for people to occupy with correlating health benefits.	
Management recommendation		
<ul style="list-style-type: none"> No changes are recommended in response to this submission Refer this submission to planning panel 		

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71. Council Alliance for a Sustainable Built Environment (CASBE)

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the Amendment	Noted
Use of the Planning Scheme to address sustainability matters	Commends the City of Melbourne on its leadership to raise the bar for ESD requirements and importantly to provide measurable standards necessary to translate the state and local ESD policies in the Planning Scheme into detailed design measure that will deliver improved ESD outcomes.	
	The CASBE Elevating ESD Targets Planning Policy Amendment Project aims to introduce planning policy that elevates sustainability requirements for new buildings and encourages a move towards net zero carbon development.	
	Acknowledges that the City of Melbourne and Amendment C376 has significantly informed the Elevating ESD Targets project and that the two amendments are mutually supportive in that they both aim for innovative and impactful planning policy that delivers resilient and zero carbon development.	
	The submitter welcomes and strongly supports the implementation of Amendment C376 to provide policy to ensure future development achieves best practice in environmentally sustainable design including increased energy efficiency and greening of buildings.	
Management recommendation		
<ul style="list-style-type: none"> No changes are recommended in response to this submission Refer this submission to planning panel 		

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72. Planning Property Partners for Ausvest Holdings

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the amendment, but raises specific concerns.	Noted
Planning Scheme Amendment drafting	<p>The combination of 'discretionary preferred' and minimum mandatory' requirements in the DDO73 is complex, onerous and unworkable.</p> <p>It is unclear what is meant by 'technically achievable or 'economically feasible' – how is an applicant to satisfy Council whether meeting a preferred standard in Table 1 or Table 2 is not technically achievable or economically feasible?</p>	<p>It is disagreed that the combination of minimum mandatory requirements and discretionary requirements is unworkable.</p> <p>The Amendment is considered to be consistent with Planning Practice Note 59 Mandatory Provisions in Planning Schemes, including the Criteria for Applying a Mandatory Provision.</p> <p>The Amendment incorporates an interplay of mandatory and discretionary provisions which have been carefully considered in the formulation of the proposed controls. The mandatory provisions are strategically supported by the background work that has informed the proposed controls. It is appropriate to incorporate mandatory requirements in this Amendment, as illustrated in Council's preferred version of the DDO73, rather than rely purely on a performance based approach in order to ensure buildings are energy efficient and the design, construction and operation of buildings properly address climate change challenges.</p> <p>It is recommended that the requirements be removed to demonstrate to the satisfaction of the responsible authority that the delivery of the preferred standards for Table 1 (relating to ESD tools) is not technically achievable, and Table 2 (relating to Energy efficiency and renewables) is not technically achievable or economically feasible.</p> <p>The relevant decision guidelines are recommended to be modified to provide greater guidance about which kinds of</p>

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		<p>developments are expected to achieve the preferred standard.</p> <p>These changes are expected to significantly reduce the number of reports prepared by qualified persons which may have otherwise been prepared in support of planning permit applications which sought to vary these standards, and the associated Council resources involved in assessing those reports.</p>
Use of third-party tools	Green Star and BESS, which are proposed as mandatory, will change over time which has the potential to create unforeseen consequences perpetuated by the mandatory implementation.	Over time, the capacity to meet ESD requirements increases as technological changes enhance the development industry's ability to develop in a sustainable way. The upgrading of the third party tools will help the provisions remain up to date.
Use of mandatory provisions	The submitter believes that consideration and preference should be given to only having discretionary requirements.	Mandatory provisions are used where the requirement is essential to achieving sustainable development and Council's goal of zero net emissions by 2040. See the detailed response above to this issue.
Economic feasibility	<p>The proposed 6 Star Green Star Buildings rating is 'World Excellence'. The proposed standards will impose additional construction costs that are likely to be, in many circumstances, substantial and prohibitive.</p> <p>Council is familiar with the challenges faced in relation to housing supply and affordability and that implementation of sustainability standards need occur in a gradual manner and submits that the amendment fails to achieve the balance.</p>	<p>As the GBCA describes 6 Star Green Star as 'World Leadership', it is recommended DDO73 be modified as described above to address this.</p> <p>Affordability is an important issue for the City of Melbourne, and is being addressed by Council on multiple fronts. However, the fact that the Amendment may increase costs is not of itself a sufficient reason to change the Amendment in the face of the climate emergency.</p> <p>The Amendment has been underway for a number of years and broadly consulted on. The market will have ample time between exhibition and approval of the Amendment to adjust.</p> <p>In addition, a transitional provision is recommended to be added to DDO73 and the Capital City Zone and Docklands</p>

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		Zone schedules. This will exempt applications, including an application to amend a permit, made before the commencement of the Amendment.
Management recommendation		
<ul style="list-style-type: none"> • In response to this submission, it is recommended that: <ul style="list-style-type: none"> ○ At Table 1, Table 2 and the Decision Guidelines of DDO73: <ul style="list-style-type: none"> ▪ The need to demonstrate that meeting the preferred standard is not technically achievable or economically feasible whenever this is sought be removed. Submissions identified how the preferred standards for Table 1 & 2 align with world leadership and as such, may not be appropriate to impose on all applicable development. Developments will still be required to achieve the minimum mandatory standards which are considered appropriate. ▪ The relevant Decision Guideline be amended to provide greater guidance for assessing the wide range of matters which may impede achieving the preferred standard. ○ A transitional provision be added to DDO73 to exempt applications made before the commencement of Amendment C376, including applications to amend a permit. ○ Transitional provisions be added to Schedules 1, 2, 3, 4, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 Docklands Zone to exempt: <ul style="list-style-type: none"> ▪ The requirement to retain car parking spaces in a single or a consolidated title as common property from the subdivision of land following the issue of a planning permit before the commencement of Amendment C376. ▪ The requirements introduced by Amendment C376 from an application made before the commencement of the Amendment, including an application to amend a permit. • Refer this submission to planning panel 		

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73. City of Yarra

Key theme (where applicable)	Submission summary	Management response
	The submitter supports the Amendment	Noted
Use of the Planning Scheme to address sustainability matters	The submitter supports the proposed changes to the Melbourne Planning Scheme and recognises that the climate emergency presents an unprecedented challenge and that transformational change is needed to reduce carbon emissions, which requires large-scale action across all levels of government.	
	The submitter has also prepared an amendment in collaboration with 23 other Councils to introduce new planning controls similar to those outlined in Amendment C376.	
	The submitter commends the City of Melbourne on progressing work to introduce new sustainability design standards and requirements into the planning scheme	
Management recommendation		
<ul style="list-style-type: none"> • No changes are recommended in response to this submission • Refer this submission to planning panel 		

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Summary of recommended changes for planning panel

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1. Glossary

Term	Meaning
Green Factor tool	<p>A green infrastructure assessment tool designed by City of Melbourne and developed to help with designing and constructing new buildings and significant alterations and additions that are environmentally friendly and include green infrastructure.</p> <p>Amendment C376 proposes to require a minimum Green Factor tool score of 0.55 for all new development at Table 6 of Schedule 73 to Clause 43.02 Design and Development Overlay.</p>
NABERS	<p>The National Australian Built Environment Rating System (NABERS) provides environmental performance measurement for building sectors including offices, hotels and shopping centres. Disclosure of the NABERS Energy rating of a space within office buildings of 1,000 square metres or more is mandatory at the point of sale or lease under Commonwealth law.</p> <p>Amendment C376 proposes to require non-residential buildings achieve a NABERS Energy rating at Table 2 of Schedule 73 to Clause 43.02 Design and Development Overlay.</p>
NABERS Energy Commitment Agreement	<p>A contract signed by a developer or owner to commit to design, build and commission a building to achieve a specific NABERS Energy rating.</p>
NatHERS	<p>The Nationwide House Energy Rating Scheme (NatHERS) provides energy ratings for new dwellings. It is used by about 90 per cent of new home designs.</p> <p>Amendment C376 proposed to require dwellings to achieve a minimum NatHERS rating at Table 2 of Schedule 73 to Clause 43.02 Design and Development Overlay.</p>

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2. Sustainable building design requirements

Schedule 73 to Clause 43.02 Design and Development Overlay

Change
2.3 Requirements
Clarifying that the exemption to the Urban Ecology standard at Table 6 applies where it can be demonstrated that meeting the required Green Factor score is not achievable having regard to the context and constraints of the site.
<p>In relation to the 40% green cover requirement:</p> <ul style="list-style-type: none"> • Correcting a drafting error to enable the inclusion of vertical greening areas, such as green walls, to the green cover calculation by adding the words ‘the equivalent of’ • Clarifying the 40% target by replacing the existing word ‘will’ with ‘must’ and enabling flexibility about the elements which comprise that target by replacing the existing word ‘must’ with ‘should’ <p>These changes result in the following requirement: <i>the equivalent of at least 40% of the total site area will must be provided as green cover, which must should satisfy all of the following elements:</i></p>
<p>Deleting the following sentence because it is unnecessarily duplicates the preceding requirement that green cover be located to provide maximum benefit to cooling of the adjoining public realm: <i>Green walls or facades under this alternate delivery must directly abut the public realm and be on the lower levels of the building.</i></p>
Clarifying that the exemption to mandatory requirements applies only to applications for an amendment to a permit which was issued before the commencement of C376.
Making the use of the most current version of tools discretionary rather than mandatory to allow for circumstances where the latest version is not desirable, such as test or optional versions.
With regards to demonstrating that the use of an alternative tool is appropriate, replacing the term ‘comparable outcomes’ with the more specific ‘equivalent or better outcomes’.
Table 1: Environmentally sustainable design
<p>Removing the need to demonstrate that meeting the preferred standard ‘is not technically achievable’ whenever non-compliance is sought. It is no longer considered appropriate to hold applicants to this requirement in every circumstance because:</p> <ul style="list-style-type: none"> • Since Council authorised the Amendment in 2020, the Green Star Design and As Built tool has been replaced with the Green Star Buildings tool. • The preferred standard equates to world leadership under the Green Star Buildings tool. • There are many types of developments which should meet the standard of world leadership, and these categories of developments have been identified in the decision guidelines. • The Amendment will encourage all sites to meet the preferred standard while relieving developers and Council from the costly task of assessing technical achievability and economic feasibility for all cases in which the preferred standard is not met.

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- Developments will still be required to achieve the minimum mandatory standard. For larger developments, the minimum standard of a 5 Star Green Star Buildings rating will ensure net-zero emission buildings.

This change is complemented by altering the relevant Decision Guideline to provide greater guidance for assessing the wide range of matters which may impede achieving the preferred standards.

Extending the period of time after occupation in which a development's Green Star Buildings rating must be certified from 12 months to 24 months, or as otherwise agreed with the responsible authority, to align with the Green Star timeline for certification.

Table 2: Energy efficiency and renewables

Removing the need to demonstrate that meeting the preferred standard 'is not technically achievable or economically feasible' whenever non-compliance is sought. It is not considered appropriate to hold applicants to this requirement in every circumstance because:

- The preferred standards for Table 2 align with world leadership.
- There are many types of developments which should meet the standard of world leadership, and these categories of developments have been identified in the decision guidelines.
- The Amendment will encourage all sites to meet the preferred standards while relieving developers and Council from the costly task of assessing technical achievability and economic feasibility for all cases in which a preferred standard is not met.
- Developments will still be required to achieve the minimum mandatory standards which will result in highly energy efficient buildings.

This change is complemented by altering the relevant Decision Guideline to provide greater guidance for assessing the wide range of matters which may impede achieving the preferred standards.

Enabling the development to be certified with The National Australian Built Environment Rating System (NABERS) at a time agreed with the responsible authority rather than 24 months, if necessary, to reflect the need to achieve a threshold of building occupancy before performance monitoring can take place and for the rating certification to be completed.

Clarifying that The Nationwide House Energy Rating Scheme (NatHERS) applies only to Dwellings, rather than all residential development as previously drafted, which was technically incorrect.

Increasing the minimum NatHERS rating from 6.5 stars to 7 stars to align with the updated minimum NatHERS rating introduced in the National Construction Code 2022.

Replacing the blanket requirement of a 5.5 Star NABERS Energy rating for all non-residential development of more than 5000sqm Gross Floor Area (GFA) with the need to enter into a NABERS Energy Commitment Agreement. A Commitment Agreement is a contract signed by a developer or owner to commit to design, build and commission a building to achieve a specific NABERS energy rating.

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This change is required because submitters correctly identified that different ratings are appropriate for different buildings, with the 5.5 Star rating best aligned with offices, but too high for hotels or shopping centres.

Green Star Buildings nominates appropriate energy ratings for different building types, including a 5.5 Star rating for an office. As such, by introducing a requirement to enter into a Commitment Agreement at Table 2, the requirement in Table 1 for development of more than 5000sqm GFA to achieve a 5 Star Green Star Buildings rating will guide applicants to selecting the appropriate NABERS Energy rating from within the Green Star Buildings tool.

Requiring a Commitment Agreement will also increase certainty for Council that the NABERS Energy rating will be achieved because of its rigorous certification process.

The preferred standard has been re-worded to align with Green Star Buildings for consistency.

Table 5: Urban heat island response

Adjusting the requirements which reduce the impact of the urban heat island effect to better align with Green Star Buildings to avoid inconsistency and assist with industry implementation.

Table 7: Integrated water management

Excluding the requirements of Table 7 from the Lorimer Precinct of the Fishermans Bend urban renewal area to acknowledge its recently introduced precinct-specific water tank and integrated water management requirements.

Consolidating Table 7 and Table 8 (of the exhibited version) to:

- Clarify the achievement level and criteria required by applications of more than 5000sqm in the Water Use credit of Green Star Buildings in response to submissions that the control was drafted ambiguously.
- Remove unnecessary duplication with other requirements of the schedule.

6.0 Decision guidelines

Providing greater guidance for assessing the wide range of matters which may impede achieving the preferred standard in Table 1 and Table 2.

7.0 Transitional arrangements

Adding a transitional provision to exempt the requirements of DDO73 from an application made before the commencement of Amendment C376.

Formatting and grammar corrections

Other minor re-wording, technical, formatting and grammatical matters.

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3. Sustainable transport requirements

Schedules 1, 2, 3, 4, 5 and 7 to Clause 37.04 Capital City Zone and Schedules 1, 2, 3, 4*, 5 and 6 to Clause 37.05 Docklands Zone

*No change to the parking rates of Schedule 4 to Clause 37.04 Capital City Zone was exhibited, nor are any proposed because Fishermans Bend has bespoke rates.

Change
3.0 Requirements – bicycle, motorcycle and car share parking
Reducing the employee and visitor bicycle parking rates to better reflect the anticipated demand for Retail, Place of assembly, Minor sports and recreation facility or Education uses. The exhibited rates were identified by submissions as well above needs.
Reducing the visitor bicycle parking rate for Dwelling and Office uses to better reflect the anticipated demand, with submissions identifying that the exhibited rates for office visitors should not be identical to those of employees, for example.
Setting flat motorcycle and car share parking space rates as a proportion of total car parking spaces to better align with expected demand for these spaces.
Clarifying that motorcycle and car share parking rates only apply when car parking is proposed to avoid unnecessary construction and footpath crossovers.
Clarifying the development size threshold at which a Green Travel Plan must be provided.
Expanding the list of considerations relating to the delivery of bicycle parking.
7.0 Transitional arrangements
Where a permit has been issued prior to the commencement of Amendment C376, exempting the development from the proposed requirement at Clause 2.0 that an application to subdivide land must ensure that all car parking spaces are retained as common property.
Exempting the requirements introduced by Amendment C376 from applications made before the commencement of the Amendment.
Formatting and grammar corrections
Other minor re-wording, technical, formatting and grammatical matters.

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4. Local policy changes

Clause 02.03 Strategic Directions and Clause 15.01 Built Environment

Change
02.03-7 Transport
Align the Sustainable Transport local policy with the City of Melbourne Transport Strategy 2030, including the 70% mode share target for public transport, walking and cycling.
15.01-2L-01
Rename the proposed local policy from 'Sustainable Development' to 'Environmentally Sustainable Building Design' to better reflect its policy intent and relationship with the parent state policy at 15.01-2S.
Add to the urban design strategies that development will be required to 'meet or' exceed minimum standards to reflect the introduction of the minimum requirements in Amendment C376.
Remove reference to combined heat and power generation systems given their typical reliance on gas power.

02.03

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02.03-1

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STRATEGIC DIRECTIONS

Settlement

To accommodate the City’s growth over the coming 30 years and preserve established residential areas, various settlement areas have been established, each with a different role.

The City contains five types of settlement areas, identified on the Growth Area Framework Plan (at Clause 02.04-1).

The original city centre

The Hoddle Grid is known for its orderly grid and hierarchy of streets, lanes and arcades and is the main retail and office area in the state. Key functions are located in the Hoddle Grid, including government and public buildings, offices, cafes, education, retail and residential. A strong emphasis is placed on a quality public realm and good pedestrian amenity and connectivity.

Existing urban renewal areas

Existing urban renewal areas provide a new mix of uses and higher density of development complemented by excellent provision for walking, cycling and public transport services.

Arden is a Major urban renewal precinct. Arden will evolve as a thriving inner-city neighbourhood showcasing quality and affordable housing, a thriving network of open spaces, active transport links, and adaptable community facilities, schools and workspaces. The delivery of Arden Station in the heart of the precinct will connect the digital technologies, life sciences, health and education sectors. It will provide for 34,000 jobs and a range of well serviced, diverse housing options for 15,000 people by 2051.

The vision for Arden is for the precinct to be at the forefront of sustainable development, embracing new ways to live, learn, work and travel in an energy efficient district. Arden is striving for a 6 Star Green Star rating.

Southbank is home to the State’s internationally recognised Arts Precinct. Southbank includes the Southbank Promenade, Melbourne Convention and Exhibition Centre and together with the South Wharf complex it provides an extension of the Hoddle Grid.

Docklands is a residential, commercial and visitor destination providing housing, office, industry, research, institutional, business, education, entertainment/leisure, marina and sporting uses and public spaces. As an extension to the Hoddle Grid, Docklands has become a vital urban redevelopment and activity hub.

Fishermans Bend Urban Renewal Area is a declared project of State significance and is a priority urban renewal area. The urban renewal area includes the Lorimer precinct in the City of Melbourne and Montague, Sandridge and Wirraway precincts in the City of Port Phillip.

The vision for the Fishermans Bend Urban Renewal Area is to deliver a thriving place that is a leading example for environmental sustainability, liveability, connectivity, diversity and innovation that will by 2050, accommodate 80,000 residents, 40,000 jobs and be Australia’s largest Green Star Community. Fishermans Bend is striving for a 6 Star Green Star Community rating.

The Lorimer precinct is planned to accommodate approximately 12,000 residents and provide 6,000 jobs. The precinct will provide a mix of residential, retail, commercial, entertainment and employment land uses that complement the functions and built form of the Central City.

City North is a specialised activity area and an area in transition. The University of Melbourne, RMIT University, hospitals and research institutions are expanding their facilities and the redevelopment of the former Carlton United Brewery site is underway. Further potential for urban renewal exists between the existing Central City and the knowledge precinct in the south area of Parkville. It contains the Parkville Station as part of the Melbourne Metro project and is an extension of the Central City.

Macaulay is an area in transition. Historically, an industrial area supporting the city's economy through manufacturing and production, the profile of business activity in the area has been changing. The Melbourne Metro station project and the proposed North Melbourne Station will lead to major change and urban renewal of the precinct. Important issues include the interface between on-going industrial and residential areas, and the interface between new development and existing residential areas. Sensitive use buffers will play an important role in protecting these uses.

Proposed urban renewal areas

Proposed urban renewal areas will provide for the next generation of urban renewal. Until structure plans are implemented, local policies for the areas apply.

E-Gate comprises mostly railway reserve in State Government ownership which adjoins the Docklands and Arden Macaulay urban renewal areas. The State Government is developing plans for the urban renewal of the area.

Potential urban renewal areas

Potential urban renewal areas present long term options for future urban renewal that are dependent on the resolution of infrastructure planning.

Dynon accommodates mainly freight and some industrial activities. The rationalisation and modernisation of freight functions will open up the potential for the renewal of the northern section of this area. Any urban renewal should not constrain the operations of the port freight terminal to the south.

The **Jolimont Rail Corridor** runs through the middle of the Sports and Entertainment Precinct. The potential exists for development over the transport corridor which will become increasingly attractive not only for the development space they can yield but also for the opportunity to connect parts of the city.

The **Racecourse Rail Corridor** between the Flemington Racecourse and the Showgrounds has potential similar to the Jolimont Rail Corridor but will depend on future rail service options.

The **Sports and Entertainment Precinct** includes some of Melbourne's major sporting and entertainment venues as well as large areas of parkland 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 Royal Botanic Gardens.

Stable residential areas

These residential areas are valued for their existing character. Limited change, such as in-fill development and alterations and additions, that respects existing character, can occur.

As **South Yarra** is an area with minimal potential for new development, residential amenity and the area's historic character and features will be preserved.

The **East Melbourne and Jolimont** area accommodates 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.

Carlton, a dynamic and diverse local area, accommodates housing, retailing, entertainment, educational, institutional, leisure and cultural activities. Lygon /Elgin Street is an important local shopping centre that also has a regional tourist role based on its restaurants. The tourism, residential and retailing functions of Lygon and Elgin Streets and their surrounds need to be balanced.

Parkville contains the extensive parklands of Royal Park and Princes Park which provide both local and regional open space. It has small established residential neighbourhoods, defined by their park context and a high integrity of heritage buildings. Preservation of heritage and parkland values and maintenance of residential amenity are key priorities.

North 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.

West Melbourne accommodates a mix of residential, commercial and industrial uses, along with the major regional open space of Flagstaff Gardens and North Melbourne Station - a major interchange station connecting six train lines to the north-west of Melbourne. The projected population of West Melbourne is around 19,000 by 2036 and around 21,500 by 2041. It is predicted that there will be the need for around 10,000 jobs in total (4,500 to 6,500 additional jobs) in West Melbourne by 2036.

West Melbourne will retain its unique identity, varied areas of character and mix of uses as it evolves into one of Melbourne's distinct inner urban neighbourhoods. The area will remain distinct from the central city. Retention and adaptive reuse of its heritage and other characterful buildings will be encouraged. New mixed-use development of the highest design quality will bring high amenity for residents, workers and visitors. Its wide green streets will provide excellent connections and a network of local spaces to rest and play. Spencer Street between Dudley and Hawke Streets will become a vibrant local activity centre creating an economic centre for West Melbourne.

Flemington and Kensington (west) are areas where maintaining and enhancing residential amenity and the heritage characteristics are 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 open space network.

Other areas

St Kilda Road is 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.

The **Fishermans Bend Employment Precinct** is nominated as a National Employment and Innovation Cluster (NEIC). It is strategically located to the west of the Melbourne CBD and adjacent to the Port of Melbourne, Australia's largest container and general cargo port.

The vision for the precinct is to become Australia's leading design, engineering and advanced manufacturing precinct. The precinct will provide development densities that facilitate primary

manufacturing functions in the engineering sectors of aerospace, transport and defence, as well as encouraging clean and creative technology and tertiary education. This will enable the area to transition towards an advanced manufacturing, engineering and design innovation economy that supports approximately 40,000 jobs and 20,000 tertiary students.

The provision of proposed improvements to public transport and urban amenities, combined with the redevelopment of the Victorian Government owned former General Motors Holden site will provide the early catalyst for the delivery of the vision for the Precinct and drive investment attraction. Westgate Park will continue to perform an important ecological and recreational role as extensive parkland in an urban setting for existing and future residents, workers and students. In planning for settlement, the Council will:

- Direct urban growth and development into specific areas of the City shown on the Growth area framework plan at Clause 02.04-1.
- Expand the footprint of intensive growth areas beyond the Central City (Hoddle Grid, Docklands and Southbank) into designated new urban renewal areas.
- Retain the Hoddle Grid area as the core of the Central City and plan for its ongoing change and growth.
 - Direct new urban growth into the Docklands and Southbank Existing Urban Renewal Areas.
 - Support ongoing urban renewal and Central City expansion in the Existing Urban Renewal Areas.
- Develop the Potential Urban Renewal areas, dependant on the resolution of related infrastructure planning.
- Ensure development in Urban Renewal Areas does not compromise the preferred future renewal of those areas.
- Support the ongoing use of the Dynon Precinct 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 industries along the Maribyrnong River while ensuring that the amenity of the river is enhanced.
- Enable ongoing but incremental growth and development in those parts of the City needing renewal.
- Maintain 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 the Fishermans Bend Urban Renewal Area:
 - Create thriving, lively, mixed-use neighbourhoods and a place of design excellence with highest densities of employment opportunities close to existing and planned public transport.
 - Provide housing opportunities for a diverse community including at least six per cent of dwellings as Affordable Housing, with additional Social Housing dwellings provided as part of a Social Housing uplift scheme.
 - Create a benchmark for sustainable and resilient urban transformation that supports the creation of a climate adept, water sensitive, low carbon, low waste community, addresses

potential flood impacts with measures which maintain activity at ground level, and is designed to provide best practice waste and resource recovery management.

- Create a connected, permeable and accessible community that prioritises walking, cycling, and public transport use and supports 80 per cent of movements via active and public transport.
- In the Arden Precinct:
 - Create a place of design excellence that supports innovative design, with the highest densities of employment opportunities close to existing and planned public transport, and creative and innovative land uses within appropriate precincts.
 - Deliver housing opportunities for a diverse community, including Affordable Housing.
 - Create a benchmark for sustainable and resilient urban transformation that supports the creation of a climate adept, water sensitive, low carbon, low waste community and is designed to provide best practice waste and resource recovery management.
 - Create a connected, permeable and accessible community that prioritises walking, cycling, and public transport use.
 - Support the continued operation of strategically important existing uses including those that provide services or materials to the construction industry or support the urban renewal of the precinct.

02.03-2

Environmental and landscape values

~~21/09/2022~~ ~~C409melb~~ Proposed C376melb

Biodiversity and waterways

The City's parks, gardens and aquatic environments have several sites with important indigenous flora and fauna habitat.

Land use and development activities can undermine the health and biodiversity of its flora and fauna ecologies. It is important to protect the open spaces and waterways that support those systems.

The quality of the City's open spaces and waterways are important to the municipality's recreational attractiveness and the health of the ecological systems and the biodiversity they support.

Private land within the City of Melbourne makes a contribution to the City's biodiversity and the health of its waterways. The protection of the biodiversity values of private land is important for the City.

In managing biodiversity and waterways, the Council will:

- Protect and enhance the habitat of the city's parklands, the Yarra and Maribyrnong Rivers and the Moonee Ponds Creek.
- Ensure open space links along waterways provide for environmental and recreational functions.
- Support design treatments that enhance or restore natural systems.
- Maintain the Yarra River Corridor as a continuous, high pedestrian amenity focus for the City.
- Promote active land uses such as cafes, restaurants and leisure venues in buildings along the Yarra River, particularly those with a northern orientation.

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PLANNING SCHEME

- ~~Encourage the retention of native~~ and mature canopy vegetation in the development of sites and enhance indigenous and remnant vegetation.
- Encourage the use of indigenous vegetation in the delivery of open spaces and ~~roof-top greening~~ green cover for buildings.
- Minimise the impacts of introduced flora and fauna on indigenous vegetation.
- Create and enhance ~~bio-links for~~ vegetation links to increase the resilience of native flora and fauna.
 - ▣ Adopt an integrated water management approach to the delivery of water to support green cover for buildings and reduce stormwater impacts on waterways.
 - ▣ Ensure residential, commercial and industrial development adopts a best practice approach to stormwater treatment and management.
 - ▣ Consider future climate conditions when determining appropriate vegetation species.
 - ▣ Ensure green cover for buildings supports the creation of complex and biodiverse ecosystems and provides a layered approach, incorporating both understorey and canopy planting.

02.03-3

21/09/2022

C409melb

Environmental risks and amenity

Climate change

The City is one of the most compact, dense and mixed use parts of the metropolitan area with the richest network of public transport services and generous open space reservations. These characteristics have intrinsic characteristics that offer significant potential to drive down energy use, to make the City robust against the predicted impacts of climate change, particularly water scarcity and heatwaves.

Climate change will deliver reduced rainfall, rising sea level, more extreme flooding, intense storms, and heatwaves. The built environment must be designed to moderate and provide protection from these impacts.

In planning for climate change, the Council will:

- Encourage development that is resilient to heatwaves, water shortages, extreme storm events and sea level rise.

Amenity, safety and noise

Industries can affect the amenity of nearby sensitive land uses such as residential. It is important to manage this tension between industrial operations and the amenity of adjacent residential areas.

Some non-residential uses in residential areas make important contributions to local neighbourhoods, such as educational, recreational, religious and a limited range of other uses that serve local needs.

The City has licensed premises that provide opportunities for social interaction and a vital night-time economy providing music, food and entertainment. Well managed licensed premises contribute positively to the activity, character and image of the City. Small licensed premises are particularly important to the vitality of the Central City as a 24 hour city.

Amusement parlours provide another entertainment option, particularly for young people. However, when allowed to agglomerate, they may create adverse impacts in terms of amenity, character, image and perceived safety of an area. Sexually explicit adult establishments can have similar adverse impacts.

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PLANNING SCHEME

~~Gaming premises are located throughout~~ the Central City and in nearby Commercial Zones.

In managing amenity, safety and noise, the Council will:

- Restrict the encroachment of incompatible non-residential uses in the Neighbourhood Residential Zone and General Residential Zone.
- Encourage dwellings and non-residential uses in residential areas to be located and designed to protect residents from off-site amenity impacts.
- Protect amenity by discouraging the concentration of sexually explicit adult entertainment, amusement parlours and gaming venues in the Central City.
- Ensure that gaming premises do not form concentrations in particular areas and are discouraged in residential areas.

02.03-4 **Built environment and heritage**

~~19/10/2022 - 19/10/2022 - C394melb~~ Proposed C376melb **Built environment**

Melbourne's character is defined by its distinctive urban structure, historic street pattern, boulevards and parks, heritage precincts, laneways and individually significant heritage buildings. The City's buildings, streets, open spaces and landscape features combine to give the municipality its unique appearance and feeling.

Where the built form character of an area is valued, new development must respect this character and add to the overall quality of the urban environment. In areas where built form change is more substantial, a new and equally attractive environment must be created.

An important element of the City's built form is lanes, which provide important public spaces and an environment for social interaction and activities. They also support a lower built form and intimate environment that assists in providing favourable amenity and climatic conditions to support pedestrian activity.

In the built environment, inappropriate signs or a proliferation of signs may detract from the character and amenity of the place and create visual clutter.

A fundamental feature of the City's built environment is the ability to offer sunlight to its streets and public spaces at times of the year when the intensity of pedestrian activity is highest to provide high amenity public space, aid public health and support vegetation.

In managing the built environment, the Council will:

- Protect and enhance the City's distinctive physical character and heritage, 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.

▪ Ensure design, height and scale of development responds to the identified preferred built form character of an area.

- Ensure a strong distinction between the built form scale of the Central City with that of surrounding areas.

▪ Improve public realm permeability, legibility and flexibility.

- Ensure that development in the Capital City, Docklands, Commercial and mixed use zoned areas provide active street frontages and minimise pedestrian disruption from car access.

- Design public and private open spaces to support wellbeing including physical movement, communal exercising, social interaction, quiet enjoyment and connections to the natural environment.

- In all Urban Renewal Areas:

- Provide a complementary transitional scale to adjoining areas where the built form character is to be maintained.
- Encourage a development pattern that is permeable and fine-grained.

- Enhance the role of the Boulevards and Principal Streets as entrances to the Central City through development that maintains landscape character.

Heritage

One of the great Victorian-era cities in the world, the City contains many precincts, intact streetscapes, Aboriginal archaeological sites and buildings recognised for their cultural heritage significance. They contribute to the significance of Melbourne as the cultural, administrative, educational and economic centre of the State and a significant part of Melbourne's attraction as a place in which to live, visit, do business and invest. It is also important for cultural and sociological reasons, providing a distinctive historical character and a sense of continuity.

The management of heritage places in the Capital City Zone (CCZ) and Docklands Zone (DZ) faces the challenge of intense development and the different built form outcomes that result from development.

The World Heritage Environs Area provides a buffer zone to protect the World Heritage Listed Royal Exhibition Building and Carlton Gardens.

In protecting heritage values, the Council will:

- . Conserve and enhance places of identified cultural heritage significance, including views to heritage places.

Maintain the visual prominence of heritage buildings and landmarks including the Shrine of Remembrance, Parliament House and the World Heritage Listed Royal Exhibition Building and Carlton Gardens.

- . Protect the significant landscape and cultural heritage features of parks, gardens, waterways and other open spaces.

Sustainable development

The City of Melbourne has declared a 'climate emergency' and has adopted a target of zero greenhouse gas emissions for the municipality by 2040. The built environment has an important role to play in mitigating greenhouse gas emissions. The City will plan and design to become an environmentally sustainable city that is energy, water and waste efficient, and adapted to predicted climate change.

In promoting sustainable development, the Council will:

- ~~Ensure an environmentally sustainable urban environment and building design that facilitates reduced greenhouse emissions, integrated water management, and efficient resource use and waste reduction.~~
- Require mitigation measures through increased energy efficiency in the built environment resilient to heatwaves, water shortages, extreme storm events and sea level rise and the delivery of zero emissions buildings.
- Support increased delivery and use of renewable energy.
- Support the transition to more sustainable forms of transport.
- Increase the resilience of the natural and built environment by increasing greening and green infrastructure.
- Support community resilience by requiring development to respond to the urban heat island effect.
- Adopt integrated water management principles and approaches.
- ~~Encourage environmentally sustainable building design innovation~~ Support efficient waste management and resource recovery practices.
- . Encourage ~~the connection of buildings to district~~ precinct based responses to energy, water and waste systems through a precinct wide approach in recognition of the increased opportunities in urban renewal areas.

02.03-5
21/09/2022
C409melb

Housing

Housing diversity

Providing housing to accommodate the expected significant population growth in an already densely developed city is a key challenge for the municipality. New housing needs to be diverse, affordable and provide a good standard of building design.

Most of the 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, 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.

High standards of on-site amenity should be provided in all residential development, including good access to sunlight, daylight and privacy as well as protection from effects such as noise and light spill.

In providing housing, the Council will:

- Preserve the valued characteristics of the stable residential areas and in areas outside the Central City and Urban Renewal Areas, increase housing quantity and density consistent with existing character.
- Encourage the most significant housing and population growth to the Central City and urban renewal areas.
- Ensure that new residential development achieves high standards of amenity including access to sunlight and daylight and protection from overlooking.

Ensure social and physical infrastructure provision as part of residential development.

- Support a range of housing types and tenures to meet the diverse of housing needs.

Affordable housing

There is a need to increase the proportion of lower cost accommodation, social housing and housing to meet a diverse range of needs.

In providing affordable housing, the Council will:

- Support lower cost housing, social housing and housing designed for people with disabilities.

Student housing

The many tertiary educational institutions of Melbourne cater for a large number of students from overseas, interstate and from regional Victoria. The demand for student accommodation is projected to be ongoing, recognising that it has specific requirements compared to other types of dwellings.

In providing student housing, the Council will:

- Support purpose-built student housing that encourages social interaction.

02.03-6

21/09/2022

C409melb

Economic development

Employment and innovation

The City 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.

In 2011 there were over 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 (SGS 2011, Employment Forecasts).

Innovation in business is central to the City's economic vitality and its role as a globally competitive capital city. The municipality is a dense centre of world standard service and research activity particularly in the financial, engineering, biotechnology and design sectors.

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PLANNING SCHEME

- The universities and TAFE institutes are able to link locally with industry, business, hospitals and research institutes in the Parkville, Alfred Hospital and St Vincent's Hospital precincts.

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 are under increased pressure for housing, and it is important to ensure their ongoing functioning and viability as business areas.

The Hoddle Grid will remain the State's pre-eminent retail centre.

The City has a traditional manufacturing and industry base but in recent times, many manufacturing uses have relocated to the periphery of Melbourne or offshore. The City, however, offers unique locational and access advantages, particularly for advanced manufacturing industries.

The Fishermans Bend Employment Precinct is one of Victoria's National Employment and Innovation Clusters (NEIC) and contains a vibrant industrial area with head offices and important clusters in aviation, aerospace and defence.

In supporting employment and innovation, the Council will:

- Support development that reinforces the City's role as Victoria's principal centre for commerce.
- Support the Central City Retail Core and local retail uses.

Ensure a proliferation of eating and entertainment uses do not undermine the character and range of services offered in local retail centres.

- Support the development of Docklands and Southbank as vibrant business and retail areas.
- Support St Kilda Road as a vibrant office and high density residential district.
- Encourage development that supports the City's role as an Australian and Asia Pacific gateway for health services, financial and business services, education and biotechnology.
- Encourage a mix of commercial and business services that provide employment opportunities for local residents, appropriate to the location with off-site impacts managed consistent with the local amenity.

Improve the long term viability and security of the City's industries.

- Support the 24 hour function of the Port of Melbourne and associated industries, as Australia's leading container port.
- Encourage industries to adopt the highest standards of environmental management practice.
- Encourage a dense co-location of business, education, medical and research centres.
- Encourage uses that include research and development activities.
- Support the development of Fishermans Bend Employment Precinct as a National Employment and Innovation Cluster and as the City's primary industrial area and the preferred location for clean, advanced manufacturing, research and development, and ancillary services.
- Ensure the development of commercial and retail uses in the Fishermans Bend Employment Precinct supports the vision for the precinct as Australia's leading design, engineering and advanced manufacturing precinct.

Tourism

The City is a national and international tourist destination and the State's entertainment and celebration capital. The numerous large sports and entertainment venues, convention facilities and cultural facilities draw visitors to the city.

In promoting tourism, the Council will:

- Encourage development that supports tourism at sports and entertainment venues, convention and cultural facilities.
- Support development that promotes the Docklands waterfront as a tourism and leisure destination of State significance.

Creative industries

The City 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.

In encouraging creative industries, the Council will:

Encourage the growth and clustering of cultural institutions. .

- Provide a diverse range of leisure, arts, cultural and entertainment uses.
- Locate entertainment, music and cultural attractions in Commercial and Mixed Use Zones, where consistent with the local amenity.
- Encourage the growth of a cultural environment in the Hoddle Grid, Southbank and Docklands by supporting entertainment uses, music and the arts.



02.03-7 Transport

21/09/2022 - / - / - -

C409melb Proposed C376melb Integrated transport

Effective and efficient mobility is essential for the liveability, creativity, prosperity, innovation and environmental sustainability of the City.

The City’s transport infrastructure must meet the demands of the growing intensity and diversity of land uses and major events.

In integrating transport, the Council will:

Integrate transport and urban growth.

- Encourage water transport for recreational and commuter use consistent with maintaining safe and efficient Port operations.
- Locate major entertainment, recreation, retail, education and employment areas where they are accessible by public transport and walking.
- Reduce the negative impacts of traffic and parking, particularly on residential areas and parklands.

Sustainable transport

Melbourne is the centre of the state’s transport network. It is the part of our state where the demand for travel is greatest and where walking, cycling and public transport are the dominant modes of transport. In order to move more people in the same amount of street space, the City needs to make the existing transport infrastructure work harder. There is significant potential to boost the contribution of each of these sustainable modes.

A priority for the City is maximising the use of sustainable modes of transport, in particular public transport, supporting improved cycling and walking connections and reducing the greenhouse gas emissions from motorised vehicles. Private motor vehicles will continue to be an important part of the mix of modes but their use will become increasingly complementary to the other transport modes and technologies which align with the City’s transport objectives and emission reduction targets. Opportunities to reduce private vehicle usage in the City through car share schemes are also important.

The City of Melbourne aims to transition to 70% mode share for public transport, walking and cycling. Public transport is the most economic and efficient mode for mass travel to and from the City. Walking accounts for the greatest proportion of trips within the City. An excellent walking network is necessary for the functioning of all the other modes.

Bicycles and motorised bikes/scooters are gaining popularity. They are efficient users of road space and are time-competitive with cars. There are good opportunities to increase cycling take-up.

In encouraging sustainable transport, the Council will:

- ~~Develop and maintain~~ Ensure a comprehensive streets and laneways ~~are~~ safe, comfortable and convenient for walking pedestrian and cycling network.
- Provide a well-connected network of safe and protected bicycle lanes and high-quality bicycle parking facilities.
- ~~Protect and enhance the~~ Support the laneways as a significant element of the pedestrian network and public realm.
- Enhance the stations as international gateways to the City.
- ~~Support the provision of~~ Ensure public bike hire and micro-mobility stations are convenient to pedestrians and public transport.
- ~~Maximise the use of~~ Support public transport that through an efficient urban structure is safe, accessible, fast and frequent.
- Support private vehicle access to the city for deliveries, servicing and for people who need to use a car. Encourage public transport as the primary mode of access to the Central City by planning for the network and encouraging integrated development.
- Support micro-mobility that delivers net public benefit.

Freight and ports

Melbourne is Australia's international freight hub and gateway. The Port of Melbourne is the largest container port in Australia, handling 36 per cent of the nation's container trade. The Port and the City's industrial areas rely on efficient road and rail links for freight movement.

In planning for freight and ports, the Council will:

- Enhance Melbourne's role as Australia's freight hub and gateway.
- Support development of the Melbourne International Freight Terminal in the Dynon Precinct.
- Support freight uses in the West Melbourne Industrial Precinct.
- Improve links to the Port, including the integration of Port operations with the Melbourne International Freight Terminal and the Fishermans Bend Employment Precinct.
- Support reduced amenity and environmental impacts from road based freight vehicles.

02.03-8

21/09/2022
C409melb

Infrastructure

Community infrastructure

The expansion and upgrading of utilities, community facilities and public open space will be required to service the growth of resident, worker and visitor populations. Key to this is an efficient use of existing infrastructure and forward planning for future needs.

In supporting community facilities, the Council will:

- Facilitate upgrading of utilities, community facilities and public open space that meet the needs of the public.

Integrate new community facilities with residential development.

- Encourage co-location of complementary community facilities and encourage multipurpose uses.

Education and health facilities

Melbourne is one of the world's leading student cities. The City is home to the University of Melbourne and RMIT University, the city campuses of four other universities, TAFE institutes and colleges as well as many private institutions. It hosts leading research institutions in Bioscience and benefits from the co-location of key education, hospitals, research institutes and industry.

In promoting education and health facilities, the Council will:

Support use and development for primary, secondary and tertiary education.

- Support the clustering of hospitals and their continued development.

Integrated water management

Increased development can result in changes to the volume, velocity and quality of stormwater drainage into natural waterways. Achieving improved stormwater quality is a key objective in reducing the environmental impact of urban development. Waterways are an important environmental asset and measures that protect, or improve, water quality will be of significant benefit.

In practicing integrated water management, the Council will:

- Encourage stormwater management, including water sensitive urban design, to minimise the impact of development on waterways.

Telecommunications

Supporting telecommunications facilities, whilst managing their visual impact, is an important issue for the City.

In managing telecommunications facilities, the Council will:

Ensure infrastructure to meet anticipated information, communication and technology needs.

- Minimise the visual impact of telecommunications and utilities infrastructure.

Public open space

Public open space is highly valued within the City particularly due to the intensity of development and the limited availability of private open space.

In planning for public open space, the Council will:

- Maintain Enhance and increase Melbourne's public open space network and promote greening of the City.
- Ensure parks, gardens, waterways and open spaces remain a prominent element of the City's structure and character.

Ensure there is no net loss in public open space.

- Ensure that development in and surrounding the City's parks and gardens does not adversely impact on the solar access, recreational, cultural heritage, environmental and aesthetic values, or amenity of the open space.
- Maintain and grow major sports facilities and parks given their national significance.

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15.01

BUILT ENVIRONMENT

31/07/2018
VC148

15.01-1S

Urban design

31/07/2018
VC148

Objective

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Strategies

Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.

Ensure the interface between the private and public realm protects and enhances personal safety.

Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.

Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.

Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.

Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.

Promote good urban design along and abutting transport corridors.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

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15.01-1R Urban design - Metropolitan Melbourne

31/07/2018
VC148

Objective

To create a distinctive and liveable city with quality design and amenity.

Strategies

Support the creation of well-designed places that are memorable, distinctive and liveable.

Integrate place making practices into road space management.

Strengthen Melbourne's network of boulevards.

Create new boulevards in urban-growth areas and selected existing road corridors across Melbourne.

Provide spaces and facilities that encourage and support the growth and development of Melbourne's cultural precincts and creative industries.

15.01-1L-01 CBD Lanes

21/09/2022
C409melb

Policy application

This policy applies to applications for works within laneways and development on land with a boundary to a laneway in the Central Business District bounded by Flinders Street, Spring Street, Victoria Street, Peel Street, La Trobe Street and Spencer Street, excluding the RMIT University.

Objectives

To maintain and enhance the valued character and function of Melbourne's laneways.

To maintain and improve the city's lane way network and encourage the creation of new lanes and connections.

To enhance the climatic conditions and amenity of laneways and encourage more pedestrian use and social activity.

To encourage activity and interaction between public laneways and adjacent private uses.

To recognise lanes that provide for essential servicing and vehicular access and to ensure that new development does not adversely effect or impede the operation of these functions.

Strategies

Protect and create views along lanes that provide a visual link to other streets and lanes in the pedestrian network, or which terminate at notable buildings or landmarks.

Manage future development in and adjacent to Class 1 lanes to protect their character and function.

Manage development in and adjacent to Class 2 and Class 3 lanes to encourage these lanes to show signs of Class 1 lanes through improvements in:

- Connectivity – physical connection through a city block.
- Active frontages – visual and physical interaction between the lane and the ground floors of the buildings.
- Elevational articulation – the architectural character of the buildings adjoining the lane and the degree to which this provides aesthetic and spatial interest to the public realm.

Retain all Class 1 and 2 lanes and strongly discourage the closure or partial closure of Class 3 lanes unless it will:

- Not obstruct service and access arrangements.
- Result in a replacement lane that improves pedestrian amenity and advances the objectives and strategies of this policy.

Provide safe, direct, accessible and attractive through block pedestrian routes that improve the legibility of the city.

Encourage new lanes and retail arcades that respect the traditional street pattern.

Retain bluestone laneways, kerbs and guttering within heritage precincts.

Promote the inclusion of art, landscaping, street furniture and activity spaces.

Improve the pedestrian amenity of lanes that are primarily used for servicing and car parking through the use of materials, lighting and designated areas for pedestrians and vehicles.

Maintain and enhance the intimate environment of lanes by ensuring that higher tower forms are set back from the predominate parapet height along the laneway to ensure a sense of openness that reinforces a human scale.

Encourage development to respond to the fine grain pattern, vertical articulation and division of building frontages where this forms part of the established laneway character.

Encourage development that provides highly articulated and well detailed facades that create visual interest, particularly at the lower levels.

Encourage development to orientate windows and balconies to overlook lane ways.

Encourage development along lanes to minimise microclimate effects through weather protection, shading, and building placement.

Encourage small scale tenancies and spaces at ground level to promote retail, service and community goods and services that contribute to the enjoyment of laneways.

Discourage development extending over lanes.

Discourage developments locating primary access and loading facilities on Class 1 and Class 2 lane ways.

Design and manage access and loading areas along Class 3 Lanes.

Policy documents

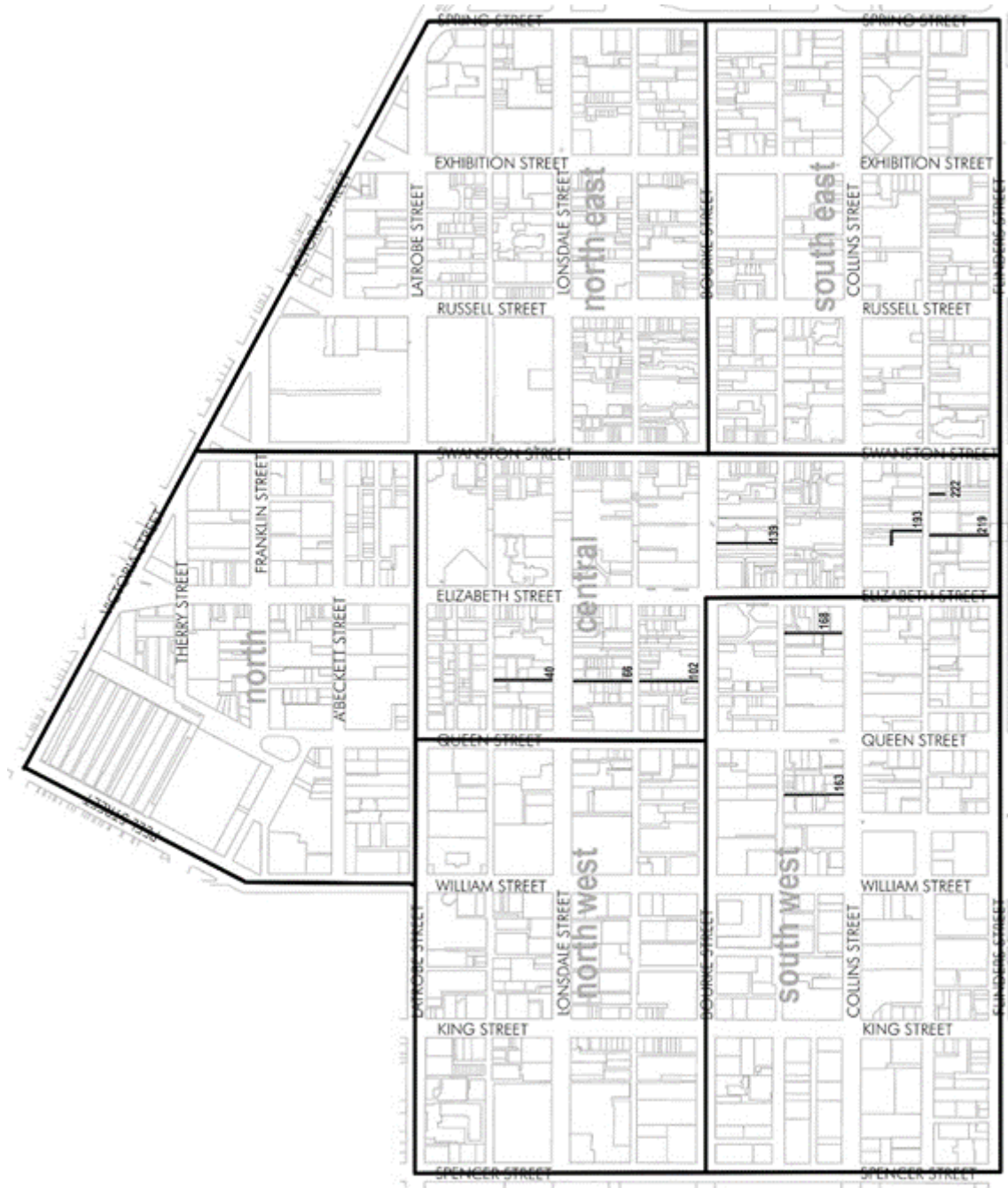
Consider as relevant:

- *CBD Lanes Built Form Review ID Sheets* (Hansen Partnership Ltd, 2005)
- *Grids and Greenery – The Character of Inner Melbourne* (City of Melbourne, 1987)
- *Places for People* (City of Melbourne, 1994)
- *Central City Planning and Design Guidelines* (City of Melbourne, 1991)
- *A Strategy for a Safe City 2000-2002* (City of Melbourne, 2000)

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PLANNING SCHEME

Map 1: Class 1 lanes



The character and/or function of Class 1 lanes are significant and require protection.

40.	Hardware Street	168.	Equitable Place
66.	Hardware Lane North	183.	Centre Place
102.	Hardware Lane South	219.	Degrares Street
139.	The Causeway	222.	Scott Alley
163.	Bank Place		

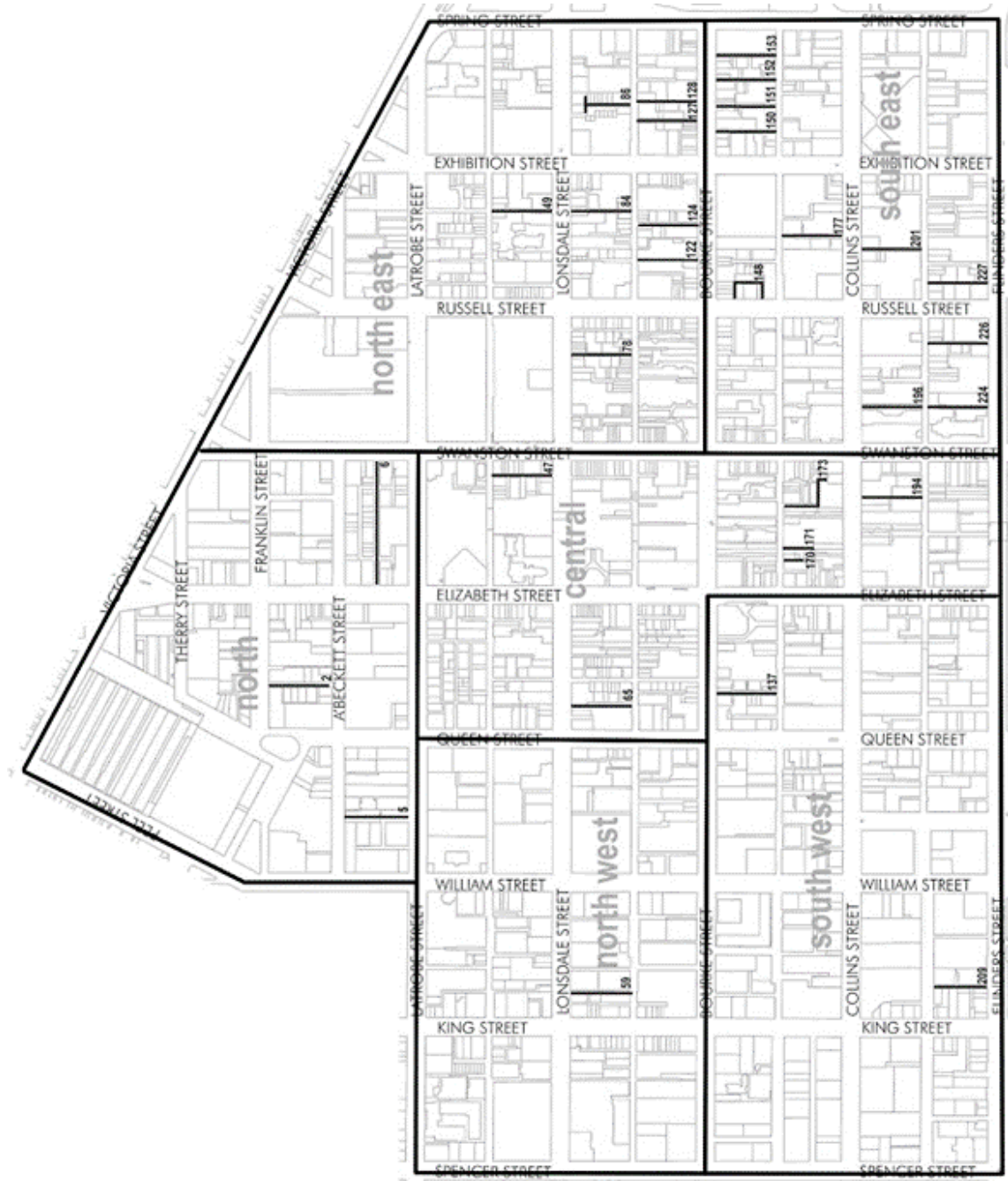
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E PLANNING SCHEME

Map 2: Class 2 lanes



The character and/or function of Class 2 lanes are significant and require protection.

2.	Anthony Street	150.	Westwood Place
5.	Wills Street	151.	McIlwraith Place
6.	Little LaTrobe Street	152.	Meyers Place
47.	Drewery Lane	153.	Windsor Place
49.	Jones Lane	170.	Block Place
59.	Merritts Place	171.	Brown Alley
65.	Goldie Place	173.	Howey Place

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E PLANNING SCHEME

78.	Heffernan Lane	177.	Alfred Place
84.	Cohen Place	194.	Manchester Lane
86.	Punch Lane	196.	Regent Place
122.	Brien Lane	201.	George Parade
124.	Market Lane	209.	Highlander Lane
127.	Crossley Street	224.	Chapter House Lane
128.	Liverpool Street	226.	Hosier Lane
137.	McKillop Street	227.	Oliver Lane
148.	Melbourne Place		

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PLANNING SCHEME

Map 3: Class 3 lanes



Class 3 lanes may benefit from upgrading and enhancement to realise their full potential with regard to pedestrian amenity and urban design. These lanes generally provide vehicular access to the rear of buildings for loading and service requirements or access to car parking areas.

1.	Electric Place	46.	Sniders Lane	95.	Little William Street
3.	Stewart Street	48.	Hayward Lane South	96.	Thomson Street
4.	Singers Lane	50.	Little Leichhardt Street	97.	Little Queen Street
7.	Grange Place	51.	Gorman Alley	98.	St Patrick Alley
8.	Bell Place	52.	Casselden Place	99.	Merlin Alley
9.	Grant Lane	53.	Griffen Lane	100.	Benjamin Lane

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E PLANNING SCHEME

10.	Warner Lane	54.	Cleve Lane	101.	Kirks Lane
11.	Nicholson Place	55.	Rose Alley	102.	Platypus Alley
12.	Eagle Alley	56.	Pender Alley	104.	Racing Club Lane
13.	Park Street	57.	Uniacke Court	105.	Warburton Lane
14.	Brights Place	58.	Brown Alley	106.	Rankins Lane
15.	Alsop Lane	60.	Crombie Lane	107.	Somerset Place
16.	Sampson Lane	61.	Guests Lane	108.	Angelo Lane
17.	Flanigan Lane	62.	St Johns Lane	109.	Staughton Place
18.	Guilford Lane	63.	Barry Lane	110.	Buckley Place
19.	McLean Alley	64.	Crown Place	111.	Albion Alley
20.	Sutherland Street	67.	Niagara Lane	112.	Louden Place
21.	Zevenboom Lane	68.	Warburton Alley	113.	Turner Alley
22.	McIntyre Alley	69.	White Hart Lane	114.	Star Alley
23.	Knox Lane	70.	Driver Lane	115.	LaTrobe Place
24.	Knox Place	71.	Lynch Place	116.	Hughs Alley
25.	Hayward Lane Nth	72.	Arcade Alley	117.	Dean Alley
26.	Davisons Place	73.	Caledonian Lane	118.	Bullens Alley
27.	Bennetts Lane	74.	Stevenson Lane	119.	Golden Fleece Alley
28.	Exploration Lane	75.	Globe Alley	120.	Coverlid Place
29.	Evans Lane	76.	Tattersalls Lane	121.	Paynes Place
30.	Merriman Lane	77.	Celestial Avenue	122.	Brien Lane
31.	Elliot Lane	79.	Waratah Place	123.	Croft Alley
32.	Altson Lane	80.	Belman Pace	125.	Lees Place
33.	Gough Alley	81.	Corrs Lane	126.	Mornane Place
34.	Manton Lane	82.	Pender Place	129.	Harwood Place
35.	Healeys Lane	83.	Lacey Place	130.	Turnbull Alley
36.	Chisholm Place	85.	Smythe Lane	131.	Godfrey Street
37.	Wicklow Lane	87.	Little Bourke Pl	132.	Gallaghers Place
38.	Lonsdale Lane	88.	Gordon Place	133.	Church Street
39.	Finlay Alley	89.	Langs Lane	134.	Kitz Lane
41.	Timothy Lane	90.	Cosgrave Lane	135.	Michael Lane
42.	Heape Court	91.	Gresham Street	136.	Penfold Place

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E PLANNING SCHEME

43.	Mitchell Lane	92.	Ramsay Lane	138.	Gills Alley
44.	Drewery Alley	93.	Goldsborough Lane	140.	Union Lane
45.	Drewery Place	94.	Grice Alley	141.	Sugden Place
142.	Masons Lane	197.	Watson Place		
143.	Rainbow Alley	198.	Lush Lane		
144.	Royal Lane	199.	Ramsden Place		
145.	Russell Place	200.	Beaney Lane		
146.	Donaldson Lane	202.	Chester Lane		
147.	Portland Lane	203.	Strachan Lane		
149.	Coromandel Place	204.	Howitt Lane		
150.	Francis Street	205.	Downie Street		
154.	McCrackers Lane	206.	Katherine Place		
155.	Church Lane	207.	Hay Place		
156.	Henty Lane	208.	Mercantile Place		
157.	St James Lane	210.	Custom House Lane		
158.	Gurners Lane	211.	Foxtan Lane		
159.	Temple Court Place	212.	Tavistock Place		
161.	Roeszler Lane	213.	Bond Street		
162.	Mitre Lane	214.	Commerce Way		
164.	Austral Lane	215.	Mill Place		
165.	Briscoe Lane	216.	Flinders Court		
166.	Collins way	217.	Rothsay Lane		
167.	Fleming Place	218.	Lingham Lane		
169.	Balcombe Place	220.	Degraves Places		
172.	Carson Place	221.	Royston Place		
174.	Presgrave Place	223.	Cocker Alley		
175.	Athenaeum Place	225.	Rutledge Lane		
176.	Baptist Place	228.	Higson Lane		
178.	Pink Alley	229.	AcDc Lane		
179.	Benson Lane	230.	Duckboard Place		
180.	McGraths Lane	231.	Malthouse Lane		
181.	Club Lane	232.	Spark Lane		

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E PLANNING SCHEME

182.	Ridgeway Place	233.	Throssell
183.	Coates Lane East		
184.	Ulster Lane		
185.	Geddes Lane		
186.	Harper Lane		
187.	Moylands Lane		
188.	Samuel Lane		
189.	Ryrie Lane		
190.	Fulham Place		
191.	Bligh Place		
192.	Staughton Alley		
195.	Monaghan Lane		

15.01-1L-02 Signs

21/09/2022
C409melb

Policy application

This policy applies to applications for signs.

General 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, streetscapes, residential areas.

To protect the appearance and character of residential areas and other high amenity areas.

To protect important vistas from obtrusive and insensitive signs.

To encourage where appropriate, signs that make a positive contribution to the character of an area.

General strategies

Discourage signs that obscure architectural features of buildings, including windows.

Design signs to integrate with the:

- Surrounds, including responding to views of the sign from all angles.
- Architectural form and design of the subject building.
- Supporting structure, including hiding cabling.

Encourage wall or fascia signs that are applied directly to the building or on a flush mounted panel with minimum projection.

Encourage signs that adopt an integrated approach to the provision of signage on buildings with more than one occupancy.

Ensure signs do not interrupt important views and vistas along roads leading to and out of the Central City.

Discourage promotion, panel and sky signs.

Encourage signs where illumination is concealed within, or integral to the sign through use of neon or an internally lit box or by sensitively designed external spot-lighting.

Encourage signs (including their support structure) to allow adequate clearance for the servicing requirements of streets and lanes.

Encourage the retention of signs that are attached to or form part of a building (including painted signs) and that contribute to the cultural heritage significance of a place.

Ensure signs that advertise gaming 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 are not the dominant feature of any building where a gaming venue is located.

Zone strategies

Residential zones

Encourage signs in the residential zones that are:

- Sensitive to the residential character and amenity of the area.
- Small in scale.

Commercial and industrial zones

Encourage signs located at ground floor level in a Commercial 1 Zone.

Sky signs and promotion signs are not supported unless part of an established signage pattern.

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.

Road zones

Encourage signs abutting road zones that:

- Respect the boulevard quality of St Kilda Road, Victoria Parade, Royal Parade, Flemington Road, Elizabeth Street and Footscray Road.
- Are not located in a landscaped area or freeway buffer zone.
- Are limited in number and their size and height to complement the dominant built form or landscape.

Precincts

Bourke Hill Precinct

Objectives

To enhance the tourism and residential functions.

To improve pedestrian amenity and interest.

To retain the small scale character.

Strategies

Encourage signs in Bourke Hill (the area bound by Little Bourke Street, Spring, Little Collins Street and, Exhibition Street) to be:

- Small scale and at ground floor level.
- Individually crafted with a high degree of detail.
- Illuminated to minimise detriment to the amenity of surrounding residences.
- Limited in number, and to not include promotional advertising.

Chinatown Precinct

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.

Strategies

Encourage signs in Chinatown (the area bound by Lonsdale, Exhibition, Bourke and Swanston Streets) to be:

- Vertically proportioned, whilst discouraging horizontal projecting signs.
- Small to medium scale to reflect the scale and character of the buildings and the streetscape.
- Bright and animated.
- Inclusive of Chinese characters where consistent with the tenancy of the building.

- Inclusive of traditional Chinese colours - red, green, black and gold.
- Made of tubular neon.

Greek Precinct

Objective

To enhance the area's attraction for visitors, and its role as a focus for the Greek community.

Strategies

Encourage signs in the Greek Precinct (the area on 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) to be:

- Horizontally projecting.
- Small scale to reflect the scale and character of the buildings.
- Reflective of the Greek character.
- Compatible with post-supported verandahs and discourage fascia signs.
- Internally illuminated.

Swanston Street and Shrine of Remembrance

Objectives

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.

Strategies

Encourage signs in the Swanston Street and Shrine of Remembrance environs (the area along Swanston Street between Victoria Street and the Yarra River and the area west of the Shrine of Remembrance between Coventry Street and Dorcas Street) to be at ground level, usually under the verandah.

Discourage panel, promotion, pole, sky and high wall signs visible from within the Shrine of Remembrance forecourt.

Yarra River Environs

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.

Strategies

Encourage signs in the Yarra River Environs (Yarra River between Charles Grimes Bridge and Punt Road) to be:

- Limited to that required for business identification purposes.
- Responsive to the particular sensitivity of parkland and promenade areas through size, design and location.
- Unobtrusive and complementary to the scale and character of buildings and landscaped areas.

Discourage panel, promotion, pole, sky and high wall signs on buildings visible within the Yarra River corridor.

Docklands Zone

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.

Strategies

Encourage signs in the Docklands Zone to be:

- Integrated and reinforce the contemporary character of Docklands.
- Designed to enhance and complement the surrounding environment and architecture.
- Durable and made of high quality materials.

Policy guideline

Consider as relevant:

- Encouraging signs within the Capital City Zone that meet the guidelines set out in the table to this policy:

Sign type	Recommended design	Special conditions
Horizontal projection - Ground level	<p>Height: 0.5m max.</p> <p>Width: 2.5m max.</p> <p>Depth: 0.3m max.</p> <p>Dimensions: 1.5 sq m max.</p> <p>Clearance (vertical) to pavement: 2.7m min.</p> <p>Location: Under verandah.</p>	<p>Clearance (vertical) to roadway: If within 0.75m of kerb, 5m min. clearance to roadway.</p>
Façade mounted - Ground level	<p>Height: 0.6 max.</p> <p>Width: 0.84 max.</p> <p>Depth: 0.3 max.</p> <p>Clearance (vertical) to pavement: 2.7m to 3.5m</p> <p>Location: Projecting from walls, with no verandah.</p>	<p>Clearance (vertical) to roadway: If within 0.75m of kerb, 5m min. clearance to roadway.</p> <p>Should not project in total more than 1m from building.</p>
Wall mounted projecting - First floor level to 40m	<p>Height: to be compatible with building but no more than 2 floors</p> <p>Width: 0.6 max.</p> <p>Depth: 0.3 max.</p>	<p>Variations may be permitted in individual circumstances where upper-floor tenancies rely on passing trade, subject to urban design and amenity considerations.</p>

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Sign type	Recommended design	Special conditions
	<p>Location: Between first floor and facade parapet. Lower levels preferred. Should not be mounted on roof of verandah, canopy or awning.</p> <p>Quantity: Maximum 1 per façade</p>	<p>Should not project in total more than 1m from building.</p>
Wall sign - First floor level to 40m	<p>Quantity: Maximum 1 per façade</p>	<p>Variations may be permitted in individual circumstances subject to urban design and amenity considerations.</p> <p>To be compatible with scale of building and streetscape.</p> <p>To cover a minor proportion of the building facade.</p> <p>Should not be detrimental to the architecture of the host building.</p>
Sky sign - First floor level up to 40m height		<p>In exceptional cases where a sky sign may be suitable, the sign should not be detrimental to the city skyline, street parapet line or architecture of the supporting or adjacent building and the sign should:</p> <ul style="list-style-type: none">▪ Be compatible with scale of supporting building/s and the streetscape.▪ Cover a minor proportion of the supporting building facade.▪ Be designed to avoid the rear of the sign and any support structure detracting from views and skylines.▪ Not project above planning scheme height controls.
Wall sign and Sky sign - Over 40m height	<p>Location: On building parapet. Painted or fixed directly to building.</p> <p>Quantity: Wall sign – 1 per building facade, max. of 4.</p>	<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>Signs must be compatible with the architecture of the building and avoid detracting from the city skyline.</p>

Sign type	Recommended design	Special conditions
		<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>
<p>Free-standing on building forecourt, plazas or vacant sites - Open site</p>	<p>Height: 1.2m max.</p> <p>Dimensions: 3sq m max. per face.</p> <p>Location: Min. 3m from any wall; if closer, should be mounted on wall to reduce clutter.</p> <p>Quantity: 1 per site max.</p>	<p>Signs should maintain a low profile and be incorporated in landscape design.</p> <p>Where possible, these signs should be avoided by having signs fixed to buildings rather than freestanding.</p> <p>Information should relate to the use of buildings on the subject land - (directory).</p> <p>Promotional advertising is discouraged.</p>

Policy documents

Consider as relevant:

- *Central City Planning and Design Guidelines* (City of Melbourne, 1991)
- *Swanston Street Walk – Precinct Amenity Planning Report* (Department of Planning and Housing, City of Melbourne, 1992)
- *Yarra River: Use and Development Guidelines* (R.G. Harvey Pty. Ltd., 1991)
- *Melbourne Docklands Outdoor Signage Guidelines* (City of Melbourne, 2004)
- *The Shrine of Remembrance, Managing the significance of the Shrine* (Message Consultants Australia Pty Ltd, 2013)

15.01-1L-03 Sunlight to public spaces

21/09/2022
C409melb

Policy application

This policy applies to the following public places:

- Public spaces throughout the municipality including parks and gardens, squares, streets and lanes.
- Privately owned publicly accessible spaces within developments, including building forecourts, atria and plazas.

It does not apply to land within the Docklands Zone and Schedule 5 to the Capital City Zone (City North).

Objectives

To protect, and where possible, increase the level of sunlight to public spaces during the times of the year when the intensity of use is at its highest.

To ensure that overshadowing from development does not result in significant loss of sunlight and diminish the enjoyment of public spaces for pedestrians.

To create and enhance public spaces to provide sanctuary, visual pleasure and a range of recreation and leisure opportunities.

Strategies

Development should not unreasonably reduce sunlight on public spaces.

Development must not cast additional shadow across the Yarra River corridor at key times and dates identified in the planning scheme. The Yarra River corridor, including 15 metres from the edge of the north bank (the south edge of the existing physical bordering the north side) of the river to the south bank (the north edge of the existing physical boundary bordering the south side) of the river.

Development should not unreasonably reduce the amenity of public spaces by casting additional shadows on any public space, public parks and gardens, public squares, major pedestrian routes including streets and lanes, open spaces associated with a place of worship and privately owned plazas accessible to the public between 11.00 am and 2.00 pm on 22 September.

Policy guidelines

Consider as relevant:

- Discouraging development that casts additional shadows on public spaces between 11.00am and 2.00pm on 22 September.
- Whether the area of additional overshadowing is acceptable relative to the area of remaining sunlit space in the public space.
- Whether additional shadows on other public spaces such as streets and lanes, is reasonable having regard to their orientation and shadows cast by adjacent buildings.

Discourage development that causes excess overshadowing with adverse impacts on a public space by way of its:

- Cultural or social significance.
- Natural landscaping, including trees and lawn or turf surfaces.
- Existing and future use quality and amenity.

Policy documents

Consider as relevant:

- *Places for People* (City of Melbourne, 1994)
- *Bourke Hill Heritage, Planning and Urban Design Review* (Department of Transport, Planning and Local Infrastructure, September 2014)
- *Central City Built Form Review Synthesis Report, Department of Environment, Land, Water and Planning* (Hodyl & Co, April 2016)
- *Central City Built Form Review Overshadowing Technical Report* (Department of Environment, Land, Water and Planning, April 2016)

15.01-1L-04 Urban design

21/09/2022
C409melb

Strategies

Protect iconic views, through building siting, setbacks and responsive design, 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 La Trobe Street.
- Royal Exhibition Building drum, dome, lantern and flagpole from along Spring Street and Queensberry Street.
- Yarra River from the Hoddle Grid, along the Bourke, Collins and Latrobe Street corridors from Docklands.
- The Arts Centre Spire along Sturt Street.

Encourage public art in new development.

Support the use of materials resistant to vandalism and graffiti, subject to them being respectful of the preferred built form character.

Support development of towers that are well spaced and offset to provide good access to an outlook, daylight, sunlight and to minimise overlooking between habitable room windows.

15.01-1L-05 Urban design outside the Capital City Zone

21/09/2022
C409melb

Policy application

This policy applies to all land excluding the Capital City Zone, Docklands Zone and Special Use Zone Schedule 7.

Objectives

To ensure that the scale, siting, massing and bulk of development complements the adjoining and nearby built form, and relates to the prevailing patterns of height and scale of existing development in the surrounding area.

To ensure that buildings on prominent sites are designed to achieve a high standard of design that reflects the importance of their location and extent of their visibility.

To ensure that building design at the ground floor frontages creates and improves pedestrian interest and engagement.

To prioritise pedestrian movement and amenity and strengthen networks of pedestrian pathways.

To minimise the adverse impacts of wind in surrounding public spaces and provide weather protection.

Strategies

Building form

Encourage development that responds to the scale of:

- Surrounding development both in terms of its overall dimensions and the size of its individual architectural elements.
- The emerging preferred built form, where built form change has been identified.

In areas where the desire for built form change has been identified, new buildings and works should consider the potential for other development to occur in the immediate environment and respect the ability for surrounding sites to be at least equally developed.

Design a building's form and surface treatment to moderate the apparent bulk through:

- Creating contrast between recessive and projecting elements of a building's various frontages.
- The apparent subdivision of its street frontages to reflect neighbouring frontage subdivision patterns.
- The break-up of a building's overall volume into a number of sub-volumes to modify its perceived size.
- Setbacks and reshaping of the building form.

Encourage development in prominent locations to use building design to complement the location, including through variation in building elements, scale and contrast.

Ensure development of towers in Urban Renewal areas are well spaced and offset to provide good access to an outlook, daylight, sunlight and to minimise overlooking between habitable room windows.

Street level frontage activation

Design street frontages to directly engage with the street and be visually evident, when located in a commercial or mixed use areas, or where the immediate potential for active use is limited, make provision for the ultimate conversion of ground floor frontages to active uses.

Avoid solid roller shutters on shopfronts and preference open mesh security or transparent grills.

Encourage development to give prominence to the principal street entrance and frontage of a building.

Encourage building design to respects local access patterns when locating front and rear entrances and associated activities.

Building articulation

Encourage development that articulates all visible building frontages.

Discourage blank building walls along street frontages or where visible from streets and other public spaces.

Service areas

Encourage the design of service areas and utilities to be integrated as part of the overall design and fully screened from public areas.

Building projections

Discourage enclosed floor spaces overhanging the public space.

Discourage open balconies/canopies, projecting cornices and other similar building elements that overhang public space except if they:

- Follow a local pattern.
- Contribute positively to the design outcome.
- Facilitate the safety of public spaces.
- Are discreet elements.
- Provide evidence of the building's occupation.

Encourage the design of plant equipment, lift over-runs and other rooftop building services to be absorbed within the building form or roof design.

Visibility and safety

Encourage access, lighting, visibility, and surface detailing to ensure a safe and interesting pedestrian environment, while discouraging alcoves.

Support buildings where lighting design is integrated with the building and contributes to the public amenity.

Weather protection

Ensure development minimises the adverse effects of wind and provides wind protection to public open spaces.

Encourage weather protection where there is an established pattern of continuous weather protection along a street.

Discourage weather protection that detracts from the character of heritage buildings.

Landscape

Respect and maintain the garden or landscape character of an area where this is a dominant feature of the neighbourhood.

Retain existing mature trees and provide opportunities for landscape plantings.

Pedestrian connection and vehicle access

Encourage a subdivision pattern of publicly accessible streets, pedestrian links (including through block links), laneways and public spaces.

Design vehicular networks to minimise traffic conflicts with pedestrians.

Minimise vehicle crossings to pedestrian footpaths and avoid the aggregation of crossings.

Discourage vehicle crossings in heritage streetscapes.

Policy guideline

Consider as relevant:

- Avoiding building projections at first floor level or at a clearance height less than 5 metres from any public space.

15.01-2S

10/06/2022
VC216

Building design

Objective

To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Strategies

Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.

Ensure development responds and contributes to the strategic and cultural context of its location.

Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.

Improve the energy performance of buildings through siting and design measures that encourage:

- Passive design responses that minimise the need for heating, cooling and lighting.
- On-site renewable energy generation and storage technology.
- Use of low embodied energy materials.

Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.

Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.

Encourage water efficiency and the use of rainwater, stormwater and recycled water.

Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.

Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.

Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.

Ensure development is designed to protect and enhance valued landmarks, views and vistas.

Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.

Encourage development to retain existing vegetation.

Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)
- *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019)

15.01-2L-01

21/09/2022

~~Energy and resource efficiency~~ **Sustainable development** **Environmentally sustainable building design**

C409melb Proposed C376melb

Policy application

The policy applies to applications for a building (including alterations and additions) ~~for the purposes of office, retail, education centre and accommodation (except for Dependant Person's Unit, Camping & Caravan Park, Corrective Institution, Host Farm) uses.~~

Objective Urban design objectives

To ensure development and the City's built environment mitigates and adapts to climate change, is resilient to heatwaves, water shortages, extreme storm events and sea level rise, and aligns with City of Melbourne's zero emissions target for emissions reduction.

Building design objectives

To ensure that building design supports mitigation and adaptation to climate change.

To promote building design that supports the amenity of occupants.

~~To ensure buildings achieve high environmental performance standards at the design, construction and operation phases~~ encourage the connection of buildings to district energy, water and waste systems in urban renewal areas through a precinct-wide approach.

Strategies

~~Maximise the use of passive systems to achieve comfortable indoor conditions~~ To encourage buildings to be designed to support efficient resource use and waste reduction in the City.

Sustainable transport objectives

~~To encourage~~ ensure development ~~to~~ contribute to sustainable transport outcomes.

Urban design strategies

~~Support new developments that minimise their embodied energy by their use of materials, construction and retention of reusable building fabric.~~

- Ensure that new buildings and new public spaces are environmentally sustainable.
- Require development to **meet or** exceed minimum standards in environmentally sustainable design and energy efficiency.
- Encourage the retention of buildings or parts of buildings that have efficient recycling potential and can be adapted to a variety of uses.
- Ensure the built environment, streets and public open spaces are designed to minimize their contribution to the urban heat island effect and to contribute to urban cooling.
- Ensure the private realm makes a proportionate contribution to the delivery of green infrastructure and the development of the City's urban forest.
- Ensure that flood risk by stormwater surges, waterway flooding and sea level rise is mitigated and managed, and integrated water management is adopted in all development to increase resilience to climate change impacts.
- Encourage the inclusion of renewable energy generation in developments.
- Encourage a transition to renewable energy sources.
- Encourage the integration of infrastructure which supports sustainable transport choices in all development.

Building design strategies

~~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.~~

- Ensure that buildings are designed to reduce greenhouse emissions and contribute to the City of Melbourne's zero emissions target.
- Ensure building design integrates green infrastructure to reduce the urban heat island effect, support biodiversity and increase occupant amenity.
- Require building design to adopt integrated water management.
- Ensure that new development incorporates water sensitive urban design features including stormwater harvesting and flow attenuation, and water recycling and reuse.
- Support precinct scale infrastructure which improves water efficiency.
- Require development ~~meet or to~~ exceed minimum standards in water efficiency.
- Encourage the appropriate use of alternative non-potable water sources including rainwater, stormwater, grey water and black water.
- Support opportunities for precinct scale efficiencies to minimise waste and maximise resource recovery.
- Encourage the retention of buildings or parts of buildings that have efficient recycling potential and can be adapted to a variety of uses.
- Encourage provision of purpose built storage for all waste, including recyclable waste, in all development.
- Ensure that spatial requirements to support sustainable waste management are considered in the design of buildings.
- Support precinct scale approaches to renewable energy generation.
- Encourage buildings to be planned and designed to facilitate carbon neutral or carbon positive outcomes across development and operational stages.
- Encourage the use of passive design elements to deliver energy efficient outcomes and achieve comfortable indoor conditions.
- Encourage increased delivery of local renewable energy generation, such as solar hot water, photovoltaic cells (for which the sustainability benefits of low-emission energy production outweigh the impact on the urban heat island effect), ~~or~~ wind powered turbines ~~or combined heat power generation systems~~ in new developments.
- Support the consideration of whole-of-lifecycle impacts in building design, construction and operation.
- Where a tower is proposed, support development that is well spaced and offset to provide good access to an outlook, daylight and to minimise overlooking.
- Encourage private open spaces that are designed to support a range of uses.
- Ensure development in Urban Renewal Areas:
 - Is capable of connecting to available and planned alternative district water supply, energy supply, waste collection and treatment systems.
 - Includes alternative district water supply, energy supply, waste collection and waste treatment systems.

~~Encourage use and development to minimise waste.~~ Sustainable transport strategies

Policy guidelines

Consider as relevant:-

- ~~All applications must be accompanied by a Waste Management Plan prepared in accordance with the Guidelines for Preparing a Waste Management Plan (City of Melbourne, 2017).~~
- ~~All applications must be accompanied by an Environmentally Sustainable Design Statement which demonstrates how the development meets the policy objectives of this clause and includes the following, where applicable:-~~
 - ~~Applications for buildings over 2,000 square metres in gross floor area, a statement from a suitably qualified professional verifying that the building has the preliminary design potential to achieve the relevant required Performance Measures set out in the table to this clause.-~~
 - ~~Applications for buildings under 2,000 square metres in gross floor area, a statement demonstrating that the building has the preliminary design potential to achieve the relevant required Performance Measures set out in the table to this clause.~~
- ~~It is policy to assess proposals against the following performance measures:-~~

Table 1 – Performance measures

Type of Building		Performance Measure	
		Energy Efficiency	Water Efficiency
Office	Up to 2,000 square metres gross floor area.	Compliance with the energy efficiency requirements of the Sustainable Design Scorecard or equivalent.	3 points for Wat-1 credit under the Green Star – Office rating tool or equivalent.
	Between 2,000 – 5000 square metres gross floor area	NABERS Office – Energy 5 Stars or equivalent.	3 points for Wat-1 credit under the Green Star – Office rating tool or equivalent.
	Over 5,000 square metres gross floor area	Same minimum energy and water requirements as buildings over 2,000 square metres plus a 5 star rating under the Green Star – Office rating tool or equivalent.	
Retail premises	Up to 5,000 square metres gross floor area.	N/A (sufficiently covered by the Building Code of Australia).	5 points for Wat-1 credit under the Green Star – Retail rating tool or equivalent.
	Over 5,000 square metres gross floor area	Same minimum energy and, water requirements as buildings over 2,000 square metres plus a 5 star rating under the Green Star – Retail Centre rating tool or equivalent.	
Education centre	Up to 2,000 square metres gross floor area	Compliance with the energy efficiency requirements of the Sustainable Design Scorecard or equivalent.	3 points for Wat-1 credit the Green Star – Education rating tool or equivalent.

Type of Building		Performance Measure	
		Energy Efficiency	Water Efficiency
	Between 2,000–5000 square metres gross floor area	5 points for Ene-1 credit under a current version of the Green Building Council of Australia's Green Star – Education rating tool or equivalent.	3 points for Wat-1 credit the Green Star – Education rating tool or equivalent.
	Over 5,000 square metres gross floor area	Same minimum energy and water requirements as buildings over 2,000 square metres plus 5 star rating under the Green Star – Education rating tool or equivalent.	
Accommodation (except for Dependant Person's Unit, Camping & Caravan Park, Corrective Institution, Host Farm)	Up to 5,000 square metres gross floor area	N/A (sufficiently covered by the Building Code of Australia)	1 point for Wat-1 credit the Green Star – Multi Unit Residential rating tool or equivalent.
	Over 5,000 square metres gross floor area	Same minimum energy and water requirements as buildings up to 5,000 square metres plus a 5 star rating under a the Green Star – Multi Unit Residential rating tool or equivalent.	

Policy documents

Consider as relevant:

- ~~Future Melbourne Community Plan (City of Melbourne, September 2008)~~
- ~~City of Melbourne: Energy, Water and Waste Review (City of Melbourne, 2011)~~
- ~~City of Melbourne, Zero Net Emissions by 2020 (City of Melbourne, 2002)~~
- ~~City of Melbourne, Zero Net Emissions by 2020 – Update (City of Melbourne, 2008)~~
- ~~City of Melbourne, Total Watermark – City as a Catchment (City of Melbourne, 2009)~~
- ~~City of Melbourne. Waste Management Strategy (City of Melbourne, 2005)~~
Encourage car parking areas to be designed to allow for future adaptation to other uses.
- ~~City of Melbourne. Waste Management Strategy – Summary Report (City of Melbourne, 2009)~~
Support the delivery of increased numbers of bicycle parking and associated facilities to support sustainable transport choices.
- ~~Guidelines for Preparing a Waste Management Plan (City of Melbourne, 2012)~~
Encourage development to ready for increased use of electric vehicles.
- ~~Green Star Rating Tools (Green Building Council of Australia)~~
Support the inclusion of car share spaces in private development.
- ~~National Australian Built Environment Rating System 'NABERS'~~
Require Green Travel Plans for larger developments.
- ~~City of Port Phillip and City of Moreland, Sustainable Design Scorecard (City of Port Phillip and City of Moreland)~~

Encourage the integration of infrastructure which supports sustainable transport choice in all development.

15.01-2L-02 Floor area uplift and delivery of public benefits

21/09/2022
C409melb

Policy application

This policy applies to land within Schedules 1, 2 and 3 of the Capital City Zone that is also subject to Schedule 10 to the Design and Development Overlay.

Objective

To ensure that a development delivers a commensurate public benefit when Floor Area Uplift (the part of the building(s) containing the uppermost floor area of the building, without which the building(s) would not exceed a floor area ratio of 18:1) is sought.

Strategies

When a Floor Area Uplift requires the delivery of a public benefit:

- Ensure the appropriateness and value of the public benefit(s); and
- Ensure the management and maintenance of the public benefit(s); and
- Ensure the complete and timely delivery of the public benefit(s).

Policy guidelines

Consider as relevant:

- In consultation with the receiving agency of the proposed public benefit(s), whether the Floor Area uplift is appropriately matched by the public benefit(s) to be provided, by considering the following:
 - The public benefit(s) is consistent with state and local policy, strategic initiatives and relevant guidelines.
 - The quantity and value of the floor area uplift being appropriately calculated and the proposed public benefit(s) being of a matching value.
 - The proposed public benefit(s) being realistically capable of being delivered and secured by a suitable legal agreement.
 - The proposed public benefit being supported by the proposed receiving agency and capable of being maintained for a reasonable period of time.

Policy documents

Consider as relevant:

- *Central City Built Form Review Synthesis Report* (Department of Environment, Land, Water and Planning, 2016)
- *How to Calculate Floor Area Uplifts and Public Benefits* (Department of Environment, Land, Water and Planning, 2016)

15.01-3S

10/06/2022
VC216

Subdivision design

Objective

To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Strategies

In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:

- Creating compact neighbourhoods that have walkable distances between activities.
- Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.
- Creating neighbourhood centres that include services to meet day to day needs.
- Creating urban places with a strong sense of place that are functional, safe and attractive.
- Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.
- Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
- Protecting and enhancing habitat for native flora and fauna, and providing opportunities for people to experience nature in urban areas.
- Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.
- Reduce car dependency by allowing for:
 - Convenient and safe public transport.
 - Safe and attractive spaces and networks for walking and cycling.
 - Subdivision layouts that allow easy movement within and between neighbourhoods.
 - A convenient and safe road network.
- Minimising exposure of sensitive uses to air and noise pollution from the transport system.
- Being accessible to people with disabilities.
- Creating an urban structure that:
 - Responds to climate related hazards.
 - Incorporates integrated water management, including sustainable irrigation of open space.
 - Minimises peak demand on the electricity network.
 - Supports energy efficiency and solar energy generation through urban layout and lot orientation.
 - Supports waste minimisation and increased resource recovery.
- Providing utilities and services that support the uptake of renewable energy technologies, such as microgrids and energy storage systems, including batteries.

Policy documents

Consider as relevant:

HIGHLIGHTED TEXT = Change recommended in response to submissions
Green underlined text = Exhibited addition to the Planning Scheme
~~Red struck through text~~ = Exhibited deletion from the Planning Scheme

PLANNING SCHEME

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

15.01-4S

31/07/2018
VC148

Healthy neighbourhoods

Objective

To achieve neighbourhoods that foster healthy and active living and community wellbeing.

Strategies

Design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity by providing:

- Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.
- Streets with direct, safe and convenient access to destinations.
- Conveniently located public spaces for active recreation and leisure.
- Accessibly located public transport stops.
- Amenities and protection to support physical activity in all weather conditions.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

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PLANNING SCHEME

15.01-4R Healthy neighbourhoods - Metropolitan Melbourne

31/07/2018
VC148

Strategy

Create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

15.01-5S

Neighbourhood character

09/10/2020
VC169

Objective

To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Strategies

Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.

Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:

- Pattern of local urban structure and subdivision.
- Underlying natural landscape character and significant vegetation.
- Neighbourhood character values and built form that reflect community identity.

15.01-6S

Design for rural areas

31/07/2018
VC148

Objective

To ensure development respects valued areas of rural character.

Strategies

Ensure that the siting, scale and appearance of development protects and enhances rural character.

Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.

Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.

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PLANNING SCHEME

19.03

31/07/2018
VC148

DEVELOPMENT INFRASTRUCTURE

19.03-1S

24/01/2020

VC160

Development and infrastructure contributions plans

Objective

To facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans.

Strategies

Prepare development contributions plans and infrastructure contributions plans, under the *Planning and Environment Act 1987*, to manage contributions towards infrastructure.

Collect development contributions on the basis of approved development and infrastructure contributions plans.

Require annual reporting by collecting and development agencies to monitor the collection and expenditure of levies and the delivery of infrastructure.

Policy documents

Consider as relevant:

- *Development Contributions Guidelines* (Department of Sustainability and Environment, 2003 - as amended 2007)
- *Infrastructure Contributions Plan Guidelines* (Department of Environment, Land, Water and Planning, November 2019)
- *Ministerial Direction on the Preparation and Content of Development Contribution Plans and Reporting Requirements for Development Contributions Plans*
- *Ministerial Direction on the Preparation and Content of Infrastructure Contribution Plans and Reporting Requirements for Infrastructure Contributions Plans*

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19.03-2S

09/10/2020

VC169

Infrastructure design and provision

Objective

To provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.

Strategies

Provide an integrated approach to the planning and engineering design of new subdivision and development.

Integrate developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.

19.03-3S

Integrated water management

10/06/2022

VC216

Objective

To sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.

Strategies

Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use, to:

- Take into account the catchment context.
- Protect downstream environments, waterways and bays.
- Manage and use potable water efficiently.
- Reduce pressure on Victoria's drinking water supplies.
- Minimise drainage, water or wastewater infrastructure and operational costs.
- Minimise flood risks.

Provide urban environments that are more resilient to the effects of climate change.

Integrate water into the landscape to facilitate cooling, local habitat improvements and provision of attractive and enjoyable spaces for community use.

Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.

Ensure that development protects and improves the health of water bodies including creeks, rivers, wetlands, estuaries and bays by:

- Minimising stormwater quality and quantity related impacts.
- Filtering sediment and waste from stormwater prior to discharge from a site.
- Managing industrial and commercial toxicants in an appropriate way.
- Requiring appropriate measures to mitigate litter, sediment and other discharges from construction sites.

Manage stormwater quality and quantity through a mix of on-site measures and developer contributions at a scale that will provide greatest net community benefit.

Provide for sewerage at the time of subdivision or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

Ensure land is set aside for water management infrastructure at the subdivision design stage.

Minimise the potential impacts of water, sewerage and drainage assets on the environment.

Protect significant water, sewerage and drainage assets from encroaching sensitive and incompatible uses.

Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.

Ensure that the use and development of land identifies and appropriately responds to potential environmental risks, and contributes to maintaining or improving the environmental quality of water and groundwater.

Policy guidelines

Consider as relevant:

- Any applicable Sustainable Water Strategy endorsed under Division 1B of Part 3 of the *Water Act 1989*.

Policy documents

Consider as relevant:

- *Water for Victoria - Water Plan* (Victorian Government, 2016)
- *Environment Reference Standard* (Gazette No. S 245, 26 May 2021)
- *Urban Stormwater-Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)
- *Planning Permit Applications in Open, Potable Water Supply Catchment Areas* (Department of Sustainability and Environment, 2012)
- *Victorian guideline for water recycling* (Publication 1910, Environment Protection Authority, March 2021)
- *Technical information for the Victorian guideline for water recycling* (Publication 1911, Environment Protection Authority, March 2021)

19.03-3L Stormwater management (Water sensitive urban design)

~~21/09/2022~~

~~C409melb~~ Proposed ~~C376melb~~ Policy application

This policy applies to applications for:

- New buildings.
- Extensions to existing buildings that are 50 square metres in floor area or greater.
- Subdivision in a commercial zone.

Objectives

To improve the quality of stormwater and reduce the flow of water discharge to waterways and the bay through Water Sensitive Urban Design.

Strategies

~~To achieve the best practice performance objectives for suspended solids, total phosphorus and total nitrogen.~~ Ensure residential, commercial and industrial development adopts a best practice approach to stormwater treatment and management by achieving the best practice water quality performance objectives as set out in the *Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999* (or as amended) *Urban Stormwater Best Practice Environmental Guidelines (CSIRO, 1999)* with compliance determined using tools including Melbourne Water's STORM Calculator and the Model for Urban Stormwater Improvement Conceptualisation (MUSIC).

~~To promote the use of water sensitive urban design.~~

~~To mitigate the detrimental effect of development on downstream waterways.~~

~~To minimise peak stormwater flows and stormwater pollutants for the improved health of water bodies, including creeks, rivers and bays.~~

~~To reintegrate urban water into the landscape to facilitate a range of benefits including microclimate cooling, local habitat and provision of attractive spaces for community use and wellbeing.~~

Strategies

~~Improve the quality of stormwater and reduce the flow of water discharged to waterways, including through~~ Encourage new developments to:

- ~~Collection~~ Collect and reuse ~~of~~ rainwater and stormwater on site.
- ~~Vegetated~~ Use vegetated swales and buffer strips.
- ~~Rain gardens.~~
- ~~Installation of~~ Install rain gardens and water recycling systems.
- ~~Multiple uses of water within a single manufacturing site.~~
- ~~Directing~~ Direct the flow from impervious ground surfaces to landscaped areas.

Encourage development for the purpose of industry to have multiple uses for water within a single site.

Encourage measures to prevent litter being carried off-site in stormwater flows, including ~~litter~~ trips and appropriately designed waste enclosures and storage bins.

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PLANNING SCHEME

- ~~Appropriately designed waste enclosures and storage bins.~~
- ~~Litter traps for developments with the potential to generate significant amounts of litter.~~

Encourage the use of vegetation, where practicable, (to be irrigated with rainwater/stormwater) to incorporation of vegetation on buildings to manage the quality and quantity of stormwater.

Policy guidelines

Consider as relevant:

- ~~The use of the following tools in determining compliance with best practice stormwater management:~~

~~Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999).~~

~~Stormwater Treatment Objective Relative Measure (Melbourne Water) – ‘STORM’ Calculator.~~

~~Model for Urban Stormwater Improvement Conceptualisation (Melbourne Water) – MUSIC.~~

- ~~Measures to achieve and maintain the desired stormwater quality during the construction phase of development, such as silt traps.~~

Maintain the desired stormwater quality measures during the construction phase to prevent a loss of stormwater quality as a result of building activities.

Policy documents

Consider as relevant:

- ~~City of Melbourne Water Sensitive Urban Design Guidelines (City of Melbourne, 2009)~~

- ~~State Environment Protection Policy (Waters of Victoria) (Environment Protection Authority, 2003)~~

State Environment Protection Policy (Waters of Victoria) (Environment Protection Authority, 2003)

~~Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999)~~

- ~~Water Sensitive Urban Design – Engineering Procedures: Stormwater (Melbourne Water, 2005)~~

Expiry

~~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.~~

19.03-4S

04/11/2022
VC226

Telecommunications

Objective

To facilitate the orderly development, extension and maintenance of telecommunications infrastructure.

Strategies

Facilitate the upgrading and maintenance of telecommunications facilities.

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PLANNING SCHEME

Ensure that modern telecommunications facilities are widely accessible and that the telecommunications needs of business, domestic, entertainment and community services are met.

Encourage the continued deployment of telecommunications facilities that are easily accessible by:

- Increasing and improving access for all sectors of the community to the telecommunications network.
- Supporting access to transport and other public corridors for the deployment of telecommunications networks in order to encourage infrastructure investment and reduce investor risk.

Ensure a balance between the provision of telecommunications facilities and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.

Co-locate telecommunications facilities wherever practical.

Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

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PLANNING SCHEME

19.03-4R

Telecommunications - Metropolitan Melbourne

26/10/2018

VC154

Strategy

Support the provision of high-quality telecommunications infrastructure in Melbourne's employment, urban renewal and growth areas through early planning for fibre-ready facilities and wireless infrastructure.

19.03-5S14/11/2022
VC227**Waste and resource recovery****Objective**

To reduce waste and maximise resource recovery to reduce reliance on landfills and minimise environmental, amenity and public health impacts.

Strategies

Ensure future waste and resource recovery infrastructure needs are identified and planned for to safely and sustainably manage all waste streams and maximise opportunities for resource recovery.

Ensure the long-term viability of waste and resource recovery infrastructure (including state and regional waste and resource recovery hubs) is secured through the use of defined buffer areas that protect against encroachment from incompatible land uses.

Ensure waste and resource recovery facilities are sited, designed, built and operated so as to minimise impacts on surrounding communities and the environment.

Enable waste and resource recovery facilities to be located in proximity to other related facilities and to materials' end-market destinations, to reduce the impacts of waste transportation and improve the economic viability of resource recovery.

Site, design, manage and rehabilitate waste disposal facilities to prevent or minimise contamination of groundwater and surface waters, litter, odour, dust and noise.

Integrate waste and resource recovery infrastructure planning with land use and transport planning.

Encourage technologies that increase recovery and treatment of resources to produce high value, marketable end products.

Encourage development that facilitates sustainable waste and resource recovery, including facilities for Victoria's container deposit scheme.

Policy guidelines

Consider as relevant:

- Any applicable Regional Waste and Resource Recovery Implementation Plan.

Policy documents

Consider as relevant:

- *Statewide Waste and Resource Recovery Infrastructure Plan* (Sustainability Victoria, 2018)
- *Management and storage of combustible recyclable and waste materials - guideline* (Publication 1667, Environment Protection Authority, October 2018)
- *Best Practice Environmental Management Guideline (Siting, Design, Operation and Rehabilitation of Landfills)* (Environment Protection Authority, 2015)
- *Designing, Constructing and Operating Composting Facilities* (Publication 1588, Environment Protection Authority, June 2015)
- *Recommended separation distances for industrial residual air emissions* (Publication 1518, Environment Protection Authority, March 2013)

MELBOURNE PLANNING SCHEME

- *Waste Management and Recycling in Multi-unit Developments. Better Practice Guide* (Sustainability Victoria, 2019)
- *Recycling Victoria A New Economy* (DELWP, February 2020)

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PLANNING SCHEME

13/07/2017
C314 Proposed C376 melb

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.

To promote sustainable transport patterns and a less car dependent community and built form that ensures opportunities to adapt and repurpose car parks~~encourage a less car dependent transport system by facilitating the adoption of sustainable transport alternatives, and ensuring that opportunities to adapt and repurpose car parks are protected.~~

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.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
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)	

1.0

14/11/2022
VC227

HIGHLIGHTED TEXT = Change recommended in response to submissions

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PLANNING SCHEME

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.

Use	Condition
	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 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	
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 (other than Automated collection point)	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)

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

2.0 Subdivision

~~23/11/2016~~ ~~4/4/2016~~ ~~C270~~ Proposed C376melb Requirements

Car parking areas must be retained in a single or a consolidated title as common property, unless the responsible authority agrees otherwise.

Application Requirements

An application for subdivision must be accompanied by, as relevant, information that demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time.

~~Exemption from notice and review~~ 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.

Decision Guidelines

Before deciding on a permit application under this schedule the responsible authority must consider, as appropriate:

- ▣ Whether the subdivision will facilitate the future adaptation or repurposing of proposed car parking areas.
- ▣ Whether the subdivision promotes the efficient use of car parking spaces.

3.0 Buildings and works

~~13/07/2017 - 13/07/2017 - C314~~ Proposed C376melb 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.

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.

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.

- 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.

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PLANNING SCHEME

Requirements – bicycle, motorcycle and car share parking

Developments must provide bicycle, motorcycle and car share parking spaces and associated facilities in accordance with the table below, unless the responsible authority is satisfied that a lesser number is sufficient.

The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.

<u>Type of development</u>	<u>Rate Requirement</u>	<u>Facility Requirement</u>
<u>Bicycle parking</u>		
<u>New Dwelling.</u>	<u>A minimum of one secure-bicycle space per dwelling.</u> <u>Two A minimum of one secure-visitor bicycle space per 5 dwellings.</u>	<u>None specified.</u>
<u>New building for the purpose of Retail, Place of assembly, Minor sports and recreation facility or Education centre.</u> <u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Place of assembly, Minor sports and recreation facility, or Education centre.</u> <u>New Retail or Office development including buildings and works which result in more than 1000sqm additional gross floor area.</u> <u>New Place of assembly, Minor sports and recreation facility or Education centre development, including buildings and works which result in more than 1000sqm additional gross floor area.</u>	<u>A minimum of one secure-employee bicycle space per 2400sqm of net floor area.</u> <u>A minimum of One secure-bicycle visitor space per 2400sqm of net floor area, with a minimum of four visitor spaces provided.</u>	<u>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</u> <u>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</u> <u>If 20 or more employee bicycle spaces are required, personal lockers are to be provided with each bicycle space required.</u> <u>If more than 30 bicycle spaces are required then a change room must be provided with direct access to each shower. The change room may be a combined shower and change room.</u>
<u>New building for the purpose of Office.</u>	<u>A minimum of one employee bicycle space</u>	

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PLANNING SCHEME

<u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Office.</u>	per 100sqm of net floor area. A minimum of one bicycle visitor space per 500sqm of net floor area.	
<u>Motorcycle parking</u>		
<u>New Dwellings</u>	Where car parking is proposed a minimum of one space per 450 dwellings..	<u>None specified.</u>
<u>New building for the purpose of Dwelling, Retail, or Office development, Place of Assembly, Minor sports and recreation facility or Education Centre-development.</u>	<u>Where car parking is proposed a minimum of one motorcycle space per 40 car parking spaces.</u>	<u>None specified.</u>
<u>Car share parking spaces</u>		
<u>Developments of more than 50 dwellings.</u> <u>New buildings for the purpose of Retail, Office, Place of assembly or Education centre.</u> <u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Office, Place of assembly or Education centre.</u>	2 spaces plus an additional 1 space per 25 additional Dwellings. A minimum of 5% of all car parking spaces is to be provided as car share spaces for use by car share vehicles.	<u>None specified.</u>
New Retail or Office development, Place of Assembly or Education Centre, including buildings and works which result in more than 1000sqm additional gross floor area	A minimum of 5% of all parking is to be provided as car share spaces for use by car share vehicles. 1 per 60 car parking spaces	<u>None specified.</u>

Requirements – design of car parking facilities

Where car parking facilities are provided as part of an application they should:

- Be designed to facilitate the future adaptation to support alternate uses in the short and long term.
- Include design features, including electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share parking spaces should be:

- Publicly accessible.
- In the most accessible level of a multi-storey car park.
- Well-lit and a short distance from an entry point, lift or staircase.
- In a location with a minimum height clearance to allow access by a cleaning van.

Car parking facilities should be designed in accordance with the following Design Standards:

- Development of car parking areas should include the delivery of infrastructure (including electricity supply and signage), space and metering arrangements to support the installation of electric vehicle (EV) charging points.
- Where a facility is proposed with 50 car parking spaces or more, all of the following should be provided:
 - EV ready parking bays for a minimum of 5% non-shared parking spaces.
 - Sufficient infrastructure capacity to accommodate EV charging for 20% of parking space.
 - EV charging points at all allocated shared car spaces.

~~Application Requirements~~ **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 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.

An application to construct a building or to carry out works which result in more than 5000 sqm additional gross floor area must be accompanied by a Green Travel Plan prepared by a suitably qualified person.

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 ability of car parking facilities to transition to alternative uses over time.
 - The contribution of the development to an increase in the availability of off-street electric vehicle charging facilities.
 - How the development supports the transition to a 70% mode share for public transport, walking and cycling.
 - The contribution the development makes to increasing the provision of car share facilities.
 - Whether, having regard to the proposed use of the land, the number of bicycle parking spaces is appropriate.
 - Whether ~~T~~he design, location ~~and~~, accessibility ~~and~~ of bicycle facilities is convenient given the characteristics of the site, including whether visitor spaces are located within convenient access to both the street and any office building foyer or retail entrance.
- The security (including suitable lighting, surveillance and locking devices) of bicycle facilities.

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:
 - 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.~~
- ~~Local Planning Policy Framework.~~

4.0 Demolition or Removal of Buildings

23/11/2016C270 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

23/11/2016C270

A permit is required to erect an advertising sign, except for:

- Advertising signs exempted by Clause 52.05.4.
- An under-verandah business 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 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 sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
- Renewal or replacement of an existing internally illuminated business identification sign.

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

07/12/2020
C370melb

Referral of applications

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.

An application for buildings and works on Treasury Square – 295-357 Wellington Parade South, Melbourne must be referred in accordance with section 55 of the Act to the referral authority specified in the schedule to clause 66.04.

Transitional arrangements

The requirement of Clause 2.0 of this schedule that an application to subdivide land must ensure that all car parking spaces are retained in a single or a consolidated title as common property does not apply to:

- The subdivision of land that is undertaken in accordance with a planning permit (including for the development of land for a building) that was issued before the commencement of Amendment C376melb to this planning scheme.

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C376melb to this planning Scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C376melb, continue to apply.
- 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.

7.0

23/11/2016
C270

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PLANNING SCHEME

13/07/2017
C314 Proposed C376 melb

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.

To promote sustainable transport patterns and a less car dependent community and built form that ensures opportunities to adapt and repurpose car parks. ~~encourage a less car dependent transport system by facilitating the adoption of sustainable transport alternatives, and ensuring that opportunities to adapt and repurpose car parks are protected.~~

1.0
14/11/2022
VC227

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.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
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.

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PLANNING SCHEME

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 (other than Automated collection point)	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)	
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	

Section 3 - Prohibited

Use
Cold store
Extractive industry
Freezing and cool storage
Liquid fuel depot

2.0 Subdivision

~~23/11/2016-1/1/11-C270~~ Proposed C376melb Requirements

Car parking areas must be retained in a single or a consolidated title as common property, unless the responsible authority agrees otherwise.

Application requirements

An application for subdivision must be accompanied by, as relevant, information that demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time.

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.

Decision guidelines

Before deciding on a permit application under this schedule the responsible authority must consider, as appropriate:

- Whether the subdivision will facilitate the future adaptation or repurposing of proposed car parking areas.
- Whether the subdivision promotes the efficient use of car parking spaces.

3.0 Buildings and works

~~13/07/2017-1/1/11-C311~~ Proposed C376melb **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
- 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.

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.

- 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.

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PLANNING SCHEME

Requirements – bicycle, motorcycle and car share parking

Developments must provide bicycle, motorcycle and car share parking spaces and associated facilities in accordance with the table below, unless the responsible authority is satisfied that a lesser number is sufficient.

The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.

<u>Type of development</u>	<u>Rate Requirement</u>	<u>Facility Requirement</u>
<u>Bicycle parking</u>		
<u>New Dwelling.</u>	<u>A minimum of one secure-bicycle space per dwelling.</u> Two <u>A minimum of one secure-visitor bicycle space</u> per 5 dwellings.	<u>None specified.</u>
<u>New building for the purpose of Retail, Place of assembly, Minor sports and recreation facility or Education centre.</u> <u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Place of assembly, Minor sports and recreation facility, or Education centre.</u> <u>New Retail or Office development including buildings and works which result in more than 1000sqm additional gross floor area.</u> <u>New Place of assembly, Minor sports and recreation facility or Education centre development, including buildings and works which result in more than 1000sqm additional gross floor area.</u>	<u>A minimum of one secure-employee bicycle space per 2400sqm of net floor area.</u> <u>A minimum of one secure-bicycle visitor space per 2400sqm of net floor area with a minimum of four visitor spaces provided.</u>	<u>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</u> <u>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</u> <u>If 20 or more employee bicycle spaces are required, personal lockers are to be provided with each bicycle space required.</u> <u>If more than 30 bicycle spaces are required then a change room must be provided with direct access to each shower. The change room may be a combined shower and change room.</u>

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<p><u>New building for the purpose of Office.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Office.</u></p>	<p><u>A minimum of one employee bicycle space per 100sqm of net floor area.</u></p> <p><u>A minimum of one bicycle visitor space per 500sqm of net floor area.</u></p>	
<u>Motorcycle parking</u>		
<p><u>New Dwellings</u></p>	<p>Where car parking is proposed a minimum of one space per 450 dwellings..</p>	<p><u>None specified.</u></p>
<p><u>New building for the purpose of Dwelling, Retail, or Office development, Place of a Assembly, Minor sports and recreation facility or Education Centre development.</u></p>	<p><u>Where car parking is proposed a minimum of one motorcycle space per 40 car parking spaces.</u></p>	<p><u>None specified.</u></p>
<u>Car share parking spaces</u>		
<p><u>Developments of more than 50 dwellings.</u></p> <p><u>New buildings for the purpose of Retail, Office, Place of assembly or Education centre.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Office, Place of assembly or Education centre.</u></p>	<p>2 spaces plus an additional 1 space per 25 additional dwellings. A minimum of 5% of all car parking spaces is to be provided as car share spaces for use by car share vehicles.</p>	<p><u>None specified.</u></p>
<p>New Retail or Office development, Place of Assembly or Education Centre, including buildings and works which result in more than 1000sqm additional gross floor area</p>	<p>A minimum of 5% of all parking is to be provided as car share spaces for use by car share vehicles. 1 per 60 car parking spaces</p>	<p><u>None specified.</u></p>

Requirements – design of car parking facilities

Where car parking facilities are provided as part of an application they should:

- Be designed to facilitate the future adaptation to support alternate uses in the short and long term.
- Include design features, including electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share parking spaces should be:

- Publicly accessible.
- In the most accessible level of a multi-storey car park.
- Well-lit and a short distance from an entry point, lift or staircase.
- In a location with a minimum height clearance to allow access by a cleaning van.

Car parking facilities should be designed in accordance with the following Design Standards:

- Development of car parking areas should include the delivery of infrastructure (including electricity supply and signage), space and metering arrangements to support the installation of electric vehicle (EV) charging points.
- Where a facility is proposed with 50 car parking spaces or more, all of the following should be provided:
 - EV ready parking bays for a minimum of 5% non-shared parking spaces.
 - Sufficient infrastructure capacity to accommodate EV charging for 20% of parking space.
 - EV charging points at all allocated shared car spaces.

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.

An application to construct a building or to carry out works which result in more than 5000 sqm additional gross floor area must be accompanied by a Green Travel Plan prepared by a suitably qualified person.

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.

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 ability of car parking facilities to transition to alternative uses over time.
- The contribution of the development to an increase in the availability of off-street electric vehicle charging facilities.
- How the development supports the transition to a 70% mode share for public transport, walking and cycling.
- The contribution the development makes to increasing the provision of car share facilities.
- Whether, having regard to the proposed use of the land, the number of bicycle parking spaces is appropriate.
- Whether the design, location and accessibility and of bicycle facilities is convenient given the characteristics of the site, including whether visitor spaces are located within convenient access to both the street and any office building foyer or retail entrance.
- The security (including suitable lighting, surveillance and locking devices) of bicycle facilities.
- 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;

- 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 Demolition or Removal of Buildings

^{C27023/11/2016} 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

^{23/11/2016C270}

A permit is required to erect an advertising sign, except for:

- Advertising signs exempted by Clause 52.05.4.
- An under-verandah business sign if:

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PLANNING SCHEME

- 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 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 sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
 - Renewal or replacement of an existing internally illuminated business identification sign.

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 Transitional arrangements

Proposed C376melb

The requirement of Clause 2.0 of this schedule that an application to subdivide land must ensure that all car parking spaces are retained in a single or a consolidated title as common property does not apply to:

- The subdivision of land that is undertaken in accordance with a planning permit (including for the development of land for a building) that was issued before the commencement of Amendment C376melb to this planning scheme.

The requirements of this schedule do not apply to:

MELBOURNE PLANNING SCHEME

- an application (including an application to amend a permit) made before the commencement of Amendment C376melb to this planning Scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C376melb, continue to apply.

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.

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PLANNING SCHEME

13/07/2017
C314 Proposed C376 melb

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.

To ~~encourage a less car dependent transport system by facilitating the adoption of sustainable transport alternatives, and ensuring that opportunities to adapt and repurpose car parks are protected~~ promote sustainable transport patterns and a less car dependent community and built form that ensures opportunities to adapt and repurpose car parks.

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.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Child care centre	
Education centre	
Home occupation	
Informal outdoor recreation	
Mineral exploration	

1.0

14/11/2022
VC227

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PLANNING SCHEME

Mining	Must meet the requirements of Clause 52.08-2.
	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.
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 Amusement parlour	
Car park Commercial Car Park	Must meet the requirements of Clause 52.06.
Corrective institution Department store Hotel	
Industry (other than Automated collection point)	Must not be a purpose listed in the table to Clause 52.10.

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PLANNING SCHEME

<p>Leisure and recreation (other than Informal outdoor recreation)</p> <p>Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)</p> <p>Nightclub</p> <p>Tavern</p> <p>Utility installation (other than Minor utility installation)</p> <p>Warehouse (other than Freezing and cool storage, and Liquid fuel depot)</p>	
<p>Any other use not in Section 1 or 3</p>	

Section 3 - Prohibited

Use

Cold store

Use

Extractive industry

Freezing and cool storage

Liquid fuel depot

2.0 Subdivision

~~23/11/2016~~ ~~Proposed C376melb~~ Requirements

Car parking areas must be retained in a single or a consolidated title as common property, unless the responsible authority agrees otherwise.

Application requirements

An application for subdivision must be accompanied by, as relevant, information that demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time.

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.

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:

- Whether the subdivision will facilitate the future adaptation or repurposing of the proposed car parking areas.
- Whether the subdivision promotes the efficient use of car parking spaces.

3.0 Buildings and works

~~13/07/2017~~ ~~Proposed C376melb~~

~~C344~~ 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.

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.

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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.

Requirements – bicycle, motorcycle and car share parking

Developments must provide bicycle, motorcycle and car share parking spaces and associated facilities in accordance with the table below, unless the responsible authority is satisfied that a lesser number is sufficient.

The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.

<u>Type of development</u>	<u>Rate Requirement</u>	<u>Facility Requirement</u>
<u>Bicycle parking</u>		
<u>New Dwelling.</u>	<u>A minimum of one secure bicycle space per dwelling.</u> Two <u>A minimum of one secure visitor bicycle spaces</u> per 5 dwellings.	<u>None specified.</u>
<u>New building for the purpose of Retail, Place of assembly, Minor sports and recreation facility or Education centre.</u>	<u>A minimum of one secure employee bicycle space per 2400sqm of net floor area.</u> <u>A minimum of one secure bicycle visitor space per 2400sqm of net floor area, with a minimum of four visitor spaces provided.</u>	<u>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</u> <u>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</u> <u>If 20 or more employee bicycle spaces are required, personal lockers are to be provided with each bicycle space required.</u> <u>If more than 30 bicycle spaces are required then a change room must be provided with direct access to each shower. The change room may be a combined shower and change room.</u>
<u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Place of assembly, Minor sports and recreation facility, or Education centre.</u>		
<u>New Retail or Office development including buildings</u>		

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<p>and works which result in more than 1000sqm additional gross floor area.</p> <p>New Place of Assembly, Minor sports and recreation facility or Education Centre development including buildings and works which result in more than 1000sqm additional gross floor area.</p>		
<p><u>New building for the purpose of Office.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Office.</u></p>	<p><u>A minimum of one employee bicycle space per 100sqm of net floor area.</u></p> <p><u>A minimum of one bicycle visitor space per 500sqm of net floor area.</u></p>	
<p><u>Motorcycle parking</u></p>		
<p>New Dwellings</p>	<p>Where car parking is proposed a minimum of one space per 450 dwellings.</p>	<p>None specified.</p>
<p><u>New building for the purpose of Dwelling, Retail, or Office development. Place of Assembly, Minor sports and recreation facility or Education Centre development</u></p>	<p><u>Where car parking is proposed a minimum of one motorcycle space per 40 car parking spaces.</u></p>	<p><u>None specified.</u></p>
<p><u>Car share parking spaces</u></p>		
<p><u>Developments of more than 50 dwellings.</u></p> <p><u>New buildings for the purpose of Retail, Office, Place of assembly or Education centre.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Office.</u></p>	<p>2 spaces plus an additional 1 space per 25 additional Dwellings.</p> <p><u>A minimum of 5% of all car parking spaces is to be provided as car share spaces for use by car share vehicles.</u></p>	<p><u>None specified.</u></p>

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<u>Place of assembly or Education centre.</u>		
New Retail or Office development, Place of Assembly or Education Centre, including buildings and works which result in more than 1000sqm additional gross floor area	<u>A minimum of 5% of all car parking is to be provided as car share spaces for use by car share vehicles. 1 per 60 car parking spaces</u>	None specified.

Requirements – design of car parking facilities

Where car parking facilities are provided as part of an application they should:

- Be designed to facilitate the future adaptation to support alternate uses in the short and long term.
- Include design features, including electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share parking spaces should be:

- Publicly accessible.
- In the most accessible level of a multi-storey car park.
- Well-lit and a short distance from an entry point, lift or staircase.
- In a location with a minimum height clearance to allow access by a cleaning van.

Car parking facilities should be designed in accordance with the following Design Standards:

- Development of car parking areas should include the delivery of infrastructure (including electricity supply and signage), space and metering arrangements to support the installation of electric vehicle (EV) charging points.
- Where a facility is proposed with 50 car parking spaces or more, all of the following should be provided:
 - EV ready parking bays for a minimum of 5% non-shared parking spaces.
 - Sufficient infrastructure capacity to accommodate EV charging for 20% of parking space.
 - EV charging points at all allocated shared car spaces.

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:

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- 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 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.

An application to construct a building or to carry out works which result in more than 5000 sqm additional gross floor area must be accompanied by a Green Travel Plan prepared by a suitably qualified person.

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.

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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 ability of car parking facilities to transition to alternative uses over time.
- The contribution of the development to an increase in the availability of off-street electric vehicle charging facilities.
- How the development supports the transition to a 70% mode share for public transport, walking and cycling.
- The contribution the development makes to increasing the provision of car share facilities.
- Whether, having regard to the proposed use of the land, the number of bicycle parking spaces is appropriate.
- Whether the design, location and accessibility and of bicycle facilities is convenient given the characteristics of the site, including whether visitor spaces are located within convenient access to both the street and any office building foyer or retail entrance.
- The security (including suitable lighting, surveillance and locking devices) of bicycle facilities.

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.

HIGHLIGHTED TEXT = Change recommended in response to submissions

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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 Demolition or Removal of Buildings

C27023/11/2016

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:

- 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

23/11/2016C270

A permit is required to erect an advertising sign, except

- for: Advertising signs exempted by Clause 52.05-4 An
- under-verandah business 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 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 sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
- Renewal or replacement of an existing internally illuminated business identification sign.

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 Transitional arrangements

Proposed C376melb

The requirement of Clause 2.0 of this schedule that an application to subdivide land must ensure that all car parking spaces are retained in a single or a consolidated title as common property does not apply to:

- The subdivision of land that is undertaken in accordance with a planning permit (including for the development of land for a building) that was issued before the commencement of Amendment C376melb to this planning scheme.

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C376melb to this planning Scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C376melb, continue to apply.

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.

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PLANNING SCHEME

20/06/2019 - / - / - -

GC448 Proposed C376melb

SCHEDULE 4 TO CLAUSE 37.04 CAPITAL CITY ZONE

Shown on the planning scheme map as **CCZ4**.

FISHERMANS BEND URBAN RENEWAL AREA

Purpose

To create a thriving urban renewal area that is a leading example for design excellence, environmental sustainability, liveability, connectivity, diversity and innovation.

To create a highly liveable mixed-use area where the scale of growth is aligned with the provision of public transport and other infrastructure.

To create a world leading sustainable urban renewal area that incorporates best practice sustainable design into all developments and supports sustainable transport patterns, and encourages a less car dependent transport system by facilitating the adoption of sustainable transport alternatives and ensuring that opportunities to adapt and repurpose car parks are protected. promotes sustainable transport patterns and a less car dependent community and built form that ensures opportunities to adapt and repurpose car parks.

To provide public benefit in the form of Social housing where development exceeds the nominated Dwelling density.

To support the continued operation of strategically important existing uses and existing industrial uses that provide services to the construction industry, and ensure new development includes measures to mitigate potential amenity impacts from those industrial uses.

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Dwelling, Corrective institution, Motel, Residential aged care facility and Residential hotel)	Must not be within an Amenity buffer shown on Map 3.
Art and craft centre	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bank	Must have a frontage to a Primary or Secondary active frontage street shown on Map 1.
Child care centre	Must not be within an Amenity buffer shown on Map 3.
Cinema based entertainment facility	Must be located in a Core area with frontage to a Primary or Secondary active frontage street shown on the relevant Urban Structure Map.
Department store	Must have a frontage to a Primary or Secondary active frontage street shown on Map 1.
Display home	

1.0

14/11/2022
VC227

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PLANNING SCHEME

Dwelling	Must not be within an Amenity buffer shown on Map 3.
Education centre	Must not be within an Amenity buffer shown on Map 3.
Home based business	Must meet requirements of Clause 52.11
Informal outdoor recreation	Must not be within an Amenity buffer shown on Map 3.
Minor sports and recreation facility	
Motel	Must not be within an Amenity buffer shown on Map 3.

Use	Condition
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Office (other than Bank)	
Place of assembly (other than Function centre and Nightclub)	
Railway station	
Retail premises (other than Hotel, Shop and Tavern) Restricted retail premises	Must not exceed 1000 square metres gross leasable floor area.
Residential aged care facility Residential hotel	Must not be within an Amenity buffer shown on Map 3.
Shop (other than Adult sex product shop, Department store, Supermarket and Restricted retail premises)	
Supermarket	Must have a frontage to a Primary active frontage street shown Map 1.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Adult sex product shop	
Function centre Hotel Industry (other than Automated collection point) Leisure and recreation (other than Informal outdoor recreation, Minor sport and recreation facility, Motor racing track and Racecourse) Nightclub	
Tavern Transport terminal (other than Airport and Railway station)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use

- Airport**
- Brothel**
- Cemetery**
- Corrective institution**
- Motor racing track**
- Race course**
- Recreational boat facility**

Use of land

Requirements

The use of land must be generally in accordance with Map 1 of this schedule.

The use of land for a dwelling must not exceed the specified Dwelling density in Table 1, unless an agreement under section 173 of the Act has been entered into between the landowner, the responsible authority and the local council (if not the responsible authority) that requires the landowner to provide at least one Social housing dwelling for every eight dwellings provided above the number of dwellings allowable under the specified Dwelling density.

Table 1: Dwelling density

Precinct	Core area
Lorimer	339 dw/ha

These requirements do not apply to an application for the use of land in accordance with a planning permit for buildings and works granted before the approval date of Amendment GC81.

2.0
05/10/2018
GC81
2.1
05/10/2018
GC81

2.2 Application requirements

05/10/2018GC81 The following application requirements apply to an application for a permit under Clause 37.04, in addition to those specified in Clause 37.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Residential development

An application to use land for a Dwelling, Residential village or Retirement village must be accompanied by a report that addresses:

- How the proposal contributes to an activated frontage.
- How the proposal achieves the Community and diversity objectives of the Fishermans Bend Urban Renewal Local Policy, including an assessment of the composition and size of dwellings proposed.
- How the proposal contributes to the job growth targets and employment floor area set out in the Fishermans Bend Urban Renewal Area Local Policy.

Sensitive uses

An application to use land within an Amenity buffer shown on Map 3 of this schedule, for Accommodation, Child care centre, Education centre, Residential aged care facility, Residential

hotel or Informal outdoor recreation must be accompanied by an Amenity Impact Plan which includes, as appropriate:

- A site plan identifying the type and nature of the existing use identified in Map 3.
- An assessment of the impact of the proposed sensitive use on the existing use.
- Measures to mitigate potential amenity impacts from the existing use.
- Incorporation of noise attenuation measures.

Industry and warehouse uses

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.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 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 2012 is exceeded.
- The likely effects, if any, on the neighbourhood and the urban renewal of Fishermans Bend, including:
 - Noise levels.
 - Airborne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and dispatch.
 - Light spill or glare.

2.3

05/10/2018
GC81

Exemptions from notice and review

An application for the use of 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, hotel or adult sex product shop.

2.4

05/10/2018
GC81

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.04, in addition to those specified in Clause 37.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- If a dwelling is proposed, whether the proposal:
 - Creates an activated ground floor, particularly in Core areas.
 - Provides home offices or communal facilities that support 'work from home' or 'mobile' employment.

- Provides Affordable housing consistent with the objectives and targets set out in the Fishermans Bend Urban Renewal Area Local Policy.
- Whether the use provides the minimum plot ratio not used for a dwelling set out in the Fishermans Bend Urban Renewal Area Local Policy.
- The impact the proposal has on the realisation of employment targets.
- The temporary uses of land not immediately required for the proposed use.
- The impact of the proposal on the amenity of the urban renewal of Fishermans Bend.
- Whether the proposal will prejudice the achievement or orderly development of the urban renewal of Fishermans Bend.

If a sensitive use is proposed on land within an Amenity buffer shown on Map 3 of this schedule, whether the proposal incorporates appropriate measures to mitigate against adverse amenity from the existing use, where relevant.

3.0

05/10/2018
GC81

Subdivision

3.1

05/10/2018
GC81

Requirements

The subdivision of land must be generally in accordance with Map 1 of this schedule. This does not apply to a new road or laneway marked as indicative.

Car parking areas must be retained in a single or a consolidated title as common property, unless the responsible authority agrees otherwise.

These requirements do not apply to a subdivision of land in accordance with a planning permit for buildings and works granted before the approval date of Amendment GC81.

3.2

05/10/2018
GC81

Application requirements

The following application requirements apply to an application for a permit to subdivide land under Clause 37.04-3, in addition to those specified in Clause 37.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- 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.
 - The location of abutting roads, services, infrastructure and street trees.
 - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- Information that demonstrates how the subdivision makes provision for roads, laneways and open spaces, as shown on Map 1 of this schedule.
- Information that demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time.

3.3

05/10/2018
GC81

Exemption from notice and review

An application for the subdivision of 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.

3.4

05/10/2018
GC81

Decision guidelines

The following decision guidelines apply to an application for a permit to subdivide land under Clause 37.04-3, in addition to those specified in Clause 37.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The contribution the proposed subdivision makes to a fine-grain precinct, and pedestrian and bicycle permeability.
- Whether the subdivision will facilitate the future adaptation or repurposing of proposed car parking areas.
- Whether the subdivision promotes consolidated car parking.
- Whether the subdivision provides for the necessary utilities infrastructure to service the development of the subdivided parcels, and allows for shared trenching.

Whether any proposed staging of development is appropriate.

The impact of the subdivision on landscape opportunities along street frontages, particularly for large canopy trees.

Whether the subdivision can accommodate an appropriate building envelope.

3.5

Existing uses

05/10/2018GC81

These requirements do not apply to an application for subdivision associated with a continuing lawful use of land.

In considering whether a permit should be granted for the subdivision of land associated with an ongoing existing use of land, the responsible authority must consider, as appropriate:

- The impact of the proposed subdivision on the amenity of the future urban renewal area.
- Whether the grant of the permit will prejudice the achievement or orderly development of the future urban structure for the area.
- Whether the subdivision supports the continued operation of an existing use that is of strategic importance, or that will facilitate the urban renewal of Fishermans Bend.

Buildings and works

4.0

05/10/2018
GC81

Permit requirement

4.1

05/10/2018
GC81

No permit is required to construct a building or construct or carry out works for the following:

- An addition of or modification to a verandah, awning, sunblind or canopy of an existing building.

A permit is required to demolish or remove a building or works, except for:

HIGHLIGHTED TEXT = Change recommended in response to submissions

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ANNING SCHEME

- The demolition or removal of temporary structures.
- The demolition ordered or undertaken by the responsible authority in accordance with the relevant legislation or local law.

4.2 Requirements

05/10/2018 - / - / - -

~~GC81~~ Proposed C376melb The construction of a building, and the carrying out of works, must be generally in accordance with the relevant Map 1 of this schedule. This does not apply to new road or laneway marked as indicative.

This requirement does not apply to an application to amend a permit issued before the approval date of Amendment GC81.

Dwelling density

A permit must not be granted to construct a building or construct or carry out works with a Dwelling density in excess of the Dwelling density specified in Table 1, unless:

- An agreement under section 173 of the Act has been entered between the landowner, the responsible authority and the local council (if not the responsible authority) that requires the landowner to provide at least one Social housing dwelling for every eight dwellings provided above the number of dwellings allowable under the specified Dwelling density.

Bicycle, Motorcycle and Car share parking

Developments must provide bicycle, motorcycle and car share parking space in accordance with Table 2, unless the responsible authority is satisfied that a lesser number is sufficient.

Table 2: Parking Provision

		Bicycle spaces	Motorcycle spaces	Spaces allocated to a car share scheme	
Developments of more than 50 dwellings	Provision of spaces	1 per dwelling	1 per 50 dwellings	2 spaces plus 1 per 25 car spaces.	
	Provision of visitor spaces	1 per 10 dwellings	None specified	None specified	
Developments with over 10,000 sqm non-residential floor space	Provision of spaces	1 per 50 sqm of net non-residential floor area	1 per 100 car parking spaces	For all developments with 120 or less car spaces: A minimum of 2 spaces	For developments with more than 120 car spaces: 1 per 60 car parking spaces
	Provision of visitor spaces	1 per 1000 sqm of net non-residential floor area	None specified	None specified	



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ANNING SCHEME

Design of car parking facilities

Where car parking facilities are provided as part of an application they should:

- Be designed to facilitate the future adaptation to support alternate uses in the short and long term.
- Include design features, including electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share parking spaces should be:

- Publicly accessible.
- In the most accessible level of a multi-storey car park.
- Well-lit and a short distance from an entry point, lift or staircase.
- In a location with a minimum height clearance to allow access by a cleaning van.

Car parking facilities should be designed in accordance with the following Design Standards:

- Development of car parking areas should include the delivery of infrastructure (including electricity supply and signage), space and metering arrangements to support the installation of electric vehicle (EV) charging points.
- Where a facility is proposed with 50 car parking spaces or more, all of the following should be provided:
 - EV ready parking bays for a minimum of 5% non-shared parking spaces.
 - Sufficient infrastructure capacity to accommodate EV charging for 20% of parking spaces.
 - EV charging points at all allocated shared car spaces.

Vehicle access points and crossovers

A permit must not be granted to construct a building or construct or carry out works where vehicle access points and/or crossovers (not including openings for a road) are located along roads designated as 'no cross overs permitted' in Map 1 of this schedule, unless no other access is possible.

4.3

20/06/2019

GC118

Conditions on permits

Green Star rating

A permit granted to construct a building or to construct or carry out works for:

- A new building or additions that contain 10 or more dwellings or 5000 square metres or more of floor space must include the following conditions:
 - Prior to the commencement of buildings and works, evidence must be submitted to the satisfaction of the responsible authority, that demonstrates the project has been registered to seek a minimum 5 Star Green Star Design and As-Built rating (or equivalent) with the Green Building Council of Australia.

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PLANNING SCHEME

~~Within 12 months of occupation~~ of the building, certification must be submitted to the satisfaction of the responsible authority, that demonstrates that the building has achieved a minimum 5 Star Green Star Design and As-Built rating (or equivalent).

- Other buildings and alterations and additions of more than 50 square metres must include the following conditions:
 - Prior to the commencement of buildings and works, evidence must be submitted to the satisfaction of the responsible authority, that demonstrates the project has been registered to seek a minimum 4 Star Green Star Design and As-Built rating (or equivalent) with the Green Building Council of Australia.
 - Within 12 months of occupation of the building, certification must be submitted to the satisfaction of the responsible authority, that demonstrates that the building has achieved a minimum 4 Star Green Star Design and As-Built rating (or equivalent).

Third pipe and rain tank

A permit granted to construct a building or to construct or carry out works must include the following conditions:

- A third pipe must be installed for recycled and rain water to supply all non-potable outlets within the development for toilet flushing, irrigation and washing machine, unless otherwise agreed by the relevant water authority.
- An agreed building connection point must be provided from the third pipe, designed to the satisfaction of the relevant water supply authority, to ensure readiness to connect to a future precinct-scale recycled water supply.
- A rainwater tank must be provided that:
 - Has a minimum effective volume of 0.5 cubic metres for every 10 square metres of catchment area to capture rainwater from 100% of suitable roof rainwater harvesting areas (including podiums);
 - Is fitted with a first flush device, meter, tank discharge control and water treatment with associated power and telecommunications equipment approved by the relevant water authority.
- Rainwater captured from roof harvesting areas must be re-used for toilet flushing, washing machine and irrigation or, controlled release.

Roads and laneways

Where a new road or laneway is proposed on the land, and the road, street or laneway is not funded through an Infrastructure Contributions Plan, a permit granted to construct a building or to construct or carry out works must include a condition requiring the following:

- An agreement under section 173 of the Act must be entered into between the landowner, the responsible authority and the local council (if not the responsible authority) which provides for the:
 - Construction of the new road or laneway to the satisfaction of the responsible authority and the relevant road management authority; and

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PLANNING SCHEME

- ~~Transfer of the new road or laneway~~ to or vesting in the relevant road authority as a public road at no cost to the relevant road authority. This does not apply to a new laneway that is agreed to be retained in private ownership to the satisfaction of the responsible authority.

The condition is not required in relation to a new road or laneway marked as indicative.

4.4 Application requirements

05/10/2018GC81

The following application requirements apply to an application for a permit under Clause 37.04, in addition to those specified in Clause 37.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written urban context report documenting the key planning influences on the development and how it relates to its surroundings.
- A design response detailing how the design makes provision for roads, laneways and open space generally in accordance with Map 1 of this schedule.
- A 3D digital model of the proposed buildings and works in a suitable format.
- An assessment and report detailing how the proposal responds to the Fishermans Bend Urban Renewal Area Local Policy.
- Any technical or supporting information necessary, prepared by suitably qualified professionals, including:
 - A Sustainability Management Plan addressing Environmentally Sustainable Design, Waste and Water management.
 - A Sustainable Transport Plan demonstrating how the development supports sustainable travel behaviour and promotes active transport modes.
 - A Landscape Plan for all areas of open space, except private open space for dwellings, providing for biodiversity, canopy tree planting, water sensitive urban design and microclimate management of buildings.

An application to construct a building or to carry out works which result in more than 5000 sqm additional gross floor area must be accompanied by a Green Travel Plan prepared by a suitably qualified person.

Affordable housing including Social housing

An application to construct a building or to construct or carry out works for a Dwelling must be accompanied by the following information, to the satisfaction of the responsible authority:

- A report that addresses how the proposal contributes to the Affordable housing objectives and targets of the Fishermans Bend Urban Renewal Local Policy, and identifies:
 - The number and location of Affordable housing dwellings proposed to be provided.
 - The proportion of total dwellings that are proposed to be Affordable housing dwellings.
 - The mix of one, two and three-bedroom Affordable housing dwellings that reflects the overall dwelling composition of the building.

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PLANNING SCHEME

- **Plans that demonstrate that:**

- The proposed Affordable housing dwellings have internal layouts like other comparable dwellings in the building.

- The proposed Affordable housing dwellings will be externally indistinguishable from other dwellings.
- These plans are not required for Affordable housing that is proposed to be provided as Social housing.
- If Social housing is proposed, a report that:
 - Includes a dwelling schedule that shows the number, size and composition of private dwellings, Social housing dwellings, and private dwellings proposed to be provided to obtain a Social housing uplift.
 - Provides details of the participating registered agency proposed to own or manage the Social housing units.
 - Provides evidence of the agency's agreement to own or manage the Social housing units.

Amenity impacts from existing industrial uses, freight routes and transport corridors

An application for building and works associated with the use of land for Accommodation, Child care centre, Education centre, Residential aged care facility, Residential hotel or Informal outdoor recreation within an Amenity buffer shown on Map 3 of this schedule, must be accompanied by an Amenity Impact Plan which includes, as appropriate:

- A site plan identifying the type and nature of the existing use identified in Map 3.
- An assessment of the impact of the proposed sensitive use on the existing use.
- Measures to mitigate potential amenity impacts from the existing use.
- Incorporation of noise attenuation measures.

4.5 Exemption from notice and review

05/10/2018GC81

An application to demolish or remove a building or 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.

4.6 Decision guidelines

05/10/2018--/--

GC81Proposed.C376melb The following decision guidelines apply to an application for a permit under Clause 37.04-4, in addition to those specified in Clause 37.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

MELBOURNE PLANNING SCHEME

- Whether the proposal responds satisfactorily to the Fishermans Bend Urban Renewal Area Local Policy.
- Whether the layouts of roads, laneways and open space are generally in accordance with those shown in the relevant Map 1 of this schedule.
- How the proposal contributes to establishing sustainable transport as the primary mode of transport through integrated walking, cycling and pedestrian links.
- Whether the development supports the function, form and capacity of public spaces and public infrastructure.
- For proposals within an Amenity buffer shown on Map 3 of this schedule, whether the proposal includes appropriate mitigation measures to protect against off-site amenity impacts.
- Whether the proposal is designed for all deliveries, servicing and waste management to occur on site.

Whether the proposed vehicle access to and from the development impacts on the provision of public transport, pedestrian and cyclist safety, and whether there are any constraints to vehicle access to the site.

- The ability of car parking facilities to transition to alternative uses over time.
- The contribution of the development to an increase in the availability of off-street electric vehicle charging facilities.
- How the development supports the transition to a 70% mode share for public transport, walking and cycling.
- The contribution the development makes to increasing the provision of car share facilities.
- Whether, having regard to the proposed use of the land, the number of bicycle parking spaces is appropriate.
- Whether the design, location and accessibility of bicycle facilities is convenient given the characteristics of the site, including whether visitor spaces are located within convenient access to both the street and any office building foyer or retail entrance.
- The security (including suitable lighting, surveillance and locking devices) of bicycle facilities.

The proposed sustainability rating of the building.

Whether appropriate sustainable water, waste and energy management is proposed.

Where only part of a site is developed, whether an agreement under section 173 of the Act has been entered into between the landowner, the responsible authority and the local council (if not the responsible authority) to ensure that the Dwelling density across the whole of the site will not be exceeded and whether the development is sited so that adequate setbacks are maintained in the event that the site is subdivided or otherwise altered to create a separate future development site.

- The management and maintenance of any Affordable housing, including Social housing.
- Any impacts to the proposed tram alignments, bus routes and the potential future elevated road structures.
- Whether the buildings and works may compromise the delivery of the proposed tram alignments or the future elevated road structures.
-

Whether residential development includes floor plate layouts and servicing strategies that demonstrate a future capacity to allow one and two-bedroom dwellings to be combined and adapted into three or more-bedroom dwellings.

Demolition and removal of buildings

Before deciding on an application to demolish or remove a building or works, the responsible authority must consider any need for a condition requiring an agreement under section 173 of the Act to be entered by the landowner and the responsible authority and the local council (if not the responsible authority) requiring:

- Temporary buildings or works on the vacant site should it remain vacant for six months after completion of the demolition.
- Temporary buildings or works on the vacant site where demolition or construction activity has ceased for an aggregate of six months after commencement of the construction.
- Temporary buildings or works may include:
 - The construction of temporary buildings for short-term retail or commercial use. Such structures must include the provision of an active street frontage.
 - Landscaping of the site for public recreation and open space.
 - A demolition plan, detailing the staging of demolition and any temporary works proposed.

4.7 Existing uses

GC8105/10/2018 The requirements of clauses 4.2, 4.3 and 4.4 do not apply to an application for buildings and works associated with a continuing lawful use of land.

In considering whether a permit should be granted for buildings and works associated with an existing use of land for industry or warehouse, the responsible authority must consider, as appropriate:

- The impact of the proposed buildings and works on the amenity of the future urban renewal area.
- Whether the grant of the permit will prejudice the achievement or orderly development of the future urban structure for the area.
- Whether the buildings and works support the continued operation of an existing industrial use that is of strategic importance, or that will facilitate the urban renewal of Fishermans Bend.
- Whether the buildings and works may compromise the delivery of the proposed tram alignments or the future elevated road structures.

5.0 Signs

20/06/2019GC118 A permit is required to construct and display a sign except for:

- Advertising signs exempted by Clause 52.05-4.
- Renewal or replacement of an existing internally illuminated business identification sign.
- A home occupation sign with an advertisement area not more than 0.2 square metres.
- A direction sign where there is only one to each premises.
-

MELBOURNE PLANNING SCHEME

A business identification sign, bed and breakfast sign, home occupation sign, or promotion sign, that have a combined total advertisement area to each premises not exceeding 8 square metres.

- An internally illuminated sign of no greater than 1.5 square metres and the sign is not above a verandah or more than 3.7 metres above pavement level. The sign must be more than 30 metres from a residential zone or pedestrian or traffic lights.
- A non-illuminated sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia of the building.

5.1 Exemption from notice and review

05/10/2018GC81

An application to construct and display a 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.

MAP 1: Lorimer urban structure



LEGEND

Active frontages

— Primary (80% permeability)

----- Secondary Type 1 (60% permeability)

Core area

10m road widening

New road - 12m wide

New public open space

10m landscape setback

New road - 18m wide

No crossovers permitted

New laneway - 6m wide (Location indicative)

New road - 22m wide

MELBOURNE PLANNING SCHEME

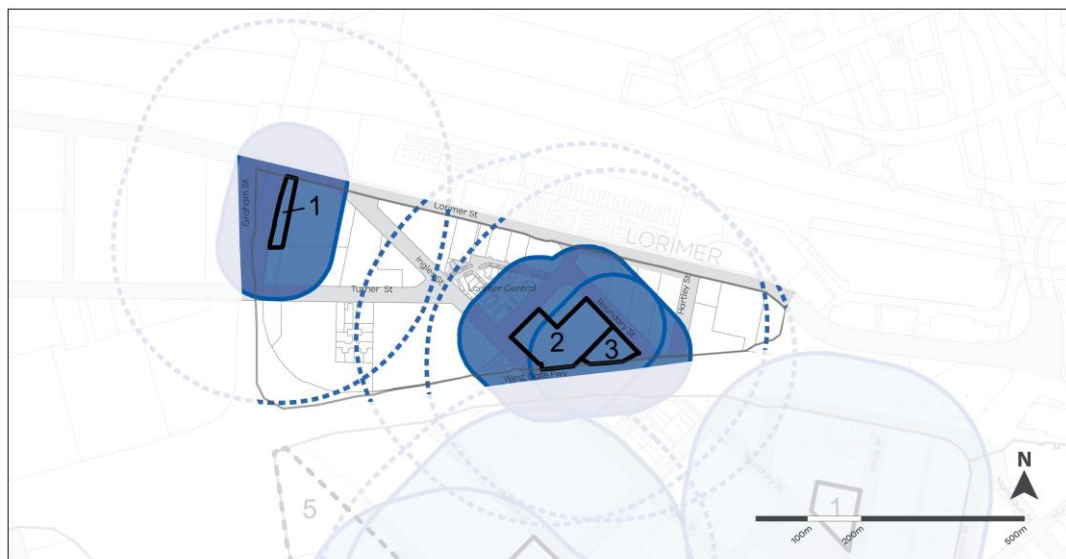
MAP 2: Transport infrastructure



LEGEND

- New bridge/existing bridge upgrade
- Proposed tram alignment subject to final planning by Transport for Victoria

MAP 3: Amenity buffers



LEGEND

- Sites with buffers
- 100m amenity buffer*
- Precinct boundaries
- 300m amenity buffer

*Derived from Recommended Separation Distances for Industrial Residual Air Emissions (publication number 1518, March 2013)

Map ref no.	Operation	Address	Use
1	Barro Group	824 Lorimer Street, Port Melbourne	Industry (Concrete batching facility)
2	Hanson	310 Ingles Street and 223 Boundary Street, Port Melbourne	Industry (Concrete batching facility)
3	Citywide	213 Boundary Street, Port Melbourne	Industry (Concrete batching facility)

Definitions

The following definitions apply for the purposes of interpreting this schedule:

Affordable housing has the same meaning as in the *Planning and Environment Act 1987*.

Core area and **Non-core area** are those area identified on the relevant Map.

MELBOURNE PLANNING SCHEME

Dwelling density (dw/ha) means the number of dwellings on the site divided by the total site area (hectares), including any proposed road, laneway and public open space.

Social housing has the same meaning as in the *Housing Act 1983*.

Social housing uplift means dwellings that exceed the number of dwellings allowable under the dwelling density requirements in this Schedule.

Transitional arrangements

6.0

Proposed C376melb

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C376melb to this planning Scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C376melb, continue to apply.

HIGHLIGHTED TEXT = Change recommended in response to submissions

Green underlined text = Exhibited addition to the Planning Scheme

~~Red struck-through text~~ = Exhibited deletion from the Planning Scheme

PLANNING SCHEME

30/06/2016 - / - / - -
C293 Proposed C376 melb

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.

To promote sustainable transport patterns and a less car dependent community and built form that ensures opportunities to adapt and repurpose car parks, encourage a less car dependent transport system by facilitating the adoption of sustainable transport alternatives, and ensuring that opportunities to adapt and repurpose car parks are protected.

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.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Education centre	
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	

1.0

14/11/2022
VC227

HIGHLIGHTED TEXT = Change recommended in response to submissions

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PLANNING SCHEME

Office

Place of assembly (other than Amusement parlour, Function Centre and Nightclub)

Railway

Use	Condition
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
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 (other than Automated collection point)	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

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.
- 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

Subdivision

.....
~~15/10/2015-14-14-C196~~ Proposed C376melb Requirements

Car parking areas must be retained in a single or a consolidated title as common property unless the responsible authority agrees otherwise.

Application Requirements

An application for subdivision must be accompanied by, as relevant, information that demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time.

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.

Decision guidelines

Before deciding on a permit application under this schedule the responsible authority must consider, as appropriate:

- Whether the subdivision will facilitate the future adaptation or repurposing of the proposed car parking areas.
- Whether the subdivision promotes the efficient use of car parking spaces.

4.0

Buildings and works

15/10/2015 - / - / - -
.....

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.

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PLANNING SCHEME

Requirements – bicycle, motorcycle and car share parking

Developments must provide bicycle, motorcycle and car share parking spaces and associated facilities in accordance with the table below, unless the responsible authority is satisfied that a lesser number is sufficient.

The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.

<u>Type of development</u>	<u>Rate Requirement</u>	<u>Facility Requirement</u>
<u>Bicycle parking</u>		
<u>New Dwelling.</u>	<u>A minimum of one secure bicycle space per dwelling.</u> <u>Two-A minimum of one secure visitor bicycle spaces per 5 dwellings.</u>	<u>None specified.</u>
<u>New building for the purpose of Retail, Place of assembly, Minor sports and recreation facility or Education centre.</u> <u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Place of assembly, Minor sports and recreation facility, or Education centre.</u> <u>New Retail or Office development including buildings and works which result in more than 1000sqm additional gross floor area.</u> <u>New Place of assembly, Minor sports and recreation facility or Education centre development, including buildings and works which result in more than 1000sqm additional gross floor area.</u>	<u>A minimum of one secure employee bicycle space per 2400sqm of net floor area.</u> <u>A minimum of One secure bicycle visitor space per 2400sqm of net floor area, with a minimum of four visitor spaces provided.</u>	<u>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</u> <u>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</u> <u>If 20 or more employee bicycle spaces are required, personal lockers are to be provided with each bicycle space required.</u> <u>If more than 30 bicycle spaces are required then a change room must be provided with direct access to each shower. The change room may be a combined shower and change room.</u>

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PLANNING SCHEME

<p><u>New building for the purpose of Office.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Office.</u></p>	<p><u>A minimum of one employee bicycle space per 100sqm of net floor area.</u></p> <p><u>A minimum of one bicycle visitor space per 500sqm of net floor area.</u></p>	
<p><u>Motorcycle parking</u></p>		
<p><u>New Dwellings</u></p>	<p>Where car parking is proposed a minimum of one space per 450 dwellings..</p>	<p><u>None specified.</u></p>
<p><u>New building for the purpose of Dwelling, Retail, or Office development, Place of a Assembly, Minor sports and recreation facility or Education Centre development.</u></p>	<p><u>Where car parking is proposed a minimum of one motorcycle space per 40 car parking spaces.</u></p>	<p><u>None specified.</u></p>
<p><u>Car share parking spaces</u></p>		
<p><u>Developments of more than 50 dwellings.</u></p> <p><u>New buildings for the purpose of Retail, Office, Place of assembly or Education centre.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Office, Place of assembly or Education centre.</u></p>	<p>2 spaces plus an additional 1 space per 25 additional dwellings. A minimum of 5% of all car parking spaces is to be provided as car share spaces for use by car share vehicles.</p>	<p><u>None specified.</u></p>
<p>New Retail or Office development, Place of Assembly or Education Centre, including buildings and works which result in more than 1000sqm additional gross floor area</p>	<p>A minimum of 5% of all parking is to be provided as car share spaces for use by car share vehicles. 1 per 60 car parking spaces</p>	<p><u>None specified.</u></p>

Requirements – design of car parking facilities

Where car parking facilities are provided as part of an application they should:

- Be designed to facilitate the future adaptation to support alternate uses in the short and long term.
- Include design features, including electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share parking spaces should be:

- Publicly accessible.
- In the most accessible level of a multi-storey car park.
- Well-lit and a short distance from an entry point, lift or staircase.
- In a location with a minimum height clearance to allow access by a cleaning van.

Car parking facilities should be designed in accordance with the following Design Standards:

- Development of car parking areas should include the delivery of infrastructure (including electricity supply and signage), space and metering arrangements to support the installation of electric vehicle (EV) charging points.
- Where a facility is proposed with 50 car parking spaces or more, all of the following should be provided:
 - EV ready parking bays for a minimum of 5% non-shared parking spaces.
 - Sufficient infrastructure capacity to accommodate EV charging for 20% of parking space.
 - EV charging points at all allocated shared car spaces.

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.

An application to construct a building or to carry out works which result in more than 5000 sqm additional gross floor area must be accompanied by a Green Travel Plan prepared by a suitably qualified person.

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 ability of car parking facilities to transition to alternative uses over time.
- The contribution of the development to an increase in the availability of off-street electric vehicle charging facilities.
- How the development supports the transition to a 70% mode share for public transport, walking and cycling.
- The contribution the development makes to increasing the provision of car share facilities.

Whether, having regard to the proposed use of the land, the number of bicycle parking spaces is appropriate.

Whether the design, location and accessibility and of bicycle facilities is convenient given the characteristics of the site, including whether visitor spaces are located within convenient access to both the street and any office building foyer or retail entrance.

- The security (including suitable lighting, surveillance and locking devices) of bicycle facilities.
- 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

^{15/10/2015C196} 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.

6.0 Advertising signs

^{15/10/2015C196}

A permit is required to erect an advertising sign, except

- for: Advertising signs exempted by Clause 52.05-4 An
- under-verandah business 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 sign cantilevered from a building if:

HIGHLIGHTED TEXT = Change recommended in response to submissions

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PLANNING SCHEME

- 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 sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
 - Renewal or replacement of an existing internally illuminated business identification sign.

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.

Transitional arrangements

The requirement of Clause 3.0 of this schedule that an application to subdivide land must ensure that all car parking spaces are retained in a single or a consolidated title as common property does not apply to:

- The subdivision of land that is undertaken in accordance with a planning permit (including for the development of land for a building) that was issued before the commencement of Amendment C376melb to this planning scheme.

7.0

Proposed
C376melb

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C376melb to this planning Scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C376melb, continue to apply.

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SCHEDULE 7 TO CLAUSE 37.04 CAPITAL CITY ZONE

24/12/2021
 C323melb Proposed C376melb

Shown on the planning scheme map as **CCZ7**.

MELBOURNE ARTS PRECINCT

Purpose

To strengthen the Melbourne Arts Precinct as an arts cultural and creative industry precinct of State significance.

To support the growth of arts, cultural and creative industry uses such as media, digital screen, design, writing and publishing, literature, fashion, performing arts, digital games development, broadcasting, music, cultural heritage and arts education and craft.

To facilitate arts, cultural and creative uses within the first four storeys of a building by providing appropriate spaces such as performance space, rehearsal space, galleries, workshops, event spaces and studios.

To ensure that the design of buildings delivers street frontage activation, design excellence ~~and~~, contributes to the legibility of the Melbourne Arts Precinct, and promotes sustainable transport patterns and a less car dependent community and built form that ensures opportunities to adapt and repurpose car parks. ~~encourages a less car dependent transport system by facilitating the adoption of sustainable transport alternatives and ensuring that opportunities to adapt and repurpose car parks are protected.~~

To provide for commercial and residential uses above the first four storeys of a buildings.

1.0
 14/11/2022
 VC227

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution)	Must not be located within the first four storeys of a building, except for part of a building which provides access such as a lobby or entrance. Any frontage at ground floor level must not exceed 2 metres.
Art and craft centre	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Dance studio	
Education centre	
Home based business	
Informal outdoor recreation	
Market	

MELBOURNE PLANNING SCHEME

Food and drink premises (other than Hotel and Bar)	The leasable floor area must not exceed 250 square metres.
Office	Associated with arts, cultural or creative use. Office use not associated with arts, cultural or creative industry uses must not be located within the first four storeys of a building. Any frontage at ground floor level to the tenancy must not exceed 2 metres.
Place of assembly (other than Amusement parlour, Nightclub and Restricted place of assembly)	
Place of worship	The gross floor area of buildings must not exceed 250 square metres
Postal agency	
Railway station	
Tramway	
Shop (other than Adult sex bookshop, Department Store and Restricted retail premises)	The leasable floor area of buildings must not exceed 250 square metres
Any other use not in Section 3	Must be 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.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Adult sex product shop Amusement parlour	
Car park	Must meet the requirements of Clause 52.06.

Corrective institution

Department store

Hotel

Industry (other than Automated collection point)

Must not be a purpose listed in the table to Clause 53.10.

Leisure and recreation (other than Dance Studio and Informal outdoor recreation)

Nightclub

Restricted place of assembly

Bar

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

Freezing and cool storage

Liquid fuel depot

2.0

24/12/2021
C323melb

Use of land

Application requirements

The following application requirements apply to an application for a permit under Clause 37.04, in addition to those specified in Clause 37.04 and elsewhere in the planning scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The description of the proposed use and the types of activities which will be carried out.
- The compatibility of the proposed use with the purpose of the zone.
- Attempts made to engage with the creative and cultural sector to identify potential occupiers
- The likely effects, if any, on nearby uses and residential amenity including noise levels, traffic, parking, the hours of delivery and dispatch of goods and material, hours of operation, light spill, solar and glare.
- An application for a residential use must be accompanied by an acoustic assessment to the satisfaction of the responsible authority, which addresses:
 - A description and identification of the location and characteristics of nearby land uses with the potential to generate noise that may impact the development.
 - Relevant standards that apply to the emission or control of noise sources identified above.

- Measures required to attenuate noise impacts, including how the proposal will meet 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 LAeq, in accordance with the relevant Australian Standards for acoustic control.

Exemption from notice and review

An application for the use of 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.

Referral of applications

An application for use of the first four storeys of a building must be referred in accordance with sections 55 of the Act to the referral authority specified in the schedule to Clause 66.04.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.04, in addition to those specified in Clause 37.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The compatibility of the proposed use with the purpose of this schedule.
- The compatibility of the proposed use with any existing uses within the same building or on adjoining and nearby land.
- The extent to which the proposal serves or supports arts, cultural and creative uses.
- The extent of floor space for arts, cultural and creative industry or use relative to the height and overall floor space of the building.

3.0

Subdivision

Requirements

Car parking areas must be retained in a single or a consolidated title as common property, unless the responsible authority agrees otherwise.

Application requirements

An application for subdivision must be accompanied by, as relevant, information that demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time.

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.

Decision Guidelines

The following decision guidelines apply to an application for a permit, in addition to those specified in Clause 37.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the subdivision will facilitate the future adaptation or repurposing of proposed car parking areas.



HIGHLIGHTED TEXT = Change recommended in response to submissions

Green underlined text = Exhibited addition to the Planning Scheme

~~Red struck-through text~~ = Exhibited deletion from the Planning Scheme

PLANNING SCHEME

Whether the subdivision promotes the efficient use of car parking spaces.

4.0

Buildings and works

~~24/12/2021~~

~~C323melb~~ Proposed ~~C376melb~~ **Permit Requirement**

No permit is required to construct a building or construct or carry out works for the following:

- 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.
- 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.

MELBOURNE PLANNING SCHEME

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.

- 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.

A permit is required to demolish or remove a building or works. This does not apply to:

- 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.

Requirements – bicycle, motorcycle and car share parking

Developments must provide bicycle, motorcycle and car share parking spaces and associated facilities in accordance with the table below, unless the responsible authority is satisfied that a lesser number is sufficient.

The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.

Type of development	Rate Requirement	Facility Requirement
Bicycle parking		
<u>New Dwelling.</u>	<u>A minimum of one secure bicycle space per dwelling.</u> Two <u>A minimum of one secure visitor bicycle space per 5 dwellings.</u>	<u>None specified.</u>
<u>New building for the purpose of Retail, Place of assembly, Minor sports and recreation facility or Education centre.</u> <u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Place of assembly, Minor sports and recreation facility, or Education centre.</u> <u>New Retail or Office development including buildings and works which result in more than 1000sqm additional gross floor area.</u> <u>New Place of assembly, Minor sports and recreation facility or Education centre development, including buildings and works which result in more than 1000sqm additional gross floor area.</u>	<u>A minimum of one secure employee bicycle space per 2400sqm of net floor area.</u> <u>A minimum of One secure bicycle visitor space per 2400sqm of net floor area with a minimum of four visitor spaces provided.</u>	<u>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</u> <u>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</u> <u>If 20 or more employee bicycle spaces are required, personal lockers are to be provided with each bicycle space required.</u> <u>If more than 30 bicycle spaces are required then a change room must be provided with direct access to each shower. The change room may be a combined shower and change room.</u>

MELBOURNE PLANNING SCHEME

<p><u>New building for the purpose of Office.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Office.</u></p>	<p><u>A minimum of one employee bicycle space per 100sqm of net floor area.</u></p> <p><u>A minimum of one bicycle visitor space per 500sqm of net floor area.</u></p>	
<u>Motorcycle parking</u>		
<u>New Dwellings</u>	<u>Where car parking is proposed a minimum of one space per 450 dwellings..</u>	<u>None specified.</u>
<u>New building for the purpose of Dwelling, Retail, or Office development, Place of Assembly, Minor sports and recreation facility or Education Centre development</u>	<u>Where car parking is proposed a minimum of one motorcycle space per 40 car parking spaces.</u>	<u>None specified.</u>
<u>Car share parking spaces</u>		
<p><u>Developments of more than 50 dwellings.</u></p> <p><u>New buildings for the purpose of Retail, Office, Place of assembly or Education centre.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Office, Place of assembly or Education centre.</u></p>	<p><u>2 spaces plus an additional 1 space per 25 additional Dwellings. A minimum of 5% of all car parking spaces is to be provided as car share spaces for use by car share vehicles.</u></p>	<u>None specified.</u>
<u>New Retail or Office development, Place of Assembly or Education Centre, including buildings and works which result in more than 1000sqm additional gross floor area</u>	<u>A minimum of 5% of all parking is to be provided as car share spaces for use by car share vehicles. 1 per 60 car parking spaces</u>	<u>None specified.</u>

Requirements – design of car parking facilities

Where car parking facilities are provided as part of an application they should:

- Be designed to facilitate the future adaptation to support alternate uses in the short and long term.

- Include design features, including electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share parking spaces should be:

- Publicly accessible.
- In the most accessible level of a multi-storey car park.
- Well-lit and a short distance from an entry point, lift or staircase.
- In a location with a minimum height clearance to allow access by a cleaning van.

Car parking facilities should be designed in accordance with the following Design Standards:

- Development of car parking areas should include the delivery of infrastructure (including electricity supply and signage), space and metering arrangements to support the installation of electric vehicle (EV) charging points.
- Where a facility is proposed with 50 car parking spaces or more, all of the following should be provided:
 - EV ready parking bays for a minimum of 5% non-shared parking spaces.
 - Sufficient infrastructure capacity to accommodate EV charging for 20% of parking space.
 - EV charging points at all allocated shared car spaces.

Application Requirements

The following application requirements apply to an application for a permit under Clause 37.04, in addition to those specified in Clause 37.04, and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

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:

- The compatibility of the proposed development with the purpose of this schedule.
- 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

Potential arts, cultural or creative use, including the floor area and specifications or an outline of building features to ensure adaptability for such uses.

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 construct or carry out works for a residential or other noise sensitive use, must be accompanied by an acoustic assessment to the satisfaction of the responsible authority, which addresses:

- A description and identification of the location and characteristics of nearby land uses with the potential to generate noise that may impact the development.
- Relevant standards that apply to the emission or control of noise sources identified above.
- The necessary measures to attenuate these noise impacts, including how the proposal will meet the following requirement:
 - 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 LAeq, in accordance with the relevant Australian Standards for acoustic control.

An application to construct podium carparking must:

- Locate car parking on the first floor or above.
- Sleeve car parking at street frontages with suitably designed floor space including sufficient depth for the nominated arts, cultural and creative industry or use.

An application to construct a building or to carry out works which result in more than 5000 sqm additional gross floor area must be accompanied by a Green Travel Plan prepared by a suitably qualified person.

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.

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.

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.

An application for development of the first four storeys of a building 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

The following decision guidelines apply to an application for a permit under Clause 37.04, in addition to those specified in Clause 37.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The purpose of this schedule.
-

- The views of the Office of the Victorian Government Architect as appropriate, as to the architectural expression and materiality of the proposal having regard to the purpose of this schedule.
- The extent of floor space for arts, cultural and creative industry or use relative to the height and overall floor space of the building.
- Direct or convenient access through the precinct for pedestrians, bicycles and vehicles.
- The impact the proposal will have on street amenity if on-site car parking occupies any of the first four floors of a building and whether any above ground car parking is sleeved by arts, cultural and creative industry or other active uses.
- The adequacy of car parking provision and loading bays.
- The safety and efficiency of of vehicle entry and egress.
- The ability of car parking facilities to transition to alternative uses over time.
- The contribution of the development to an increase in the availability of off-street electric vehicle charging facilities.
- How the development supports the transition to a 70% mode share for public transport, walking and cycling.
- The contribution the development makes to increasing the provision of car share facilities.
- Whether, having regard to the proposed use of the land, the number of bicycle parking spaces is appropriate.
- Whether the design, location and accessibility and of bicycle facilities is convenient given the characteristics of the site, including whether visitor spaces are located within convenient access to both the street and any office building foyer or retail entrance.
- The security (including suitable lighting, surveillance and locking devices) of bicycle facilities.

Whether the building is designed to accommodate arts, cultural and creative industry uses as part of the overall development and over time.

Whether the development provides adequate space and floor to ceiling heights so that it could be adapted for arts cultural and creative industry uses in the future.

The interface between the development and the public realm including:

- Whether the development contributes to the legibility of the Melbourne Arts Precinct as an arts precinct.
- Whether the building design at street level provides for active street frontages, pedestrian engagement and weather protection.
- The opportunities for passive surveillance of the public realm from occupants of upper storeys of the development.
- The impact the proposal will have on street amenity if buildings are not constructed to the street boundary at ground level.
- Whether the development would compromise the function, form and capacity of public spaces and public infrastructure.
- The impact on the amenity of any dwellings on adjacent sites.

- Whether the development provides acceptable internal noise levels within habitable rooms of new dwellings taking into account existing or reasonably anticipated future noise sources.
- Whether the development includes appropriate measures to attenuate against noise associated with the operation of other businesses and activities, including limiting internal noise levels of new habitable rooms.
- The adequacy and accessibility of waste and recycling facilities.
- 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 buildings and works or landscaping to avoid vacant sites for excessive periods.

5.0 Signs

24/12/2021C323melb

A permit is required to construct and display a sign except

- for: Advertising signs exempted by Clause 52.05-4 An
- under-verandah business 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 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 sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
- Renewal or replacement of an existing internally illuminated business identification sign.

Exemption from notice and review

An application to construct or display a 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.

Transitional arrangements

The requirement of Clause 3.0 of this schedule that an application to subdivide land must ensure that all car parking spaces are retained in a single or a consolidated title as common property does not apply to:

- The subdivision of land that is undertaken in accordance with a planning permit (including for the development of land for a building) that was issued before the commencement of Amendment C376melb to this planning scheme.

6.0

Proposed C376melb

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C376melb to this planning Scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C376melb, continue to apply.

HIGHLIGHTED TEXT = Change recommended in response to submissions

Green underlined text = Exhibited addition to the Planning Scheme

~~Red struck-through text~~ = Exhibited deletion from the Planning Scheme

PLANNING SCHEME

05/06/2014 - / - / - -
GC6 Proposed C376melb

SCHEDULE 1 TO THE DOCKLANDS ZONE

Shown on the planning scheme map as **DZ1**.

YARRA'S EDGE PRECINCT

Purpose

To provide for a range of residential, commercial, recreational, business and leisure uses within a mixed use environment.

To provide for medium to high residential density and a variety of dwelling types that acknowledge the location adjoining the Yarra River.

To promote sustainable transport patterns and a less car dependent community and built form that ensures opportunities to adapt and repurpose car parks encourage a less car dependent transport system by facilitating the adoption of sustainable transport alternatives, and ensuring that opportunities to adapt and repurpose car parks are protected.

Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square 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.	
Art gallery	
Dwelling Food & drink premises (other than Convenience restaurant, Hotel and Tavern) Home occupation Informal outdoor recreation	
Marina	The use must be associated with and abut an approved water based marina. The use must not impede access to or use of the public promenade, along the waterfront.
Minor sports and recreation facility	
Office	If located east of Point Park the use must not be located on the ground floor with a frontage to the Yarra River, with the exception of an entrance way or lobby.
Place of assembly (other than Nightclub) Research and development centre Residential hotel	

1.0

14/11/2022
VC227

HIGHLIGHTED TEXT = Change recommended in response to submissions

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PLANNING SCHEME

Shop (other than Adult sex bookshop, Department store, Restricted retail premises, and Supermarket exceeding 2,500 square metres of GFA)	Must be located at ground level.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Amusement parlour	
Car park	
Child care centre	
Cinema	
Education centre	
Motor vehicle, boat or caravan sales	Motor vehicles, boats or caravans must not be displayed on the land included in the waterfront promenade. The portion of any motor vehicle, boat and caravan sales or hire activity within the zone must be predominantly within a building. The main frontage of a motor vehicle and caravan sales or hire activity must be to Lorimer Street. The frontage of boat sales or hire tenancies to the promenade must be predominantly glass (or another transparent material) and provide a view into a reception, display or similar area.
Nightclub	
Outdoor recreation facility	
Any use not in Sections 1 or 3	

Section 3 - Prohibited

Use
Adult sex bookshop
Animal husbandry
Brothel
Fuel depot
Industry (other than Automated collection point, Car wash, Dry cleaner, Laundromat and Research and development centre)
Manufacturing sales

2.0

07/04/2008
C92

Use of land

Exemption from notice and appeal

An application for use 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.

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~~Red struck through text~~ = Exhibited deletion from the Planning Scheme

PLANNING SCHEME

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.

3.0

Subdivision

~~07/04/2008~~ ~~Proposed C376melb~~ Requirements

A permit is required to subdivide land.

Car parking areas must be retained in a single or a consolidated title as common property, unless the responsible authority agrees otherwise.

Application requirements

An application for subdivision must be accompanied by, as relevant, information that demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time.

Exemption from notice and appeal

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.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the subdivision will facilitate the future adaptation or repurposing of proposed car parking areas.
- Whether the subdivision promotes the efficient use of car parking spaces.

4.0

Buildings and works

~~07/04/2008~~ ~~Proposed C376melb~~

Permit requirement

A permit is not required for the following:

- 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.

HIGHLIGHTED TEXT = Change recommended in response to submissions

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PLANNING SCHEME

- 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 or 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.

HIGHLIGHTED TEXT = Change recommended in response to submissions

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PLANNING SCHEME

Requirements – bicycle, motorcycle and car share parking

Developments must provide bicycle, motorcycle and car share parking spaces and associated facilities in accordance with the table below, unless the responsible authority is satisfied that a lesser number is sufficient.

The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.

<u>Type of development</u>	<u>Rate Requirement</u>	<u>Facility Requirement</u>
<u>Bicycle parking</u>		
<u>New Dwelling.</u>	<u>A minimum of one secure-bicycle space per dwelling.</u> Two <u>A minimum of one secure-visitor bicycle space</u> per 5 dwellings.	<u>None specified.</u>
<u>New building for the purpose of Retail, Place of assembly, Minor sports and recreation facility or Education centre.</u> <u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Place of assembly, Minor sports and recreation facility, or Education centre.</u> <u>New Retail or Office development including buildings and works which result in more than 1000sqm additional gross floor area.</u> <u>New Place of Assembly, Minor sports and recreation facility or Education Centre development including buildings and works which result in more than 1000sqm additional gross floor area.</u>	<u>A minimum of one secure-employee bicycle space per 2400sqm of net floor area.</u> <u>A minimum of one secure-bicycle visitor space per 2400sqm of net floor area, with a minimum of four visitor spaces provided.</u>	<u>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</u> <u>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</u> <u>If 20 or more employee bicycle spaces are required, personal lockers are to be provided with each bicycle space required.</u> <u>If more than 30 bicycle spaces are required then a change room must be provided with direct access to each shower. The change room may be a combined shower and change room.</u>
<u>New building for the purpose of Office.</u>	<u>A minimum of one employee bicycle space</u>	

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PLANNING SCHEME

Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Office.	per 100sqm of net floor area. A minimum of one bicycle visitor space per 500sqm of net floor area.	
<u>Motorcycle parking</u>		
New Dwellings	Where car parking is proposed a minimum of one space per 450 dwellings.	None specified.
<u>New building for the purpose of Dwelling, Retail, or Office development. Place of Assembly, Minor sports and recreation facility or Education Centre.</u> development	<u>Where car parking is proposed a minimum of one motorcycle space per 40 car parking spaces.</u>	<u>None specified.</u>
<u>Car share parking spaces</u>		
<u>Developments of more than 50 dwellings</u> <u>New buildings for the purpose of Retail, Office, Place of assembly or Education centre.</u> <u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Office, Place of assembly or Education centre.</u>	<u>2 spaces plus an additional 1 space per 25 additional dwellings.</u> <u>A minimum of 5% of all car parking spaces is to be provided as car share spaces for use by car share vehicles.</u>	<u>None specified.</u>
New Retail or Office development, Place of Assembly or Education Centre, including buildings and works which result in more than 1000sqm additional gross floor area	A minimum of 5% of all car parking is to be provided as car share spaces for use by car share vehicles. 1 per 60 car parking spaces	None specified.

Requirements – design of car parking facilities

Where car parking facilities are provided as part of an application they should:

- Be designed to facilitate the future adaptation to support alternate uses in the short and long term.
- Include design features, including electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share parking spaces should be:

- Publicly accessible.
- In the most accessible level of a multi-storey car park.
- Well-lit and a short distance from an entry point, lift or staircase.
- In a location with a minimum height clearance to allow access by a cleaning van.

Car parking facilities should be designed in accordance with the following Design Standards:

- Development of car parking areas should include the delivery of infrastructure (including electricity supply and signage), space and metering arrangements to support the installation of electric vehicle (EV) charging points.
- Where a facility is proposed with 50 car parking spaces or more, all of the following should be provided:
 - EV ready parking bays for a minimum of 5% non-shared parking spaces.
 - Sufficient infrastructure capacity to accommodate EV charging for 20% of parking space.
 - EV charging points at all allocated shared car spaces.

Exemption from notice and appeal

An application to construct a building or construct or carry out works or 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 an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The siting and design quality of all buildings and works and their suitability for the use proposed in the context of the adjacent area.
- The provision of site landscaping in the context of adjacent areas.
- The effect on the visual amenity, landscape and streetscape of the area.
- Impact on the importance, character and appearance of any building, area or place of scientific, aesthetic, architectural, or historical importance.
- Where new buildings incorporate dwellings, the design should respect and anticipate the development potential of adjacent sites, to ensure that the future development of the adjacent sites does not cause a significant loss of amenity to the subject site.
- For residential development, ensure appropriate noise attenuation measures are adopted to limit internal and external noise to appropriate levels.
- The design and treatment of the public realm including the solar access to existing open spaces.
- The wind effects of the proposed development at ground level.
- The ability of car parking facilities to transition to alternative uses over time.
- The contribution of the development to an increase in the availability of off-street electric vehicle charging facilities.
- How the development supports the transition to a 70% mode share for public transport, walking and cycling.
-

The contribution the development makes to increasing the provision of car share facilities.

Whether, having regard to the proposed use of the land, the number of bicycle parking spaces is appropriate.

Whether ~~T~~he design, location and accessibility ~~and~~ of bicycle facilities is convenient given the characteristics of the site, including whether visitor spaces are located within convenient access to both the street and any office building foyer or retail entrance.

The security (including suitable lighting, surveillance and locking devices) of bicycle facilities.

5.0

07/04/2008
C92

Referral of applications

An application to use land or to construct a building or carry out works must be referred in accordance with Section 55 of the Act to the referral authority specified in the schedule to Clause 66.04.

6.0

02/06/2011
C167

Advertising signs

A permit is required to erect an advertising sign, except for:

- Advertising signs exempted by Clause 52.05-4.
- An under-verandah business 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 façade;
 - It does not contain any animation or intermittent lighting; and
 - It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.
- A ground floor business 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 façade;
 - It does not contain any animation or intermittent lighting; and
 - It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.
- A window display.
- A non-illuminated sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
- Renewal or replacement of an existing internally illuminated business identification sign.

Exemption from notice and appeal

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.

7.0

Proposed
C376melb

Transitional arrangements

HIGHLIGHTED TEXT = Change recommended in response to submissions

Green underlined text = Exhibited addition to the Planning Scheme

~~Red struck-through text~~ = Exhibited deletion from the Planning Scheme

PLANNING SCHEME

The requirement of Clause 3.0 of this schedule that an application to subdivide land must ensure that all car parking spaces are retained in a single or a consolidated title as common property does not apply to:

- The subdivision of land that is undertaken in accordance with a planning permit (including for the development of land for a building) that was issued before the commencement of Amendment C376melb to this planning scheme.

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C376melb to this planning Scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C376melb, continue to apply.

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PLANNING SCHEME

02/06/2014--/---
C167Proposed C376melb

SCHEDULE 2 TO THE DOCKLANDS ZONE

Shown on the planning scheme map as **DZ2**.

VICTORIA HARBOUR PRECINCT

Purpose

To provide for a range of commercial, residential, recreational, educational, technology, business and leisure uses within a mixed use environment.

To provide a promenade environment for urban art and waterfront events and festivals.

To provide a retail focus for Docklands that complements retailing in the Central City.

To encourage the refurbishment of existing wharves for commercial, institutional and public uses.

To promote sustainable transport patterns and a less car dependent community and built form that ensures opportunities to adapt and repurpose car parks ~~encourage a less car dependent transport system by facilitating the adoption of sustainable transport alternatives, and ensuring that opportunities to adapt and repurpose car parks are protected.~~

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.	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Aquarium	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Beauty salon	
Bottle shop	
Commercial display area	
Convenience shop	
Department store	Must be located within the land bounded by Bourke Street, Collins Street and Investigator Drive.
Dwelling	Must not be located on Central Pier.

1.0

14/11/2022
VC227

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PLANNING SCHEME

Education centre	
Food & drink premises	
Hairdresser	
Home occupation	
Hotel	
Informal outdoor recreation	
Market	Must be located on Central Pier.
Mineral exploration	
Mining	Must meet the requirements of 52.08-2.
Office	
Use	Condition
Place of assembly	
Research centre	
Research and development centre	
Residential hotel	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Restricted retail premises	Must be located within the Central Precinct area.
Supermarket	Must be located within the Central Precinct area.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	
Wharf	

Section 2 - Permit required

Use	Condition
Car park	Must be associated with a marina use or development in the surrounding area, or a Section 1 or 2 use.
Any use not in Section 1 or 3.	

Section 3 - Prohibited

Use
Adult sex bookshop
Animal husbandry
Brothel
Fuel depot

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PLANNING SCHEME

Industry (other than Automated collection point, Car wash, Dry cleaner, Laundromat, Motor repairs and Research and development centre)

Panel beating

2.0

07/04/2008
C92

Use of land

Exemption from notice and appeal

An application for use 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 an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.

3.0

Subdivision

~~07/04/2008~~ ~~C92~~ Proposed C376melb Requirements

A permit is required to subdivide land.

Car parking areas must be retained in a single or a consolidated title as common property, unless the responsible authority agrees otherwise.

Application requirements

An application for subdivision must be accompanied by, as relevant, information that demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time.

Exemption from notice and appeal

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.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the subdivision will facilitate the future adaptation or repurposing of proposed car parking areas.
- Whether the subdivision promotes the efficient use of car parking spaces.

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PLANNING SCHEME

4.0 Buildings and works

~~07/04/2008 - 1/1/11 - C92~~ Proposed C376melb Prohibitions

The construction of 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 is prohibited, excluding mooring poles, marinas and gangways.

Permit requirement

A permit is not required for the following:

- 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.
- 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 or 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.

Requirements - bicycle, motorcycle and car share parking

Developments must provide bicycle, motorcycle and car share parking spaces and associated facilities in accordance with the table below, unless the responsible authority is satisfied that a lesser number is sufficient.

The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.

Type of development	Rate Requirement	Facility Requirement
<u>Bicycle parking</u>		
<u>New Dwelling.</u>	<u>A minimum of one secure-bicycle space per dwelling.</u> <u>Two-A minimum of one secure visitor bicycle space per 5 dwellings.</u>	<u>None specified.</u>
<u>New building for the purpose of Retail, Place of assembly, Minor sports and recreation facility or Education centre.</u>	<u>A minimum of one secure-employee bicycle space per 2400sqm of net floor area.</u> <u>A minimum of One secure-bicycle visitor space per 2400sqm of net floor area, with a</u>	<u>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</u> <u>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</u>
<u>Buildings and works which result in more</u>		

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PLANNING SCHEME

<p>than 1000sqm additional gross floor area for the purpose of Retail, Place of assembly, Minor sports and recreation facility, or Education centre.</p> <p>New Retail or Office development including buildings and works which result in more than 1000sqm additional gross floor area.</p> <p>New Place of assembly, Minor sports and recreation facility or Education centre development, including buildings and works which result in more than 1000sqm additional gross floor area.</p>	<p>minimum of four visitor spaces provided.</p>	<p><u>If 20 or more employee bicycle spaces are required, personal lockers are to be provided with each bicycle space required.</u></p> <p><u>If more than 30 bicycle spaces are required then a change room must be provided with direct access to each shower. The change room may be a combined shower and change room.</u></p>
<p><u>New building for the purpose of Office.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Office.</u></p>	<p><u>A minimum of one employee bicycle space per 100sqm of net floor area.</u></p> <p><u>A minimum of one bicycle visitor space per 500sqm of net floor area.</u></p>	
<p><u>Motorcycle parking</u></p>		
<p><u>New Dwellings</u></p>	<p>Where car parking is proposed a minimum of one space per 50 dwellings.</p>	<p>None specified.</p>
<p><u>New building for the purpose of Dwelling, Retail, or Office development, Place of Assembly, Minor sports and recreation facility or Education Centre development.</u></p>	<p><u>Where car parking is proposed a minimum of one motorcycle space per 40 car parking spaces.</u></p>	<p><u>None specified.</u></p>
<p><u>Car share parking spaces</u></p>		
<p><u>Developments of more than 50 dwellings.</u></p> <p><u>New buildings for the</u></p>	<p>A minimum of 5% of all car parking spaces is to be provided as car</p>	<p><u>None specified.</u></p>

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PLANNING SCHEME

<u>purpose of Retail, Office, Place of assembly or Education centre.</u> <u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Office, Place of assembly or Education centre.</u>	<u>share spaces for use by car share vehicles.</u>	
New Retail or Office development, Place of Assembly or Education Centre, including buildings and works which result in more than 1000sqm additional gross floor area	A minimum of 5% of all parking is to be provided as car share spaces for use by car share vehicles. 1 per 60 car parking spaces	None specified.

Requirements – design of car parking facilities

Where car parking facilities are provided as part of an application they should:

- Be designed to facilitate the future adaptation to support alternate uses in the short and long term.
- Include design features, including electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share parking spaces should be:

- Publicly accessible.
- In the most accessible level of a multi-storey car park.
- Well-lit and a short distance from an entry point, lift or staircase.
- In a location with a minimum height clearance to allow access by a cleaning van.

Car parking facilities should be designed in accordance with the following Design Standards:

- Development of car parking areas should include the delivery of infrastructure (including electricity supply and signage), space and metering arrangements to support the installation of electric vehicle (EV) charging points.
- Where a facility is proposed with 50 car parking spaces or more, all of the following should be provided:
 - EV ready parking bays for a minimum of 5% non-shared parking spaces.
 - Sufficient infrastructure capacity to accommodate EV charging for 20% of parking space.
 - EV charging points at all allocated shared car spaces.

Exemption from notice and review

An application to construct a building or construct or carry out works or 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 an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The siting and design quality of all buildings and works and their suitability for the use proposed in the context of the adjacent area.
- The provision of site landscaping in the context of adjacent areas.
- The effect on the visual amenity, landscape and streetscape of the area.
- The impact on the importance, character and appearance of any building, area or place of scientific, aesthetic, architectural, or historical importance.
- Where new buildings incorporate dwellings, the design should respect and anticipate the development potential of adjacent sites, to ensure that the future development of the adjacent sites does not cause a significant loss of amenity to the subject site.
- For residential development, ensure appropriate noise attenuation measures are adopted to limit internal and external noise to appropriate levels.
- The design and treatment of the public realm including the solar access to existing open spaces.
- The wind effects of the proposed development at ground level.
- The ability of car parking facilities to transition to alternative uses over time.
- The contribution of the development to an increase in the availability of off-street electric vehicle charging facilities.
- How the development supports the transition to a 70% mode share for public transport, walking and cycling.
- The contribution the development makes to increasing the provision of car share facilities.

The design, location, accessibility and security (including suitable lighting and locking devices) of bicycle facilities.

Whether, having regard to the proposed use of the land, the number of bicycle parking spaces is appropriate.

Whether ~~T~~the design, location and accessibility and of bicycle facilities is convenient given the characteristics of the site, including whether visitor spaces are located within convenient access to both the street and any office building foyer or retail entrance.

- The security (including suitable lighting, surveillance and locking devices) of bicycle facilities.

5.0

07/04/2008
C92

Referral of applications

An application to use land or to construct a building or carry out works must be referred in accordance with Section 55 of the Act to the referral authority specified in the schedule to Clause 66.04.

6.0

02/06/2011
C167

Advertising signs

A permit is required to erect an advertising sign, except for:

- Advertising signs exempted by Clause 52.05-4.
- An under-verandah business sign if:

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PLANNING SCHEME

- 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 façade;
 - It does not contain any animation or intermittent lighting; and
 - It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.
- A ground floor business 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 façade; and
 - It does not contain any animation or intermittent lighting.
 - A window display.
 - A non-illuminated sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
 - Renewal or replacement of an existing internally illuminated business identification sign.

Exemption from notice and appeal

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.

Transitional arrangements

The requirement of Clause 3.0 of this schedule that an application to subdivide land must ensure that all car parking spaces are retained in a single or a consolidated title as common property does not apply to:

- The subdivision of land that is undertaken in accordance with a planning permit (including for the development of land for a building) that was issued before the commencement of Amendment C376melb to this planning scheme.

7.0

Proposed C376melb

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C376melb to this planning Scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C376melb, continue to apply.

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PLANNING SCHEME

08/09/2014--f--f--
C183Proposed C376melb

SCHEDULE 3 TO THE DOCKLANDS ZONE

Shown on the planning scheme map as **DZ3**.

BATMAN'S HILL PRECINCT

Purpose

To provide for a range of commercial, residential, recreational, educational, technology, business and leisure uses within a mixed use environment.

To provide for the development of a landmark mixed use tower development of a scale of international significance.

To ensure that the overall development of land will include public open spaces linking the southern Cross Station area, Harbour Esplanade and along the north bank of the Yarra River.

To acknowledge the importance of Wurundjeri Way as an arterial road.

To promote sustainable transport patterns and a less car dependent community and built form that ensures opportunities to adapt and repurpose car parks~~encourage a less car dependent transport system by facilitating the adoption of sustainable transport alternatives, and ensuring that opportunities to adapt and repurpose car parks are protected.~~

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.	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Aquarium	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Car park	Must be no more than 1,800 car spaces and made available for use by patrons of the Major Sports and Recreation Facility. Must not be an open lot carpark.
Commercial display area	
Dwelling	
Education centre	
Greenhouse gas sequestration	Must meet the requirements of Clause 52.08-6. Must be within the confines of the arterial road Wurundjeri Way.

1.0

14/11/2022
VC227

HIGHLIGHTED TEXT = Change recommended in response to submissions

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PLANNING SCHEME

Greenhouse gas sequestration exploration	Must be within the confines of the arterial road Wurundjeri Way.
Home occupation	
Hotel	Must be located south of Bourke Street and east of Waterview Walk and Batman's Hill Drive.
Informal outdoor recreation	
Market	Must be located within Goods Shed No. 2.
Use	Condition
Mineral exploration	
Mining	Must meet the requirements of 52.08-2.
Minor utility installation	Must be within the confines of the arterial road Wurundjeri Way.
Natural systems	
Railway	
Railway station	The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres.
Office Place of assembly Research centre Research and development centre Residential hotel Restaurant Road	
Search for stone	Must not be costeaning or bulk sampling.
Shop (other than Adult sex bookshop, Department store, Restricted retail premises, and Supermarket exceeding 2,500 square metres of GFA) Take away food premises Tavern	Must be located at ground level.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	

Section 2 - Permit required

Use	Condition
Car park	Must be associated with a development in the surrounding area, or a Section 1 or 2 use.

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PLANNING SCHEME

Adult sex bookshop

Must be within the confines of the arterial road - Wurundjeri Way.

Animal husbandry

Must be within the confines of the arterial road - Wurundjeri Way.

Brothel

Must be within the confines of the arterial road - Wurundjeri Way.

Fuel depot

Must be within the confines of the arterial road - Wurundjeri Way.

Industry (other than Automated collection point, Carwash, Drycleaner, Laundromat, Motor repairs and Research and development centre)

Must be within the confines of the arterial road - Wurundjeri Way.

Use	Condition
Panel beating	Must be within the confines of the arterial road - Wurundjeri Way.
Any use not in Section 1 or 3.	

Section 3 - Prohibited

Use
Nil

Use of land

2.0

08/09/2011

C183

Exemption from notice and appeal

An application for use 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 an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.
 - The views of the relevant road authority if within the confines of the arterial road - Wurundjeri Way.
 - The effect of the proposal on the operation of the road and on public safety if within the confines of the arterial road - Wurundjeri Way.
-

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PLANNING SCHEME

3.0 Subdivision

~~07/04/2008~~ ~~1/1/11~~ ~~C92~~ Proposed C376melb **Requirements**

A permit is required to subdivide land.

Car parking areas must be retained in a single or a consolidated title as common property, unless the responsible authority agrees otherwise.

Application requirements

An application for subdivision must be accompanied by, as relevant, information that demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time.

Exemption from notice and appeal

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.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the subdivision will facilitate the future adaptation or repurposing of proposed car parking areas.
- Whether the subdivision promotes the efficient use of car parking spaces.

4.0 Buildings and works

~~08/09/2014~~ ~~1/1/11~~ ~~C183~~ Proposed C376melb **Prohibitions**

The construction of 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 is prohibited.

This does not apply to buildings and works on land between Flinders Street, Collins Street, Aurora Lane, and the Rail Reserve.

Permit requirement

A permit is not required for the following:

- 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.

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PLANNING SCHEME

- 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 or 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.
- Buildings or works for Railway purposes or carried out on behalf of the transport public land manager within the confines of the railway reserve.

Buildings or works for road purposes or carried out on behalf of the roads authority and within the confines of the arterial road - Wurundjeri Way.

Requirements – bicycle, motorcycle and car share parking

Developments must provide bicycle, motorcycle and car share parking spaces and associated facilities in accordance with the table below, unless the responsible authority is satisfied that a lesser number is sufficient.

The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.

<u>Type of development</u>	<u>Rate Requirement</u>	<u>Facility Requirement</u>
<u>Bicycle parking</u>		
<u>New Dwelling.</u>	<u>A minimum of one secure-bicycle space per dwelling.</u> Two - <u>A minimum of one secure-visitor bicycle space per 5 dwellings.</u>	<u>None specified.</u>
<u>New building for the purpose of Retail, Place of assembly, Minor sports and recreation facility or Education centre.</u> <u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Place of assembly, Minor sports and recreation facility, or Education centre.</u>	<u>A minimum of one secure-employee bicycle space per 2400sqm of net floor area.</u> <u>A minimum of One secure-bicycle visitor space per 2400sqm of net floor area, with a minimum of four visitor spaces provided.</u>	<u>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</u> <u>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</u> <u>If 20 or more employee bicycle spaces are required, personal lockers are to be provided with each bicycle space required.</u> <u>If more than 30 bicycle spaces are required then a change room must be provided with direct access to each shower. The change room may be a combined shower and change room.</u>

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PLANNING SCHEME

<p>New Retail or Office development including buildings and works which result in more than 1000sqm additional gross floor area.</p> <p>New Place of assembly, Minor sports and recreation facility or Education centre development, including buildings and works which result in more than 1000sqm additional gross floor area.</p>		
<p><u>New building for the purpose of Office.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Office.</u></p>	<p><u>A minimum of one employee bicycle space per 100sqm of net floor area.</u></p> <p><u>A minimum of one bicycle visitor space per 500sqm of net floor area.</u></p>	
<p><u>Motorcycle parking</u></p>		
<p>New Dwellings</p>	<p>Where car parking is proposed a minimum of one space per 50 dwellings..</p>	<p>None specified.</p>
<p><u>New building for the purpose of Dwelling, Retail, or Office development, Place of a Assembly, Minor sports and recreation facility or Education Centre development.</u></p>	<p><u>Where car parking is proposed a minimum of one motorcycle space per 40 car parking spaces.</u></p>	<p><u>None specified.</u></p>
<p><u>Car share parking spaces</u></p>		
<p><u>Developments of more than 50 dwellings.</u></p> <p><u>New buildings for the purpose of Retail, Office, Place of assembly or Education centre.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose</u></p>	<p>2 spaces plus and additional 1 space per 25 additional dwellings. <u>A minimum of 5% of all car parking spaces is to be provided as car share spaces for use by car share vehicles.</u></p>	<p><u>None specified.</u></p>

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PLANNING SCHEME

<u>of Retail, Office, Place of assembly or Education centre.</u>		
New Retail or Office development, Place of Assembly or Education Centre, including buildings and works which result in more than 1000sqm additional gross floor area	<u>A minimum of 5% of all parking is to be provided as car share spaces for use by car share vehicles. 1 per 60 car parking spaces</u>	None specified.

Requirements – design of car parking facilities

Where car parking facilities are provided as part of an application they should:

- Be designed to facilitate the future adaptation to support alternate uses in the short and long term.
- Include design features, including electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share parking spaces should be:

- Publicly accessible.
- In the most accessible level of a multi-storey car park.
- Well-lit and a short distance from an entry point, lift or staircase.
- In a location with a minimum height clearance to allow access by a cleaning van.

Car parking facilities should be designed in accordance with the following Design Standards:

- Development of car parking areas should include the delivery of infrastructure (including electricity supply and signage), space and metering arrangements to support the installation of electric vehicle (EV) charging points.
- Where a facility is proposed with 50 car parking spaces or more, all of the following should be provided:
 - EV ready parking bays for a minimum of 5% non-shared parking spaces.
 - Sufficient infrastructure capacity to accommodate EV charging for 20% of parking space.
 - EV charging points at all allocated shared car spaces.

Exemption from notice and appeal

An application to construct a building or construct or carry out works or 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 an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

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PLANNING SCHEME

- The siting and design quality of all buildings and works and their suitability for the use proposed in the context of the adjacent area.
- Provision of site landscaping in the context of adjacent areas.
- Effect on the visual amenity, landscape and streetscape of the area.
- Impact on the importance, character and appearance of any building, area or place of scientific, aesthetic, architectural, or historical importance.
- Where new buildings incorporate dwellings, the design should respect and anticipate the development potential of adjacent sites, to ensure that the future development of the adjacent sites does not cause a significant loss of amenity to the subject site.
- For residential development, ensure appropriate noise attenuation measures are adopted to limit internal and external noise to appropriate levels.
- The design and treatment of the public realm including the solar access to existing open spaces.
- The wind effects of the proposed development at ground level

Any overshadowing on the south bank of the Yarra from a building built between Flinders Street, Collins Street, Aurora Lane, and the Rail Reserve. Any new building should minimise as much as practical the effect on the amenity of the Yarra River corridor.

- The ability of car parking facilities to transition to alternative uses over time.
- The contribution of the development to an increase in the availability of off-street electric vehicle charging facilities.
- How the development supports the transition to a 70% mode share for public transport, walking and cycling.
- The contribution the development makes to increasing the provision of car share facilities.
- Whether, having regard to the proposed use of the land, the number of bicycle parking spaces is appropriate.
- Whether the design, location and accessibility and of bicycle facilities is convenient given the characteristics of the site, including whether visitor spaces are located within convenient access to both the street and any office building foyer or retail entrance.
- The security (including suitable lighting, surveillance and locking devices) of bicycle facilities.

5.0

07/04/2008
C92

Referral of applications

An application to use land or to construct a building or carry out works must be referred in accordance with Section 55 of the Act to the referral authority specified in the schedule to Clause 66.04.

6.0

08/09/2011
C183

Advertising signs

Advertising Signs within the confines of the arterial road - Wurundjeri Way.

Advertising sign controls are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

HIGHLIGHTED TEXT = Change recommended in response to submissions

Green underlined text = Exhibited addition to the Planning Scheme

~~Red struck through text~~ = Exhibited deletion from the Planning Scheme

PLANNING SCHEME

Advertising signs for all other areas

A permit is required to erect an advertising sign, except for:

- Advertising signs exempted by Clause 52.05-4.
- An under-verandah business 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 façade;
 - It does not contain any animation or intermittent lighting; and
 - It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.
- A ground floor business 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;
 - It does not contain any animation or intermittent lighting; and
 - It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.
- A window display.
- A non-illuminated sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
- Renewal or replacement of an existing internally illuminated business identification sign.

Exemption from notice and appeal

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.

Transitional arrangements

The requirement of Clause 3.0 of this schedule that an application to subdivide land must ensure that all car parking spaces are retained in a single or a consolidated title as common property does not apply to:

- The subdivision of land that is undertaken in accordance with a planning permit (including for the development of land for a building) that was issued before the commencement of Amendment C376melb to this planning scheme.

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C376melb to this planning Scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C376melb, continue to apply.

7.0

Proposed C376melb

HIGHLIGHTED TEXT = Change recommended in response to submissions

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E PLANNING SCHEME

02/06/2014--/--/---
C167Proposed C376melb

SCHEDULE 4 TO THE DOCKLANDS ZONE

Shown on the planning scheme map as **DZ4**.

STADIUM PRECINCT

Purpose

To provide for a range of commercial, residential, recreational, educational, technology, business and leisure uses within a mixed use environment.

To encourage integrated and compatible land use and development within the area surrounding the stadium facility.

To ensure that the Major Sports and Recreation Facility includes the opportunity to cater for a wide range of sporting events, as well as a range of entertainment and leisure activities.

To promote sustainable transport patterns and a less car dependent community and built form that ensures opportunities to adapt and repurpose car parks~~encourage a less car dependent transport system by facilitating the adoption of sustainable transport alternatives, and ensuring that opportunities to adapt and repurpose car parks are protected.~~

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.	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Aquarium	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Car park	Must be; No more than 3,600 car spaces which are a component of or used in association with the Major Sports and Recreation Facility. No more than 500 spaces to the north west of the Major Sports and Recreation facility. Must not be an open lot car park.
Commercial display area	
Dwelling	Must be located to the south of the Major Sports and Recreation facility.
Education centre	
Exhibition Centre	If located within the Major Sports and Recreation Facility.
Home occupation	

1.0

14/11/2022
VC227

HIGHLIGHTED TEXT = Change recommended in response to submissions

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E PLANNING SCHEME

Hotel	Must not be located to the north east of the major sports and recreation facility.
Informal outdoor recreation	
Major sports and recreation facility	
Use	
Condition	
Mineral exploration	
Mining	Must meet the requirements of 52.08-2.
Museum	
Office	
Place of assembly	
Research centre	
Research and development centre	
Residential hotel	
Restaurant	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Shop (other than Adult Sex bookshop Department store, a Supermarket exceeding 2,500 sqm of GFA and Restricted retail premises)	If located in the Major Sports and Recreation Facility must be located within the building. Must not be located at ground floor.
Take away food premises	
Tavern	
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Television studio	
Tramway	

Section 2 - Permit required

Use	
Condition	

Car park

Must be associated with a development in the surrounding area, or a Section 1 or 2 use.

Any use not in Section 1 or 3.

Section 3 - Prohibited

Use	
------------	--

Adult sex bookshop

Animal husbandry

Brothel

Fuel depot

Industry (other than Automated collection point, Car wash, Dry cleaner, Laundromat, Motor repairs and Research and development centre

2.0

07/04/2008
C92

Use of land

Exemption from notice and appeal

An application for use 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 an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.

3.0

07/04/2008 - / - / - - C92

Subdivision

Proposed C376melb Requirements

A permit is required to subdivide land.

Car parking areas must be retained in a single or a consolidated title as common property, unless the responsible authority agrees otherwise.

Application requirements

An application for subdivision must be accompanied by, as relevant, information that demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time.

Exemption from notice and appeal

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.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the subdivision will facilitate the future adaptation or repurposing of proposed car parking areas.
- Whether the subdivision promotes the efficient use of car parking spaces.

4.0

07/04/2008 - / - / - -

C92 Proposed C376melb

Buildings and works

Permit requirement

A permit is not required for the following:

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E PLANNING SCHEME

- 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.
- 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 or 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.

Requirements – bicycle, motorcycle and car share parking

Developments must provide bicycle, motorcycle and car share parking spaces and associated facilities in accordance with the table below, unless the responsible authority is satisfied that a lesser number is sufficient.

The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.

<u>Type of development</u>	<u>Rate Requirement</u>	<u>Facility Requirement</u>
<u>Bicycle parking</u>		
<u>New Dwelling.</u>	<u>A minimum of one secure bicycle space per dwelling.</u> <u>Two A minimum of one secure visitor bicycle space per 5 dwellings.</u>	<u>None specified.</u>
<u>New building for the purpose of Retail, Place of assembly, Minor sports and recreation facility or Education centre.</u> <u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Place of assembly, Minor sports and recreation facility, or Education centre.</u>	<u>A minimum of one secure employee bicycle space per 2400sqm of net floor area.</u> <u>A minimum of One secure bicycle visitor space per 2400sqm of net floor area, with a minimum of four visitor spaces provided.</u>	<u>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</u> <u>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</u> <u>If 20 or more employee bicycle spaces are required, personal lockers are to be provided with each bicycle space required.</u> <u>If more than 30 bicycle spaces are required then a change room must be provided with direct access to each shower. The change room may be a combined shower and change room.</u>

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E PLANNING SCHEME

<p>New Retail or Office development including buildings and works which result in more than 1000sqm additional gross floor area.</p> <p>New Place of assembly, Minor sports and recreation facility or Education centre development, including buildings and works which result in more than 1000sqm additional gross floor area.</p>		
<p><u>New building for the purpose of Office.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Office.</u></p>	<p><u>A minimum of one employee bicycle space per 100sqm of net floor area.</u></p> <p><u>A minimum of one bicycle visitor space per 500sqm of net floor area.</u></p>	
<u>Motorcycle parking</u>		
<p>New Dwellings</p>	<p>Where car parking is proposed a minimum of one space per 450 dwellings..</p>	<p>None specified.</p>
<p><u>New building for the purpose of Dwelling, Retail, or Office development.</u> Place of Assembly, Minor sports and recreation facility or Education Centre development.</p>	<p><u>Where car parking is proposed a minimum of one motorcycle space per 40 car parking spaces.</u></p>	<p><u>None specified.</u></p>
<u>Car share parking spaces</u>		
<p><u>Developments of more than 50 dwellings.</u></p> <p><u>New buildings for the purpose of Retail, Office, Place of assembly or Education centre.</u></p> <p><u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Office, Place of assembly or</u></p>	<p>2 spaces plus an additional 1 space per 25 additional Dwellings. <u>A minimum of 5% of all car parking spaces is to be provided as car share spaces for use by car share vehicles.</u></p>	<p><u>None specified.</u></p>

HIGHTLIGHTED TEXT = Change recommended in response to submissions

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E PLANNING SCHEME

<u>Education centre.</u>		
New Retail or Office development, Place of Assembly or Education Centre, including buildings and works which result in more than 1000sqm additional gross floor area	A minimum of 5% of all parking is to be provided as car share spaces for use by car share vehicles. 1 per 60 car parking spaces	None specified.

Requirements – design of car parking facilities

Where car parking facilities are provided as part of an application they should:

- Be designed to facilitate the future adaptation to support alternate uses in the short and long term.
- Include design features, including electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share parking spaces should be:

- Publicly accessible.
- In the most accessible level of a multi-storey car park.
- Well-lit and a short distance from an entry point, lift or staircase.
- In a location with a minimum height clearance to allow access by a cleaning van.

Car parking facilities should be designed in accordance with the following Design Standards:

- Development of car parking areas should include the delivery of infrastructure (including electricity supply and signage), space and metering arrangements to support the installation of electric vehicle (EV) charging points.
- Where a facility is proposed with 50 car parking spaces or more, all of the following should be provided:
 - EV ready parking bays for a minimum of 5% non-shared parking spaces.
 - Sufficient infrastructure capacity to accommodate EV charging for 20% of parking space.
 - EV charging points at all allocated shared car spaces.

Exemption from notice and appeal

An application to construct a building or construct or carry out works or 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 an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The siting and design quality of all buildings and works and their suitability for the use proposed in the context of the adjacent area.
- Provision of site landscaping in the context of adjacent areas.
- Effect on the visual amenity, landscape and streetscape of the area.
- Impact on the importance, character and appearance of any building, area or place of scientific, aesthetic, architectural, or historical importance.

Where new buildings incorporate dwellings, the design should respect and anticipate the development potential of adjacent sites, to ensure that the future development of the adjacent sites does not cause a significant loss of amenity to the subject site.

- For residential development, ensure appropriate noise attenuation measures are adopted to limit internal and external noise to appropriate levels.
- The design and treatment of the public realm including the solar access to existing open spaces.
- ▣ The wind effects of the proposed development at ground level.
- ▣ The ability of car parking facilities to transition to alternative uses over time.
- ▣ The contribution of the development to an increase in the availability of off-street electric vehicle charging facilities.
- ▣ How the development supports the transition to a 70% mode share for public transport, walking and cycling.
- ▣ The contribution the development makes to increasing the provision of car share facilities.
- Whether, having regard to the proposed use of the land, the number of bicycle parking spaces is appropriate.
- Whether the design, location and accessibility and of bicycle facilities is convenient given the characteristics of the site, including whether visitor spaces are located within convenient access to both the street and any office building foyer or retail entrance.
- The security (including suitable lighting, surveillance and locking devices) of bicycle facilities.

5.0

07/04/2008
C92

Referral of applications

An application to use land or to construct a building or carry out works must be referred in accordance with Section 55 of the Act to the referral authority specified in the schedule to Clause 66.04.

6.0

02/06/2011
C167

Advertising signs

A permit is required to erect an advertising sign, except for:

- Advertising signs exempted by Clause 52.05-4.
- An under-verandah business 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 façade;
 - It does not contain any animation or intermittent lighting; and It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.

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E PLANNING SCHEME

- A ground floor business 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;
 - It does not contain any animation or intermittent lighting; and
 - It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.
- A window display.
- A non-illuminated sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
- Renewal or replacement of an existing internally illuminated business identification sign.

Exemption from notice and appeal

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.

Transitional arrangements

The requirement of Clause 3.0 of this schedule that an application to subdivide land must ensure that all car parking spaces are retained in a single or a consolidated title as common property does not apply to:

- The subdivision of land that is undertaken in accordance with a planning permit (including for the development of land for a building) that was issued before the commencement of Amendment C376melb to this planning scheme.

7.0

Proposed C376melb

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C376melb to this planning Scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C376melb, continue to apply.

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PLANNING SCHEME

17/04/2013 - / - / - -
C169 Proposed C376 melb

SCHEDULE 5 TO THE DOCKLANDS ZONE

Shown on the planning scheme map as **DZ5**.

DIGITAL HARBOUR PRECINCT

Purpose

To provide for a range of commercial, residential, recreational, educational, technology, business and leisure uses within a mixed use environment.

To provide for high technology industries and institutions in a campus-style development supported by residential and other related development.

To provide a distinctive entry to Melbourne Docklands from the northern edge of the city.

To promote sustainable transport patterns and a less car dependent community and built form that ensures opportunities to adapt and repurpose car parks~~encourage a less car dependent transport system by facilitating the adoption of sustainable transport alternatives, and ensuring that opportunities to adapt and repurpose car parks are protected.~~

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.	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Aquarium	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Car park	At least 600 car spaces in the Digital Harbour Precinct must be available for use in association with the Major Sports and Recreation Facility. Must not be an open lot car park.
Commercial display area	
Dwelling	
Education centre	
Home occupation	
Hotel	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of 52.08-2.
Office	

1.0

14/11/2022
VC227

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PLANNING SCHEME

Place of assembly (other than, Amusement parlour, Cinema, Drive-in theatre and Nightclub)
Research centre
Research and development centre
Residential hotel
Restaurant
Road

Use	Condition
Search for stone	Must not be costeaning or bulk sampling.
Shop (other than Adult Sex bookshop Department store, a Supermarket exceeding 2,500 sqm of GFA and Restricted retail premises) Take away food premises Tavern	Must not be located at ground floor.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	

Section 2 - Permit required

Use	Condition
Car park	Must be associated with a development in the surrounding area, or a Section 1 or 2 use.
Any use not in Section 1 or 3.	

Section 3 - Prohibited

Use
Adult sex bookshop
Animal husbandry
Brothel
Fuel depot
Industry (other than Automated collection point, Car wash, Dry cleaner, Laundromat, Motor repairs and Research and development centre.
Panel beating

Use of land

Exemption from notice and appeal

2.0

07/04/2008
C92

An application for use 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 an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.

3.0 Subdivision

Requirements

A permit is required to subdivide land.

Car parking areas must be retained in a single or a consolidated title as common property, unless the responsible authority agrees otherwise.

Application requirements

An application for subdivision must be accompanied by, as relevant, information that demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time.

Exemption from notice and appeal

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.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the subdivision will facilitate the future adaptation or repurposing of proposed car parking areas.
- Whether the subdivision promotes the efficient use of car parking spaces.

4.0 Buildings and works

07/04/2008

Permit requirement

A permit is not required for the following:

- 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.

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PLANNING SCHEME

- 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 or 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.

Requirements – bicycle, motorcycle and car share parking

Developments must provide bicycle, motorcycle and car share parking spaces and associated facilities in accordance with the table below, unless the responsible authority is satisfied that a lesser number is sufficient.

The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.

<u>Type of development</u>	<u>Rate Requirement</u>	<u>Facility Requirement</u>
<u>Bicycle parking</u>		
<u>New Dwelling.</u>	<u>A minimum of one secure bicycle space per dwelling.</u> <u>Two- A minimum of one secure-visitor bicycle space per 5 dwellings.</u>	<u>None specified.</u>
<u>New building for the purpose of Retail, Place of assembly, Minor sports and recreation facility or Education centre.</u> <u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Place of assembly, Minor sports and recreation facility, or Education centre.</u> <u>New Retail or Office development including buildings and works which result in more than</u>	<u>A minimum of one secure-employee bicycle space per 2400sqm of net floor area.</u> <u>A minimum of one A minimum of One one bicycle visitor space per 2400sqm of net floor area, with a minimum of four visitor spaces provided.</u>	<u>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</u> <u>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</u> <u>If 20 or more employee bicycle spaces are required, personal lockers are to be provided with each bicycle space required.</u> <u>If more than 30 bicycle spaces are required then a change room must be provided with direct access to each shower. The change room may be a combined shower and change room.</u>

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PLANNING SCHEME

<p>1000sqm additional gross floor area.</p> <p>New Place of assembly, Minor sports and recreation facility or Education centre development, including buildings and works which result in more than 1000sqm additional gross floor area.</p>		
<p>New building for the purpose of Office.</p> <p>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Office.</p>	<p>A minimum of one employee bicycle space per 100sqm of net floor area.</p> <p>A minimum of one bicycle visitor space per 500sqm of net floor area.</p>	
<p><u>Motorcycle parking</u></p>		
<p>New Dwellings</p>	<p>Where car parking is proposed a minimum of one space per 450 dwellings..</p>	<p>None specified.</p>
<p>New building for the purpose of Dwelling, Retail, or Office development. Place of Assembly, Minor sports and recreation facility or Education Centre development.</p>	<p>Where car parking is proposed a minimum of one motorcycle space per 40 car parking spaces.</p>	<p>None specified.</p>
<p><u>Car share parking spaces</u></p>		
<p>Developments of more than 50 dwellings.</p> <p>New buildings for the purpose of Retail, Office, Place of assembly or Education centre.</p> <p>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Office, Place of assembly or Education centre.</p>	<p>2 spaces plus an additional 1 space per 25 additional Dwellings. A minimum of 5% of all car parking spaces is to be provided as car share spaces for use by car share vehicles.</p>	<p>None specified.</p>
<p>New Retail or Office development, Place of Assembly or</p>	<p>A minimum of 5% of all parking is to be provided as car share</p>	<p>None specified.</p>

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PLANNING SCHEME

Education Centre, including buildings and works which result in more than 1000sqm additional gross floor area	spaces for use by car share vehicles. 1 per 60 car parking spaces	
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Requirements – design of car parking facilities

Where car parking facilities are provided as part of an application they should:

- Be designed to facilitate the future adaptation to support alternate uses in the short and long term.
- Include design features, including electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share parking spaces should be:

- Publicly accessible.
- In the most accessible level of a multi-storey car park.
- Well-lit and a short distance from an entry point, lift or staircase.
- In a location with a minimum height clearance to allow access by a cleaning van.

Car parking facilities should be designed in accordance with the following Design Standards:

- Development of car parking areas should include the delivery of infrastructure (including electricity supply and signage), space and metering arrangements to support the installation of electric vehicle (EV) charging points.
- Where a facility is proposed with 50 car parking spaces or more, all of the following should be provided:
 - EV ready parking bays for a minimum of 5% non-shared parking spaces.
 - Sufficient infrastructure capacity to accommodate EV charging for 20% of parking space.
 - EV charging points at all allocated shared car spaces.

Exemption from notice and appeal

An application to construct a building or construct or carry out works or 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 an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The siting and design quality of all buildings and works and their suitability for the use proposed in the context of the adjacent area.
- Provision of site landscaping in the context of adjacent areas.
- Effect on the visual amenity, landscape and streetscape of the area.
- Impact on the importance, character and appearance of any building, area or place of scientific, aesthetic, architectural, or historical importance.

- Where new buildings incorporate dwellings, the design should respect and anticipate the development potential of adjacent sites, to ensure that the future development of the adjacent sites does not cause a significant loss of amenity to the subject site.
- For residential development, ensure appropriate noise attenuation measures are adopted to limit internal and external noise to appropriate levels.
- The design and treatment of the public realm including the solar access to existing open spaces.
- The wind effects of the proposed development at ground level.
- The ability of car parking facilities to transition to alternative uses over time.
- The contribution of the development to an increase in the availability of off-street electric vehicle charging facilities.
- How the development supports the transition to a 70% mode share for public transport, walking and cycling.
- The contribution the development makes to increasing the provision of car share facilities.
- Whether, having regard to the proposed use of the land, the number of bicycle parking spaces is appropriate.
- Whether the design, location and accessibility and of bicycle facilities is convenient given the characteristics of the site, including whether visitor spaces are located within convenient access to both the street and any office building foyer or retail entrance.
- The security (including suitable lighting, surveillance and locking devices) of bicycle facilities.

5.0

07/04/2008
C92

Referral of applications

An application to use land or to construct a building or carry out works must be referred in accordance with Section 55 of the Act to the referral authority specified in the schedule to Clause 66.04.

6.0

02/06/2011
C167

Advertising signs

A permit is required to erect an advertising sign, except for:

- Advertising signs exempted by Clause 52.05-4.
- An under-verandah business 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 façade;
 - It does not contain any animation or intermittent lighting; and
 - It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.
- A ground floor business 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;

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PLANNING SCHEME

- It does not contain any animation or intermittent lighting; and
 - It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.
- A window display.
 - A non-illuminated sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
 - Renewal or replacement of an existing internally illuminated business identification sign.

Exemption from notice and appeal

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.

Transitional arrangements

The requirement of Clause 3.0 of this schedule that an application to subdivide land must ensure that all car parking spaces are retained in a single or a consolidated title as common property does not apply to:

- The subdivision of land that is undertaken in accordance with a planning permit (including for the development of land for a building) that was issued before the commencement of Amendment C376melb to this planning scheme.

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C376melb to this planning Scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C376melb, continue to apply.

7.0

Proposed C376melb

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PLANNING SCHEME

02/06/2014--/---
C167Proposed C376melb

SCHEDULE 6 TO THE DOCKLANDS ZONE

Shown on the planning scheme map as **DZ6**.

BUSINESS PARK PRECINCT

Purpose

To provide for a range of commercial, residential, recreational, educational, technology and business and leisure uses within a mixed use environment.

To provide for a range of active and people orientated uses at the lower levels of buildings that are complementary of residential uses.

To acknowledge the retention of port related activities west of Bolte Bridge.

To promote sustainable transport patterns and a less car dependent community and built form that ensures opportunities to adapt and repurpose car parks encourage a less car dependent transport system by facilitating the adoption of sustainable transport alternatives, and ensuring that opportunities to adapt and repurpose car parks are protected.

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.	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Cinema based entertainment facility	
Dwelling (other than a Caretaker's house)	Must not be located on land fronting Docklands Drive, east of Waterfront City area.
Education centre	
Film studio	Must not have a frontage to the Victoria Dock promenade.
Home occupation Hotel Informal outdoor recreation	
Marina	Must be associated with and abut an approved water based marina and must not impede access to or use of the public promenade, along the waterfront.
Market	Must be located within Waterfront City.

1.0

14/11/2022
VC227

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PLANNING SCHEME

Mineral exploration	
Mining	Must meet the requirements of 52.08-2.
Minor sports and recreation facility (other than Paint ball games facility)	Must not be located south of Docklands Drive.
Office Place of assembly Research centre	
Use	Condition
Research and development centre Residential hotel Restaurant Restricted retail premises Road	
Search for stone	Must not be costeaning or bulk sampling.
Service station	Must only be one within the Business Park Precinct. Must not be located within 100 metres of Dudley Street. Access to Footscray Road must be via a service road.
Shop (other than Adult sex bookshop, Department store, a Supermarket exceeding 2,500 sqm of GFA.	Must not be located within Docklands Studios area.
Take away food premises	
Tavern	Must only be three within the Business Park Precinct except where located within the Waterfront City area.
Pleasure Park	Must not have a frontage to Victoria Dock promenade. Must meet the requirements of the Business Park Precinct Noise Management Regime 1998 and the Melbourne Docklands Lighting Regime for the Business Park Precinct 1999.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Tramway	
Warehouse (other than Commercial display area, Fuel depot)	Must not be located on a waterfront property.

Section 2 – Permit required

Use

Car park

Caretaker's house

Industry (other than Automated collection point and Panel beating)

Any use not in Section 1 or 3.

Section 3 - Prohibited

Use

Adult sex bookshop

Animal husbandry

Brothel

Fuel depot

Panel beating

2.0

07/04/2008

C92

Use of land

Exemption from notice and appeal

An application for use 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 an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.

3.0

Subdivision

~~07/04/2008 - 07/04/2008 - C92~~ Proposed C376melb Requirements

A permit is required to subdivide land.

Car parking areas must be retained in a single or a consolidated title as common property, unless the responsible authority agrees otherwise.

Application requirements

An application for subdivision must be accompanied by, as relevant, information that demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time.

Exemption from notice and appeal

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.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

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PLANNING SCHEME

- Whether the subdivision will facilitate the future adaptation or repurposing of proposed car parking areas.
- Whether the subdivision promotes the efficient use of car parking spaces.

4.0

Buildings and works

07/04/2008 - / - / - - -

C92 Proposed C376melb Permit requirement

A permit is not required for the following:

- 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.
- 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 or 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.

Requirements – bicycle, motorcycle and car share parking

Developments must provide bicycle, motorcycle and car share parking spaces and associated facilities in accordance with the table below, unless the responsible authority is satisfied that a lesser number is sufficient.

The bicycle parking rates supersede the relevant parking rate specified at Clause 52.34.

<u>Type of development</u>	<u>Rate Requirement</u>	<u>Facility Requirement</u>
<u>Bicycle parking</u>		
<u>New Dwelling.</u>	<u>A minimum of one secure bicycle space per dwelling.</u> <u>Two A minimum of one secure visitor bicycle space per 5 dwellings.</u>	<u>None specified.</u>
<u>New building for the purpose of Retail, Place of assembly, Minor sports and recreation facility or Education centre.</u>	<u>A minimum of one secure employee bicycle space per 2400sqm of net floor area.</u> <u>A minimum of One secure bicycle visitor space per 2400sqm of</u>	<u>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</u> <u>1 change room or direct access to a communal change room to each</u>

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PLANNING SCHEME

<p>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Place of assembly, Minor sports and recreation facility, or Education centre.</p> <p>;</p> <p>New Retail or Office development including buildings and works which result in more than 1000sqm additional gross floor area.</p> <p>New Place of assembly, Minor sports and recreation facility or Education centre development, including buildings and works which result in more than 1000sqm additional gross floor area.</p>	<p>net floor area with a minimum of four visitor spaces provided.</p>	<p><u>shower. The change room may be a combined shower and change room.</u></p> <p><u>If 20 or more employee bicycle spaces are required, personal lockers are to be provided with each bicycle space required.</u></p> <p><u>If more than 30 bicycle spaces are required then a change room must be provided with direct access to each shower. The change room may be a combined shower and change room.</u></p>
<p><u>New building for the purpose of Office.</u></p> <p>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Office.</p>	<p><u>A minimum of one employee bicycle space per 100sqm of net floor area.</u></p> <p><u>A minimum of one bicycle visitor space per 500sqm of net floor area.</u></p>	
<p><u>Motorcycle parking</u></p>		
<p>New Dwellings</p>	<p>Where car parking is proposed a minimum of one space per 450 dwellings..</p>	<p>None specified.</p>
<p><u>New building for the purpose of Dwelling, Retail, or Office development, Place of Assembly, Minor sports and recreation facility or Education Centre development.</u></p>	<p><u>-Where car parking is proposed a minimum of one motorcycle space per 40 car parking spaces.</u></p>	<p><u>None specified.</u></p>
<p><u>Car share parking spaces</u></p>		

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PLANNING SCHEME

<u>Developments of more than 50 dwellings.</u> <u>New buildings for the purpose of Retail, Office, Place of assembly or Education centre.</u> <u>Buildings and works which result in more than 1000sqm additional gross floor area for the purpose of Retail, Office, Place of assembly or Education centre.</u>	2 spaces plus an additional 1 space per 25 additional Dwellings. <u>A minimum of 5% of all car parking spaces is to be provided as car share spaces for use by car share vehicles.</u>	<u>None specified.</u>
New Retail or Office development, Place of Assembly or Education Centre, including buildings and works which result in more than 1000sqm additional gross floor area	A minimum of 5% of all parking is to be provided as car share spaces for use by car share vehicles. 1 per 60 car parking spaces	None specified.

Requirements – design of car parking facilities

Where car parking facilities are provided as part of an application they should:

- Be designed to facilitate the future adaptation to support alternate uses in the short and long term.
- Include design features, including electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share parking spaces should be:

- Publicly accessible.
- In the most accessible level of a multi-storey car park.
- Well-lit and a short distance from an entry point, lift or staircase.
- In a location with a minimum height clearance to allow access by a cleaning van.

Car parking facilities should be designed in accordance with the following Design Standards:

- Development of car parking areas should include the delivery of infrastructure (including electricity supply and signage), space and metering arrangements to support the installation of electric vehicle (EV) charging points.
- Where a facility is proposed with 50 car parking spaces or more, all of the following should be provided:
 - EV ready parking bays for a minimum of 5% non-shared parking spaces.
 - Sufficient infrastructure capacity to accommodate EV charging for 20% of parking space.
 - EV charging points at all allocated shared car spaces.

Exemption from notice and appeal

An application to construct a building or construct or carry out works or 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 an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The siting and design quality of all buildings and works and their suitability for the use proposed in the context of the adjacent area.
- Provision of site landscaping in the context of adjacent areas.
- Effect on the visual amenity, landscape and streetscape of the area.
- Impact on the importance, character and appearance of any building, area or place of scientific, aesthetic, architectural, or historical importance.

Where new buildings incorporate dwellings, the design should respect and anticipate the development potential of adjacent sites, to ensure that the future development of the adjacent sites does not cause a significant loss of amenity to the subject site.

- For residential development, ensure appropriate noise attenuation measures are adopted to limit internal and external noise to appropriate levels.
- The design and treatment of the public realm including the solar access to existing open spaces.

■ The wind effects of the proposed development at ground level

■ The ability of car parking facilities to transition to alternative uses over time.

■ The contribution of the development to an increase in the availability of off-street electric vehicle charging facilities.

■ How the development supports the transition to a 70% mode share for public transport, walking and cycling.

■ The contribution the development makes to increasing the provision of car share facilities.

■ Whether, having regard to the proposed use of the land, the number of bicycle parking spaces is appropriate.

■ Whether the design, location and accessibility and of bicycle facilities is convenient given the characteristics of the site, including whether visitor spaces are located within convenient access to both the street and any office building foyer or retail entrance.

■ The security (including suitable lighting, surveillance and locking devices) of bicycle facilities.

5.0

07/04/2008
C92

Referral of applications

An application to use land or to construct a building or carry out works must be referred in accordance with Section 55 of the Act to the referral authority specified in the schedule to Clause 66.04.

6.0

02/06/2011
C167

Advertising signs

A permit is required to erect an advertising sign, except for:

- Advertising signs exempted by Clause 52.05-4.
- An under verandah business sign if:

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PLANNING SCHEME

- 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 façade;
 - It does not contain any animation or intermittent lighting; and
 - It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.
- A ground floor business 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;
 - It does not contain any animation or intermittent lighting; and
 - It meets the Docklands Signage Guidelines to the satisfaction of the responsible authority.
 - A window display.
 - A non-illuminated sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
 - Renewal or replacement of an existing internally illuminated business identification sign.

Exemption from notice and appeal

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.

Transitional arrangements

The requirement of Clause 3.0 of this schedule that an application to subdivide land must ensure that all car parking spaces are retained in a single or a consolidated title as common property does not apply to:

- The subdivision of land that is undertaken in accordance with a planning permit (including for the development of land for a building) that was issued before the commencement of Amendment C376me1b to this planning scheme.

The requirements of this schedule do not apply to:

- an application (including an application to amend a permit) made before the commencement of Amendment C376me1b to this planning Scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C376me1b, continue to apply.

7.0

Proposed C376me1b

SCHEDULE 73 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO73**.

SUSTAINABLE BUILDING DESIGN

1.0

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Proposed C376melb

Design objectives

- To ensure buildings are energy efficient and align with the City of Melbourne's target of zero emissions by 2040.
- To increase the quantity, quality and distribution of green cover to improve urban cooling and biodiversity outcomes.
- To support opportunities for precinct scale environmentally sustainable design outcomes, including the transition to a circular economy.
- To ensure the design, construction and operation of buildings addresses climate change impacts, including water shortages and the urban heat island effect, and minimises impacts on the local environment, including through waste management and resource recovery.

2.0

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Proposed C376melb

Buildings and works

2.1 Definitions

For the purpose of this schedule:

- **Green cover** includes trees, shrubs, grasses, climbers, living green roofs and walls, other vegetation and lawn, and excludes non-plantable surfaces (hard non-permeable and permeable).
- **Green Factor Tool** refers to the City of Melbourne's tool for measuring the green infrastructure credentials of a development (or any replacement tool).
- **Green Factor Scorecard** means the document output from a completed Green Factor Tool assessment which provides relevant project information including the overall Green Factor score, area calculations and ecosystem outcomes.
- **Green infrastructure** means infrastructure that directly provides ecosystem services or supports the provision of these services including green cover, stormwater and rainwater harvesting interventions, permeable surfaces, waterways and wetlands.
- **Ecosystem services** means services (such as water filtration, noise reduction and climate regulation) that are provided by natural elements of the environment (including natural elements that have been constructed by humans such as green infrastructure) and that contribute directly or indirectly to human wellbeing.
- **Equivalent to the identified tool** means an assessment method developed by a reputable organisation which provides an evidence-based framework for assessing compliance with the relevant standard in this schedule. The assessment methodology must be comparable or better than the relevant tool identified in this schedule with the results able to be easily reviewed and assessed as accurate by the responsible authority.
- **Hardscaping** means landscape elements (including paving) other than green cover.

2.2 Buildings and works for which no permit is required

A permit is not required to construct a building or construct or carry out works, other than:

- The construction of a new building for the purposes of Accommodation, Retail **premises**, Office, Education centre, Research and development centre or Place of assembly.
- Buildings and works which result in more than 1000 sqm additional gross floor area for the purposes listed above.

2.3 Requirements

An application to construct a building or to 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.

A permit cannot be granted to vary a requirement expressed with the term 'must' or a requirement that relates to a minimum (mandatory) standard of this schedule. This does not apply to the requirement at Table 6 where it can be demonstrated to the satisfaction of the responsible authority:

~~That the use~~ meeting the required Green Factor score of the Green Factor Tool is not ~~practical~~ achievable having regard to the context and constraints of the site, in which case the equivalent of:

~~At~~ least 40% of the total site area ~~will~~ must be provided as green cover, which ~~must~~ should satisfy all of the following elements:

- A minimum of 65% of the required green cover as canopy planting and a minimum of 35% understorey planting. Canopy planting and understorey planting may overlap.
- A planting scheme comprising of native vegetation species ~~which provide habitat for native fauna.~~
- Green cover which is located to provide maximum benefit in relation to cooling of the adjoining public realm to the satisfaction of the responsible authority. ~~Green walls or facades under this alternate delivery must directly abut the public realm and be on the lower levels of the building.~~

In the case of an amendment to a permit that was issued before the commencement of Amendment C376melb to this scheme, a requirement expressed with the term 'must' or a requirement that relates to a minimum (*mandatory*) standard of this schedule may be varied only if the amendment does not increase the extent of the non-compliance with the requirement.

Where this schedule ~~identifies~~ refers to the use of a specific tool external to this planning scheme:

- ~~a~~ Applicants ~~must~~ should use the most current version of the specified tool ~~or may use an alternative tool, provided it is demonstrated to be equivalent to the identified tool and results in comparable outcomes, to the satisfaction of the responsible authority.~~
- Applicants may use an alternative tool, provided it is demonstrated to be equivalent to the identified tool and results in equivalent or better outcomes, to the satisfaction of the responsible authority.

Environmentally sustainable design

Development should meet the preferred standard in **Table 1** to this schedule, unless it is demonstrated to the satisfaction of the responsible authority that the delivery of the preferred standard is not technically achievable.

If the preferred standard is not met, the minimum (*mandatory*) standard must be met.

The requirement to meet the standard means:

- In relation to the Green Star Buildings standards:
 - The development must be designed to be able to achieve certification to the applicable Green Star Buildings rating.

- The development must be constructed so as to be able to be certified to the applicable Green Star Buildings rating.
- Within **12-24** months of occupation of the building, **or as otherwise agreed with the Responsible Authority**, the development must be certified as achieving the applicable Green Star Buildings rating with the Green Building Council of Australia.
- In relation to the Built Environment Sustainability Scorecard (BESS) standards:
 - The development must be designed to be able to achieve the applicable score.
 - The development must be constructed to achieve the applicable score.

Table 1

Type of development	Standard	
	Minimum (<i>mandatory</i>)	Preferred
New buildings of more than 5000 sqm gross floor area Buildings and work which result in more than 5000 sqm additional gross floor area	5 Star Green Star Buildings	6 Star Green Star Buildings
New buildings of equal to or less than 5000 sqm gross floor area Buildings and works which result in between 1000 and 5000 sqm additional gross floor area	A minimum 50% BESS score	A minimum 70% BESS score

Energy efficiency and renewables

Development should meet the preferred standard in **Table 2** **to this schedule unless it is demonstrated to the satisfaction of the responsible authority that the delivery of the preferred standard is not technically achievable or economically feasible.**

If the preferred standard is not met the minimum (*mandatory*) standard must be met.

The requirement to meet the standard means:

- In relation to the Nationwide House Energy Rating Scheme (NatHERS) ~~and the National Australian Built Environment Rating System (NABERS)~~ standards:
 - The development must be designed to be able to achieve certification to the applicable NatHERS ~~or NABERS~~ star rating.
 - ~~The development must be constructed to achieve the applicable NatHERS star rating.~~
- ~~In relation to the National Australian Built Environment Rating System (NABERS) standards:~~
 - ~~The development must be designed to be able to be achieve a the rating under the National Australian Built Environment Rating System (NABERS Energy).~~
 - ~~constructed so as to be able to become certified to the applicable NABERS star rating.~~
 - ~~The development must be constructed to achieve the applicable NatHERS star rating.~~
 - Within 24 months of occupation of the building, **or a times otherwise agreed with the Responsible Authority**, the development must be certified as achieving the applicable NABERS star rating.

- In relation to the BESS standards:
 - The development must be designed to be able to achieve the applicable score.
 - The development must be constructed to achieve the applicable score.

Table 2

Type of development	Standard	
	Minimum (<i>mandatory</i>)	Preferred
<p>New buildings of more than 5000 sqm gross floor area</p> <p>Buildings and works which result in more than 5000 sqm additional gross floor area</p>	<p>For residential Dwellings - An average of at least 7.5 star NatHERS rating across multiple dwellings, and a minimum of a 6.5 star NatHERS rating for each dwelling.</p> <p>For non-residential – A minimum 5.5 star NABERS Energy rating</p> <p>For all uses other than a Dwelling, a NABERS Energy Commitment Agreement must be entered into unless it is demonstrated to the Responsible Authority to be unavailable for the relevant use.</p>	<p>For residential Dwellings - none specified</p> <p>For non-residential – A minimum 6 Star NABERS Energy rating</p> <p>For all uses other than a Dwelling, a Green Star Buildings rating with Exceptional Performance for the NABERS Commitment Agreement Pathway of Credit 22: Energy Use.</p>
<p>New buildings of equal to or less than 5000 sqm gross floor area</p> <p>Buildings and works which result in between 1000 and 5000 sqm additional gross floor area</p>	<p>For all, including residential - A minimum 60% score in the BESS Energy category</p> <p>For residential - An average of at least 7.5 star NatHERS rating across multiple dwellings, and a minimum of 6.5 star NatHERS rating for each dwelling.</p>	<p>A minimum 70% score in the BESS energy category.</p>

Table 3

Type of development	Requirement
All development	<ul style="list-style-type: none"> ▪ Should incorporate on-site renewable energy generation ▪ Should not incorporate connections to gas services or other non-renewable energy.

Waste and resource recovery

Table 4

Type of development	Requirement
All development	<ul style="list-style-type: none"> ▪ Must provide waste and resource recovery facilities that meet the requirements of the City of Melbourne's <i>Guidelines for Waste Management Plans</i>. ▪ Must meet the requirements of a precinct waste management plan, if there is one in place. <p>Should manage construction waste to minimise landfill and maximise resource recovery.</p>

Urban heat island response

Table 5

Type of development	Requirement
All development	<ul style="list-style-type: none"> ▪ Must provide the equivalent of at least 75% of the development's total site area as solar panels and building and/or landscape elements that reduce the impact of the urban heat island effect. These elements include: <ul style="list-style-type: none"> - Green infrastructure - Roof or facade materials, including shading structures, with a minimum Solar Reflectance Index (SRI) of 0.64 for a roof pitched below 15 degrees, or a minimum SRI of 34 for a roof pitched above 15 degrees. 5 - Façade materials with a minimum SRI of 34. - Solar panels - Shading structures - Permeable paving - Hardscaping materials with a minimum SRI of 0.65 34. <p>This requirement does not apply if the development achieves a Green Star Buildings rating with at least the Credit Achievement for Credit 19: Heat Resilience of Green Star Buildings.</p> ▪ Should ensure non-glazed facade materials exposed to summer sun have a minimum SRI of 0.65. ▪ Should use passive cooling and heating techniques to reduce reliance on artificial heating and cooling.

- Should utilise paving treatments which assist in cooling, such as permeable paving or light coloured aggregates, where applicable.

Urban ecology

Table 6

Type of development	Requirement
New buildings	Must be designed and constructed to achieve a minimum Green Factor score of 0.55 using City of Melbourne's <i>Green Factor Tool</i> .
Buildings and works which result in more than 1000 sqm additional gross floor area	Should be designed and constructed to achieve a minimum Green Factor score of 0.55 using City of Melbourne's <i>Green Factor Tool</i> .
All development	<p>Should ensure green cover proposed:</p> <ul style="list-style-type: none"> Supports the creation of complex and biodiverse ecosystems. Provides a layered approach, incorporating both understorey and canopy planting. Provides native, indigenous or climate change resilient exotic plants that provide resources for native fauna. Supports the creation of vegetation links between areas of high biodiversity through planting selection and design where applicable. Retains existing mature canopy trees or vegetation which contributes to habitat for native fauna. Uses species selected drawn from the City of Melbourne's preferred species list.

Integrated water management

The requirements of Table 7 do not apply to land subject to Schedule 4 to Clause 37.04 Capital City Zone, shown on the planning scheme map as CCZ4.

Table 7

Type of development	Requirement
All development	<ul style="list-style-type: none"> Must-Should achieve the best practice water quality performance objectives set out in the <i>Urban Stormwater Best Practice Environmental Management Guidelines</i>, CSIRO, 1999 (or as amended). Should use alternative water for all non-potable uses on-site where technically achievable.

<p>New buildings</p>	<ul style="list-style-type: none"> Must connect to a precinct scale recycled water source if available
<p>New buildings of more than 5000 sqm gross floor area</p> <p>Buildings and works which result in more than 5000 sqm additional gross floor area</p>	<ul style="list-style-type: none"> Must connect to a precinct scale recycled water source if available Unless connected to a recycled water source, must install a rainwater tank to support on-site green cover or supply a minimum of 10% of internal water demand Must achieve a Green Star Buildings rating with at least the Minimum Expectation for the Reducing Water Use criteria of Credit 25: Water Use of Green Star Buildings.
<p>Buildings and works which result in between 1000 sqm and 5000 sqm additional gross floor area</p>	<ul style="list-style-type: none"> Should connect to a precinct scale recycled water source if available. Unless connected to a recycled water source, should install a rainwater tank to support on-site green cover or supply a minimum of 10% of internal water demand.

Table 8

Development should meet the standard in Table 8:

The requirement to meet the standard means:

- The development must be designed to be able to achieve the applicable standard.
- The development must be constructed to achieve compliance with the relevant rating.

Table 8

Type of development	Standard
New buildings of more than 5000 sqm gross floor area	For residential – the relevant Water credit under 5 Star Green Star Buildings.
Buildings and works which result in more than 5000 sqm additional gross floor area	For non-residential – a minimum 4 Star NABERS Water rating.
New buildings of equal to or less than 5000 sqm gross floor area Buildings and works which result in between 1000 sqm and 5000 sqm additional gross floor area	A minimum 50% score in BESS Water category.

3.0

Subdivision

---/---/---

Proposed C376melb None specified.

4.0

Signs

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Proposed C376melb None specified.

5.0

Application requirements

---/---/---

Proposed C376melb The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A response to the Decision Guidelines outlined at Section 6.0 where not addressed by other application requirements.
- If a 'preferred' standard or a requirement expressed with the term 'should' will not be met by the development, the following must be provided:

A a detailed analysis of the site context and its impact on the delivery of the preferred standard.

— A report from a suitably qualified person that provides a justification for why delivery of the preferred standard is not technically achievable or economically feasible.

- Documentation of how relevant requirements and standards will be delivered as identified in **Table 9** below.

Table 9

Type of development	Requirement
<p>New buildings of more than 5000 sqm gross floor area</p> <p>Buildings and works which result in more than 5000 sqm additional gross floor area</p>	<p>Evidence to the satisfaction of the responsible authority that demonstrates the project has been registered to seek the applicable Green Star Buildings rating with the Green Building Council of Australia.</p> <p><u>A completed NABERS Energy Commitment Agreement to the satisfaction of the responsible authority, or evidence that a Commitment Agreement is unavailable.</u></p> <p>A Sustainability Management Plan (SMP) that is prepared by a suitably qualified person, contains a detailed assessment of the development and includes:</p> <ul style="list-style-type: none"> ▪ Details of how the development meets each of the applicable requirements and standards in this schedule. ▪ In relation to the standards in Table 1 and Table 2:
	<p>Type of development</p> <p>Requirement</p> <ul style="list-style-type: none"> - An assessment that demonstrates that the development meets (or, where relating to construction or occupation, has the potential to meet) the applicable requirements and standards. - The steps that will be taken to ensure that the development is constructed to achieve the relevant requirements or standards, including by obtaining certification under the relevant ratings tool (if applicable). <p>Plans submitted with the application must detail the content of the SMP where relevant.</p>
<p>New buildings equal to or less than 5000 sqm gross floor area</p>	<p>A Sustainable Design Assessment (SDA) that includes:</p>

Buildings and works which result in between 1000 sqm and 5000 sqm additional gross floor area	<ul style="list-style-type: none"> ▪ Details of how the development meets each of the applicable requirements and standards in this schedule. ▪ In relation to the standards in Table 1 and Table 2: <ul style="list-style-type: none"> - An assessment from a suitably qualified person or a report created using the relevant ratings tool (as applicable), which demonstrates that the development meets (or, where relating to construction or occupation, has the potential to meet) the requirements and standards. - The steps that will be taken to ensure that the development as constructed achieves the relevant standard, including by obtaining certification under the relevant ratings tool (if applicable). <p>Plans submitted with the application must detail the content of the SDA where relevant.</p>
All developments (other than single dwellings)	A landscape package comprising a landscape maintenance plan, Green Factor Scorecard (if applicable) and associated landscape plan/s, including species lists and construction details (if relevant).
Single dwellings	A Green Factor Scorecard and landscape plan, as applicable.
All development	A Waste Management Plan prepared in accordance with the City of Melbourne's <i>Guidelines for Waste Management Plans</i> .

6.0 Decision guidelines

Proposed C376melb The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- ~~In respect of the~~ If the development is a new building of more than 5000sqm, or buildings and works which result in more than 5000sqm additional gross floor area, or a landmark, or if the land is in public ownership, whether the following matters impede achieving a preferred standards in **Table 1** and **Table 2**, ~~the justification for any variation on the basis of technical feasibility or economic viability:~~
 - Site context.
 - Technical impediments.
 - Economic impacts.
- How the development aligns with the City of Melbourne's target for zero carbon emissions by 2040.
- The merits of providing on-site renewable energy infrastructure having regard to the contribution the energy generated would make to reducing greenhouse gas emissions.
- The site context.

- The contribution the development makes to mitigation of the urban heat island effect.
- The quantity of green cover and tree canopy provided.
- The maintenance plan for the proposed green cover.
- The ability of the integrated water management approach to reintegrate stormwater into the landscape.
- How additional water requirements to support on-site green cover are aligned with integrated water management on the site.

The impact of the removal of any mature canopy trees or vegetation which contribute to the City's natural ecosystems, and the measures proposed to mitigate these impacts.

7.0 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 C376 to this planning scheme. For such applications, the requirements of this scheme, as they were in force immediately before the commencement of Amendment C376, continue to apply.

HIGHLIGHTED TEXT = Change recommended in response to submissions

Green underlined text = Exhibited addition to the Planning Scheme

~~Red struck-through text~~ = Exhibited deletion from the Planning Scheme

MELBOURNE PLANNING SCHEME

30/04/2021
C378melb

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0 Maps comprising part of this planning scheme:

~~46/12/2022VC204 Proposed~~ C376melb 1, 1DDOPT4, 1HO, 1SBO, 1PO.

- - 2, 2CLPO, 2DDOPT3, 2DDOPT4, 2 ESO, 2HO, 2SBO, 2PAO, 2SCO, 2SLO
 - 3, 3DDOPT4, 3HO, 3LSIO, 3PAO, 3PO, 3ESO, 3SLO
 - 4, 4BAO, 4CLPO, 4DCPO, 4DDOPT1, 4DDOPT3, 4DDOPT4, 4DPO, 4EAO, 4ESO, 4HO, 4IPO, 4LSIO, 4PAO, 4SBO, 4PO, 4SCO, 4SLO
 - 5, 5DDOPT1, 5DDOPT3, 5DDOPT4, 5EAO, 5ESO, 5HO, 5IPO, 5PAO, 5RXO, 5SBO, 5SCO, 5DPO, 5PO.
 - 6, 6DDOPT1, 6DDOPT4, 6ESO, 6LSIO, 6SLO
 - 7, 7CLPO, 7DDOPT1, 7DDOPT3, 7DDOPT4, 7DPO, 7EAO, 7ESO, 7HO, 7ICO, 7LSIO, 7PAO, 7SBO, 7SCO, 7PO, 7SLO
 - 8, 8CLPO, 8DDO1, 8DDO2_14_62, 8DDO5, 8DDO6, 8DDOPT1, 8DDOPT2, 8DDOPT3, 8DDOPT4, 8DDOPT7, 8DDOPT8, 8DDO10, 8DPO, 8EAO, 8ESO, 8HO, 8HO1, 8HO2, 8IPO, 8LSIO, 8PAO, 8RXO, 8SBO, 8SCO, 8PO
 - 9, 9CLPO, 9DDOPT1, 9DDOPT4, 9ESO, 9HO, 9LSIO, 9PAO, 9SBO, 9PO, 9SCO
 - 10, 10DDOPT1, 10DDOPT4, 10ESO.
 - 11, 11DDO1, 11DDOPT1, 11DDOPT2, 11DDOPT3, 11DDOPT4, 11DDOPT7, 11EAO, 11ESO, 11HO, 11LSIO, 11SCO, 11RXO, 11PO.
-

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Green underlined text = Exhibited addition to the Planning Scheme

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ANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0 Background documents

MELBOURNE PLANNING SCHEME

Name of background document	Amendment number - clause reference
-----------------------------	-------------------------------------

49/10/2022 -1/1/2022
 C396melb Proposed C376melb

Name of background document	Amendment number - clause reference
<i>A Strategy for a Safe City 2000-2002</i> (City of Melbourne, 2000)	C162 Clause 13.07-1L Clause 15.01-1L
<i>Amendment C396 Heritage Category Conversion Review</i> (Lovell Chen and Anita Brady Heritage, July 2021)	C396melb Clause 15.03-1L
<i>Arden Macaulay Heritage Review</i> (Graeme Butler & Associates, 2012)	C258 Clause 15.03-1L
<i>Arden Precinct Flood Management Policy</i> (Melbourne Water, June 2022)	C407melb Clause 11.03-6L
<i>Arden Structure Plan</i> (Victorian Planning Authority, July 2022)	C407melb Clause 11.03-6L
<i>Bike Plan 2002—2007—A Transportation Strategy</i> (City of Melbourne, 2002)	C162
<i>Bourke Hill Heritage, Planning and Urban Design Review</i> (Department of Transport, Planning and Local Infrastructure, 2014)	C240 Clause 15.01-1L
<i>Bourke Hill Precinct Heritage Review Amendment C240</i> (Trethowan, 2015)	C258 Clause 15.03-1L
<i>The Burra Charter: the Australia ICOMOS charter for Places of Cultural Significance</i> (Australia ICOMOS, 2013)	C258 Clause 15.03-1L
<i>Carlton Access and Parking Strategy</i> (City of Melbourne, 2004)	C162
<i>Carlton Brewery Masterplan</i> (City of Melbourne, 2007)	C126
<i>Carlton Gardens Master Plan</i> (City of Melbourne, 1991)	C162
<i>Carlton Integrated Local Area Plan—A Vision to 2010</i> (City of Melbourne, 2000)	C162
<i>Carlton, North Carlton and Princes Hill Conservation Study</i> (Nigel Lewis and Associates, 1994 & 1985)	C258 Clause 15.03-1L
<i>City North Heritage Review</i> , RBA Architects (RBA Architects, 2013)	C258 Clause 15.03-1L
<i>Central Activities District Conservation Study</i> (Graeme Butler, 1985)	C258 Clause 15.03-1L
<i>Central City Built Form Review Synthesis Report</i> (Department of Environment, Land, Water and Planning, 2016)	C270 Clause 15.01-1L Clause 15.01-2L
<i>Central City Built Form Review Overshadowing Technical Report</i> (Department of Environment, Land, Water and Planning, April 2016)	C270 Clause 15.01-1L
<i>Central City (Hoddle Grid) Heritage Review</i> (Graeme Butler, 2011)	C258 Clause 15.03-1L

MELBOURNE PLANNING SCHEME

Name of background document	Amendment number - clause reference
<i>Central City Planning and Design Guidelines</i> (City of Melbourne, 1991)	C105 Clause 15.01-1L
<i>Central Melbourne Design Guide</i> (City of Melbourne, 2019)	C308melb Schedule 1 to Clause 43.02
<i>City Plan 2010</i> (City of Melbourne, 2001)	C162
<i>Climate Change Adaptation Strategy Refresh</i> (City of Melbourne, 2017)	C376melb Clause 02.03-2, Clause 02.03-4, Clause 15.01-2L and Clause 19.03-3L, Schedules 1, 2, 3, 4, 5 & 7 to Clause 37.04, Schedules 1, 2, 3, 4, 5 & 6 to Clause 37.05 and Schedule 73 to Clause 43.02.
<i>City of Melbourne: Energy, Water and Waste Review</i> <i>Climate Change Mitigation Strategy to 2050</i> (City of Melbourne, 2011/2018)	C187 C376melb Clause 02.03-2, Clause 02.03-4, Clause 15.01-2L and Clause 19.03-3L, Schedules 1, 2, 3, 4, 5 & 7 to Clause 37.04, Schedules 1, 2, 3, 4, 5 & 6 to Clause 37.05 and Schedule 73 to Clause 43.02.
<i>Climate Emergency Response</i> (City of Melbourne, 2020)	C376melb Clause 02.03-2, Clause 02.03-4, Clause 15.01-2L and Clause 19.03-3L, Schedules 1, 2, 3, 4, 5 & 7 to Clause 37.04, Schedules 1, 2, 3, 4, 5 & 6 to Clause 37.05 and Schedule 73 to Clause 43.02.
<i>City of Melbourne Open Space Strategy</i> (Thompson Berrill Landscape Design and Environment & Land Management, 2012)	C209 Clause 19.02-6L
<i>City of Melbourne Open Space Strategy, Technical Report</i> (Thompson Berrill Landscape Design and Environment & Land Management, 2012)	C209 Clause 19.02-6L
<i>City of Melbourne Open Space Strategy, Open Space Contributions Framework</i> (Environment & Land Management and Thompson Berrill Landscape Design, 2012)	C209 Clause 19.02-6L
<i>City of Melbourne, Zero, Net Emissions by 2020</i> (City of Melbourne, 2002)	C187 Clause 15.01-2L
<i>City of Melbourne, Zero Net Emissions by 2020 Update 2008</i> (City of Melbourne, 2008)	C187 Clause 15.01-2L
<i>CBD Lanes Built Form Review ID Sheets</i> (Hansen Partnership Ltd, 2005)	C105 Clause 15.01-1L
<i>City of Melbourne, Total Watermark – City as a Catchment</i> (City of Melbourne, 2009)	C187 Clause 15.01-2L
<i>City of Melbourne Waste Management Strategy</i> (City of Melbourne, 2005)	C187 Clause 15.01-2L
<i>City of Melbourne Water Sensitive Urban Design Guidelines</i> (City of Melbourne, 2009)	C142 Clause 19.03-3L

MELBOURNE PLANNING SCHEME

Name of background document	Amendment number - clause reference
<i>Guidelines for Preparing a Waste Management Plan (City of Melbourne, 2021)</i>	C187 Clause 15.01-2L
<i>City of Melbourne Social Planning Framework (City of Melbourne, 2002)</i>	C162
<i>City of Melbourne Stormwater Management Plan (City of Melbourne, 2000)</i>	C162
<i>City North Heritage Review, RBA Architects (RBA Architects, 2013)</i>	C198 Clause 15.03-1L
<i>City of Port Phillip and City of Moreland, Sustainable Design Scorecard (City of Port Phillip and City of Moreland)</i>	C187 Clause 15.01-2L
<i>City West Plan, 2002 (City of Melbourne, 2002)</i>	C162
<i>Disability Action Plan 2001—2004 (City of Melbourne, 2001)</i>	C162
<i>Docklands Community Development Plan 2001-2016 (City of Melbourne, 2002)</i>	C162 Clause 11.03-6L
<i>Drugs Action Plan 2001-2003 (City of Melbourne, 2001)</i>	C162
<i>East Melbourne & Jolimont Conservation Study (Meredith Gould, 1985)</i>	C258 Clause 15.03-1L
<i>Extract from Fishermans Bend In-Depth Heritage Review and Stakeholder Engagement Summary Report (HLCD, 2022)</i>	C394melb Clause 02.03-4 and Clause 15.03-1L
<i>Fitzroy and Treasury Gardens Management Plan (City of Melbourne, 1996)</i>	C162
<i>Fishermans Bend Vision (DELWP, 2016)</i>	C162 Clause 11.03-6L
<i>Fishermans Bend Framework (DELWP, 2018)</i>	C162 Clause 11.03-6L
<i>Fishermans Bend Community Infrastructure Plan (DELWP, 2017)</i>	C162
<i>Fishermans Bend Urban Design Strategy (Hodyl and Co, 2017)</i>	C162
<i>Fishermans Bend Public Space Strategy (Planisphere, 2017)</i>	C162
<i>Fishermans Bend Integrated Transport Plan (DEDJTR, 2017)</i>	C162
<i>Fishermans Bend Sustainability Strategy (DELWP, 2017)</i>	C162
<i>Fishermans Bend Water Sensitive City Strategy (DJPR, 2022)</i>	C376melb Clause 02.03-2, Clause 02.03-4, Clause 19.03-3L and Schedule 73 to Clause 43.02.
<i>Flagstaff Gardens Master Plan (City of Melbourne, 2000)</i>	C162
<i>Flemington & Kensington Conservation Study (Graeme Butler & Associates, 1985)</i>	C258 Clause 15.03-1L
<i>Future Melbourne Community Plan (City of Melbourne, September 2008)</i>	C187 Clause 15.01-2L
<i>Green Our City Strategic Action Plan 2017-2021 (City of Melbourne, 2017)</i>	C376melb

MELBOURNE PLANNING SCHEME

Name of background document	Amendment number - clause reference
	Clause 02.03-2, Clause 02.03-4, Clause 15.01-2L and Schedule 73 to Clause 43.02.
<i>Green Our City Strategic Action Plan: Strategic justification for regulatory requirements for sustainability</i> (Arup, 2019)	C376melb Clause 02.03-2, Clause 02.03-4, Clause 15.01-2L and Clause 19.03-3L, Schedules 1, 2, 3, 4, 5 & 7 to Clause 37.04, Schedules 1, 2, 3, 4, 5 & 6 to Clause 37.05 and Schedule 73 to Clause 43.02.
<i>Grids and Greenery: The Character of Inner Melbourne</i> (City of Melbourne, 1987)	C162 Clause 15.01-1L
<i>Growing Green Guide</i> (City of Melbourne, 2003/2014)	C162 C376melb Clause 02.03-2, Clause 02.03-4, Clause 15.01-2L and Schedule 73 to Clause 43.02.
<i>Green Star Rating Tools</i> (Green Building Council of Australia)	C187 Clause 15.01-2L
<i>Guildford and Hardware Laneways Heritage Study</i> (Lovell Chen, 2017) (Updated October 2018)	C387melb Clause 15.03-1L
<i>Harbour, Railway, Industrial Conservation Study</i> (Meredith Gould Architects, 1985)	C258 Clause 15.03-1L
<i>Hoddle Grid Heritage Review</i> (GML and GJM, July 2020) (Updated March 2022)	C387melb Clause 15.03-1L
<i>How to Calculate Floor Area Uplifts and Public Benefits</i> (DELWP, 2016)	C270 Clause 15.01-2L
<i>Integration and Design Excellence, Melbourne Docklands</i> (Docklands Authority, July 2000)	C162 Clause 11.03-6L
<i>JJ Holland Park Concept Plan</i> (City of Melbourne, 1998)	C162
<i>Kensington Heritage Review</i> (Graeme Butler & Associates, 2013)	C215 Clause 15.03-1L
<i>Linking People, Homes and Communities - A Social Housing Strategy 2001—2004</i> (City of Melbourne, 2001)	C162
<i>Lygon Street Action Plan</i> (Melbourne Metropolitan Board of Works and City of Melbourne, 1984)	C59 Clause 17.02-1L
<i>Melbourne BioAgenda</i> (City of Melbourne, 2002)	C162
<i>Melbourne Docklands Bicycle Strategy</i> (EDAW in association with SKM, 2000)	C92 Clause 11.03-6L
<i>Melbourne Docklands Community Development Plan 2001-2016</i> (Docklands Authority, 2001)	C92 Clause 11.03-6L
<i>Melbourne Docklands ESD Guide</i> (Docklands Authority, 2002)	C92 Clause 11.03-6L
<i>Melbourne Docklands Outdoor Signage Guidelines</i> (VicUrban, 2004)	C162

MELBOURNE PLANNING SCHEME

Name of background document	Amendment number - clause reference
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Clause 11.03-6L

MELBOURNE PLANNING SCHEME

Name of background document	Amendment number - clause reference
	Clause 15.01-1L
Melbourne's Greenhouse Action Plan 2001-2003 (City of Melbourne, 2001)	C162
Melbourne Sustainable Energy and Greenhouse Strategy (City of Melbourne, 2000)	C162
Melbourne Docklands Water Plan (Docklands Authority, June 2001)	C92 Clause 11.03-6L
Moving Melbourne into the Next Century-Transport Strategy Municipal Integrated Water Management Plan (City of Melbourne, 1997 2017)	C162 C376melb Clause 02.03-2, Clause 02.03-4, Clause 19.03-3L and Schedule 73 to Clause 43.
National Australian Built Environment Rating System 'NABERS'	C187 Clause 15.01-2L
North and West Melbourne Conservation Study (Graeme Butler 1985 & 1994)	C258 Clause 15.03-1L
North West 2010 Local Plan (City of Melbourne, 1999)	C162
Parks Policy (City of Melbourne, 1997)	C162
Parkville Conservation Study (City of Melbourne, 1985)	C258 Clause 15.03-1L
Places for People (City of Melbourne and Jan Gehl, 1994)	C60 (part1A) Clause 15.01-1L
Places for Everyone – A Strategy for Creating and Linking Public Open Spaces at Melbourne Docklands (Melbourne Docklands, 2002)	C92 Clause 11.03-6L
Port of Melbourne Land Use Plan (Maunsell McIntyre Pty Ltd., 2002)	C162
Port Melbourne Structure Plan (City of Melbourne, 1999)	C162
Princes Park Ten Year Plan (City of Melbourne, 1998)	C162
Queen Victoria Market Precinct Renewal Built Form Review & Recommendations (Jones and Whitehead Pty Ltd, 2015)	C245
Queen Victoria Market Precinct Renewal Master Plan (City of Melbourne, 2015)	C245
Retail Core Development Strategy (City of Melbourne, 2001)	C162
Review of Heritage Buildings in Kensington: Percy Street Area (Graeme Butler, 2013)	C215 Clause 15.03-1L
Royal Park Master Plan (City of Melbourne, 1998)	C162
Southbank Heritage Review (Biosis and Graeme Butler, 2017) (updated November 2020)	C305 Clause 15.03-1L
Southbank Structure Plan 2010 (AECOM, 2010)	C162
South Melbourne Urban Conservation Study(Allom Lovell Sanderson Pty Ltd , 1987)	C258 Clause 15.03-1L

MELBOURNE PLANNING SCHEME

Name of background document	Amendment number - clause reference
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State Environment Protection Policy (Waters of Victoria),
Protection Authority, 2003)

C142 (Environment

MELBOURNE PLANNING SCHEME

Name of background document	Amendment number - clause reference
	Clause 19.03-3L
<i>South Melbourne Conservation Study</i> (Bryce Raworth Pty Ltd, 1985 & 1998)	C258 Clause 15.03-1L
<i>South Yarra Conservation Study</i> (Meredith Gould, 1985)	C258 Clause 15.03-1L
<u><i>Sustainable Building Design: Planning Scheme Amendment C376</i> (Hansen, 2020)</u>	<u>C376melb</u> <u>Clause 02.03-2, Clause 02.03-4, Clause 15.01-2L and Clause 19.03-3L, Schedules 1, 2, 3, 4, 5 & 7 to Clause 37.04, Schedules 1, 2, 3, 4, 5 & 6 to Clause 37.05 and Schedule 73 to Clause 43.02</u>
<i>Swanston Street, Carlton- Urban Design Guidelines</i> (City of Melbourne, 1999)	C162
<i>Swanston Street Walk – Precinct Amenity Planning Report</i> (Department of Planning and Housing, City of Melbourne, 1992)	C60 Clause 15.01-1L
<i>The Docklands Authority Environmental Management Plan</i> (EMP, 2000)	C92 Clause 11.03-6L
<i>The Shrine of Remembrance: Managing the significance of the Shrine</i> (Message Consultants Australia, 2013)	C162 Clause 15.01-1L
<i>The Bourke Russell Street Area Development Strategy</i> (City of Melbourne, 1999)	C60 Clause 13.07-1L
<i>Total Watermark 2004</i> (City of Melbourne, 2004)	C162
<i>Towards a Knowledge City Strategy</i> (SGS Economics & Planning and The Eureka Project for City of Melbourne , 2002)	C162
<i>Transport Program 2003-2006</i> <u><i>Strategy 2030</i></u> (City of Melbourne 2003 , 2019)	C162 <u>C376melb</u> <u>Clause 02.03-7, Clause 15.01-2L, Schedules 1, 2, 3, 4, 5 & 7 to Clause 37.04, Schedules 1, 2, 3, 4, 5 & 6 to Clause 37.05</u>
<i>Urban Stormwater Best Practice Environmental Management Guidelines</i> (CSIRO, 1999)	C187 <u>C376melb</u> <u>Clause 02.03-2, Clause 02.03-4, Clause 19.03-3L and Schedule 73 to Clause 43.02.</u>
<i>Victoria Harbour Development Plan</i> (Lend Lease, 2010)	C92 Clause 11.03-6L
<u><i>Waste and Resource Recovery Strategy 2030</i> (City of Melbourne, 2019)</u>	<u>C376melb</u> <u>Clause 02.03-2, Clause 02.03-4, Clause 15.01-2L and Schedule 73 to Clause 43.02.</u>
<i>Water Sensitive Urban Design – Engineering Procedures: Stormwater</i> (Melbourne Water, 2005)	C142 <u>C376melb</u> <u>Clause 02.03-2, Clause 02.03-4, Clause 19.03-3L and Schedule 73 to Clause 43.02.</u>

MELBOURNE PLANNING SCHEME

Name of background document	Amendment number - clause reference
<i>West Melbourne Heritage Review</i> (Graeme Butler & Associates, 2016)	C258 2016) Clause 15.03-1L
<i>West Melbourne Structure Plan</i> (City of Melbourne, 2018)	C385melb
<i>World Heritage Environs Area Strategy Plan: Royal Exhibition Building and Carlton Gardens</i> (Lovell Chen, 2009)	C154 Clause 15.03-1L
<i>Yarra River: Use and Development Guidelines</i> (R.G. Harvey Pty. Ltd., 1991)	C60 Clause 15.01-1L
<i>Zero Net Emissions by 2020 – A Roadmap to a Climate Neutral City</i> (City of Melbourne, 2003)	C162

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PLANNING SCHEME

27/10/2020 SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

C399melb

1.0

~~22/12/2022~~ - / - / - -

Incorporated documents

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Proposed C376melb

Name of document	Introduced by:
86-96 Stubbs Street, Kensington - August 2022	C436melb
2 Bayswater Road, Kensington Statement of Significance, March 2022	C396melb
12 Riverside Quay, Southbank, November 2020	C391melb
19 Gower Street, Kensington Statement of Significance, March 2022	C396melb
17 Westbourne Road, Kensington Statement of Significance, March 2022	C396melb
17-19 Bayswater Road, Kensington Statement of Significance, March 2022	C396melb
29-31 Rathdowne Street, Carlton Statement of Significance, March 2022	C396melb
47-55, 59 & 69 Westbourne Road Precinct, Kensington Statement of Significance, March 2022	C396melb
53-57 Lonsdale Street, Melbourne Statement of Significance, April 2022	C387melb
59 Bayswater Road, Kensington Statement of Significance, March 2022	C396melb
72-74 Bourke Street, Melbourne Statement of Significance, March 2022	C396melb
73-77 Bourke Street, Melbourne Statement of Significance, March 2022	C396melb
83 Bayswater Road, Kensington Statement of Significance, March 2022	C396melb
86 Bourke Street, Melbourne Statement of Significance, March 2022	C396melb
90-92 Bayswater Road, Kensington Statement of Significance, March 2022	C396melb
111 Lorimer Street, Docklands, Incorporated Document, November 2022	C364melb
150 Lonsdale Street, Melbourne - Australian Federal Police, Melbourne State Office, May 2020	C375melb
166 Russell Street, Melbourne Statement of Significance, April 2022	C387melb
21-35 Power Street & 38 Freshwater Place, Southbank, July 2021	C398melb
271 Spring Street, Melbourne, Transitional Arrangements, May 2016	C287
285 Walsh Street, South Yarra Statement of Significance, March 2022	C396melb
55 Southbank Boulevard, Southbank, February 2017	C288
310-316 Walsh Street, South Yarra Statement of Significance, March 2022	C396melb
346-376 Queen Street, 334-346 La Trobe Street and 142-171 A'Beckett Street Open Lot Car Park, Melbourne	NPS1
447 Collins Street, Melbourne, Transitional Arrangements, May 2016	C289
70 Southbank Blvd, June 2014	C239
80 Collins Street Melbourne Development, May 2013	C219
87-127 Queens Bridge Street, Southbank, July 2018 (Amended August 2020)	C386melb
850-858 Lorimer Street, Port Melbourne, Incorporated Document, March 2022	C361melb

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PLANNING SCHEME

ABC Melbourne New Office and Studio Accommodation Project (Southbank), December 2013	C226
Advertising Signs - Mercedes-Benz, 135-149 Kings Way, Southbank	C103

C422melb

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PLANNING SCHEME

Name of document	Introduced by:
AMP Tower and St James Building Complex Statement of Significance (527-555 Bourke Street, Melbourne), April 2022	C387melb
Apartment Building Statement of Significance (13-15 Collins Street, Melbourne), April 2022	C387melb
Arden Macaulay Heritage Review 2012: Statements of Significance June 2016	C207
Arden Parking Precinct Plan, August 2021	C407melb
Arden Precinct Cross Sections, July 2022	C407melb
Arden Precinct Development Contributions Plan, July 2022	C407melb
Australia-Netherlands House Statement of Significance (468-478 Collins Street, Melbourne), April 2022	C387melb
Big Day Out Music Festival, January 2006	C112
Building Envelope Plan – Replacement Plan No.1, DDO 20 Area 45	NPS1
Carlton Brewery Comprehensive Development Plan October 2007	C126
Central City (Hoddle Grid) Heritage Review: Statements of Significance June 2013	C186(Part 1)
Carlton Connect Initiative Incorporated Document, March 2018	C313
Carlton Recreation Ground Incorporated Document, September 2020	C377melb
Charles Grimes Bridge Underpass, December 2011	C191
City North Heritage Review 2013: Statements of Significance (Revised June 2015)	C198
Cliveden Hill Private Hospital, 29 Simpson Street, East Melbourne, July 1999	C6
Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016	C349melb
Coates Building Statement of Significance (18-22 Collins Street, Melbourne), April 2022	C387melb
Collins Gate Statement of Significance (377-379 Little Collins Street, Melbourne), April 2022	C387melb
Commercial building Statement of Significance (480 Bourke Street, Melbourne), April 2022	C387melb
Commercial building Statement of Significance (582-584 Little Collins Street, Melbourne), April 2022	C387melb
Crown Casino Third Hotel, September 2007	C136
David Jones Melbourne City Store Redevelopment, May 2008	C139

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PLANNING SCHEME

Downs House Statement of Significance (441-443 Little Bourke Street, Melbourne), April 2022	C387melb
Dreman Building Statement of Significance (96-98 Flinders Street, Melbourne), April 2022	C387melb
Drewery Lane Precinct Statement of Significance, April 2022	C387melb
Dynon Port Rail Link Project	C113
Electricity Substation Statement of Significance (224-236 Salmon Street, Port Melbourne), May 2022	C394melb
Emporium Melbourne Development, July 2009	C148
Epstein House Statement of Significance (134-136 Flinders Street, Melbourne), April 2022	C387melb

Name of document	Introduced by:
Equitable House Statement of Significance (335-349 Little Collins Street, Melbourne), April 2022	C387melb
Federation Arch and Sports and Entertainment Precinct Signs, April 2002	C66
Flinders Gate car park, Melbourne, July 1999	C6
Flinders Lane East Precinct Statement of Significance, April 2022	C387melb
Flinders Street Railway Viaduct Statement of Significance (Flinders Street, Melbourne), April 2022	C387melb
Former Ajax House Statement of Significance (103-105 Queen Street, Melbourne), April 2022	C387melb
Former Allans Building Statement of Significance (276-278 Collins Street, Melbourne), April 2022	C387melb
Former AMP Building Statement of Significance (344-350 Collins Street, Melbourne), April 2022	C387melb
Former AMP Building Statement of Significance (402-408 Lonsdale Street, Melbourne), April 2022	C387melb
Former Atlas Assurance Building Statement of Significance (404-406 Collins Street, Melbourne), April 2022	C387melb
Former Australia Pacific House Statement of Significance (136-144 Exhibition Street, Melbourne), April 2022	C387melb
Former Bank of Adelaide Building Statement of Significance (265-269 Collins Street, Melbourne), April 2022	C387melb
Former Bank of Australasia Statement of Significance (152-156 Swanston Street, Melbourne), April 2022	C387melb
Former Bank of New South Wales Statement of Significance (137-139 Flinders Lane, Melbourne), April 2022	C387melb

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Former Batman Automatic Telephone Exchange Statement of Significance (376-382 Flinders Lane, Melbourne), April 2022	C387melb
Former Bryson Centre Statement of Significance (174-192 Exhibition Street, Melbourne), April 2022	C387melb
Former Cassells Tailors Pty Ltd Statement of Significance (341-345 Elizabeth Street, Melbourne), April 2022	C387melb
Former Coles and Garrard Building Statement of Significance (376-378 Bourke Street, Melbourne), April 2022	C387melb
Former Colonial Mutual Life Assurance Building and Plaza with 'Children's Tree' Sculpture Statement of Significance (308-336 Collins Street, Melbourne), April 2022	C387melb
Former Commercial Banking Company of Sydney Building Statement of Significance (251-257 Collins Street, Melbourne), April 2022	C387melb
Former Commonwealth Banking Corporation Building Statement of Significance (359-373 Collins Street, Melbourne), April 2022	C387melb
Former Craig, Williamson Pty Ltd complex Statement of Significance (57-67 Little Collins Street, Melbourne), April 2022	C387melb
Former Dalgety House Statement of Significance (457-471 Bourke Street, Melbourne), April 2022	C387melb
Former Dillingham Estates House Statement of Significance (114-128 William Street, Melbourne), April 2022	C387melb
Former Excelsior Chambers Statement of Significance (17-19 Elizabeth Street, Melbourne), April 2022	C387melb

Name of document	Introduced by:
Former Exhibition Towers Statement of Significance (287-293 Exhibition Street, Melbourne), April 2022	C387melb
Former Factory Statement of Significance (203-207 King Street, Melbourne), April 2022	C387melb
Former Fishmarket Site, Flinders Street Melbourne, September 2002	C68
Former Gilbert Court Statement of Significance (100-104 Collins Street, Melbourne), April 2022	C387melb
Former Godfrey's Building Statement of Significance (188-194 Little Collins Street, Melbourne), April 2022	C387melb
Former Gordon Buildings Statement of Significance (384-386 Flinders Lane, Melbourne), April 2022	C387melb
Former Gothic Chambers and warehouse Statement of Significance (418-420 Bourke Street and 3 Kirks Lane, Melbourne), April 2022	C387melb
Former Guardian Building Statement of Significance (454-456 Collins Street, Melbourne), April 2022	C387melb

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PLANNING SCHEME

Former Herald and Weekly Times building, 46-74 Flinders Street, Melbourne, August 2002	C69
Former Hosie's Hotel Statement of Significance (1-5 Elizabeth Street, Melbourne), April 2022	C387melb
Former John Danks & Son Statement of Significance (Part 393-403 Bourke Street, Melbourne), April 2022	C387melb
Former Kantay House Statement of Significance (12-18 Meyers Place, Melbourne), April 2022	C387melb
Former Kraft Vegemite Factory Statement of Significance (1 Vegemite Way, Port Melbourne), July 2022	C394melb
Former Law institute House (382 Little Collins Street, Melbourne), April 2022	C387melb
Former Law Department's Building Statement of Significance (221-231 Queen Street, Melbourne), April 2022	C387melb
Former Legal and General House Statement of Significance (375-383 Collins Street, Melbourne), April 2022	C387melb
Former London Assurance House Statement of Significance (Part 468-470 Bourke Street, Melbourne), April 2022	C387melb
Former Malcolm Reid & Co Department Store Statement of Significance (151-163 Bourke Street, Melbourne), April 2022	C387melb
Former Manchester Unity Oddfellows Building Statement of Significance (335-347 Swanston Street, Melbourne), April 2022	C387melb
Former Markillie's Prince of Wales Hotel Statement of Significance (562-564 Flinders Street and rear in Downie Street, Melbourne), April 2022	C387melb
Former Melbourne and Metropolitan Tramways Board Building Statement of Significance (616-622 Little Collins Street, Melbourne), April 2022	C387melb
Former Melbourne City Council Power Station Statement of Significance (617-639 (part) and 651-669 Lonsdale Street, 602-606 and 620-648 Little Bourke Street, Melbourne), April 2022	C387melb
Former Melbourne City Council Substation Statement of Significance (23-25 George Street, Melbourne), April 2022	C387melb
Former Melbourne City Council Substation Statement of Significance (10-14 Park Street, Melbourne), April 2022	C387melb

Name of document	Introduced by:
Former Melbourne City Council Substation Statement of Significance (11-27 Tavistock Place, Melbourne), April 2022	C387melb
Former Melbourne Shipping Exchange Statement of Significance (25 King Street, Melbourne), April 2022	C387melb
Former National Bank of Australasia Stock Exchange Branch Statement of Significance (85-91 Queen Street, Melbourne), April 2022	C387melb

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PLANNING SCHEME

Former Olympic Swimming Stadium, Collingwood Football Club signage, April 2004	C91
Former Palmer's Emporium Statement of Significance (220 Bourke Street, Melbourne), April 2022	C387melb
Former Patersons Pty Ltd Statement of Significance (Part 152-158 Bourke Street, Melbourne), April 2022	C387melb
Former Paramount House Statement of Significance (256-260 King Street, Melbourne), April 2022	C387melb
Former Printcraft House Statement of Significance (428-432 Little Bourke Street, Melbourne), April 2022	C387melb
Former Queen Victoria Hospital Site - Open Lot Car Park, Melbourne	NPS1
Former Princes Bridge Lecture Room Statement of Significance (Princes Walk, Birrarung Marr, Melbourne),), April 2022	C387melb
Former Ridgway Terrace Statement of Significance (20 Ridgway Place, Melbourne), April 2022	C387melb
Former Rockman's Showrooms Pty Ltd Statement of Significance (188 Bourke Street, Melbourne), April 2022	C387melb
Former Royal Automobile Club of Victoria Statement of Significance (111-129 Queen Street, Melbourne), April 2022	C387melb
Former Russell Street Automatic Telephone Exchange and Postal Building Statement of Significance (114-120 Russell Street, Melbourne), April 2022	C387melb
Former Sharpe Bros Pty Ltd Statement of Significance (202-204 Bourke Street Melbourne), April 2022	C387melb
Former Sleigh Buildings Statement of Significance (158-172 Queen Street, Melbourne), April 2022	C387melb
Former South British Insurance Company Ltd Building Statement of Significance (155-161 Queen Street, Melbourne), April 2022	C387melb
Former Southern Cross Hotel site, Melbourne, March 2002	C64
Former State Savings Bank of Victoria Statement of Significance (258-264 Little Bourke Street, Melbourne), April 2022	C387melb
Former State Savings Bank of Victoria Statement of Significance (233-243 Queen Street, Melbourne), April 2022	C387melb
Former State Savings Bank of Victoria Statement of Significance (45-63 Swanston Street, Melbourne), April 2022	C387melb
Former Sunday School Union of Victoria Statement of Significance (100-102 Flinders Street, Melbourne), April 2022	C387melb
Former Thomas Warburton Pty Ltd Statement of Significance (365-367 Little Bourke Street, 2-6 and 8-14 Rankins Lane. Melbourne), April 2022	C387melb
Former Union House Statement of Significance (43-51 Queen Street, Melbourne), April 2022	C387melb

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PLANNING SCHEME

Former Victoria Brewery site, East Melbourne – ‘Tribeca’ Redevelopment
October 2003

C86

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PLANNING SCHEME

Name of document	Introduced by:
Former Victorian Amateur Turf Club Statement of Significance (482-484 Bourke Street, Melbourne), April 2022	C387melb
Former Wenley Motor Garage Statement of Significance (39-41 Little Collins Street, Melbourne), April 2022	C387melb
Former Zander's No 2 Store Statement of Significance (11 Highlander Lane, Melbourne), April 2022	C387melb
Freshwater Place, Southbank, August 2001 (Amended 2012)	C193
Grange Lynne Pty Ltd Statement of Significance (183-189 A'Beckett Street, Melbourne), April 2022	C387melb
Great Western Hotel Statement of Significance (204-208 King Street, Melbourne), April 2022	C387melb
<u>Guidelines for Waste Management Plans (City of Melbourne, 2021)</u>	<u>C376melb</u>
Guildford and Hardware Laneways Heritage Study May 2017: Heritage Inventory, November 2018 (Amended April 2022)	C387melb
Guildford and Hardware Laneways Heritage Study May 2017: Statements of Significance, November 2018 (Amended April 2022)	C387melb
Hamer Hall Redevelopment July 2010	C166
Henty House Statement of Significance (499-503 Little Collins Street, Melbourne), April 2022	C387melb
Heritage Places Inventory March 2022 (Amended November 2022)	C404melb
Heritage Places Inventory February 2020 Part B (Amended September 2022)	C409melb
Heritage Precincts Statements of Significance February 2020 (Amended April 2022)	C387melb
High wall signs - 766 Elizabeth Street, Carlton	NPS1
Hilton on the Park Complex Redevelopment, December 2004	C101
Hobsons Road Precinct Incorporated Plan, March 2008	C124
Hospital Emergency Medical Services - Helicopter Flight Path Protection Areas Incorporated Document, June 2017	GC49
Hotham Estate	C134
Hoyts Mid City Cinemas Statement of Significance (194-200 Bourke Street, Melbourne), April 2022	C387melb
Incorporated Plan Overlay No. 1 – 236-254 St Kilda Road	NPS1
Judy Lazarus Transition Centre, March 2005	C102
Kensington Heritage Review Statements of Significance, March 2018	C324
Laurens House Statement of Significance (414-416 Lonsdale Street, Melbourne), April 2022	C387melb
Little Lonsdale Street Precinct Statement of Significance, April 2022	C387melb
Lonsdale Exchange Building Statement of Significance (447-453 Lonsdale Street, Melbourne), April 2022	C387melb
Lyceum Club Statement of Significance (2-18 Ridgway Place, Melbourne), April 2022	C387melb
M1 Redevelopment Project, October 2006	C120
Major Promotion Signs, December 2008	C147

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Name of document	Introduced by:
Melbourne Aquarium Signs, July 2001	C11
Melbourne Arts Precinct Transformation Project, Phase One, January 2022	C356melb
Melbourne Assessment Prison (MAP) 317-353 Spencer Street, West Melbourne, February 2020	C258
Melbourne Central redevelopment, March 2002 (Amended October 2019)	C344melb
Melbourne City Link Project – Advertising Sign Locations, November 2003	VC20
Melbourne Convention Centre Development, Southbank and North Wharf redevelopment, Docklands, April 2006, Amended May 2016	GC44
Melbourne Girls Grammar – Merton Hall Campus Master Plan, June 2002	C22
Melbourne Grammar School Master Plan - Volume One, Senior School South Yarra Campus, Issue Date 14 October 2003.	C90
Melbourne House Statement of Significance (354-360 Little Bourke Street, Melbourne), April 2022	C387melb
Melbourne Metro Rail Project Incorporated Document, May 2018	GC82
Melbourne Metro Rail Project – Infrastructure Protection Areas Incorporated Document, December 2016	GC45
Melbourne Park Redevelopment February 2014	C229
Melbourne Planning Scheme Incorporated Plan, June 2016, Melbourne Water Permit Exemptions to the Schedule to Clause 43.01 for the Moonee Ponds Creek (HO1092)	C207
Melbourne Recital Hall and MTC Theatre project , August 2005	C111
Mental Health Beds Expansion Program Incorporated Document, November 2020	GC176
Metro Tunnel: Over Site Development – CBD North Incorporated Document, October 2017	C315
Metro Tunnel: Over Site Development – CBD South Incorporated Document, October 2017	C316
Metropolitan Hotel Statement of Significance (263-267 William Street, Melbourne), April 2022	C387melb
Mirvac, Residential Towers, 236-254 St. Kilda Road, Southbank	NPS1
Moonee Ponds Creek Concept Plan	C134
Myer Melbourne Bourke Street store redevelopment, Melbourne, October 2007	C137
North Melbourne Recreation Reserve Signage, 2022	C422melb
North West Corner of Mark and Melrose Street, North Melbourne	C134

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PLANNING SCHEME

Nubrik House Statement of Significance (269-275 William Street, Melbourne), April 2022	C387melb
Office building Statement of Significance (589-603 Bourke Street), April 2022	C387melb
Offices Statement of Significance (422-424 Bourke Street, Melbourne), April 2022	C387melb
One Queensbridge, 1-29 Queens Bridge Street, Southbank (Crown's Queensbridge Hotel Tower), February 2017	C310
Park Tower Statement of Significance (199-207 Spring Street, Melbourne), April 2022	C387melb

Name of document	Introduced by:
Peter Hall Building (formerly known as the Richard Berry Building) Statement of Significance (The University of Melbourne, Parkville), March 2022	C396melb
PMG Postal Workshops, Garages & Stores complex, Part 45-99 Sturt Street Southbank Incorporated Plan, November 2020	C305melb
Port Capacity Project, Webb Dock Precinct, Incorporated Document, October 2012 (Amended August 2016)	GC54
Project Core Building, Federation Square, December 2017	C314
Promotional Panel sign, Crown Allotment 21D, Power Street, Southbank, July 1999	C6
Punt Road Oval Redevelopment – Part Crown Allotment 2114 at East Melbourne City of Melbourne Parish of Melbourne North, June 2022	C421melb
Rectangular Pitch Stadium Project: Olympic Park and Gosch's Paddock, Melbourne, August 2007	C130
Regional Rail Link Project Section 1 Incorporated Document, March 2015	GC26
Residences Statement of Significance (120-122 Little Lonsdale Street, Melbourne), April 2022	C387melb
Residence Statement of Significance (474 Little Lonsdale Street, Melbourne), April 2022	C387melb
Rialto South Tower Communications Facility Melbourne, November 2020	C57
Royal Insurance Group building Statement of Significance (430 - 442 Collins Street, Melbourne), April 2022	C387melb
Royal Mail House Statement of Significance (253-267 Bourke Street, Melbourne), April 2022	C387melb
Royal Melbourne Showgrounds Redevelopment Master Plan – December 2004	C100
Royal Melbourne Showgrounds Redevelopment Project – December 2004	C100
Sanders and Levy Building Statement of Significance (149-153 Swanston Street, Melbourne), April 2022	C387melb

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PLANNING SCHEME

Scots Church Site Redevelopment, Melbourne, May 2013	C202
Shadow Controls, 555 Collins Street, Melbourne, February 2013	C216
Shed 21 Statement of Significance (206 Lorimer Street, Docklands), May 2022	C394melb
Shop and residence Statement of Significance (215-217 Swanston Street, Melbourne), April 2022	C387melb
Shop, cafe and office Statement of Significance (7-9 Elizabeth Street, Melbourne), April 2022	C387melb
Shops and dwellings Statement of Significance (201-207 Bourke Street, Melbourne), April 2022	C387melb
Shops and dwellings Statement of Significance (209-215 Bourke Street, Melbourne), April 2022	C387melb
Shops and offices Statement of Significance (359-363 Lonsdale Street, Melbourne), April 2022	C387melb
Shops, residence and former bank Statement of Significance (146-150 Bourke Street, Melbourne), April 2022	C387melb
Shops Statement of Significance (173-175 Bourke Street, Melbourne), April 2022	C387melb
Shops Statement of Significance (470-472 Little Lonsdale Street, Melbourne), April 2022	C387melb

Name of document	Introduced by:
Shop Statement of Significance (171 Bourke Street, Melbourne), April 2022	C387melb
Shop Statement of Significance (37 Little Collins Street, Melbourne), April 2022	C387melb
Shop Statement of Significance (215 Queen Street, Melbourne), April 2022	C387melb
Shrine of Remembrance Signage, July 2021	C388melb
Shrine of Remembrance Vista Control April 2014	C220
Simplot Australia head office, Kensington, October 2001	C52
Sky sign - 42 Clarendon Street, South Melbourne	NPS1
Southbank Statements of Significance, December 2020	C305melb
Southgate Redevelopment Project, 3 Southgate Avenue, Southbank, September 2021	C390melb
Spencer Street Station redevelopment, June 2013	C218
Sports and Entertainment Precinct, Melbourne, August 2007	C130
State Coronial Services Centre Redevelopment Project, August 2007	C130
State Netball and Hockey Centre, Brens Drive Royal Park, Parkville, May 2000 (Amended September 2018)	C341

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PLANNING SCHEME

Swanston Street North Precinct Statement of Significance, April 2022	C387melb
Swanston Street South Precinct Statement of Significance, April 2022	C387melb
Swiss Club of Victoria Statement of Significance (87-89 Flinders Lane, Melbourne), April 2022	C387melb
The Former Houston Building Statement of Significance (184-192 Queen Street, Melbourne), April 2022	C387melb
The Games Village Project, Parkville, September 2015	C281
The New Royal Children's Hospital Project, Parkville, October 2007	C128
The University of Melbourne Fishermans Bend Campus, August 2020	C371melb
The Waiters Restaurant Statement of Significance (20 Meyers Place, Melbourne), April 2022	C387melb
Tram Route 109 Disability Discrimination Act compliant Platform Tram Stops, August 2007	C130
Tramway Infrastructure Upgrades Incorporated Document, May 2017	GC68
Treasury Gate Statement of Significance (93-101 Spring Street, Melbourne), April 2022	C387melb
Turnverein Hall Statement of Significance (30-34 La Trobe Street, Melbourne), April 2022	C387melb
University of Melbourne Bio 21 Project Parkville, November 2018	C342melb
University of Melbourne, University Square Campus, Carlton, November 1999	C17
Veterinary and Agricultural Sciences Building Statement of Significance (The University of Melbourne, Parkville), March 2022	C396melb
Victoria Club Building Statement of Significance (131-141 Queen Street, Melbourne), April 2022	C387melb
Victoria Police Precinct, Sky Bridges 263 – 283 Spencer Street and 313 Spencer Street, Docklands Incorporated Document June 2018	C317
Visy Park Signage, 2012	C172

MELBOURNE PLANNING SCHEME

Name of document	Introduced by:
Wales Corner Statement of Significance (221-231 Collins Street, Melbourne), April 2022	C387melb
Warehouse Statement of significance (1-5 Coverlid Place, Melbourne), April 2022	C387melb
Warehouse statement of Significance (11-15 Duckboard Place, Melbourne), April 2022	C387melb
Warehouse Statement of Significance (353 Exhibition Street, Melbourne), April 2022	C387melb
Warehouse Statement of Significance (11A Highlander Lane, Melbourne), April 2022	C387melb
Warehouse Statement of Significance (26-32 King Street, Melbourne), April 2022	C387melb
Warehouse Statement of Significance (171-173 King Street, Melbourne), April 2022	C387melb
Warehouse Statement of Significance (34-36 Little La Trobe Street, Melbourne), April 2022	C387melb
Warehouse Statement of Significance (27-29 Little Lonsdale Street, Melbourne), April 2022	C387melb
Warehouse Statement of Significance (410-412 Lonsdale Street, Melbourne), April 2022	C387melb
Warehouse Statement of Significance (577-583 Little Collins Street, Melbourne), April 2022	C387melb
West Gate Tunnel Project Incorporated Document, December 2017	GC93
West Melbourne Heritage Review 2016: Statements of Significance February 2020 (Amended March 2022)	C396melb
Yarra Park Master Plan Implementation September 2010	C158
Young and Jackson's Hotel, Promotional Panel Sky sign, Melbourne, July 1999	C6

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