

Report to the Future Melbourne (Planning) Committee

Agenda item 6.5

Planning Scheme Amendment C376: Sustainable Building Design**15 September 2020****Presenter:** Emma Appleton, Director City Strategy**Purpose and background**

1. The purpose of this report is to present sustainable building design standards (the Standards) and recommend that the Future Melbourne Committee request authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C376 (refer Attachment 2). In addition, an alternative implementation pathway is recommended for the Standards through introduction of a Victorian Planning Provision with a local schedule (refer Attachment 3), and endorsement by the Future Melbourne Committee is sought to formally advocate to the Victorian Government to adopt a state-wide approach.
2. On 16 July 2019, Melbourne City Council declared a climate and biodiversity emergency, recognising that temperature rise above 1.5°C would cause major and irreversible damage to the city and its ecosystem. On 19 February 2020, the Future Melbourne Committee endorsed 10 priority actions in response to the climate and biodiversity emergency including supporting an accelerated pathway to zero emissions by 2040. Action 6.5 determined to: 'Mandate greening and zero emissions buildings through the Planning Scheme'.
3. Australia's emissions per capita are higher than any of its key trading partners. Domestically, Melbourne sits alongside Brisbane as the two highest emitting capital cities. Locally, buildings account for approximately two-thirds of municipal emissions. To reduce emissions in Melbourne, buildings need to be designed and built better, be more efficient and incorporate green infrastructure.
4. The Standards will apply to new buildings in the City of Melbourne as well as alterations and additions that meet a certain size threshold. The Standards cover environmentally sustainable design, energy, urban heat island, urban ecology, waste and resource recovery, water efficiency, stormwater management and for the central city and Docklands, sustainable transport.

Key issues

5. Currently the Melbourne Planning Scheme enables sustainable development through a local policy at Clause 22.19 Energy, Water, and Waste introduced in 2012. While sustainability outcomes are being negotiated successfully through the development planning process, with many developers seeing reputational and financial value in building to a high grade of sustainability, the current planning framework requires updating and expansion to achieve the baseline needed for Council to achieve its target of zero net emissions by 2040 and improve the city by increasing green cover and reducing emissions, water use, electricity consumption and the amount of waste going to landfill.
6. The development of the Standards included a business case, benchmarking the Standards and implementation pathways nationally and internationally, and independent testing of the Standards to ensure their technical deliverability and feasibility. An external advisory group, including members of industry peak bodies and government representatives, steered the work at key milestones. The Standards draw on industry accepted established rating tools (Green Star, NatHERS, NABERs and BESS) as well as the 'Green Factor' tool which has been developed by the City of Melbourne and successfully tested through a pilot program.
7. The Standards will be implemented through a new schedule to the Design and Development Overlay (DDO73) and changes to local policies. DDO73 includes minimum requirements, minimum mandatory requirements and preferred requirements. The minimum mandatory requirements present a next step to Council's current policy. The preferred requirements go further and provide a greater contribution towards Council's sustainability, greening and emissions goals.
8. City of Melbourne is a member of the Council Alliance for Sustainable Built Environments (CASBE). There is broad support for adoption of a state-wide approach to environmentally sustainable design for implementation efficiency, to achieve great impact in addressing climate change, and to enable consistency across local government areas, providing certainty and a level playing field for developers and investors. Investment at scale in sustainable building design could enable new industries and jobs.

Recommendation from management

9. That the Future Melbourne Committee:
 - 9.1. Seeks authorisation from the Minister for Planning to prepare and exhibit Melbourne Planning Scheme Amendment C376 Sustainable Building Design (Attachment 2).
 - 9.2. Requests that the Chief Executive Officer write to the Minister for Planning to request that he:
 - 9.2.1. introduce a state-wide planning provision to champion environmentally sustainable design, city greening and green infrastructure with a local schedule to enable mandatory requirements and allow tailoring by councils, attaching draft provision to assist (Attachment 3)
 - 9.2.2. work with the City of Melbourne and Council Alliance for Sustainable Built Environments councils to finalise and implement the state-wide provision, enabling local governments to localise their requirements in line with their Council's endorsed positions.
 - 9.3. Commends the development of the Green Factor tool, as a method to achieve and assess an urban ecology standard, and endorses its use through the Melbourne Planning Scheme.
 - 9.4. Authorises the General Manager Strategy, Planning and Climate Change to make any minor and editorial and referencing changes and as required to accord with the Victorian Government's planning policy framework translation to Melbourne Planning Scheme Amendment C376 (Attachment 2).

Attachments:

1. Supporting Attachment. (Page 3 of 156)
2. Proposed Amendment C376 Design and Development Overlay (Page 5 of 156)
3. Proposed State-Wide Provision with Local Schedule (Page 145 of 156)

Supporting Attachment

Legal

1. Divisions 1 and 2 of Part 3 of the *Planning and Environment Act* 1987 address planning scheme amendments and the recommendation in the report is consistent with the requirements.
2. It is mandated in the *Local Government Act* 2020 that in performing its role, Council must under section 9(2) of the Act:
 - 2.1. give priority to achieving the best outcomes for the municipal community, including future generations
 - 2.2. advance the economic, social and environmental sustainability of the municipal district which includes mitigating and planning for climate change risk.

Finance

3. The costs for preparing and progressing the planning scheme amendment include Planning Panels Victoria fees and expert fees which are included in the City Strategy 2020 - 2021 operating budget and barrister fees which are included in the Legal 2020 - 2021 operating budget.

Conflict of interest

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

Health and Safety

5. The Standards provide a roadmap for achieving homes and workplaces with greater sustainability which means a healthier, safer workplace with increased productivity which is supported by the experience of Council staff with those working in CH2, a six star green star building, benefitting greatly from the greenery, increased natural light and fresh air noting that the air in the building is regularly purged.

Stakeholder consultation

6. Consideration has been given to continuing to progress the amendment in the context of COVID-19, acknowledging the significant impacts that restrictions have had across the development sector. The recommendation in this report enables initiation of the amendment process in the context that the Standards will not come into effect for at least two years and require further favourable decisions from Council, with public health and the prevailing economic conditions able to be considered throughout the process.
7. It is anticipated that the formal exhibition of the amendment will commence in the first half of 2021 subject to authorisation being granted by the Minister for Planning. An extensive program of consultation will be undertaken including a series of information sessions targeted to key stakeholders especially in the construction industry. The outcomes of public exhibition will be the subject of a separate report to Future Melbourne Committee in Q1, 2021-2022.
8. Development of the amendment concept and the Standards has involved and benefited from engagement with the development community through an External Advisory Group established by Council, CASBE (Council Alliance for a Sustainable Built Environment), IMAP (Inner Metropolitan Action Plan), select peak industry bodies and academics. Engagement with these groups will continue when the amendment goes on exhibition.

Relation to Council policy

9. The amendment is consistent with Council policies, including:
 - 9.1. Urban Forest Strategy
 - 9.2. Future Melbourne – Eco City
 - 9.3. Climate Change Mitigation Strategy
 - 9.4. Climate Change Adaptation Strategy Refresh
 - 9.5. Emissions Reduction Plan
 - 9.6. Green Our City Strategy Action Plan
 - 9.7. Municipal Integrated Water Management Plan
 - 9.8. Nature in the City
 - 9.9. Transport Strategy
 - 9.10. Waste and Resource Recovery Strategy.

Environmental sustainability

10. The amendment is a direct and necessary response to the declared climate and biodiversity emergency and Council's commitment to zero carbon emissions by 2040.
11. Green Star has received overwhelmingly positive feedback on participation and certification through its program with members advising of their ability to create a better performing building, lower operating costs (energy costs and total lifecycle costs), improved occupant health and wellbeing and that 60 per cent of members estimate the payback period for Green Star is five years or less.
12. The urban ecology standard implements the Green Factor tool. The tool encourages a greater quantity and quality of green infrastructure be incorporated in building design by prompting applicants about green roofs and vertical greening. It effectively provides applicants with a range of options to meet the required level of green infrastructure. It's the first online tool of its kind in Australia and supports applicants as well as designers, architects, developers, builders and the community to consider and optimise inclusion of green infrastructure by being intuitive and educative.

MELBOURNE PLANNING SCHEME**AMENDMENT C376****EXPLANATORY REPORT****Who is the planning authority?**

This amendment has been prepared by the Melbourne City Council, the planning authority for this amendment.

Land affected by the Amendment

The amendment applies to all land in the municipality, excluding land located in a Road zone.

What the Amendment does

This amendment proposes to implement sustainability and green infrastructure policy into the Melbourne Planning Scheme, including a range of new mandatory and discretionary sustainable building design standards and requirements.

Specifically, the amendment proposes to:

- Amend the Municipal Strategic Statement (MSS) by making changes to Clauses: 21.02 – Municipal Profile; 21.04 – Settlement; 21.05 – Environment and Landscape Values; 21.06 – Built Environment and Heritage; and 21.17 Reference Documents to ensure alignment between the Local Planning Policy Framework and the purpose of the amendment.
- Delete Local Policies: Clause 22.19 Energy Water and Waste Efficiency and Clause 22.23 Stormwater Management (Water Sensitive Urban Design).
- Insert Schedule 73 to Clause 43.02 (Design and Development Overlay – Sustainable Building Design) to include provisions for:
 - environmentally sustainable design
 - energy efficiency and renewables
 - waste and resource recovery
 - urban heat island response
 - urban ecology
 - integrated water management.
- Amend Schedules 1, 2, 3, 4 and 5 to Clause 37.04 (Capital City Zone) and Schedules 1, 2, 3, 5 and 6 to Clause 37.05 (Docklands Zone).to include provisions for:
 - bicycle, motorcycle and car share parking
 - electric vehicle infrastructure
 - the design of car parking facilities and
 - the retention of car parking spaces as common property.
- Amendment Schedule to Clause 72.04 (Incorporated Documents) to include the Guidelines for Waste and Resource Recovery Management Plans.

Strategic assessment of the amendment**Why is the amendment required?**

On 16 July 2019, the City of Melbourne declared a climate and biodiversity emergency, recognising that a temperature rise above 1.5 °C would cause major and irreversible damage to the City and its

ecosystem. In response to the climate and biodiversity emergency, City of Melbourne has made a number of commitments including reaching zero net emissions by 2040 and mandating greening and zero emission buildings through the Planning Scheme.

Currently the Melbourne Planning Scheme enables sustainable development through a local policy at Clause 22.19 which was introduced in 2012. While sustainability outcomes are being negotiated through the development application process, the current planning framework requires updating to achieve the baseline needed for Council to reach its target of zero net emissions by 2040, to improve biodiversity and reduce the urban heat island, to manage water effectively, and reduce the amount of waste going to landfill.

The Amendment is required to introduce new sustainable building design standards into the Planning Scheme and will apply to new buildings as well as alterations and additions that meet a specified size threshold. The standards cover environmentally sustainable design, energy efficiency and renewables, waste and resource recovery, urban heat island response, urban ecology, integrated water management and for the central city and Docklands, sustainable transport. The standards draw on industry accepted established rating tools (Green Star, NatHERS, NABERs and BESS) as well as the 'Green Factor' tool which has been developed by the City of Melbourne.

The Amendment will introduce minimum requirements, minimum mandatory requirements and preferred requirements. The preferred requirements provide a greater contribution towards Council's sustainability, greening and emissions goals.

Sustainable building design is the basis of all Future Melbourne goals. It requires current generations to choose how they meet their needs without compromising the ability of future generations to be able to do the same. The City of Melbourne owns and controls less than one third of the city's land area, with the majority of the municipality in private ownership or other government ownership. In terms of built form, City of Melbourne owns 1.3 per cent of the buildings in the municipality (279 out of a total of 22152). The private realm is therefore a critical contributor to any overarching municipal goals or targets. While the City, in partnership with other public entities, can drive change on public land, the planning system remains a key tool in facilitating changed practices on private land.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives in section 4 of the *Planning and Environment Act 1987* (the Act), in particular:

- (a) *to provide for the fair, orderly, economic and sustainable use, and development of land;*
- (b) *to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- (c) *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- (f) *to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e); and*
- (g) *to balance the present and future interests of all Victorians.*

The amendment implements these objectives by introducing updated standards and requirements for sustainable building design into the Melbourne Planning Scheme.

How does the amendment address any environmental, social, and economic effects?

Environmental Effects

The amendment is a direct and necessary response to the declared climate and biodiversity emergency and Council's commitment to zero carbon emissions by 2040 which is broadly in line with global targets ratified through the Paris Agreement to limit global heating to 1.5 degrees.

Australia's emissions per capita are higher than any of its key trading partners. Domestically, Melbourne sits alongside Brisbane as the two highest emitting capital cities. Locally, buildings account for approximately two-thirds of municipal emissions. To reduce emissions in Melbourne, buildings need to be designed and built, be more sustainable.

The amendment will have positive environmental effects in promoting energy efficiency and renewables, waste limitation and resource recovery, reducing the urban heat island effect,

enhancement of urban ecology, water efficiency, stormwater management and use of sustainable transport.

Social Effects

Ensuring that the planning system delivers climate responsive policy is critical to the City of Melbourne's social future. Green Star has received overwhelmingly positive feedback on improved occupant health and wellbeing.

Economic Effects

Ensuring that the planning system delivers climate responsive policy is critical to the City of Melbourne's economic future. Green Star has received overwhelmingly positive feedback on participation and certification through its program with members advising of their ability to create a better performing building, lower operating costs (energy costs and total lifecycle costs) and that 60% of members estimate the payback period for Green Star is 5 years or less.

Potential economic benefits of mitigating and adapting to climate change include:

- Reduced cost of responding to climate change.
- Reduced monetary costs associated with flooding.
- Reduced cost to the community due to hot weather.

Delaying action means locking in emissions intensive buildings rather than using the most energy efficient designs and models. A five year delay in implementing opportunities in buildings could lead to \$24 billion in unnecessary energy costs and over 170 megatonnes of lost emission reduction opportunities.

Does the amendment address relevant bushfire risk?

The amendment affects land within inner metropolitan Melbourne which is not a bushfire prone area.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* as identified at Section 7 (5) of the *Planning and Environment Act 1987*.

The amendment supports *Ministerial Direction No.9 – Metropolitan Strategy* which requires a Planning Authority to have regard to the Metropolitan Strategy (*Plan Melbourne 2017-2050*). The amendment is consistent with the following directions of *Plan Melbourne*:

- Direction 5.2 Create neighbourhoods that support safe communities and healthy lifestyles
- Direction 5.4 Deliver local parks and green neighbourhoods in collaboration with communities
- Direction 6.1 Transition to a low-carbon city to enable Victoria to achieve its target of zero greenhouse gas emissions by 2050
- Direction 6.2 Reduce the likelihood and consequences of natural hazard events and adapt to climate change
- Direction 6.3 Integrate urban development and water cycle management to support a resilient and liveable city
- Direction 6.4 Make Melbourne cooler and greener
- Direction 6.5 Protect and restore natural habitats
- Direction 6.6 Improve air quality and reduce the impact of excessive noise
- Direction 6.7 Reduce waste and improve waste management and resource recovery

The amendment is also consistent with Minister's Direction No. 11 – Strategic Assessment of amendments.

How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?

The amendment supports and implements State Planning Policy Framework in responding to the following clauses:

Clause 12.01-1S Protection of biodiversity

To assist the protection and conservation of Victoria's biodiversity.

Clause 13.01-1S Natural hazards and climate change

To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

Clause 13.03-1S Floodplain management

To assist in the protection of Life, property and community infrastructure from flood hazard.

Clause 13.06-1S Air quality management

To assist in the protection and improvement of air quality

Clause 15.01-1S Urban design

To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Clause 15.01-1R Urban design – Metropolitan Melbourne

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

Clause 15.01-2S Building design

To achieve building design outcomes that contribute positively to the local context and enhance the public realm

Clause 15.01-4S Healthy neighbourhoods

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

Clause 15.02-1S Energy and resource efficiency

To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions

Clause 18.02-1S Sustainable personal transport

To promote the use of sustainable personal transport.

Clause 19.01-2S Renewable energy

To promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met.

Clause 19.03-3S Integrated water management

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

Clause 19.03-5S Waste and resource recovery

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

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment is consistent with and facilitates the following clauses of the Local Planning Policy Framework and the Municipal Strategic Statement:

Clause 21.05-1 Biodiversity

To protect and enhance the City's habitats and biodiversity

Encourage the use of indigenous vegetation in open spaces and roof top greening

Encourage revegetation with predominantly indigenous species.

Create and enhance bio-links for native flora and fauna.

Clause 21.05-2 Significant environments and landscapes

To improve water quality in waterways and the bay

Ensure residential, commercial and industrial development adopts a best practice approach to stormwater treatment and management.

Encourage new developments to minimise stormwater run-off by reusing rainwater and recycling wastewater.

Clause 21.06-3 Sustainable development

To create an environmentally sustainable urban environment with reduced greenhouse emissions

Ensure that new buildings and new public spaces are environmentally sustainable.

Promote innovative environmentally sustainable development.

To make the built environment resilient to heatwaves, water shortages, extreme storm events and sea level rise.

Design new buildings, streets and public open spaces to minimise their contribution to the urban heat island effect and to contribute to urban cooling.

Ensure that new development incorporates water sensitive urban design features including stormwater harvesting and flow attenuation, and water recycling and reuse.

Ensure that flood risk by stormwater surges, waterway flooding and sea level rise is mitigated and managed.

To encourage efficient resource use and waste reduction in the City.

Encourage all new development to maximise water efficiency.

Encourage provision of purpose built storage for recyclable waste, in all development.

To encourage environmentally sustainable building design innovation

Design all new developments to maximise the use of passive systems to achieve comfortable indoor conditions.

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

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

Clause 21.10-1 Renewable energy and efficient water use

To develop integrated precinct utilities to reduce greenhouse gas emissions and increase resilience to climate change.

Encourage precinct wide integrated water management systems including water sourced from tri-generation power systems.

Encourage precinct wide integrated tri-generation systems to distribute power, heating, cooling and water

Clause 21.10-2 To maintain, enhance and increase Melbourne's public open space network and promote greening of the City.

Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions (VPP) by applying a new schedule to the Design and Development Overlay to require high quality environmentally sustainable buildings across the City of Melbourne, amending various Capital City Zone and Dockland Zone schedule to introduce sustainable transport requirements and updating the relevant local policy provisions to ensure alignment between the Local Planning Policy Framework and the purpose of the Amendment.

How does the Amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the public exhibition of the amendment.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The City of Melbourne is an interface body under the Transport Integration Act 2010. It is required to have regard to transport system objectives and decision-making principles when making decisions that have a significant impact on the transport system.

The amendment introduces sustainable transport provisions into several Capital City Zone and Docklands Zone schedules to require: bicycle, motorcycle and car share parking; electric vehicle infrastructure; and provisions relating to the design of car parking facilities and the retention of car parking spaces as common property

The design and provision of transport related infrastructure within individual buildings will create significant opportunities for sustainable transport choices.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment may contribute to a minor increase in the number of planning permit applications on an annual basis.

This increase can be accommodated within the existing resources. Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

Melbourne City Council
Town Hall Administration Building
Ground Floor, 120 Swanston Street, Melbourne

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

21.02
05/10/2018
Proposed
C376
GC84

MUNICIPAL PROFILE

21.02-1

Context and history

12/09/2013
C162

Melbourne is Victoria's capital city and at its heart is the City of Melbourne. The Municipality is the location for many of the State's premier economic and cultural infrastructure and for a wide diversity of uses 24 hours a day, 7 days a week including office and commercial, cultural, leisure, entertainment, research, educational and residential uses. The City is the venue for many major events and festivals attracting visitors from the metropolitan area, Victoria, interstate and globally.

The City of Melbourne is on the Yarra River Estuary where the Yarra and Maribyrnong Rivers and Moonee Ponds Creek meet Port Phillip Bay. Five inner city municipalities and the Port of Melbourne surround the municipality. The Port is under the planning jurisdiction of the Port of Melbourne Corporation. Places Victoria administers the Docklands development area.

For 30,000 to 40,000 years before the arrival of European settlers, the indigenous peoples occupied the area. For the hunter-gatherers from the Wurundjeri, Boonwurrung and Wathaurong tribes of the Kulin nation alliance it was an important meeting place and source of food and water.

Permanent European settlement began in 1835. The surveyor Robert Hoddle laid out the City of Melbourne between 1837 and 1851. Over the next 20 years, the early city developed its key features: the orderly grid and hierarchy of streets, lanes and arcades (the Hoddle Grid); the intricate subdivision pattern; the main boulevards radiating to the northwest, north, east and south; the parks and gardens that ring the City; and the government and public buildings.

The Hoddle Grid developed as a dense and heterogeneous cityscape with a regular and legible pattern of streets and public spaces. On the hills at the east and west ends of the grid there are high-rise commercial precincts. The gully spanning Swanston and Elizabeth Streets has a lower building scale. It has predominantly retail, cafes, restaurants, and professional services, and attracts very high pedestrian activity. In the 1980s, the central city development expanded across the river into Southbank's redundant industrial precincts and made the Yarra River an important focus of the Central City.

In the 1990s, apartment developments in the Hoddle Grid and Southbank began the Central City's revival as a place to live as well as work. About 83 per cent of municipality's housing stock is now units or apartments compared to detached houses and townhouses.

Around 2000 the Central City expanded again with the urban renewal of redundant port land in Docklands. Around this harbour setting high-density commercial and residential buildings were developed. This significantly expanded the Central City's waterfront aspect. Today the Central City encompasses the Hoddle Grid, Southbank and Docklands.

The City's assets include its historic precincts, streetscapes and buildings, the public spaces and activities along the Yarra River corridor including the Sports and Entertainment Precinct, Southbank cultural precinct and river promenade, its ring of parks and gardens, well established, diverse and easily accessible business districts, and its attractive residential areas. The City's laneways and arcades are one of the most iconic elements of the City's character, its social and cultural life and local economy. [

One of the great Victorian-era cities in the world, the City contains many precincts, intact streetscapes and buildings recognised for their cultural heritage significance. While mostly known for its Victorian and Edwardian streetscapes, there are many examples of outstanding interwar, post war and contemporary architecture in the municipality.

21.02-2 Melbourne's growth

12/09/2013
C162

The MSS envisages the continued intensive growth in the municipality. The residential population of 53,200 in 2001 has grown by 85 per cent to 98,200 in 2011. By 2030, this could reach 177,000 people. (ABS and COM City User forecasts).

The daily visitor population is also growing with the 705,000 workers, students and visitors now coming into the Municipality each day, expected to exceed one million by 2030. (COM City User forecasts)

The City is a national and international tourist destination and the State's entertainment and celebration capital, regularly drawing crowds from metropolitan Melbourne, regional Victoria and beyond. In 2011, there were approximately 73,000 daily tourist visitors to the municipality. By 2020, around 84,000 national and international visitors are expected. (COM City User forecasts) The numerous large sports and entertainment venues, convention facilities and cultural facilities draw visitors to the city.

21.02-3 People City

12/09/2013
C162

The City of Melbourne has a young population with the median age of residents being 33 years. There is a much greater proportion of people aged 12-25, and a smaller proportion of children under 12 years compared to the metropolitan region. (ID Consulting 2011)

The City has a smaller population of older residents. By 2030 however, the number of city residents aged over 55 years could increase by 90 per cent to over 25,000. Couple households without children have increased 63 per cent from 4,400 to 7,200 between 2001 and 2006. (ID Consulting 2011)

The City is ethnically and culturally diverse. This diversity is made up of people from 140 different ethnic communities. Approximately 57 per cent of the population were born overseas and about 48 per cent of households speak a language other than English compared to 36 per cent and 32 per cent respectively for the rest of Melbourne. (ID Consulting 2011)

21.02-4 Creative City

12/09/2013
C162

Melbourne is a national and international leader in creative endeavours such as music, performing and visual arts; film, television and radio; writing, publishing and print media; design and architecture; software and electronic gaming, web and multimedia development; and advertising and marketing.

Along the Sturt Street spine there is a cluster of many of Australia's premier cultural institutions extending from Federation Square to the Arts Centre to the Malthouse Theatre. The North Melbourne Arts precinct is the other main arts cluster. The municipality's rich cultural life contributes to the City's liveability, capacity for innovation, competitiveness and reputation as a creative city. The City has also expanded rapidly as an entertainment and cultural centre with over 1,100 cafés and restaurants in the central business district area alone and a multitude of entertainment, cultural and dining venues in its inner suburbs. (CLUE 2010 Small Area Report: Melbourne (CBD))

Other City cultural assets include the Shrine of Remembrance and Royal Botanic Gardens, the Royal Exhibition Building and the surrounding Carlton Gardens, the Melbourne General Cemetery, the Melbourne Zoological Gardens and Sidney Myer Music Bowl.

21.02-5 Prosperous City

05/10/2018
GC81

Metropolitan Melbourne is a global city. Along with Sydney and Brisbane, it is a key hub in Australia's eastern seaboard economic region and gateway of trade, commerce and culture linking into the world economy.

In 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. The Central City has grown at 3.7 per cent since 2001 and by 2011, 319,000 workers were employed there. (SGS 2011, Employment Forecasts)

With Greater Melbourne's largest concentration of government and advanced business services, the City makes a substantial contribution to Victoria's prosperity. In 2008 the City of Melbourne occupied 0.4 per cent of the land area in the Melbourne Statistical Division but its gross local product (GSP), at an estimated at \$56,824 million, was approximately 20.5% of Victoria's GSP and 25.8% of the GSP of the Melbourne Statistical Division. Melbourne's community also extends overseas with a large ex-pat community based overseas further extending the global business connection. (Economy ID 2012, Economic Profile)

The Central City is the State's main retail centre

The Retail Core in the Hoddle Grid's is Victoria's largest retail centre with about 526,000 square metres of retail floor space and an annual turnover of around \$2.18 billion. (City Research, CLUE 2010)

The City has a traditional manufacturing and industry base with over 5,990,000 square metres of floor space in the municipality used for industrial purposes. (City Research, CLUE 2010) In recent times, there has been substantial change in the manufacturing sector with many manufacturing uses in the inner City areas relocating to areas on the periphery of Melbourne or offshore. In the Fishermans Bend Employment Precinct which is one of Victoria's National Employment and Innovation Clusters (NEIC), the City has a vibrant industrial area with head offices of leading manufacturers and nationally important clusters in aviation and aerospace and defence. There is also an ongoing need for industrial uses that service the other activities in the City, the construction sector and for management of waste.

21.02-6

Knowledge City

12/09/2013
C162

Melbourne is home to the University of Melbourne and RMIT University, the city campuses of four other universities, TAFE institutes and colleges as well as a number of private institutions. The linkages of these tertiary institutions with industry, business and hospitals provide a strong foundation for Melbourne's future growth and success in the global economy. Research and learning institutions in the City are crucial to the State's education and innovation economy and the global standing of metropolitan Melbourne as a knowledge city.

Melbourne hosts excellent research institutions in Bioscience and one of Victoria's greatest strengths is the co-location of key education, hospitals, research institutes and industry in the Parkville and Alfred Hospital precincts.

Melbourne is one of the world's leading student cities. The municipality's student population increased 41 per cent from 22,005 to 30,937 between 2001 and 2006. Students now comprise 38 per cent of the resident population and about half are enrolled from overseas. (City Research (2008) ABS Census 2001 to 2006)

21.02-7

Eco-City

12/09/2013
Proposed
C376
C162

Metropolitan Melbourne has a far-reaching ecological footprint reflecting increasingly unsustainable trends of resources consumption, waste generation and greenhouse gas emissions.

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 of Melbourne is one of the most compact, dense and mixed use part of the metropolitan area with the richest network of public transport services and generous reservations of public open space. These characteristics have intrinsic efficiencies and synergies and offer significant potential to drive down per capita energy use for building and transport services, ~~to make the City robust against the predicted impacts of climate change particularly water scarcity and heatwaves.~~

In planning for climate change, the City of Melbourne will:

- Require mitigation measures through increased energy efficiency in the built environment 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
- Support efficient waste management and resource recovery practices
- Encourage precinct based responses to energy, water and waste in recognition of the increased opportunities in urban renewal areas

21.02-8

12/09/2013
C162

Connected City

The Sydney-Melbourne air route is the fourth busiest in the world. Fast daily passenger transport between the capital city centres is essential for Melbourne's business and tourist connections globally and regionally.

The municipality is the hub of the state, regional and metropolitan road, rail, bus, and tram networks. Effective and efficient mobility is essential for the liveability, creativity, prosperity, innovation and environmental sustainability of the metropolitan region and the municipality. The private car is reaching its limits as an effective mode of mass transit for commuting and reliance on rail, tram and bus is increasing for this task.

Bicycle and motorised bikes/scooter have been growing as a mode. They are efficient users of road space and competitive with cars for trips times. These modes can replace some trips within 10km of the city centre currently taken by car and public transport.

A high quality and comprehensive pedestrian network underpins an effective public transport services. It gathers and distributes passengers, safely and conveniently to their final destinations.

The Port of Melbourne is a key hub for Australia's international trade and freight. The Port handled \$58 billion of trade in 2008-2009 with a direct contribution to the Victorian economy of \$2.7 billion. It is the largest container, and one of the largest general cargo ports in Australia, handling 36 per cent of the nation's container trade. (PWC 2010, Economic Impact of PoM) Container freight will grow in the next two decades and the Melbourne International Freight Terminal is being developed in the Dynon Road Precinct to meet the growth and ensure efficient freight transfer and distribution by road and rail.

21.04

05/10/2018

~~Proposed C376
G684~~**21.04-1**

23/10/2017

~~Proposed C376
C190(Part 4)~~**SETTLEMENT****Growth Area Framework**

As the municipality continues to grow and develop, the culture and functioning of the City in twenty years time will be very different from today. However, through these changes the characteristics of the city we value today must be retained.

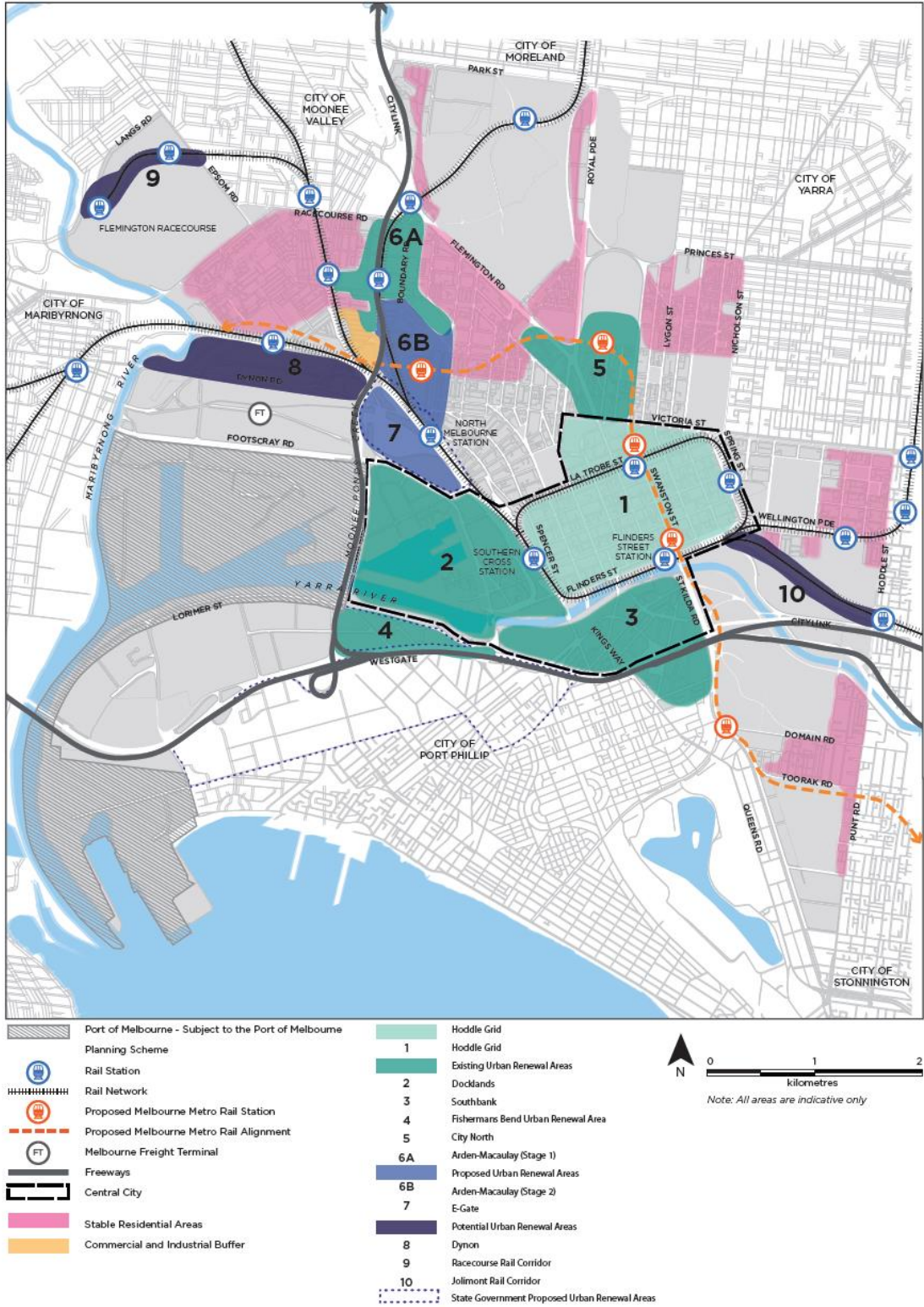
This can be achieved by: targeting urban growth and development into specific areas of the City; enabling ongoing but incremental growth and development in those parts of the City needing constant renewal of their vitality, and by maintaining the existing character in valued established areas.

The focus of this MSS is on promoting areas of growth and protecting areas of stability. Areas of ongoing and incremental growth will continue to be regulated under the current planning scheme controls. The MSS identifies five types of areas:

- The original city centre (the Hoddle Grid)
- Urban renewal areas
- Proposed urban renewal areas
- Potential urban renewal areas
- Stable residential areas

The Growth Area Framework Plan at Figure 1 identifies these areas.

Figure 1 Growth Area Framework Plan



21.04-1.1 The original city centre – the Hoddle Grid

Central City functions will be located in the Hoddle Grid. This area will be managed to facilitate continued growth where appropriate and limit change or the scale of development in identified locations to preserve valued characteristics. A strong emphasis will be placed on a quality public realm and good pedestrian amenity and connectivity.

21.04-1.2 Urban renewal areas

The urban renewal areas are Southbank, Docklands and the Fishermans Bend Urban Renewal Area. These areas have been planned and designed to provide for the expansion of the Central City in optimal living and working environments with a new mix of uses, higher density of development and excellent provision for walking, cycling and public transport services. Here change is guided by well-developed structure plans and master plans adopted by State Government and Council.

~~The design of the buildings, streets, public open spaces should be integrated over whole precincts with provision of utilities services to minimise the precinct's greenhouse gas emissions, optimise water management, mitigate the effects of extreme storm events, reduce the urban heat island and take precautions against sea level rise.~~

Southbank

Starting in the early 1980s as an "Engaging with the Yarra River Initiative", Southbank has been under urban renewal for close to 30 years. It has now brought the Yarra River into the heart of the city's life and provided a dynamic extension of the Central City with good commercial and residential high-density development opportunities.

Southbank is home to the State's major arts facilities as part of its the internationally recognised Arts Precinct and other major activity areas including the Southbank Promenade, Melbourne Convention and Exhibition Centre and the South Wharf complex.

The Southbank Structure Plan 2010 was prepared to update the 1999 and 2007 plans. It provides a vision and strategy for the next 30 years for the area's continued development as an extension of the central city, with a high-density mix of commercial and residential uses, a built form of a human scale and fine grain detail, greater permeability, activity and pedestrian priority at street level.

Docklands

Once one of Victoria's main ports, by the 1990s it was an industrial wasteland. Around 2000 Docklands urban renewal began its transformation into a new residential, commercial and visitor destination providing housing, office, industry, research, institutional, business, education, entertainment/leisure, marina and sporting uses and public spaces. Docklands is an extension of the Central City and it is intended that leisure-related retailing complementary to retailing in the Retail Core is also be provided.

Together, Places Victoria, the City of Melbourne and the Docklands community have been assessing the first decade of development and planning for the second. Where the first decade focussed on creating buildings and attracting investment, the second decade is now being planned to be a place where people want to work, live and visit with a diversity of businesses, activities, residents, public spaces and community infrastructure.

Fishermans Bend Urban Renewal Area

The area measuring over 480 hectares includes four mixed use precincts which form part of the expanded Central City. The four mixed use precincts have been declared as a project of State significance and rezoned as part of an expansion to the Capital City Zone. One of these mixed-use precincts is the Lorimer precinct, and is within the City of Melbourne.

This rezoning expands the Capital City Zone by more than 50 per cent and is expected to accommodate jobs and residents within the four mixed use precincts.

The urban renewal area is also within the City of Port Phillip municipality. The area adjoins the Docklands and Southbank existing urban renewal areas.

City North

City North is identified for proposed renewal given its existing role as a specialised activity centre, the proposed Parkville Station as part of the Melbourne Metro project and its proximity as an extension of the Central City. The City North Structure Plan 2012 has been adopted by the City of Melbourne and has been implemented into the planning scheme via a planning scheme amendment.

Arden-Macaulay

Arden-Macaulay is an area in transition. Since the 1880's, Arden-Macaulay has been primarily an industrial area supporting the city's economy through manufacturing and production. The profile of business activity in the area has been changing with some degree of land under utilisation given its potential in relation to its proximity to the central City.

The Melbourne Metro station project to be located between Citylink and Laurens Street will lead to major change east of the Moonee Ponds Creek.

The Arden-Macaulay Structure Plan 2012 has been prepared and adopted by the City of Melbourne and will be implemented into the planning scheme via a planning scheme amendment. The directions of this plan for this local area are still to be inserted into the planning scheme.

Planning controls address the interface between on-going industrial and residential areas, and the interface between new development and existing residential areas and large manufacturing industry will be protected from sensitive uses by a land use buffer of non-residential development and/ or non-sensitive land uses (depicted within Figure 11 as "Commercial and Industrial Buffer"). The planning controls are being introduced in two stages (Stage 1 shown as Area 6A and Stage 2 shown as Area 6B on the Growth Framework Plan).

21.04-1.3 Proposed Urban Renewal Areas

The Proposed Urban Renewal Areas have been broadly identified as the locations for the next generation of the city's urban renewal. Once the structure plans for each of these areas are incorporated into the planning scheme the plan for the relevant local area will be updated with new objectives and strategies and the Growth Area Framework Plan will be updated to show the areas as 'Existing Urban Renewal Areas'.

Until the objectives and strategies of approved structure plans are approved and implemented via a planning scheme amendment the existing local area policies for the area will apply.

E-Gate

This land is mostly railway reserve in State Government ownership and it adjoins the Docklands and Arden Macaulay urban renewal areas. State Government is developing plans for its urban renewal area and these plans being implemented into the planning scheme via a planning scheme amendment. The directions of this plan for this local area are still to be inserted into the planning scheme.

21.04-1.4 Potential Urban Renewal Areas

The Potential Urban Renewal Areas have been identified as long term options for future urban renewal that are dependant on the resolution of other related infrastructure planning before they can be considered in detail for urban renewal.

Dynon

This area accommodates mainly freight and some industrial activities. In the longer term, these activities will be reconfigured and rationalised within the area. This will be done in conjunction with the planning and development of the Port of Melbourne and the Melbourne Intermodal Freight Terminal serving the port south of Dynon Road.

The rationalisation and modernisation of the freight functions in the precinct will open up the potential for the renewal of the northern section of this area. Any urban renewal of this area should not constrain the operations of the port freight terminal to the south. The State Government in conjunction with the City will undertake the planning for this area.

Racecourse Rail Corridor

The Racecourse Rail Corridor between the Flemington Racecourse and the Showgrounds has potential similar to the Jolimont Rail Corridor. The area's potential for urban renewal will depend on future options of a rail service to the area.

Jolimont Rail Corridor

The Jolimont rail corridor runs through the middle of the Sports and Entertainment precinct. The Federation Square development was the first step in the urban renewal of this corridor. As inner and central city locations have become more highly valued, development over transport corridors will become increasingly attractive not only for the development space they can yield but also for the opportunity to connect adjacent parts of the city that have been separated.

21.04-1.5 Stable Residential Areas

These residential areas are valued for their existing character and the important contribution this makes to the city. In these areas limited change such as in-fill development and alterations and additions, will continue to occur so that new land use or development fits in with the existing valued character.

21.04-2

23/10/2017
C190(Part 1)

Growth

Objective 1 To provide for the anticipated growth in the municipality over the next 20 years.

- Strategy 1.1 Retain the Hoddle Grid area as the core of the Central City and plan for its ongoing change and growth.
- Strategy 1.2 Direct new urban growth into the Docklands and Southbank Urban Renewal Areas.
- Strategy 1.3 Plan and design Urban Renewal areas to provide optimal living and working environments, to be energy, water and waste efficient and adapted to predicted climate change.
- Strategy 1.4 Plan identified Urban Renewal Areas, and define their exact extent, through structure planning for the local area.
- Strategy 1.5 Ensure new development in Urban Renewal Areas does not compromise the preferred future renewal of the area.
- Strategy 1.6 In the longer term, consider sites of Potential Urban Renewal at Dynon Road, the Jolimont Rail Corridor, the Racecourse Rail Corridor. Urban renewal of these areas will be dependant on the resolution of other related infrastructure planning.

Objective 2 To direct growth to identified areas.

- Strategy 2.1 Support the ongoing development of the Hoddle Grid.
- Strategy 2.2 Support ongoing urban renewal and Central City expansion in:
 - Southbank
 - Docklands
 - Fishermans Bend Urban Renewal Area
 - City North
 - Arden-Macaulay
- Strategy 2.3 Plan for urban renewal in:
 - E-Gate

Strategy 2.4 Consider potential for urban renewal in:

- Dynon
- Jolimont Rail Corridor
- Racecourse Rail Corridor

Strategy 2.5 Develop Structure Plans to guide the local detail of urban renewal.

21.04-3

29/01/2015

c225

Implementation

Update structure plans for the existing urban renewal areas and implement structure plans into the planning scheme for proposed urban renewal areas.

21.05 ENVIRONMENT, WATERWAYS AND LANDSCAPE VALUES

12/09/2013
Proposed
C376
C462

Land use and development activities in the municipality can undermine the health and biodiversity of its flora and fauna ecologies. Protect the open spaces and the waterways that support those systems.

The quality of the city's waterways is vitally important to the municipality's recreational attractiveness and the health of its aquatic life. The city's parks, gardens, and aquatic environments have several sites with important indigenous flora and fauna habitat.

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.

21.05-1 Biodiversity

12/09/2013
Proposed
C376
C462

- Objective 1** **To protect and enhance the City's habitats and biodiversity.**
- Strategy 1.1 Encourage the retention of native and mature canopy vegetation in the development of sites and enhance indigenous and remnant vegetation areas in the City including in parks and gardens and waterways.
- Strategy 1.2 Encourage the use of indigenous vegetation in the delivery of open spaces and roof-top greening and green cover for buildings.
- Strategy 1.3 Minimise the impacts of introduced flora and fauna on indigenous vegetation.
- Strategy 1.4 Encourage revegetation with predominantly indigenous species.
- Strategy 1.5 Create and enhance bio-links vegetation links to increase the resilience of ~~for~~ native flora and fauna
- Strategy 1.6 Adopt an integrated water management approach to the delivery of water to support green cover for buildings.
- Strategy 1.7 Consider future climate conditions when determining appropriate vegetation species.
- Strategy 1.8 Ensure green cover for buildings supports the creation of complex and biodiverse ecosystems and provides a layered approach, incorporating both understorey and canopy planting.

21.05-2 Significant environments, waterways and landscapes

12/09/2013
Proposed

- Objective 1** **To enhance the environmental value of Melbourne's parklands waterways and other open spaces.**
- Strategy 1.1 Protect and enhance the vegetation, biodiversity, habitat, amenity and attractiveness of the city's parklands, the Yarra and Maribyrnong Rivers and the Moonee Ponds Creek.
- Strategy 1.2 Ensure open space links along waterways provide for recreational and environmental functions.
- Strategy 1.3 Support design treatments on public and private land that enhance or restore natural systems.
- Objective 2** **To improve the quality of stormwater and reduce the flow of water discharge to water quality in waterways and the bay through Water Sensitive Urban Design.**
- Strategy 2.1 Ensure residential, commercial and industrial development adopts a best practice approach to stormwater treatment and management by using tools such as Melbourne Water's STORM Calculator, Model for Urban Stormwater Improvement Conceptualisation (MUSIC) and achieving the best practice water quality performance

objectives as set out in the Urban Stormwater Best Practice Environmental Guidelines (CSIRO, 1999).

Strategy 2.2

Encourage new developments to ~~minimise stormwater run-off by collect and reuse~~ing rainwater and ~~stormwater on site, use vegetated swales and buffer strips, rain gardens, install water recycling systems, direct the flow from impervious ground surfaces to landscaped areas and for manufacturing sites to have multiple uses for water within a single site~~recycling wastewater.

Strategy 2.3

Encourage measures to prevent litter being carried off-site in stormwater flows including from waste enclosures and storage bins

Strategy 2.4

Encourage the incorporation of vegetation on buildings, to manage the quality and quantity of stormwater

Strategy 2.5

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

21.06

30/07/2015

~~C249~~
Proposed
C376

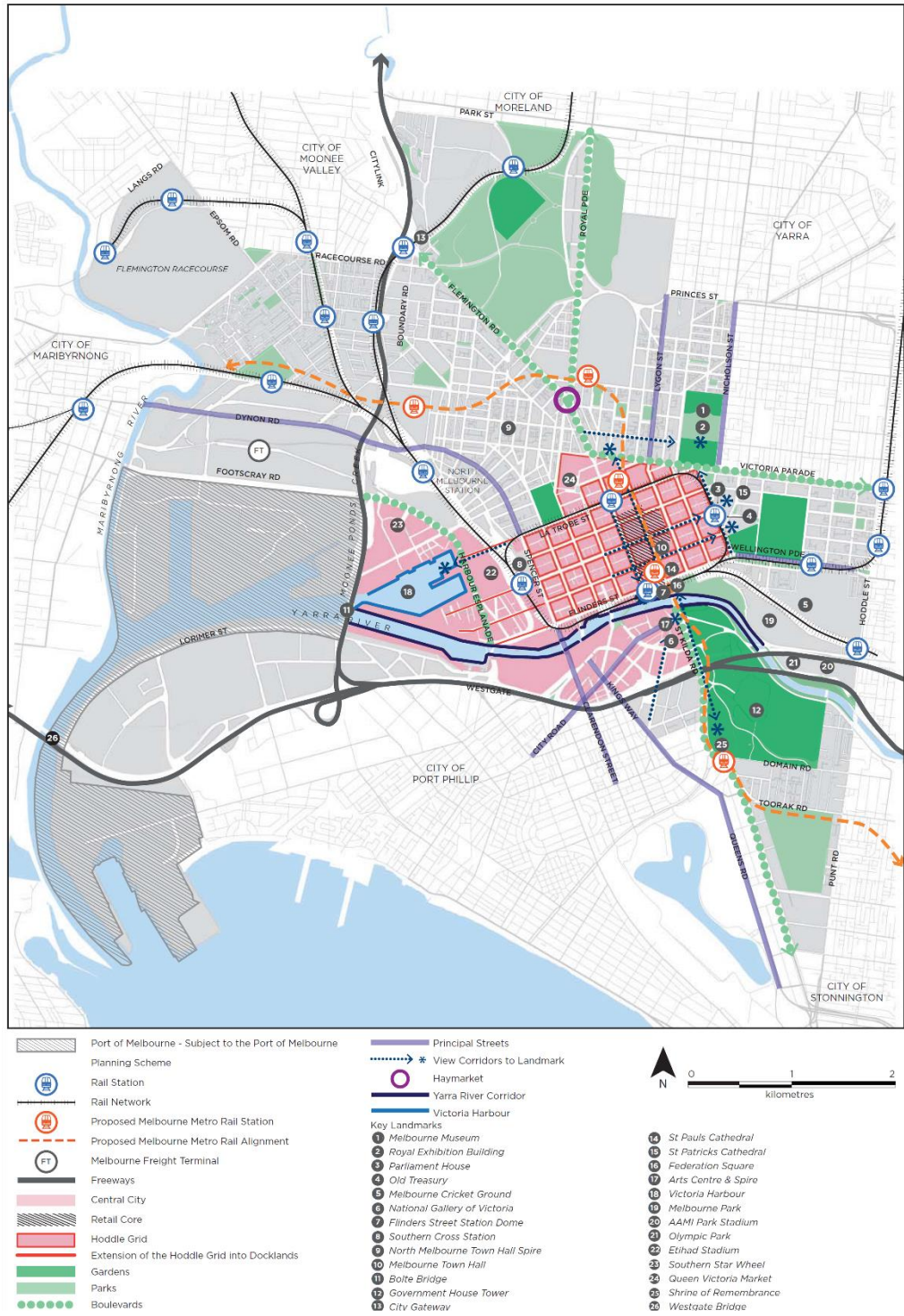
BUILT ENVIRONMENT AND HERITAGE

Melbourne's character is defined by its distinctive urban structure, historic street pattern, boulevards and parks, heritage precincts, and individually significant heritage buildings. Heritage buildings, precincts and streetscapes are a large part of Melbourne's attraction and the conservation of identified heritage places from the impact of development is crucial.

The buildings in the private realm should be coordinated with the development of the streets, paths, parks and places in the public realm. Development must add positively to Melbourne's public realm and contribute to making it safe and engaging for users. Public and private-open spaces should be able to support a range of uses including physical movement, communal exercising, social interaction, quiet enjoyment and connections to the natural environment.

The City of Melbourne seeks to ensure new buildings support the transition to zero emissions by 2040 and allow the City to become an environmentally sustainable city. Building design plays an important role in the delivery of broader objectives for sustainable development and in adapting to climate change. Building design also has a strong influence on the amenity of occupants and visitors. The City also seeks to design Urban Renewal areas to be energy, water and waste efficient and adapted to predicted climate change. Climate change is predicted to deliver reduced rainfall, rising sea level and more extreme flooding, intense storms, and heatwaves. The built environment must be designed to ~~moderate and provide protection from these~~adapt to these disruptive climate impacts. This must be done in ways that do not exacerbate the problem.

Figure 2 – Built Environment



21.06-1

Built Environment - Urban Design

08/05/2014
Proposed
C276C220

- Objective 1** **To reinforce the City's overall urban structure.**
- Strategy 1.1 Protect Melbourne's distinctive physical character and in particular, maintain the importance of:
- identified places and precincts of heritage significance
 - the World Heritage Listed Royal Exhibition Building and Carlton Gardens
 - The Shrine of Remembrance
 - the Hoddle Grid
 - the Yarra River Corridor, Victoria Harbour and waterways
 - the network of parks and gardens
 - the Hoddle Grid's retail core
 - the network of lanes and arcades
 - Boulevards
 - the sense of place and identity in different areas of Melbourne.
- Strategy 1.2 Ensure a strong distinction between the built form scale of the Central City with that of development in surrounding areas.
- Strategy 1.3 Promote a high degree of connectivity and urban transition between the Hoddle Grid and Docklands.
- Strategy 1.4 Maintain the formality and legibility of the Yarra River corridor as a key organising element of the city structure.
- Strategy 1.5 Promote development that is compatible with the scale, character and amenity of public open spaces, and the environs of the Yarra River.
- Strategy 1.6 Ensure that development on the City's boulevards respects and maintains the prominence of their landscaped character
- Objective 2** **To 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 targets for emissions reduction**
- Strategy 2.1 Ensure that new buildings and new public spaces are environmentally sustainable.
- Strategy 2.2 Require development to exceed minimum standards in environmentally sustainable design and energy efficiency
- Strategy 2.3 Encourage the retention of buildings or parts of buildings that have efficient recycling potential and can be adapted to a variety of uses.
- Strategy 2.4 Ensure the built environment, streets and public open spaces are designed to minimise their contribution to the urban heat island effect and to contribute to urban cooling.
- Strategy 2.5 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.

<u>Strategy 2.6</u>	<u>Encourage the inclusion of renewable energy generation in developments</u>
<u>Strategy 2.7</u>	<u>Encourage a transition to renewable energy sources.</u>
<u>Strategy 2.8</u>	<u>Encourage the integration of infrastructure which supports sustainable transport choices in all development.</u>
<u>Strategy 2.9</u>	<u>Ensure the private realm makes a proportionate contribution to the delivery of green infrastructure and the development of the City's urban forest.</u>
Objective 32	To maintain the designated Yarra River Corridor as a continuous, high pedestrian amenity focus for the city.
Strategy <u>32.1</u>	Promote active land uses such as cafes, restaurants and leisure venues in buildings along the waterfront, particularly those with a northern orientation.
Strategy <u>32.2</u>	Ensure developments along the Yarra River address the waterfront
Strategy <u>32.3</u>	Encourage uses with high levels of activity at the waterfront.
Objective 43	To protect iconic views in the city
Strategy <u>43.1</u>	Protect iconic views, including views to the: <ul style="list-style-type: none">▪ Shrine of Remembrance along Swanston Street from the State Library,▪ Parliament House along Bourke Street,▪ The Old Treasury Building along Collins Street,▪ Flinders Street Station clock tower along Elizabeth Street,▪ Victoria Harbour along LaTrobe Street,▪ Royal Exhibition Building drum, dome, lantern and flagpole from along Spring Street and Queensberry Street,▪ Yarra River from the Hoddle Grid,▪ along the Bourke, Collins and Latrobe Street corridors from Docklands.▪ The Arts Centre Spire along Sturt Street
Objective 54	To ensure that the height and scale of development is appropriate to the identified preferred built form character of an area.
Strategy <u>54.1</u>	Ensure the design, height and bulk of development in the Urban Renewal Areas creates a high quality built form.
Strategy <u>54.2</u>	Ensure development in Urban Renewal Areas provides a complementary transitional scale to adjoining low scale buildings in areas where the existing built form character should be maintained.
Strategy <u>54.3</u>	In areas where the existing built form is to be retained, ensure development is designed to maintain the generally low scale and character of those areas.
Strategy <u>5.44-5</u>	In the Hoddle Grid and Urban Renewal areas ensure occupancies in new tower buildings are well spaced and offset to provide good access to an outlook, daylight, sunlight and to minimise direct overlooking between habitable room windows.

Objective ~~65~~ **To increase the vitality, amenity, comfort, safety and distinctive City experience of the public realm.**

Strategy ~~65.2~~ Ensure that the scale, bulk and quality of new development supports a high quality public realm.

Strategy ~~6.35-4~~ Encourage public art in new developments.

Strategy ~~6.45-6~~ Create diverse public spaces to serve the needs of the City's diverse communities, including children, youth, residents, workers and visitors.

Strategy ~~6.55-7~~ Ensure advertising signs avoid visual pollution and intrusive light spill and respect the architecture of their host buildings, the surrounding streetscape character and skyline.

Strategy ~~6.65-8~~ Ensure development minimises the adverse effects of wind down drafts and provides wind protection to public open spaces suitable for their role and function.

Strategy ~~6.75-9~~ Ensure that development maximises solar access in public open spaces, and creates microclimatic conditions for a high level of pedestrian comfort.

Objective ~~76~~ **To improve public realm permeability, legibility, and flexibility.**

Strategy ~~76.1~~ Protect and enhance the character and function of laneways.

Strategy ~~76.2~~ Ensure the design of buildings and public spaces enhances the public realm and the pedestrian environment.

Strategy ~~76.3~~ Ensure that new developments in the Capital City, Docklands, Business and Mixed Use zoned areas provide active street frontages and minimise pedestrian disruption from car access.

Objective ~~987~~ **To create a safe and comfortable public realm.**

Strategy ~~87.1~~ Ensure built form and land uses promote surveillance of the public realm at all times of the day and night.

Strategy ~~87.2~~ Support the use of materials resistant to vandalism and graffiti, subject to their being respectful of the preferred built form character.

Strategy ~~87.3~~ Ensure that public and private safety design principles of are incorporated in the development of buildings and public open spaces

21.06-2 Heritage

30/07/2015
C240

Objective 1 **To conserve and enhance places and precincts of identified cultural heritage significance.**

Strategy 1.1 Conserve, protect and enhance the fabric of identified heritage places and precincts.

Strategy 1.2 Support the restoration of heritage buildings and places.

Strategy 1.3 Maintain the visual prominence of heritage buildings and landmarks.

Strategy 1.4 In heritage precincts protect heritage buildings, subdivision patterns, boulevards and public open space.

- Strategy 1.5 Protect the significant landscape and cultural heritage features of the City's parks, gardens, waterways and other open spaces.
- Strategy 1.6 Within heritage precincts and from adjoining areas protect buildings, streetscapes and precincts of cultural heritage significance from the visual intrusion of new built form both.
- Strategy 1.7 Protect the scale and visual prominence of important heritage buildings, landmarks and heritage places, including the Shrine of Remembrance, Parliament House and the World Heritage Listed Royal Exhibition Building and Carlton Gardens.
- Strategy 1.8 Maintain cultural heritage character as a key distinctive feature of the City and ensure new development does not damage this character.

21.06-3

12/09/2013
Proposed
C376
C462

Built Environment – building design~~Sustainable development~~

Objective 1 ~~To create an environmentally sustainable urban environment with reduced greenhouse emissions~~

~~Strategy 1.1 Ensure that new buildings and new public spaces are environmentally sustainable.~~

~~Strategy 1.2 Promote innovative environmentally sustainable development.~~

~~Strategy 1.3 Encourage the retention of buildings or parts of buildings that have efficient recycling potential and can be adapted to a variety of uses.~~

Objective 1 **To ensure that building design supports mitigation and adaptation to climate change**

Strategy 1.1 Ensure that buildings are designed to reduce greenhouse emissions and contribute to Councils zero emissions target

Strategy 1.2 Encourage the integration of infrastructure which supports sustainable transport choice in all development.

Strategy 1.3 Ensure building design integrates green infrastructure to reduce the urban heat island effect, support biodiversity and increase occupant amenity

Strategy 1.4 Require building design to adopt integrated water management

Strategy 1.5 Encourage buildings to be planned and designed to facilitate carbon neutral or carbon positive outcomes across development and operational stages.

Strategy 1.6 Encourage the use of passive design elements to deliver energy efficient outcomes and achieve comfortable indoor conditions

Strategy 1.7 Encourage increased delivery of local renewable energy generation, such as solar hot water, photovoltaic cells, wind powered turbines or combined heat and power generation systems in new developments

Strategy 1.8 Support the consideration of whole-of-lifecycle impacts in building design, construction and

- operation.
- Strategy 1.9 Ensure that new development incorporates water sensitive urban design features including stormwater harvesting and flow attenuation, and water recycling and reuse.
- Objective 2** **~~To make the built environment resilient to heatwaves, water shortages, extreme storm events and sea level rise.~~**
- Strategy 2.1 Design new buildings, streets and public open spaces to minimise their contribution to the urban heat island effect and to contribute to urban cooling.
- Strategy 2.2 Ensure that new development incorporates water sensitive urban design features including stormwater harvesting and flow attenuation, and water recycling and reuse.
- Strategy 2.3 Ensure that flood risk by stormwater surges, waterway flooding and sea level rise is mitigated and managed.
- Objective 2** **Promote building design that supports the amenity of occupants and visitors**
- Strategy 2.1 Where a tower is proposed, support development that is well spaced and offset to provide good access to an outlook, daylight, sunlight and to minimise overlooking.
- Strategy 2.2 Encourage private open spaces that are designed to support a range of uses
- Objective 3** **~~To encourage efficient resource use and waste reduction in the City.~~**
- Strategy 3.1 Encourage all new development to maximise water efficiency.
- Strategy 3.2 Encourage provision of purpose built storage for recyclable waste, in all development.
- Objective 4** **To encourage environmentally sustainable building design innovation**
- Strategy 4.1 Design all new developments to maximise the use of passive systems to achieve comfortable indoor conditions.
- Strategy 4.2 Support new developments that minimise their embodied energy by their use of materials, construction and retention of reusable building fabric.
- Strategy 4.3 Support on-site renewable and low emission energy generation, such as solar hot water, photovoltaic cells, wind powered turbines or combined heat and power generation systems in new developments.
- Objective 3** **To encourage the connection of buildings to district energy, water and waste systems in urban renewal areas through a precinct-wide approach**
- Strategy 3.1 Support opportunities for precinct scale efficiencies to minimise waste and maximise resource recovery.
- Strategy 3.2 Support precinct scale infrastructure which improves water efficiency

- Strategy 3.3 Support precinct scale approaches to renewable energy generation.
- Strategy 3.4 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.
 - include alternative district water supply, energy supply, waste collection and waste treatment systems
- Objective 4** **To encourage buildings to be designed to support efficient resource use and waste reduction in the City.**
- Strategy 4.1 Encourage the retention of buildings or parts of buildings that have efficient recycling potential and can be adapted to a variety of uses.
- Strategy 4.2 Require development meet or exceed minimum standards in water efficiency
- Strategy 4.3 Encourage the appropriate use of alternative non-potable water sources including rainwater, stormwater, greywater and blackwater
- Strategy 4.4 Encourage provision of purpose built storage for all waste, including recyclable waste, in all development.
- Strategy 4.5 Ensure that spatial requirements to support sustainable waste management are considered in the design of buildings.

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05/10/2018

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GC84

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~~22.19 ENERGY, WATER AND WASTE EFFICIENCY~~

~~04/04/2013
C187~~

~~The policy applies to applications for the construction of 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.~~

~~The policy provides guidelines to ensure that the design, construction and operation of buildings and urban renewal areas:~~

- ~~▪ Minimise the production of greenhouse gas emissions and maximise energy efficiency.~~
- ~~▪ Minimise mains potable water use and encourage the use of alternative water sources.~~
- ~~▪ Minimise waste going to landfill, maximise the reuse and recycling of materials and lead to improved waste collection efficiency.~~

~~22.19-1 Policy Basis~~

~~04/04/2013
C187~~

~~The City of Melbourne's policies for becoming an environmentally sustainable city, include the *Zero Net Emissions by 2020* energy strategy, *Total Watermark - City as a Catchment* water strategy and the *Waste Management Strategy*. The City's eco-city goals and targets as set out in *Future Melbourne Community Plan 2008* are derived from these policies.~~

~~The relevant Eco-City goals are:~~

- ~~▪ Residents reduce their greenhouse gas emissions by 35 percent per capita by 2020 (from 2006 levels)~~
- ~~▪ Workers reduce their greenhouse gas emissions by 59 per cent per capita by 2020 (from 2006 levels)~~
- ~~▪ Reduce residents' mains water consumption by 40 per cent by 2020 (from 1999/2000 levels)~~
- ~~▪ Reduce workers' mains water consumption by 50 per cent by 2020 (from 1999/2000 levels)~~
- ~~▪ Reduced household waste in the City of Melbourne~~
- ~~▪ Reduced commercial waste in the municipality~~

~~These policy documents underpin the need to consider resource use and efficiency in the assessment of new development under the Melbourne Planning Scheme.~~

~~The State Planning Policy Framework (SPPF) encourages sustainable development, including the development of buildings which use energy and water efficiently and minimise waste within Victoria's urban areas.~~

~~The City of Melbourne Municipal Strategic Statement (MSS) includes a vision for a sustainable city and strategies to reduce greenhouse gas emissions and to encourage buildings which use energy and water efficiently and minimise waste.~~

~~It is Council policy to encourage the development of integrated precinct solutions to reduce greenhouse gas emissions and increase resilience to climate change.~~

~~The objectives and guidelines of this policy build on this body of established strategic work by aiming to ensure that new buildings incorporate design measures that assist in reducing energy, water and waste resource use in accordance with the targets set by Council's eco-city goals.~~

~~22.19-2 Objectives~~

~~04/04/2013
C187~~

~~The objectives of this policy are:~~

- To ensure buildings achieve high environmental performance standards at the design, construction and operation phases.
- To minimise the city's contribution to climate change impacts by reducing greenhouse gas emissions.
- To improve the water efficiency of buildings and encourage the use of alternative water sources.
- To minimise the quantity of waste going to landfill and maximise the recycling and reuse of materials.
- To minimise the impacts of waste on the community.
- To encourage the connection of buildings to available or planned district energy, water and waste systems in urban renewal areas in order to achieve additional energy, water & waste efficiency arising from a precinct wide approach to infrastructure where appropriate.

22.19-3 Policy

04/04/2013
C187

It is policy to encourage buildings that:

- minimise greenhouse gas emissions and maximise energy efficiency.
- minimise mains potable water consumption and encourage the use of alternative water sources, such as rainwater and grey water.
- provide the facilities that will enable building users and occupants to reduce waste sent to landfill, maximise the recycling and reuse of materials and support the municipality's progress towards becoming a resource and material efficient city.

22.19-4 Application Requirements

04/04/2013
C187

- All applications must be accompanied by a Waste Management Plan prepared in accordance with the City of Melbourne's *Guidelines for Waste Management Plans*.
- All applications must be accompanied by an Environmentally Sustainable Design Statement which demonstrates how the development meets the policy objectives of Clause 22.19-2 and the policy requirements of Clause 22.19-3. The Sustainable Design Statement must also include the following as applicable:
 - Applications for buildings over 2,000 square metres in gross floor area must provide 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 clause 22.19-5.
 - Applications for buildings under 2,000 square metres in gross floor area must provide a statement demonstrating that the building has the preliminary design potential to achieve the relevant required Performance Measures set out in clause 22.19-5.

22.19-5 Performance Measures

04/04/2013
C187

It is policy to assess proposals against the following performance measures:

Type Of Building		Performance Measure		
		Energy Efficiency	Water Efficiency	Waste Efficiency
Office	Up to 2,000 square metres gross floor area	Compliance with the energy efficiency	3 points for Wat-1 credit under a current version of	A Waste Management Plan prepared in

		requirements of the Sustainable Design Scorecard or equivalent.	the Green Building Council of Australia's Green Star— Office rating tool or equivalent.	accordance with the current version of the City of Melbourne's <i>Guidelines for Waste Management Plans</i> .
	More than 2,000 square metres gross floor area	NABERS Office— Energy 5 Stars or equivalent.	3 points for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star— Office rating tool or equivalent.	A Waste Management Plan prepared in accordance with the current version of the City of Melbourne's <i>Guidelines for Waste Management Plans</i> .
	Over 5,000 square metres gross floor area	Same minimum energy, water & waste requirements as buildings over 2,000 square metres plus a 5 star rating under a current version of Green Star— Office rating tool or equivalent.		
Retail premises	Up to 2,000 square metres gross floor area	N/A (sufficiently covered by the Building Code of Australia)	5 points for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star— Retail rating tool or equivalent.	A Waste Management Plan prepared in accordance with the current version of the City of Melbourne's <i>Guidelines for Waste Management Plans</i> .
	More than 2,000 square metres gross floor area	N/A (sufficiently covered by the Building Code of Australia)	5 points for Wat-1 credit under a current version of the Green Building Council of Australia's Green Star— Retail Centre rating tool or equivalent.	A Waste Management Plan prepared in accordance with the current version of the City of Melbourne's <i>Guidelines for Waste Management Plans</i> .
	Over 5,000 square metres gross floor area	Same minimum energy, water & waste requirements as buildings over 2,000 square metres plus a 5 star rating under a current version of 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 under a current version of the Green Building Council of Australia's Green Star— Education rating tool or equivalent.	A Waste Management Plan prepared in accordance with the current version of the City of Melbourne's <i>Guidelines for Waste</i>

				<i>Management Plans.</i>
	More than 2,000 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 under a current version of the Green Building Council of Australia's Green Star—Education rating tool or equivalent.	A Waste Management Plan prepared in accordance with the current version of the City of Melbourne's <i>Guidelines for Waste Management Plans.</i>
	Over 5,000 square metres gross floor area	Same minimum energy, water & waste requirements as buildings over 2,000 square metres plus 5 star rating under a current version of 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 under a current version of the Green Building Council of Australia's Green Star—Multi-Unit Residential rating tool or equivalent.	A Waste Management Plan prepared in accordance with the current version of the <i>City of Melbourne's Guidelines for Waste Management Plans.</i>
	Over 5,000 square metres gross floor area	Same minimum energy, water & waste requirements as buildings up to 5,000 square metres plus a 5 star rating under a current version of Green Star—Multi-Unit Residential rating tool or equivalent.		

Mixed use developments should be assessed against the performance measures in the table above applicable to each use component of the development.

Applications for alterations and additions should be assessed against the performance measures in the table above in so far as they are applicable to the alterations and additions to the building.

Applications for development may use alternative rating tools or assessment methods provided that equivalence of the development to the performance measures listed in the table can be demonstrated.

Proposals that do not meet these performance measures may still meet the objectives of this policy.

22.19-6 Urban Renewal Areas

04/04/2013
G187

It is policy that:

- In addition to the performance requirements set out at Clause 22.19-5, when developing land within any urban renewal area, the development should be capable of connecting to available and planned alternative district water supply, energy supply, waste collection and treatment systems.
- Developers of precincts or large sites are encouraged to install alternative district water supply, energy supply, waste collection and waste treatment systems.

Examples of Alternative District water supply, energy supply, waste collection and waste treatment systems that can be considered include, but are not limited to, the following:

~~Alternative district water supply~~

~~Black and grey water treatment systems, stormwater harvesting systems and desalination.~~

~~Alternative district energy supply~~

~~Solar concentrating and district solar, biomass and gas fired co and tri generation, wind and geothermal generation.~~

~~Alternative district waste collection~~

~~Vacuum and automated based collection systems.~~

~~Alternative district treatment~~

~~Mechanical (wet and dry sorting) and biological treatment, (anaerobic digestion and other biological processes), thermal treatment systems (pyrolysis, gasification, plasma gasification)~~

~~22.19-7 Reference Documents~~

~~04/04/2013
C187~~

- ~~• Future Melbourne Community Plan (September 2008)~~
- ~~• City of Melbourne: Energy, Water and Waste Review (2011)~~
- ~~• City of Melbourne, Zero Net Emissions by 2020 (2002)~~
- ~~• City of Melbourne, Zero Net Emissions by 2020 Strategy Update (2008)~~
- ~~• City of Melbourne, Total Watermark – City as a Catchment (2009)~~
- ~~• City of Melbourne. Waste Management Strategy (2005)~~
- ~~• City of Melbourne. Waste Management Strategy Summary Report (2009)~~
- ~~• City of Melbourne, Guidelines for preparing a waste management plan (2012)~~
- ~~• Green Building Council of Australia, Green Star rating tools (as amended from time to time)~~
- ~~• National Australian Built Environment Rating System (as amended from time to time)~~
- ~~• City of Port Phillip and City of Moreland, Sustainable Design Scorecard (as amended from time to time)~~

~~22.19-8 Definitions for the Purpose of this Policy~~

~~04/04/2013
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~~Green Star~~

~~Developed by the Green Building Council of Australia, Green Star is a credit based tool that assesses a range of building classes for their environmental impact. Areas of consideration include energy, transport, materials, land & ecology, and management. Under its point based system, Green Star Awards of 4 to 6 star ratings are granted for environmentally sustainable design and / or construction.~~

~~NABERS~~

~~The National Australian Built Environment Rating System (NABERS) is a rating tool that assesses a building on the basis of its measured operational impacts (energy, water, indoor environment and waste) on the environment. A building can be awarded star ratings (between 4 and 5 stars) for each of the environmental components.~~

~~Sustainable Design Scorecard (SDS)~~

~~The Sustainable Design Scorecard is a Microsoft Excel tool developed to assess the environmental performance of non residential developments (commercial, industrial and mixed use) in Victoria.~~

~~22.23 — STORMWATER MANAGEMENT (WATER SENSITIVE URBAN DESIGN)~~

~~29/04/2015
C225~~

~~This policy applies to applications for:~~

- ~~▪ New buildings~~
- ~~▪ Extensions to existing buildings which are 50 square metres in floor area or greater.~~
- ~~▪ A subdivision in a commercial zone~~

~~This policy does not apply to an application for:~~

- ~~▪ A subdivision of an existing building.~~

~~22.23-1 — Policy Basis~~

~~13/03/2014
C142~~

~~Increased development can result in greater hard surface area and 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 on waterways and receiving water bodies in the Port Phillip catchment, this policy implements the best practice performance objective outlined in the *Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999* (or as amended) to achieve the objectives of the State Environment Protection Policy (Water of Victoria).~~

~~Waterways are an important environmental asset and measures that protect, or improve, water quality will be of significant benefit environmentally, socially and economically.~~

~~Incorporating stormwater treatment measure into the design of development, including wetlands, bio-retention systems and porous pavements to filter pollutants, will help to protect and improve the condition of the natural waterways and passively irrigate urban vegetation.~~

~~Water sensitive urban design (WSUD) is the design of buildings, subdivisions and works to minimise the hydrological impact of urban development on the surrounding environment. WSUD provides the means for treating stormwater run-off in a variety of ways so that the flow is reduced, and the quality of run-off is improved. Stormwater management can take various forms in the urban environment including infrastructure upgrades, streetscape layout changes, piping reconfigurations, storage tanks, and the use of different paving.~~

~~22.23-2 — Objectives~~

~~13/03/2014
C142~~

- ~~▪ To achieve the best practice water quality performance objectives set out in the *Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999* (or as amended). Currently, these water quality performance objectives are:
 - ~~▪ Suspended Solids — 80% retention of typical urban annual load~~
 - ~~▪ Total Nitrogen — 45% retention of typical urban annual load~~
 - ~~▪ Total Phosphorus — 45% retention of typical urban annual load~~
 - ~~▪ Litter — 70% reduction of typical urban annual load.~~~~
- ~~▪ To promote the use of water sensitive urban design, including stormwater re-use.~~
- ~~▪ To mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design for new development.~~
- ~~▪ To minimise peak stormwater flows and stormwater pollutants to improve the 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.~~

22.23-3 Policy

13/03/2014
C142

- ~~Require that development applications provide for the achievement of the best practice performance objectives for suspended solids, total phosphorus and total nitrogen, as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999 (or as amended).~~
- ~~Require the use of stormwater treatment measures that improve the quality and reduce the flow of water discharged to waterways. This can include but is not limited to:

 - ~~collection and reuse of rainwater and stormwater on site~~
 - ~~vegetated swales and buffer strips~~
 - ~~rain gardens~~
 - ~~installation of water recycling systems~~
 - ~~multiple uses of water within a single manufacturing site~~
 - ~~direction of flow from impervious ground surfaces to landscaped areas.~~~~
- ~~Encourage the use of measures to prevent litter being carried off site in stormwater flows, including:

 - ~~appropriately designed waste enclosures and storage bins, and~~
 - ~~the use of 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 manage the quality and quantity of stormwater.~~

22.23-4 Application requirements

29/01/2015
C225

An application must be accompanied by a Water Sensitive Urban Design Response including, as appropriate:

Requirement	Detail Required
A site layout plan showing the location of proposed stormwater treatment measures.	Show location, area draining to a treatment measure, and the connection points, of any: <ul style="list-style-type: none"> ▪ Harvesting and Reuse Measures: such as rainwater tanks (must identify what the tank is connected to; toilets, gardens etc). ▪ Water Quality Treatment Measures: such as raingardens, wetlands, buffers and swales. ▪ Infiltration Measures: such as porous paving and infiltration trenches/sumps. ▪ Passive Irrigation Measures: such as directing runoff into gardens.
A report outlining how the application achieves the objectives of this policy.	A report from an industry accepted performance measurement tool such as STORM or MUSIC (or equivalent).
Design details, such as cross sections, to assess the technical effectiveness of the proposed stormwater treatment measures.	Design details as appropriate to the stormwater treatment measure proposed.
A site management plan which details how the site will be managed through construction.	A statement is required outlining construction measures to prevent litter, sediments and pollution entering stormwater systems.
A maintenance program which sets out future operational and maintenance arrangements.	A statement is required outlining operational and maintenance measures to check the effective operation of all systems.

~~If the water quality performance objectives set out in the *Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999* (or as amended) are not met, an application must include justification for how the development meets the objectives of this policy.~~

~~22.23-5 Decision guidelines~~

~~13/03/2014
C142~~

~~Before deciding on an application, the responsible authority will consider, as appropriate:~~

- ~~▪ The extent to which the development meets the objectives and requirements of this policy~~
- ~~▪ The Water Sensitive Urban Design Response~~
- ~~▪ Whether the application meets the best practice performance objective and treatment measures.~~
- ~~▪ Whether the proposal is designed and incorporates works to maintain, or improve, the quality of stormwater within or exiting the site.~~
- ~~▪ Whether the proposal will significantly add to the stormwater discharge or adversely affect water quality entering the drainage system.~~
- ~~▪ Opportunities for water conservation and reuse that influence the use of water sensitive urban design.~~
- ~~▪ The level of ongoing management required to achieve and maintain the desired stormwater quality measures that will be used during the construction phase to prevent a loss of stormwater quality as a result of building activities, such as silt traps.~~

~~22.23-6 Reference documents~~

~~13/03/2014
C142~~

~~City of Melbourne Water Sensitive Urban Design Guidelines, 2009.
State Environment Protection Policy (Waters of Victoria), Environment Protection Authority, 2003 (as amended from time to time).
Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO, 1999 (as amended from time to time).
Water Sensitive Urban Design—Engineering Procedures: Stormwater, Melbourne Water, CSIRO Publishing 2005 (as amended from time to time).
STORM calculator (as amended from time to time)
MUSIC—model for urban stormwater improvement conceptualisation tool (as amended from time to time).~~

~~22.23-7 Expiry~~

~~13/03/2014
C142~~

~~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.~~

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Proposed
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SCHEDULE 73 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO73**.

SUSTAINABLE BUILDING DESIGN

1.0

Design objectives

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Proposed
C376

- 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 efficient waste management and resource recovery.

2.0

Buildings and works

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Proposed

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** means the City of Melbourne's Green Factor Tool (or any replacement tool).
- **green infrastructure** means infrastructure that directly provides ecosystem services or supports the provision of those services including green cover, stormwater and rainwater harvesting interventions, permeable surfaces, waterways and wetlands.
- **ecosystem services** means services (such as water filtration, noise reduction, 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 other than vegetation (green cover). This primarily relates to material used for surfaces such as paving, but may refer to other hard landscaping materials.
- **high solar reflectivity** means more than 0.65 solar reflectance.

2.2

Buildings and works for which no permit is required

No permit is 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, Office, Education Centre, Research and Development or Place of Assembly; or
- Building and works which result in more than 1000 sqm additional gross floor area of floorspace 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

unless, in the case of an amendment to a permit, the amendment does not increase the extent of non-compliance or

unless in respect of the requirement at Table 6, it can be demonstrated to the satisfaction of the responsible authority that the use of the Green Factor Tool is not practical and that at least 40% of the total site area will be provided as green cover, including by satisfying the following elements:

- A minimum of 65% of the required green cover as new or existing canopy planting and a minimum of 35% as understorey planting. Canopy planting and understorey planting can overlap.
- Species selection and associated planting scheme of native and / or indigenous species which provides habitat for native fauna to the satisfaction of the responsible authority.
- Green cover which is located to provide maximum benefit in relation of 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.

Where this schedule identifies 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 equivalent to the identified tool and results in comparable outcomes, to the satisfaction of the responsible authority.

Environmentally Sustainable Design

Development should meet the preferred standard in Table 1 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 Design and As Built standards:
 - the development must be designed to be able to achieve certification to the applicable Green Star rating
 - the development must be constructed so as to be able to be certified to the applicable Green Star rating;
 - within 12 months of occupation of the building, the development must be certified as achieving the applicable Green Star rating.
- in relation to the BESS score standards:
 - the development must be designed to be able to achieve the applicable score; and
 - 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	5 Star Green Star Design	6 Star Green Star Design and

than 5000 sqm gross floor area Buildings and works which result in more than 5000 sqm additional gross floor area	and As Built.	As Built.
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 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 NatHERS and 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 so as to be able to become certified to the applicable NatHERS or NABERS star rating
 - within 24 months of occupation of the building, the development must be certified as achieving the applicable NABERS star rating
- in relation to the BESS score standards:
 - the development must be designed to be able to achieve the applicable score; and
 - the development must be constructed to achieve the applicable score.

Table 2

Type of development	Standard	
	Minimum (<i>mandatory</i>)	Preferred
New buildings of more than 5000 sqm gross floor area Buildings and works which result in more than 5000 sqm additional gross floor area	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. For non-residential - A minimum 5.5 Star NABERS Energy rating.	For residential – none specified For non-residential - A minimum 6 Star NABERS Energy rating.
New buildings of equal to or less than	For all - A minimum 60% score in BESS Energy	A minimum 70% score in the BESS Energy category.

5000 sqm gross floor area Buildings and works which result in between 1000 and 5000 sqm additional gross floor area	category. 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.	
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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 and Resource Recovery Management Plans</i>. ▪ Must meet the requirements of a precinct waste management plan, if there is one in place. ▪ Should manage construction waste to minimise landfill and maximise resource recovery.

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 building 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 with a high solar reflectivity • Solar panels or shading structures • Hardscaping materials with a high solar reflectivity ▪ Should ensure non-glazed facade materials exposed to summer sun have a high solar reflectivity ▪ 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.
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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 either 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

Table 7

Type of development	Requirement
All development	<ul style="list-style-type: none"> ▪ Must achieve the best practice water quality performance objectives set out in the <i>Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999</i> (or as amended). ▪ Should use alternative water for all non-potable uses on-site where technically achievable. ▪ Should connect to a precinct scale recycled water source if available
New buildings Buildings and works which result in more than 5000 sqm additional gross floor	<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:

area	<ul style="list-style-type: none"> ○ support on-site green cover or ○ supply a minimum of 10% of internal water demand.
Buildings and works which result in between 1000 and 5000 sqm additional gross floor area	<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

Type of development	Standard
New buildings of more than 5000 sqm gross floor area Buildings and works which result in more than 5000 sqm additional gross floor area	For residential - the relevant Water credit under 5 Star Green Star Design and As Built rating. 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 and 5000 sqm additional gross floor area	A minimum 50% score in BESS Water category.

3.0

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Proposed
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Subdivision

None specified.

4.0

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Proposed
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Signs

None specified.

5.0

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Proposed
C376

Application requirements

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 will not be met by the development, the following must be provided:

- a detailed analysis of the site context and its impact on the delivery of the preferred standards;
 - a report from a suitably qualified consultant 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 below.

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>A Sustainability Management Plan (SMP) that is in prepared by an appropriately qualified person and 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 <i>Table 1</i> and <i>Table 2</i>: <ul style="list-style-type: none"> • an assessment that demonstrates that the development meets (or, where relevant, has the potential to meet) the applicable requirements and standards; and • 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>Buildings and works which result in between 1000 and 5000 sqm additional gross floor area</p>	<p>A Sustainable Design Assessment (SDA) that 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 <i>Table 1</i> and <i>Table 2</i>: <ul style="list-style-type: none"> • an assessment from a suitably qualified consultant or a report created using the relevant ratings tool (as applicable), which demonstrates that the development meets (or, where relevant, has the potential to meet) the requirements and standards; and • 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</p>

	detail the content of the SDA where relevant.
All developments (other than single dwellings)	A Landscape Package comprising Landscape Maintenance Plan, Green Factor Scorecard (if applicable) and associated Landscape Plan/s, including species lists and construction details (if relevant), other than applications for single dwellings.
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 and Resource Recovery Management Plans</i> .

6.0

—/—/20—
Proposed
C376

Decision guidelines

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:

- The Design Objectives of this schedule.
- In respect of the preferred standards in Tables 1 and 2, the justification on the basis of technical feasibility or economic viability.
- 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 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 contributes to the City's natural ecosystems and the measures proposed to mitigate these impacts.

13/07/2017
Proposed
C376
C344

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 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
01/11/2012
C195

Table of uses

Section 1 - Permit not required

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

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

Section 2 - Permit required

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

23/11/2016
Proposed
C376
C270

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.

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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

- 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

13/07/2017

Proposed C376
C314

Buildings and works

Prohibitions

The construction of footbridges, pedestrian ways, vehicle bridges and links across the above ground level of Bourke Street, Collins Street, Swanston Street and Elizabeth Street, Melbourne is prohibited.

Permit Requirement

A permit is required:

- To construct a building or construct or carry out works.
- To construct a building which does not extend to the road boundary of the site.
- To construct a building providing fewer than one bicycle parking space per 500 square metres of gross floor area in the case of a new building without on site car parking.
- To construct a building providing fewer than one bicycle parking space for every 100 car parking spaces in the case of a new building with on-site car parking.

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.

Requirements – bicycle, motorcycle and car share parking

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

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 secure visitor bicycle spaces per 5 dwellings.</u>	<u>None specified.</u>
<u>New Retail or Office 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per</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>

	<u>100sqm of net floor area, with a minimum of four visitor spaces provided.</u>	<u>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 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm of net floor area, with a minimum of eight 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>Motorcycle parking</u>		
<u>New Dwellings</u>	<u>A minimum of one space per 50 dwellings.</u>	<u>None specified.</u>
<u>New Place of Assembly, Minor sports and recreation facility or Education Centre development</u>	<u>A minimum of one 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>2 spaces plus an additional 1 space per 25 additional dwellings.</u>	<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>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, such as electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share bays 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, the following should be provided:
 - Electric vehicle (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.
- Electric vehicle 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 construct or carry out works on land to which schedule 10 to the Design and Development Overlay applies must:

- be accompanied by an assessment and report of the proposed floor area ratio from an independent quantity surveyor; and
- if the proposed floor area ratio exceeds 18:1, include details of the public benefit to be provided.

Exemption from notice and review

An application to construct a building or construct or carry out works for a use in Section 1 of Clause 37.04-1 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

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

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments and requirements of relevant authorities.
- The size and shape of the parcel of land to which the application relates, the siting of the proposed development and the area to be occupied by the development in relation to the size and shape of the land, adjoining land and adjoining development.
- The 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 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 design and location, accessibility and security (i.e. suitable lighting, 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

23/11/2016
C270

Demolition or Removal of Buildings

A permit and prior approval for the redevelopment of the site are required to demolish or remove a building or works.

This does not include:

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

Before deciding on an application to demolish or remove a building, the responsible authority may require an agreement pursuant to Section 173 of the Planning and Environment Act 1987 between the landowner and the responsible authority requiring, as appropriate:

- Temporary works on the vacant site should it remain vacant for 6 months after completion of the demolition.
- Temporary works on the vacant site where demolition or construction activity has ceased for 6 months, or an aggregate of 6 months, after commencement of the construction.

Temporary works must be constructed to the satisfaction of the responsible authority.
Temporary works may include:

- The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage.
- Landscaping of the site for the purpose of public recreation and open space

Exemption from notice and review

An application to demolish or remove a building or works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

5.0

23/11/2016
C270

Advertising signs

A permit is required to 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

23/11/2016
C270

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.

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 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

13/07/2017
Proposed
C376
G344

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 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

01/11/2012
C195

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution)	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Education centre	
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Office (other than Bank)	
Place of assembly (other than Amusement parlour, Cinema, and Nightclub)	
Railway	
Retail premises (other than Adult sex bookshop, Hotel, and Tavern)	
Road	
Search for stone	Must not be costeaning or bulk sampling.
Tramway	

Section 2 - Permit required

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

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

Section 3 - Prohibited

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

2.0

23/11/2016
Proposed
C376
C270

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

- 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

13/07/2017
Proposed
C376
C344

Buildings and works

Prohibitions

The construction of footbridges, pedestrian ways, vehicle bridges and links across the above ground level of Bourke Street, Collins Street, Swanston Street and Elizabeth Street, Melbourne is prohibited.

Permit Requirement

A permit is required:

- To construct a building or construct or carry out works.
- To construct a building which does not extend to the road boundary of the site.
- To construct a building providing fewer than one bicycle parking space per 500 metres of gross floor area in the case of a new building without on site car parking.
- To construct a building providing fewer than one bicycle parking space for every 100 car parking spaces in the case of a new building with on-site car parking.

A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) to construct a building or construct or carry out works with a floor area ratio in excess of 18:1 on land to which schedule 10 to the Design and Development Overlay applies unless:

- a public benefit as calculated and specified in a manner agreed to by the responsible authority is provided; and
- 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.

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.

<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 secure visitor bicycle spaces per 5 dwellings.</u>	<u>None specified.</u>
<u>New Retail or Office 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm 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 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm of net floor area, with a minimum of eight 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</u>

		<u>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>Motorcycle parking</u>		
<u>New Dwellings</u>	<u>A minimum of one space per 50 dwellings.</u>	<u>None specified.</u>
<u>New Place of Assembly, Minor sports and recreation facility or Education Centre development</u>	<u>A minimum of one 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>2 spaces plus an additional 1 space per 25 additional dwellings.</u>	<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>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, such as electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share bays 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, the following should be provided:

- Electric vehicle (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.
- Electric vehicle 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.

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 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 changing 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 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 design and location, accessibility and security (i.e. suitable lighting, 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

23/11/2016
C270

Demolition or Removal of Buildings

A permit and prior approval for the redevelopment of the site are required to demolish or remove a building or works.

This does not include:

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

Before deciding on an application to demolish or remove a building, the responsible authority may require an agreement pursuant to Section 173 of the Planning and Environment Act 1987 between the landowner and the responsible authority requiring, as appropriate:

- Temporary works on the vacant site should it remain vacant for 6 months after completion of the demolition.
- Temporary works on the vacant site where demolition or construction activity has ceased for 6 months, or an aggregate of 6 months, after commencement of the construction.

Temporary works must be constructed to the satisfaction of the responsible authority. Temporary works may include:

- The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage.
- Landscaping of the site for the purpose of public recreation and open space.

Exemption from notice and review

An application to demolish or remove a building or works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

5.0

23/11/2016
C270

Advertising signs

A permit is required to 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

23/11/2016
C270

Transitional arrangements

The requirements of this schedule do not apply to:

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

13/07/2017
Proposed
C376
C344

SCHEDULE 3 TO CLAUSE 37.04 CAPITAL CITY ZONE

Shown on the planning scheme map as **CCZ3**.

SOUTHBANK

C171

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.

Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution)	The ground floor of the building has a floor to ceiling height of at least 4 metres.
Any use permitted under the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975 or the Forest Act 1958.	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Child care centre Education centre Home occupation Informal outdoor recreation Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
	Must occur on the Yarra River or on land abutting the Yarra River which is managed by Melbourne Parks and Waterways or Parks Victoria. Must be licensed by Parks Victoria.

Minor utility installation	
Office	
Place of assembly (other than Amusement parlour and Nightclub)	
Pleasure boat facility	Must occur on the Yarra River or on land abutting the Yarra River which is managed by Melbourne Parks and Waterways or Parks Victoria. Must be licensed by Parks Victoria.
Railway	
Railway station	
Retail premises (other than Adult sex bookshop, Department store, Hotel, 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.
Commercial Car Park	
Corrective institution	
Department store	
Hotel	
Industry	Must not be a purpose listed in the table to Clause 52.10.
Leisure and recreation (other than Informal outdoor recreation)	
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

23/11/2016
Proposed
C376
C270

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

- 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

13/07/2017
Proposed
C376
C344

Buildings and works

Permit Requirement

A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) to construct a building or construct or carry out works with a floor area ratio in excess of 18:1 on land to which schedule 10 to the Design and Development Overlay applies unless:

- a public benefit as calculated and specified in a manner agreed to by the responsible authority is provided; and
- the permit includes a condition (or conditions) which requires the provision of a public benefit to be secured via an agreement made under section 173 of the *Planning and Environment Act 1987*.

For the purpose of this schedule the floor area ratio is the gross floor area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies, divided by the area of the site. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor.

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

- 1 8, the Parks Victoria Act 1998 or the Crown Land (Reserves) Act 1978.
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- 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.

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.

<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 secure visitor bicycle spaces per 5 dwellings.</u>	<u>None specified.</u>
<u>New Retail or Office 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm 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 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm of net floor area, with a minimum of eight 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>Motorcycle parking</u>		
<u>New Dwellings</u>	<u>A minimum of one space per 50 dwellings.</u>	<u>None specified.</u>

<u>New Place of Assembly, Minor sports and recreation facility or Education Centre development</u>	<u>A minimum of one 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>2 spaces plus an additional 1 space per 25 additional dwellings.</u>	<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>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, such as electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share bays 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, the following should be provided:
 - Electric vehicle (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 .
 - Electric vehicle 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 on land which schedule 10 to the Design and Development Overlay applies must:

- be accompanied by an assessment and report of the proposed floor area ratio from an independent quantity surveyor; and
- if the proposed floor area ratio exceeds 18:1, includes details of the public benefits to be provided.

Exemption from notice and review

An application to construct a building or construct or carry out works for a use in Section 1 of Clause 37.04-1 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Referral Requirement

An application for development with a gross floor area exceeding 25,000 square metres must be referred in accordance with section 55 of the Act to the referral authority specified in the schedule to clause 66.04.

Decision guidelines

Before deciding on a permit application under this schedule, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments and requirements of relevant authorities.
- The ability for pedestrians, bicycles and vehicles to move within and through the area.
- The adequacy of car parking provision and loading bays.
- The adequacy of vehicle entry and egress.
- The 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 changing 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 and location, accessibility and security (i.e. suitable lighting, 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.
- 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

23/11/2016

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

23/11/2016
C270

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

- I ntain any animation or intermittent lighting.
- t A window display.
- d A non-illuminated sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
- e 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

23/11/2016
C270

Transitional arrangements

The requirements of this schedule do not apply to:

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

20/06/2019
GG448
Proposed
C376

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.

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.

1.0

05/10/2018
GC81

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	
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	
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.

Office (other than Bank)

**Place of assembly (other than
Function centre and Nightclub)**

Railway station

**Retail premises (other than Hotel,
Shop and Tavern)** Must not exceed 1000 square metres gross
leasable floor area.

Restricted retail premises

Residential aged care facility Must not be within an Amenity buffer shown on
Residential hotel 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	
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

2.0

Use of land

05/10/2018
GC81

2.1

Requirements

05/10/2018
GC81

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.

2.2

05/10/2018
GC81

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:

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 Exemptions from notice and review

05/10/2018
GC81

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 Decision guidelines

05/10/2018
GC81

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 Subdivision

05/10/2018
GC81

3.1 Requirements

05/10/2018
GC81

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 Application requirements

05/10/2018
GC81

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 Exemption from notice and review

05/10/2018
GC81

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 Decision guidelines

05/10/2018
GC81

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

05/10/2018
GC81

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.

4.0 Buildings and works

05/10/2018
GC81

4.1 Permit requirement

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:

- 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
Proposed
C376
GC81

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	

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, such as electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share bays 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, the following should be provided:
 - Electric vehicle (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
 - Electric vehicle 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 Conditions on permits

20/06/2019
GC118

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.
 - 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
 - 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

05/10/2018
GC81

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.

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.
- 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

05/10/2018
GC81

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
GC81

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:

- 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 changing 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 and location, accessibility and security (i.e. suitable lighting, 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

05/10/2018
GC81

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

20/06/2019
GC118

A permit is required to construct and display a sign except for:

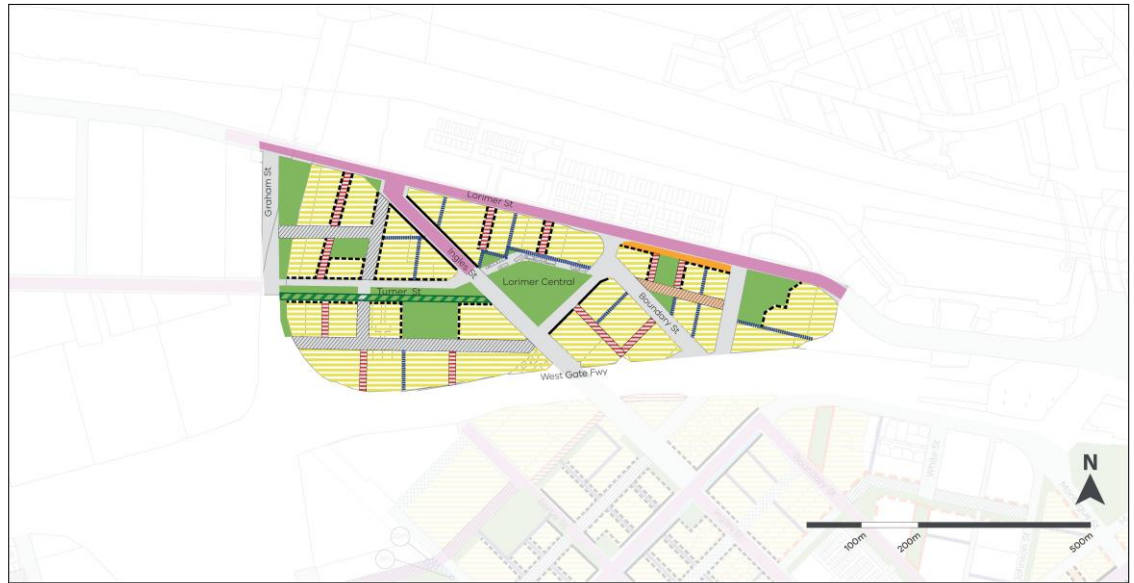
- Advertising signs exempted by Clause 52.05-4.
- Renewal or replacement of an existing internally illuminated business identification sign.
- A home occupation sign with an advertisement area not more than 0.2 square metres.
- A direction sign where there is only one to each premises.
- A business identification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

05/10/2018
GC81

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



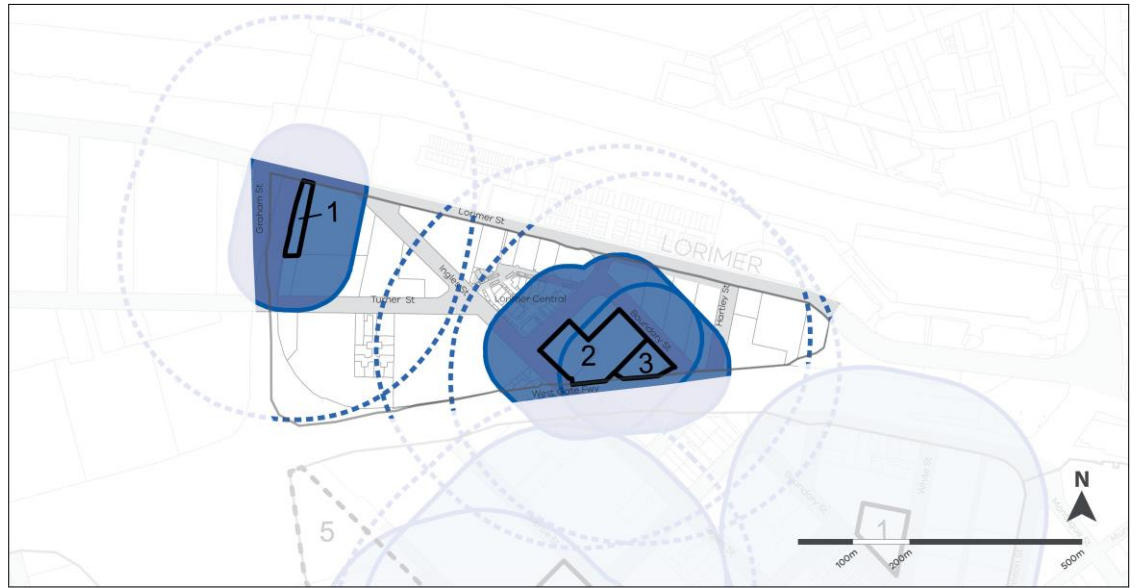
- LEGEND**
- | | | |
|------------------------------|---|---------------------|
| Active frontages | ----- Secondary Type 1 (60% permeability) | |
| — Primary (80% permeability) | | |
| Core area | 10m road widening | New road - 12m wide |
| New public open space | 10m landscape setback | New road - 18m wide |
| No crossovers permitted | New laneway - 6m wide (Location indicative) | New road - 22m wide |

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.

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.

30/06/20
Proposed
C376
46
C293

SCHEDULE 5 TO THE CAPITAL CITY ZONE

Shown on the planning scheme map as **CCZ5**.

City North

Purpose

To develop City North as a mixed use extension of the Central City.

To provide for a range of educational, research and medical uses as part of an internationally renowned knowledge district.

To encourage a range of uses that complement the capital city function of the locality and serves the needs of residents, workers, students and visitors.

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.

1.0
15/10/2015
C196

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution)	Along the street frontages as shown at Map 1 of Clause 43.02 Schedule 61, any frontage at ground floor level must not exceed 4 metres
Any use permitted under the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975 or the Forests Act 1958.	
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Education centre	
Home occupation	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	
Office	
Place of assembly (other than Amusement parlour, Function Centre and Nightclub)	
Railway	
Railway station	
Retail premises (other than Adult sex bookshop, Hotel, and Tavern)	
Road	
Stone exploration	Must not be costeaning or bulk sampling.
Tramway	

Section 2 - Permit required

Use	Condition
Adult sex bookshop	
Amusement parlour	
Car park (other than Commercial car park or an open lot car park)	Must meet the requirements of Clause 52.06.
Corrective institution	
Function Centre	
Hotel	
Industry	Must not be a purpose listed in the table to Clause 52.10.
Leisure and Recreation (other than Minor sports and recreation facility and informal outdoor recreation).	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Stone exploration)	
Nightclub	
Tavern	
Utility installation (other than Minor utility installation)	
Warehouse (other than Freezing and cool storage, and Liquid fuel depot)	
Any other use not in Section 1 or 3	

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

15/10/2015
Proposed C376
C496

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

- 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

15/10/2015
Proposed C376
C496

Buildings and works

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.

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.

<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 secure visitor bicycle spaces per 5 dwellings.</u>	<u>None specified.</u>
<u>New Retail or Office 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm 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 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm of net floor area, with a minimum of eight 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>Motorcycle parking</u>		
<u>New Dwellings</u>	<u>A minimum of one space per 50 dwellings.</u>	<u>None specified.</u>
<u>New Place of</u>	<u>A minimum of one</u>	<u>None specified.</u>

<u>Assembly, Minor sports and recreation facility or Education Centre development</u>	<u>space per 40 car parking spaces.</u>	
<u>Car share parking spaces</u>		
<u>Developments of more than 50 dwellings</u>	<u>2 spaces plus an additional 1 space per 25 additional dwellings.</u>	<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>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, such as electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share bays 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, the following should be provided:
 - Electric vehicle (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 .
 - Electric vehicle 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.

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 changing 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 and location, accessibility and security (i.e. suitable lighting, 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

15/10/2015
C196

Demolition or Removal of Buildings

A permit and prior approval for the redevelopment of the site are required to demolish or remove a building or works.

This does not include:

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

Before deciding on an application to demolish or remove a building, the responsible authority may require an agreement pursuant to Section 173 of the Planning and Environment Act 1987 between the landowner and the responsible authority requiring, as appropriate:

- Temporary works on the vacant site should it remain vacant for 6 months after completion of the demolition.
- Temporary works on the vacant site where demolition or construction activity has ceased for 6 months, or an aggregate of 6 months, after commencement of the construction.

Temporary works must be constructed to the satisfaction of the responsible authority. Temporary works may include:

- The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage.
- Landscaping of the site for the purpose of public recreation and open space.

Exemption from notice and review

An application to demolish or remove a building or works is exempt from the notice

requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

6.0

15/10/2015
C196

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 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.

05/06/2014
Proposed
C376
GC6

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 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

05/06/2014
GC6

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.	
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	
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	

Use	Condition
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	<p>Motor vehicles, boats or caravans must not be displayed on the land included in the waterfront promenade.</p> <p>The portion of any motor vehicle, boat and caravan sales or hire activity within the zone must be predominantly within a building.</p> <p>The main frontage of a motor vehicle and caravan sales or hire activity must be to Lorimer Street.</p> <p>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.</p>
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 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.

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

A permit is required to subdivide land.

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 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

- 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

Buildings and works

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:

<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 secure visitor bicycle spaces per 5 dwellings.</u>	<u>None specified.</u>
<u>New Retail or Office 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm 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 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm of net floor area, with a minimum of eight 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>Motorcycle parking</u>		

<u>New Dwellings</u>	<u>A minimum of one space per 50 dwellings.</u>	<u>None specified.</u>
<u>New Place of Assembly, Minor sports and recreation facility or Education Centre development</u>	<u>A minimum of one 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>2 spaces plus an additional 1 space per 25 additional dwellings.</u>	<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>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, such as electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share bays 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, the following should be provided:
 - Electric vehicle (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.
 - Electric vehicle 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 changing 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 and location, accessibility and security (i.e. suitable lighting, locking devices) of bicycle facilities.

5.0

Referral of applications

07/04/2008
C92

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

Advertising signs

02/05/2011
C167

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.

02/06/2011
Proposed
C367
C167

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 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

07/04/2008
C92

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	
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.
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	
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
Industry (other than 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

07/04/2008
Proposed
C376
C92

Subdivision

A permit is required to subdivide land.

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 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

- 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

Buildings and works

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:

<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 secure visitor bicycle spaces per 5 dwellings.</u>	<u>None specified.</u>
<u>New Retail or Office 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm 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 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm of net floor area, with a minimum of eight 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>Motorcycle parking</u>		
<u>New Dwellings</u>	<u>A minimum of one space per 50 dwellings.</u>	<u>None specified.</u>
<u>New Place of Assembly, Minor sports and recreation facility or Education Centre development</u>	<u>A minimum of one 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>2 spaces plus an additional 1 space per 25 additional dwellings.</u>	<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>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, such as electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share bays 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, the following should be provided:
 - Electric vehicle (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.
 - Electric vehicle 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.
- 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 changing 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 and location, accessibility and security (i.e. suitable lighting, 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; 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.

08/09/2011
Proposed
C376
C183

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 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

08/09/2011
C183

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	
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.
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.

USE	CONDITION
Informal outdoor recreation	
Market	Must be located within Goods Shed No. 2.
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)	Must be located at ground level.
Take away food premises	
Tavern	
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.
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.

USE	CONDITION
Fuel depot	Must be within the confines of the arterial road - Wurundjeri Way.
Industry (other than Car wash, Dry cleaner, Laundromat, Motor repairs and Research and development centre)	Must be within the confines of the arterial road - Wurundjeri Way.
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

2.0

08/09/2011
C183

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.
- 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.

3.0

Subdivision

07/04/2008
Proposed C376
C92

A permit is required to subdivide land.

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 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

- 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

08/09/2011
C183

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.
- 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:

<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 secure visitor bicycle spaces per 5 dwellings.</u>	<u>None specified.</u>
<u>New Retail or Office 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm 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 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm of net floor area, with a minimum of eight 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</u>

		<u>combined shower and change room</u>
<u>Motorcycle parking</u>		
<u>New Dwellings</u>	<u>A minimum of one space per 50 dwellings.</u>	<u>None specified.</u>
<u>New Place of Assembly, Minor sports and recreation facility or Education Centre development</u>	<u>A minimum of one 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>2 spaces plus an additional 1 space per 25 additional dwellings.</u>	<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>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, such as electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share bays 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.
- New buildings or alterations and additions of 50 or more dwellings or more 5000sqm non-residential gross floor area should provide:
 - Electric vehicle (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 .
 - Electric vehicle 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
- 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 support sustainable transport use, and to transition to alternative uses over time.
- The contribution of the development to an increase in the availability of off-street electric vehicle changing 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 and location, accessibility and security (i.e. suitable lighting, 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.

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.

17/01/2013
Proposed
C376
C169

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 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

17/01/2013
C169

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	
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	
Place of assembly (other than, Amusement parlour, Cinema, Drive-in theatre and Nightclub)	
Research centre	
Research and development centre	
Residential hotel	

Use	Condition
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)	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
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 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
Proposed C376
C92

A permit is required to subdivide land.

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 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

- 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

Buildings and works

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.

<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 secure visitor bicycle spaces per 5 dwellings.</u>	<u>None specified.</u>
<u>New Retail or Office 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm 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 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm of net floor area, with a minimum of eight 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>Motorcycle parking</u>		
<u>New Dwellings</u>	<u>A minimum of one space per 50 dwellings.</u>	<u>None specified.</u>
<u>New Place of Assembly, Minor sports and recreation facility or Education Centre development</u>	<u>A minimum of one 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>2 spaces plus an additional 1 space per 25 additional dwellings.</u>	<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>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, such as electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share bays 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, the following should be provided:
 - Electric vehicle (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.
 - Electric vehicle 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 changing 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 and location, accessibility and security (i.e. suitable lighting, locking devices) of bicycle facilities.

5.0

Referral of applications

07/04/2008
C92

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

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;
 - 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.

▪

02/06/2011
Proposed
C376
C467

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 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

02/06/2011
C167

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.
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.
Mineral exploration	
Mining	Must meet the requirements of 52.08-2.

USE	
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	
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 Panel beating)	

USE

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

07/04/2008
Proposed C376
C92

Subdivision

A permit is required to subdivide land.

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 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

- 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

Buildings and works

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.

<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 secure visitor bicycle spaces per 5 dwellings.</u>	<u>None specified.</u>
<u>New Retail or Office 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm 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 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 100sqm of net floor area.</u> <u>One secure bicycle visitor space per 100sqm of net floor area, with a minimum of eight 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>Motorcycle parking</u>		
<u>New Dwellings</u>	<u>A minimum of one space per 50 dwellings.</u>	<u>None specified.</u>
<u>New Place of Assembly, Minor sports and recreation facility or Education Centre development</u>	<u>A minimum of one 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>2 spaces plus an additional 1 space per 25 additional dwellings.</u>	<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>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, such as electric vehicle charging points, which support more sustainable forms of private car usage.

The location and design of car share bays 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, the following should be provided:
 - Electric vehicle (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 .
 - Electric vehicle 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 changing 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 and location, accessibility and security (i.e. suitable lighting, 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

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.

28/02/2019
C349melb

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

1.0

10/07/2020
C258melb

Incorporated documents

Name of document	Introduced by:
150 Lonsdale Street, Melbourne - Australian Federal Police, Melbourne State Office, May 2020	C375melb
271 Spring Street, Melbourne, Transitional Arrangements, May 2016	C287
55 Southbank Boulevard, Southbank, February 2017	C288
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	C284
ABC Melbourne New Office and Studio Accommodation Project (Southbank), December 2013	C226
Advertising Signs - Mercedes-Benz, 135-149 Kings Way, Southbank	C103
Arden Macaulay Heritage Review 2012: Statements of Significance June 2016	C207
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
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
Crown Casino Third Hotel, September 2007	C136
David Jones Melbourne City Store Redevelopment, May 2008	C139
Dynon Port Rail Link Project	C113
Emporium Melbourne Development, July 2009	C148
Federation Arch and Sports and Entertainment Precinct Signs, April 2002	C66
Flinders Gate car park, Melbourne, July 1999	C6
Former Fishmarket Site, Flinders Street Melbourne, September 2002	C68
Former Herald and Weekly Times building, 46-74 Flinders Street, Melbourne, August 2002	C69
Former Olympic Swimming Stadium, Collingwood Football Club signage, April 2004	C91
Former Queen Victoria Hospital Site - Open Lot Car Park, Melbourne	NPS1
Former Southern Cross Hotel site, Melbourne, March 2002	C64

Name of document	Introduced by:
Former Victoria Brewery site, East Melbourne – ‘Tribeca’ Redevelopment October 2003	C86
Freshwater Place, Southbank, August 2001 (Amended 2012)	C193
Guidelines for Waste and Resource Recovery Management Plans	C376
Guildford and Hardware Laneways Heritage Study May 2017: Heritage Inventory, November 2018 (Amended April 2020)	C365melb
Guildford and Hardware Laneways Heritage Study May 2017: Statements of Significance, November 2018 (Amended April 2020)	C365melb
Hamer Hall Redevelopment July 2010	C166
Heritage Places Inventory February 2020 Part A	C258
Heritage Places Inventory February 2020 Part B	C258
Heritage Precincts Statement of Significance February 2020	C258
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
Hoddle Grid Heritage Review: Heritage Inventory, September 2018 (Amended April 2020)	C383melb
Hoddle Grid Heritage Review: Statements of Significance, September 2018 (Amended April 2020)	C383melb
Hospital Emergency Medical Services - Helicopter Flight Path Protection Areas Incorporated Document, June 2017	GC49
Hotham Estate	C134
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
M1 Redevelopment Project, October 2006	C120
Major Promotion Signs, December 2008	C147
Melbourne Aquarium Signs, July 2001	C11
Melbourne Assessment Prison (MAP) 317-353 Spencer Street, West Melbourne, February 2020	C258
Melbourne Central redevelopment, March 2002	C62
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 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,	C207

Name of document	Introduced by:
Melbourne Water Permit Exemptions to the Schedule to Clause 43.01 for the Moonee Ponds Creek (HO1092)	
Melbourne Recital Hall and MTC Theatre project , August 2005	C111
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, June 2018	C326
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, 2012	C172
North West Corner of Mark and Melrose Street, North Melbourne	C134
One Queensbridge, 1-29 Queens Bridge Street, Southbank (Crown's Queensbridge Hotel Tower), February 2017	C310
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
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
Rialto South Tower Communications Facility Melbourne, November 2002	C57
Royal Melbourne Showgrounds Redevelopment Master Plan – December 2004	C100
Royal Melbourne Showgrounds Redevelopment Project – December 2004	C100
Scots Church Site Redevelopment, Melbourne, May 2013	C202
Shadow Controls, 555 Collins Street, Melbourne, February 2013	C216
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 and Fishermans Bend Heritage Inventory, January 2017	C276
Southbank Heritage Review: Statements of Significance, January 2017	C276
Southbank Heritage Inventory, February 2018	C304
Southbank Statements of Significance, February 2018	C304
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
The Games Village Project, Parkville, September 2015	C281

Name of document	Introduced by:
The New Royal Children's Hospital Project, Parkville, October 2007	C128
Tram Route 109 Disability Discrimination Act compliant Platform Tram Stops, August 2007	C130
Tramway Infrastructure Upgrades Incorporated Document, May 2017	GC68
University of Melbourne Bio 21 Project Parkville, November 2018	C342melb
University of Melbourne, University Square Campus, Carlton, November 1999	C17
Victoria Police Precinct, Sky Bridges 263 – 283 Spencer Street and 313 Spencer Street, Docklands Incorporated Document June 2018	C317
Visy Park Signage, 2012	C172
West Gate Tunnel Project Incorporated Document, December 2017	GC93
West Melbourne Heritage Review 2016: Statement of Significance February 2020	C258
Yarra Park Master Plan Implementation September 2010	C158
Young and Jackson's Hotel, Promotional Panel Sky sign, Melbourne, July 1999	C6

--/120--

53.XX ENVIRONMENTALLY SUSTAINABLE DESIGN

1.0 Purpose

--/120--

To ensure that new buildings and significant alterations and additions are planned and designed:

- to reduce resource consumption
- in a manner which mitigates and adapts to climate change
- to be compatible with the protection of the environment
- to support the health of future occupants.

2.0 Application

--/120--

Unless otherwise specified in a schedule to this clause, this clause applies to an application to construct a building, or construct or carry out works, other than the following:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Road Zone, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone.
- An application to construct or extend a dwelling, fence or residential building in a residential zone, unless otherwise specified in a schedule to this clause.
- An application to construct a building or construct or carry out works associated with one dwelling on a lot, unless otherwise specified in a schedule to this clause.
- An application for land affected by a development plan or incorporated plan that was approved or incorporated in this planning scheme before the approval date of Amendment XX.
- An application lodged before the approval date of Amendment XX.

3.0 Requirements

--/120--

The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains requirements that should be met to meet the objective.

A schedule to this clause may:

- Contain additional objectives and standards.
- Specify performance measures which must be met to meet the objective.

A development to which this clause applies:

- Must meet all of the objectives of Clauses 53.XX-X to 53.XX-X and the objectives specified in a schedule to this clause.
- Should meet all of the standards of Clauses 53.XX-X and 53.XX-X and the standards specified in a schedule to this clause. However, if the responsible authority is satisfied that the application of an alternative solution meets the objective, the alternative solution may be considered.
- Must meet all the performance measures specified in a schedule to this clause.

Where no standards or performance measures are specified for the relevant objective, the objective must still be met.

4.0 Application Requirements

--/20--

An application must be accompanied by the information required by Table 1, unless alternative requirements are specified in a schedule to this clause:

Table 1

Type of development	Requirement
<p>2-9 dwellings</p> <p>A non-residential building with a gross floor area of less than 1000 sqm</p>	<p>A Sustainable Design Assessment (SDA) which:</p> <ul style="list-style-type: none"> ▪ should include, as relevant, an assessment using BESS and STORM/MUSIC or alternative tools to the satisfaction of the Responsible Authority ▪ must comply with any application requirement specified in a schedule to this clause
<p>10 or more dwellings</p> <p>A new building used for a use other than dwellings with a gross floor area of more than 1000 sqm</p> <p>An extension to an existing building creating more than 1000 sqm of additional gross floor area (excluding outbuildings)</p>	<p><u>Sustainability Management Plan (SMP)</u> which:</p> <ul style="list-style-type: none"> ▪ should include, as relevant, an assessment using BESS/Green Star and STORM/MUSIC or alternative tools to the satisfaction of the Responsible Authority ▪ should include a Green Travel Plan ▪ must comply with any application requirements specified in a schedule to this clause.

The application requirements specified in Table 1 apply to each component of a mixed use development.

5.0 Objectives and Standards

--/20--

Environmentally sustainable design

Objectives

To minimise environmental impacts as a result of development.

To encourage environmentally sustainable development that:

- incorporates environmentally sustainable design measures proportionate to the type and scale of the development.
- Responds to site and precinct opportunities and constraints.
- Adopts best practice through a combination of methods, processes and locally available technology that minimise environmental impacts.

Any other local objectives specified in a schedule to this clause.

Standard E1

NONE SPECIFIED

Any other local standards specified in a schedule to this clause.

Energy efficiency and renewables objectives

Objectives

To reduce both energy use and energy peak demand.

Any other local objectives specified in a schedule to this clause.

Standard E2

NONE SPECIFIED

Any other local standards specified in a schedule to this clause.

Waste and resource recovery

Objectives

To avoid waste and to promote reuse and recycling during the design, construction and operation stages of development.

To encourage use of durable and reuseable building materials.

Any other local objectives specified in a schedule to this clause.

Standard E3

NONE SPECIFIED

Any other local standards specified in a schedule to this clause.

Urban heat island response

Objectives

To reduce urban heat island effects through building materials and landscape design.

To reduce urban heat island effects through water sensitive landscape design and the retention and provision of canopy trees.

Any other local objectives specified in a schedule to this clause.

Standard E4

NONE SPECIFIED

Any other local standards specified in a schedule to this clause.

Urban ecology

Objectives

To protect and enhance biodiversity by incorporating natural habitats and planting indigenous vegetation in development.

To encourage the provision of space for productive gardens.

Any other local objectives specified in a schedule to this clause.

Standard E5

NONE SPECIFIED

Any other local standards specified in a schedule to this clause.

Integrated water management

Objectives

To reduce total operating potable water use.

To encourage the appropriate use of alternative water sources (including rainwater, stormwater, greywater and blackwater).

To incorporate best practice water sensitive urban design to improve the quality of stormwater runoff and reduce impacts on water systems and water bodies.

Any other local objectives specified in a schedule to this clause.

Standard E6

NONE SPECIFIED

Any other local standards specified in a schedule to this clause.

Sustainable transport

Objectives

To promote the use of walking, cycling and public transport, in that order; and minimise car dependency.

To promote the use of low emissions vehicle technologies and supporting infrastructure.

Any other local objectives specified in a schedule to this clause.

Standard E7

NONE SPECIFIED

Any other local standards specified in a schedule to this clause.

Indoor environmental quality

Objectives

To achieve a healthy indoor environment quality, including thermal comfort and access to fresh air and daylight.

To reduce indoor air pollutants by encouraging use of low-toxicity materials.

To minimise noise levels and noise transfer within and between buildings and associated external areas.

Any other local objectives specified in a schedule to this clause.

Standard E8

NONE SPECIFIED

Any other local standards specified in a schedule to this clause.

6.0 Mandatory Conditions

--/20--

A schedule to this clause may specify conditions which must be included on a permit in accordance with section 62(1)(a) of the Act.

7.0 Decision guidelines

--/20--

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- Whether alternatives to the identified Standards would achieve greater alignment with (precinct specific) objectives related to environmental sustainability.
- The response to any other matters relating to environmentally sustainable design outlined in this planning scheme.
- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The contribution the development makes to mitigation of the urban heat island effect.
- The feasibility and approach to maintenance of proposed green cover.
- The quality of the integrated water management approach proposed for the development.

- The impact of the removal of any mature canopy trees or vegetation which contributes to natural ecosystems and the measures proposed to mitigate these impacts.
- Any other decision guidelines specified in a schedule to this clause.

SCHEDULE X TO CLAUSE 53.XX ENVIRONMENTALLY SUSTAINABLE DESIGN

1.0 Application

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This schedule applies to an application:

- To construct a new building for the purposes of Accommodation, Retail, Office, Education Centre, Research and Development and Place of Assembly.
- To construct a building or construct or carry out works which results in more than 1000 sqm additional gross floor area for the purposes listed above.

2.0 Application requirements

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The following application requirements apply to an application for a permit under Clause 53.XX, instead of the application requirements specified at cl 53.XX, 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 Clause 53.XX where not addressed by other application requirements.
- If a standard in Table 1 or Table 2 will not be met by the development, the following must be provided:
 - A detailed analysis of the site context and its impact on the delivery of the standard.
 - A report from a suitably qualified consultant that provides a justification for why delivery of the standard is not technically achievable or economically feasible.
- Documentation of how relevant objectives, standards and performance measures will be delivered as identified below.

Type of development	Requirement
New buildings of more than 5000 sqm gross floor area Buildings and works which result in more than 5000 sqm additional gross floor area	A Sustainability Management Plan (SMP) that is prepared by an appropriately qualified person and contains a detailed assessment of the development and includes details of how the development meets each of the applicable objectives, standards and performance measures in Clause 53.XX and this schedule. Plans submitted with the application must detail the content of the SMP where relevant.
New buildings 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 Sustainable Design Assessment (SDA) that includes details of how the development meets each of the applicable objectives, standards and performance measures in Clause 53.XX and this schedule. Plans submitted with the application must detail the content of the SDA where relevant.
All developments (other than single dwellings)	A Landscape Package comprising 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 and Resource Recovery Management Plans</i> .

3.0 Objectives, Standards and Performance Measures

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The following objectives, standards and performance measures apply in addition to those specified in Cl 53.XX.

A requirement to meet a standard or a performance measure means that the building must be designed to be able to achieve the relevant standard or performance measure.

Environmentally sustainable design

Objectives

- To ensure the design, construction and operation of buildings addresses the climate crisis and contributes to community resilience.

Standards

- The relevant standard in Table 1.

Performance Measure

- If the standard in Table 1 is not met, the relevant performance measure in Table 1.

Table 1

Type of development	Performance Measure	Standard
New buildings of more than 5000 sqm gross floor area Buildings and works which result in more than 5000 sqm additional gross floor area	5 Star Green Star Design and As Built.	6 Star Green Star Design and As Built.
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

Objectives

- To encourage buildings to be planned and designed to facilitate carbon neutral or carbon positive outcomes across building and operational stages.
- To optimise the use of passive design elements to deliver energy efficient outcomes.
- To facilitate increased delivery of local renewable energy generation by maximising available opportunities.
- To discourage development which that incorporates infrastructure which that is not aligned with a zero emissions future.

Standards

- Should incorporate on-site renewable energy generation.
- Should not incorporate connections to gas services or other non-renewable energy.
- The relevant standard in Table 2.

Performance Measure

- If the standard in Table 2 is not met, the relevant performance measure in Table 2.

Table 2

Type of development	Performance Measure	Standard
<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 - 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>For all other - A minimum 5.5 Star NABERS Energy rating.</p>	<p>For residential – none specified</p> <p>For all other - A minimum 6 Star NABERS Energy rating.</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>If applicable:</p> <ul style="list-style-type: none"> ▪ A minimum 60% score in BESS Energy category. ▪ 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>A minimum 70% score in the BESS Energy category.</p>

Waste and resource recovery

Objectives

- To support opportunities for precinct scale efficiencies to minimise waste and maximise resource recovery.
- To support the consideration of whole-of-lifecycle impacts in building design, construction and operation.
- To ensure that spatial requirements to support sustainable waste management are considered in the design of buildings.

Standards

- Should provide waste and resource recovery facilities that meet the requirements of the City of Melbourne’s *Guidelines for preparing a Waste and Resource Recovery Management Plan*.
- Should meet the requirements of a precinct waste management plan, if there is one in place.
- Should manage construction waste to minimise landfill and maximise resource recovery.

Urban heat island response

Objectives

- To maximise the delivery of green cover across the private realm in recognition of the critical role vegetation plays in reducing the urban heat island effect.
- To encourage the consideration of heat load in the selection of building materials and finishes.
- To encourage the use of permeable or other heat reducing paving treatments in outdoor areas.

Standards

- Should provide the equivalent of at least 75% of the development's total site area as building or landscape elements that reduce the impact of the urban heat island effect. These elements include:
 - Green infrastructure
 - Roof or facade materials with a high solar reflectivity
 - Solar panels or shading structures
 - Hardscaping materials with a high solar reflectivity
- Should ensure non-glazed facade materials exposed to summer sun have a high solar reflectivity.
- 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

Objectives

- To increase the delivery of green cover which supports and increases the resilience of local biodiversity.
- To recognise the important role that green cover plays in increasing community resilience to urban heat, and in increased amenity and community wellbeing.
- To facilitate increased green cover in a manner which reflects the scale and context of development.
- To encourage the use of green cover to improve thermal mass of buildings and increase their energy efficiency.
- To protect existing canopy vegetation and habitat in recognition of improved biodiversity and heat reduction outcomes generally associated with retention rather than replacement.
- To ensure that the delivery of green cover is sustainable, having consideration for climate change projections and potable water supply.

Standards

- Should ensure green cover proposed:
 - Supports the creation of complex and biodiverse ecosystems.
 - Provides a layered approach, incorporating both understorey and canopy planting.
 - Provides either 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.

Performance Measures

- The relevant performance measure in Table 3.

Table 3

Type of development	Performance Measure
New buildings (other than those used for Research and Development)	Green Factor score of 0.55 using the Green Factor Tool
New buildings used for Research and Development	Green Factor score of 0.25 using the Green Factor Tool
Buildings and works which result in more than 1000 sqm additional gross floor area	Green Factor score of 0.55 using the Green Factor Tool.

Integrated Water Management

Objectives

- To support innovation in the retention and reuse of stormwater and to integrate stormwater management with other systems to reduce run off and support water efficiency and urban ecology objectives.
- To encourage development to reduce the impacts of peak flows and flood events on the both the urban and natural environment.
- To support precinct scale infrastructure which improves water efficiency.
- To ensure development meets or exceeds minimum standards in water efficiency.

Standards

- The relevant standards in Table 4

Table 4

Type of development	Standard
Buildings and works which result in between 1000 and 5000 sqm additional gross floor area	<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.
All development	Should use alternative water for all non-potable uses on-site where technically feasible.

Performance Measures

- The relevant performance measures in Table 5

Table 5

Type of development	Performance Measure
All development	Best practice water quality performance objectives set out in the <i>Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999</i> (or as amended).
New buildings Buildings and works which result in more than 5000 sqm additional gross floor area	<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: <ul style="list-style-type: none"> ○ support on-site green cover or ○ supply a minimum of 10% of internal water demand.
New buildings of more than 5000 sqm gross floor area Buildings and works which result in more than 5000 sqm additional gross floor area	<ul style="list-style-type: none"> ▪ For residential - the relevant Water credit under 5 Star Green Star Design and As Built rating. ▪ For all other - 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 and 5000 sqm additional gross floor area	A minimum 50% score in BESS Water category.

4.0 Mandatory Conditions

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A permit granted must include the following conditions

Type of development	Condition
New buildings of more than 5000 sqm gross floor area Buildings and works which result in more than 5000 sqm additional gross floor area	<p>Prior to the occupation of any building approved under this permit, a report by a suitably qualified person must be submitted to and approved by the Responsible Authority. The report must:</p> <ul style="list-style-type: none"> ▪ Outline how the ESD measures specified in the approved SMP have been implemented. ▪ Include all final calculations, modelling reports, commissioning and testing reports, building user guides and other supplementary materials that have been produced to demonstrate compliance. ▪ Include evidence that demonstrates the project has been registered to seek certification to the relevant Green Star Design and As-Built rating (or equivalent).

	<ul style="list-style-type: none"> ▪ Include evidence that demonstrates that, as applicable, NatHERS or NABERS certification (or equivalent) to the relevant rating is being sought. <p>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 the applicable ratings (or equivalent), as follows:</p> <ul style="list-style-type: none"> ▪ The relevant Green Star Design and As-Built rating. ▪ The relevant NABERS rating. ▪ The relevant NatHERS rating.
<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>Prior to the occupation of any building approved under this permit, a report must be submitted to and approved by the Responsible Authority. The report must:</p> <ul style="list-style-type: none"> ▪ Outline how the ESD measures specified in the approved SDA have been implemented. ▪ Include all final calculations, modelling reports, commissioning and testing reports, building user guides and other supplementary materials that have been produced to demonstrate compliance. ▪ Include evidence that demonstrates that, as applicable: <ul style="list-style-type: none"> ▪ The relevant BESS scores have been achieved. ▪ NatHERS certification (or equivalent) to the relevant rating is being sought. <p>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 the the relevant NatHERS rating (or equivalent).</p>

5.0 Decision guidelines

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The following decision guidelines apply in addition to those specified in Clause 53.XX and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- In respect of the standards in Table 1 and Table 2, whether the delivery of the standard is not technically achievable or economically viable.
- 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 maintenance plan for the proposed green cover.
- How additional water requirements to support on-site green cover are aligned with integrated water management on the site.