

**PLANNING AND ENVIRONMENT
COMMITTEE REPORT**

Agenda Item 5.7

4 October 2005

**C103 – AMENDMENT TO THE MELBOURNE PLANNING
SCHEME – RECTANGULAR PITCH STADIUM DEVELOPMENT
AND GOSCH'S Paddock**

Division Sustainability & Innovation

Presenter John Noonan, Group Manager, Sustainable Regulatory Services

Purpose

1. To seek Council's views on proposed Amendment C103 to the Melbourne Planning Scheme which has been referred to Council for comment by the Department of Sustainability and Environment. This matter is being referred to Committee as it raises matters of policy.

Recommendation

2. That the Planning and Environment Committee:
 - 2.1. support the concept of a sporting stadium of about 25,000 capacity for rugby and soccer in the Sport and Entertainment Precinct and, as a project of State significance, support the use of Ministerial Powers under Section 20(4) of the *Planning and Environment Act* to approve the development, subject to certain qualifications and conditions;
 - 2.2. recommend to the Minister for Planning that all the land currently managed by Melbourne Olympic Park Trust be rezoned from Public Park and Recreation Zone to a more appropriate zone such as Special Use Zone, and the Masterplan for Olympic Park, as agreed between the State and the City of Melbourne, be incorporated as part of the relevant planning controls within the Schedule to the Zone;
 - 2.3. recommend the zoning of Gosch's Paddock should not change and should remain Public Park and Recreation Zone and that existing development controls in the Planning Scheme, such as the prohibition of commercial advertising, should also remain;
 - 2.4. given the urgency to start the work on the development of the training oval and rectangular pitch at Gosch's Paddock, support an amendment to the Planning Scheme by the Minister that would allow the engineering and landscaping works to commence subject to the satisfaction of the City of Melbourne on the nature and extent of those works. The remaining works on Gosch's Paddock, including lighting, should be the subject of normal planning processes; and
 - 2.5. support the approval of signage on the Mercedes Benz site at 135-149 Kingsway, Southbank as proposed in Amendment C103.

Key Issues

3. The Amendment C103 proposes to waive the normal planning approval processes and (in some limited instances) prohibitions for 3 sub-precincts in the Sport and Entertainment Precinct (see Attachment 1) namely:
 - 3.1. construction of a stadium at Precinct 1 (the current location of the Edwin Flack Field and Olympic Park car park), namely the erection of a major sports and recreation facility in the form of a rectangular pitch stadium with a capacity of 25,000 seats and with associated facilities. These include indoor recreation facility, office, entertainment facilities including a place of assembly, retail premises, car parking and public art;
 - 3.2. development at Precinct 2 (Gosch's Paddock), namely two open sports ground including fencing, lights on poles for night training, sporting and community based events, commercial advertising, other signage, landscape works, public art and the removal of a number of trees;
 - 3.3. the provision of signage at the Lexus Centre; and
 - 3.4. the allowance of business identification signs on the Mercedes Benz site at 135-149 Kings Way, Southbank.
4. Proposed Amendment C103 (see Attachment 2) does not provide plans or further specifications on the details of the proposed development, however it does set up the broad parameters for the design of the project and requires plans and information to be lodged in the future to the satisfaction of the Minister for Planning including details of:
 - 4.1. the design of the stadium;
 - 4.2. landscape plans;
 - 4.3. construction management plans;
 - 4.4. car parking and traffic plan; and
 - 4.5. signage details including direction signs and commercial advertising signs.
5. The current major use of Precinct 1 includes the Edwin Flack Field which is used by Collingwood Football Club as a training ground. This use is proposed to be transposed to Gosch's Paddock and the upgraded facility at Gosch's Paddock is proposed to be shared between Collingwood Football Club and at least one other AFL football club. Precinct 1 also contains the Olympic Park ground level car park and it is understood car parking will be provided in the basement of the new rectangular pitch stadium. The Planning Scheme Amendment does not indicate the extent of car parking proposed and this is left to be resolved as part of the car parking and traffic plan to be approved by the Minister (see Attachment 3 for an aerial photograph of the current and proposed use of Precincts 1 & 2).
6. The Amendment overrides the existing Planning Scheme provisions as they apply to the Precincts 1, 2 and 3 and the "Incorporated Document" would instead control the approval of the future use and development of Precincts 1 and 2 and signage in Precinct 3. The proposed Amendment also establishes the Minister as the Responsible Authority for all 3 precincts, not only for this project but for any planning approvals into the future. It is proposed that the Amendment be approved under Section 20(4) of the Planning and Environment Act which does not require a public approval process. Amendment C103 explanatory report (see Attachment 4) indicates that "completion of the stadium relies on a streamlined planning approval process". The Council has been asked for its views on the Amendment documentation (see Incorporated Document Attachment 2).

7. Precinct 1 is zoned Public Park and Recreation Zone and, as is indicated above, contains the Edwin Flack Field currently used by Collingwood Football Club for training purposes. This oval is currently available to the public as part of the local network of public parkland and is adjacent to Gosch's Paddock. No indication is given as to whether this "green space" is to be replaced elsewhere.
8. Precinct 2 is known as Gosch's Paddock and is a public park containing an oval which is used by Melbourne Storm Football Club as a training ground. It is part of the public park land of Yarra Park and is managed by the City of Melbourne as the Committee of Management. Gosch's Paddock is similar in character to parts of Princes Park, Royal Park and Fawkner Park which all encourage public recreation and use by community football and other clubs for active sport. It is proposed that the existing ovals at Gosch's Paddock would be redeveloped into one larger oval for AFL training and a rectangular pitch for use by Melbourne Storm and Melbourne Victory Football Club for training. Lights for night use and fencing and signage around the grounds together with the removal of a number of trees is proposed, however detailed plans have yet to be lodged and do not currently form part of the Planning Scheme Amendment.
9. These proposals have significant implications for the future use, development and management of these sites notably Gosch's Paddock and the potential loss of land available to the public in the establishment of the stadium and the training facility in Gosch's Paddock. The Amendment also raises issues yet to be resolved including the provision of car parking, access to public transport, commercial advertising in public park land and general landscaping issues including the loss of mature trees.
10. It is understood that there has been insufficient time to finalise a Masterplan for the future development of Olympic Park that would determine the form, scale and specifications for the proposed new stadium and associated developments. Under the proposed Amendment C103, these details would need to be finalised through subsequent submission of development plans for ministerial approval.

The Stadium

11. It is acknowledged that the provision of a stadium of between 20,000 and 25,000 seats with a rectangular pitch for use by both rugby and soccer is needed and will be a welcome addition to the world class sporting facilities in the Olympic Park sport and entertainment precinct. No objection is raised to the provision of the stadium, however given that the Masterplan for Olympic Park has not yet been finalised, the Planning Scheme Amendment does raise a number of issues which need to be resolved in the immediate future.
12. It is therefore suggested that the Council's views are sought and given effect to as the Masterplan is completed and the development proposals are formulated particularly issues such as the extent of signage at the stadium and at Gosch's Paddock and the provision for car parking at the stadium.

Advertising

13. One of the issues raised by the Incorporated Document is the question of commercial advertising and large scale directional signage. Commercial signage in Precincts 1, 2 and 3 is currently prohibited under "the maximum limitation" advertising provisions in the Public Park and Recreation Zone. The proposed Incorporated Document provides the opposite "minimum limitation" advertising controls which would enable commercial advertising, with no limit in size or extent, to be approved to the satisfaction of the Minister.
14. It is considered that, for the stadium (Precinct 1), a reasonable extent of signage should be allowed to identify the clubs involved and their sponsors, however it is considered that the existing prohibition of advertising signs should continue to apply at Gosch's Paddock (Precinct 2).

15. The proposals for the Mercedes Benz sites at 135-149 Kings Way, Southbank is to allow a business identification sign for the Mercedes Benz Smart Car dealership. The development of this site was approved by the City of Melbourne in July 2004, however the current advertising control prohibits the size of the business identification signage on the building because the site currently exists in a Mixed Use Zone where the signage control is very restrictive. No objection is offered to this proposal.

Conclusion

16. Given the support for the stadium and the development of the Sport and Entertainment Precinct generally, it is considered that the whole of the area managed by Melbourne Olympic Park Trust should be rezoned to a more appropriate zone. This would recognise that strategically the area would be viewed differently than it is currently under the Public Park and Recreation Zone, which contains very restrictive objectives and limitations on the development of new buildings.
17. The zoning which is more appropriate is Special Use Zone – which is the zone which currently applies to the Showgrounds and Flemington Racecourse. Under that zone, the Masterplan provisions, when finalised, could be incorporated as a Schedule to the zone and the Minister would be the Responsible Authority for any planning applications and approvals. It is understood that the engineering works to Gosch's Paddock need to be commenced immediately to meet the deadlines for the project and to allow the various clubs access to the new training facilities early in the New Year. In that case, there is no objection to ministerial approval of those works provided that they are to the satisfaction of the Council.

Consultation

18. Melbourne and Olympic Park Trust is undertaking a stakeholder consultation process including discussions with various Branches within the City of Melbourne including Parks and Recreation, Engineering Services and Urban Design. Other stakeholders interested in access and amenity issues listed in stakeholder engagement consulted include East Melbourne Residents Group, South Yarra Residents Association, Friends of the Elms, Royal Botanic Gardens and Yarra City Council.
19. As a Ministerial amendment pursuant to Section 20 (4) of the *Planning and Environment Act*, public exhibition of the amendment is not required.

Finance

20. There are no direct financial implications for Council in relation to the recommendations contained in this report.

Legal

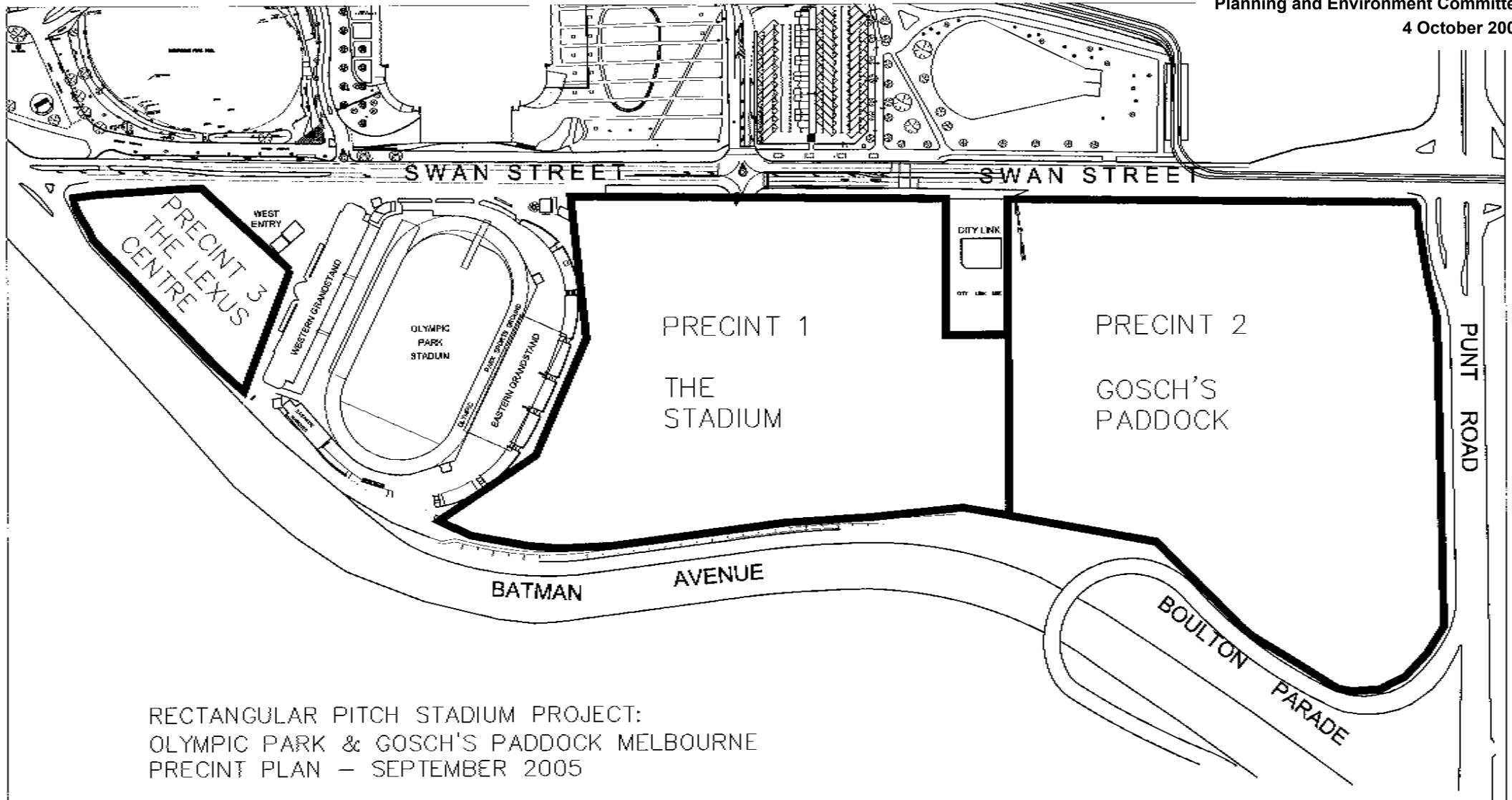
21. In relation to the proposed Ministerial amendment, Section 20(4) of the *Planning and Environment Act 1987* provides that the Minister may be exempted from the giving of notice in respect of a planning scheme amendment in certain circumstances.

Background

22. The Melbourne and Olympic Park Trust briefed Councillors on 6th September on the proposed Rectangular Pitch Stadium Project, at Olympic Park. As advised at the Councillor Briefing, the State Government has confirmed an initial financial commitment towards the development of a Rectangular Pitch Stadium at Melbourne and Olympic Park, including an allocation to upgrade Gosch's paddock. The upgrade involves the renovation of the playing surfaces on the existing ovals in Gosch's paddock, plus lighting and other infrastructure, to establish an Australian Rules football training ground and a rectangular training field for tenants of the Melbourne and Olympic Park precinct.
 23. In effect the current use of the existing Edwin Flack Field (Precinct 1 Sports Stadium) would be transferred to Gosch's paddock (Precinct 2) and Edwin Flack Field and Olympic Park car park would be the site of a new Sports Stadium.
 24. The proposed amendment to the Planning Scheme approves the above development by removing certain planning provisions and replacing them with new provisions which would only apply to the three precincts specified, namely, The Stadium (current Edwin Flack Field), Gosch's paddock and the Lexus Centre (VIS – former Olympic Swimming Stadium). A separate Incorporated Document will manage Advertising Signs at the Mercedes Benz site, 135-149 Kings Way, Southbank.
 25. There are no concerns associated with the Lexus Centre (VIS – former Olympic Swimming Stadium) or Mercedes Benz sites as Council had previously commented on both the development and signage at these applications.
 26. The amendment has significant implications for the future management of these sites and potential alienation of public parkland and development within public parkland.
 27. There is no current overarching Masterplan to guide the future use and development of the Melbourne Sports and Entertainment Precinct. The Department of Sustainability and Environment, some years ago, prepared a document entitled *Yarra Plan* which gives some indication of future development in the precinct and the *Melbourne Olympic Park Masterplan* is currently in preparation. Both these documents should provide the strategic vision necessary to manage sport and entertainment precinct in the future. However it remains a concern that the proposed amendment may establish a course of action as to the future use and development of the precinct which has not been strategically or publicly examined.
 28. The City of Melbourne has written to the Executive Director of Sport and Recreation to advise that, while the concept for the new stadium is supported, the City of Melbourne is opposed to any form of commercial advertising in Public Parkland and in particular the proposed advertising on fencing surrounding the proposed new oval at Gosch's paddock. It was advised that signage such as this would set an unreasonable precedent for inner city parkland.
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Attachments:

1. Plan of precincts
2. Amendment C103 – Incorporated Document without tracked changes
3. Aerial photographs
4. Amendment C103 – Explanatory report



RECTANGULAR PITCH STADIUM PROJECT:
OLYMPIC PARK & GOSCH'S Paddock MELBOURNE
PRECINCT PLAN – SEPTEMBER 2005

MELBOURNE PLANNING SCHEME

Attachment 2
Agenda Item 5.7
Planning and Environment Committee
4 October 2005

MELBOURNE PLANNING SCHEME

INCORPORATED DOCUMENT

DRAFT 13/9/05

**Rectangular Pitch Stadium Project:
Olympic Park and Gosch's Paddock, Melbourne
September 2005**

**This document is an incorporated document in the Melbourne Planning Scheme pursuant to
Section 6(2)(j) of the Planning and Environment Act 1987.**

MELBOURNE PLANNING SCHEME

Melbourne Planning Scheme

Incorporated Document

**Rectangular Pitch Stadium Project: Olympic Park and Gosch's Paddock, Melbourne
September 2005**

INTRODUCTION

This document is an incorporated document in the Schedule to Clause 52.03 and Clause 81 of the Melbourne Planning Scheme. It consists of the written provisions of this document and the plan marked "Rectangular Pitch Stadium Project: Olympic Park and Gosch's Paddock, Melbourne, Precinct Plan-September 2005".

Pursuant to Clause 52.03 of the Scheme the land identified in the document may be developed and used in accordance with the specific controls contained in the document. The specific controls may exclude other controls in the Scheme.

If there is any inconsistency between the specific controls and the general provisions of the Scheme, the specific controls will prevail.

LAND DESCRIPTION

The Incorporated Document applies to land bounded by Swan Street, Punt Road, Batman Avenue and Boulton Parade, Melbourne. The subject land is shown on the "Rectangular Pitch Stadium Project: Olympic Park and Gosch's Paddock, Melbourne, Precinct Plan-September 2005" that forms part of this Incorporated Document.

APPLICATION OF PLANNING SCHEME PROVISIONS

The following Clauses of the Melbourne Planning Scheme do not apply to the land identified in this Incorporated Document, unless specifically provided for in this Incorporated Document:

- Clause 36.02 Public Park and Recreation Zone
- Clause 43.01 Heritage Overlay
- Clause 43.02 Design and Development Overlay Schedule 15 Royal Botanic Gardens
- Clause 44.04 Land Subject to Inundation Overlay
- Clause 44.05 Special Building Overlay
- Clause 45.01 Public Acquisition Overlay
- Clause 45.07 City Link Project Overlay
- Clause 52.05 Advertising signs
- Clause 52.06 Car parking
- Clause 52.17 Native Vegetation
- Clause 52.27 Licensed premises

MELBOURNE PLANNING SCHEME

- Clause 52.29 Land adjacent to a Road Zone, Category 1 or a Public Acquisition Overlay for a Category 1 road
- Clause 52.34 Bicycle facilities

PRECINCTS

The “Rectangular Pitch Stadium Project: Olympic Park and Gosch’s Paddock, Melbourne Precinct Plan- September 2005”, shows **three** precincts within the subject land.

The three Precincts are:

- Precinct 1: The Stadium;
- Precinct 2: Gosch’s Paddock;
- Precinct 3: The Lexus Centre - Victorian Institute of Sport, (former Olympic Swimming Stadium)

ADVERTISING SIGNS

The following provisions apply to the display of advertising signs on the subject land.

Despite anything to the contrary stated in this Incorporated Document, the advertising sign provisions of Clause 52.05-3 ‘Signs not requiring a permit’ in the Melbourne Planning Scheme, continues to apply.

PRECINCT 1: THE STADIUM

Advertising Sign Objectives:

- To allow for identification and promotion of events, clubs, sponsors, facilities, activities and businesses within the Stadium Precinct;
- To allow naming rights for the Stadium building;
- To allow clubs and club and event sponsors to display their logos and other commercial information in appropriate locations and in an appropriate form within the Stadium Precinct;
- To integrate signs with the design of the Stadium building and surrounding pedestrian areas;
- To ensure signs do not detract from the amenity of the Royal Botanic Gardens, the Swan Street frontage and the Sports and Entertainment Area generally;
- To ensure appropriate information signs about way finding, access, amenity, conditions of entry, pricing, standards of behaviour, and the like are displayed for the benefit of visitors.

Advertising signs inside the Stadium

A permit is not required to display an advertising sign in Precinct 1 provided the advertising sign is inside the Stadium building and cannot be seen outside the Stadium building.

Advertising signs visible outside the Stadium

The provisions of Clause 52.05-9 – ‘Category 3 – High Amenity areas’ of the Melbourne Planning Scheme apply to advertising signs visible from outside the Stadium building in Precinct 1. Prior to the display of any advertising sign outside the Stadium building in Precinct 1, an ‘Advertising Sign Strategy’ for the area outside the Stadium in Precinct 1 must consider and give effect to the views of the City of Melbourne and be submitted to and approved to the satisfaction of the responsible authority. The strategy must demonstrate how the advertising sign objectives for Precinct 1 have been met and address the types of signs; the maximum dimensions of signs; the preferred locations for signs; lighting of signs and any other relevant matter.

The display of advertising signs must comply with the approved ‘Advertising Sign Strategy’.

Exemption from notice and appeal

An application to display and erect or construct or carry out works for an advertising sign in Precinct 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.

PRECINCT 2: GOSCH’S PADDOCK

Advertising Sign Objectives:

- To ensure that signs do not detract from the public parkland character and amenity of Gosch’s Paddock;
- To ensure that signs do not create visual clutter and are not intrusive;
- Signage in parks should be sympathetic to the landscape character of the area;
- The design and location of signs should have a minimum impact on their immediate surroundings;
- Signs on sports stadiums/grandstands should be limited to that required for building identification purposes.

The provisions of Clause 52.05-10 ‘Category 4 – Sensitive areas’ of the Melbourne Planning Scheme apply to advertising signs in Precinct 2. Prior to the display of any advertising sign in Precinct 2, an ‘Advertising Sign Strategy’ for Gosch’s Paddock must consider the give effect to the views of the City of Melbourne and be submitted to and approved to the satisfaction of the responsible authority. The strategy must demonstrate how the advertising sign objectives for Precinct 2 -Gosch’s Paddock have been met and address the types of signs; the maximum dimensions of signs; the preferred locations for signs; lighting of signs and any other relevant matter.

The display of advertising signs must comply with the approved advertising sign strategy.

Exemption from notice and appeal

MELBOURNE PLANNING SCHEME

An application to display and erect or construct or carry out works for an advertising sign in Precinct 2, 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.

PRECINCT 3: THE LEXUS CENTRE

Precinct 3 applies to the Lexus Centre - Victorian Institute of Sport. This Incorporated Document allows the use and development of the land for the purpose of display of advertising signs in accordance with the following 'Incorporated Plans':

Drawing title.	Drawing No.	Date
Victorian Institute of Sport Forecourt Locations – Freestanding Directional Signage	01	11/05/04
Front Elevation	02	05/05/ 04
Front Elevation – Fascia Sign	01a	05/05/04
Front Entrance – Fascia Sign	02	05/05/04
Forecourt – Freestanding sign details	05	05/05/04
Forecourt – Freestanding sign details	03	05/05/04
Window – Decals	04	05/05/04

The Incorporated Plans form part of this document.

The following conditions apply to this document for the Lexus Centre -Victorian Institute of Sport signage:

1. The use and development must be carried out generally in accordance with the Incorporated Plans endorsed by the Minister for Planning or such modified plans which may be substituted with the consent of the Responsible Authority.
2. The location and details of signs on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. The signs hereby approved must not be animated or contain any flashing light.
4. All signs must be constructed to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority.
5. The details and content of all signage must first be approved by the Melbourne and Olympic Parks Trust.
6. The signs hereby approved must be removed at the expiration of the VIS's tenancy.

Time Limits

This approval will expire if the use and development is not started within two years of the approval date.

The responsible authority may extend the periods referred to if a request is made in writing before the approval expires or within three months afterwards.

USE AND DEVELOPMENT OF LAND

Views of relevant authorities

Before deciding on any development plan(s) submitted for approval in accordance with this Incorporated Document, the responsible authority must consider and give effect to shall consider, as appropriate, the views of the following authorities:

- Melbourne Water- if the land is subject to the Special Building Overlay or the Land Subject to Inundation Overlay;
- VicRoads- if access to/ from Swan Street, Batman Avenue or Punt Road is proposed or the land is subject to the Public Acquisition Overlay;
- CityLink Melbourne Limited;
- The Director of the Royal Botanic Gardens – if the building or works may be visible from the Royal Botanic Gardens; and
- The City of Melbourne.

PRECINCT 1: THE STADIUM

This Incorporated Document (we can't say may allow for??) allows the use and development of the land in Precinct 1 to the satisfaction of the Responsible Authority following consultation with the City of Melbourne, for the purpose of a Major sports and recreation facility (a Rectangular Pitch Stadium) with a capacity of up to 25,000 seats to accommodate major events; with associated facilities including Indoor recreation facility, Office, and entertainment facilities, including Place of assembly, Retail premises (excluding Shop), Car park and access; landscape works and public art; subject to the following conditions:

Development Plans

1. Prior to the commencement of the development or any stages thereof, excluding demolition, detailed development plans to the satisfaction of the responsible authority must be submitted to and be to the satisfaction of the responsible authority. When approved, the plans will be endorsed and will then form part of the Incorporated Document. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must provide, and may not be limited to, the following information:
 - (a) An existing conditions plan, including levels;
 - (b) A site analysis plan and a design response plan;
 - (c) A site layout plan showing the location of all proposed buildings and works and setbacks from all site boundaries;
 - (d) Floor plans including a roof plan for the Stadium and all other buildings including a schedule of uses and areas per level;
 - (e) Elevations, including building heights (Reduced Levels) and building elements exceeding 12m above natural surface level;

MELBOURNE PLANNING SCHEME

- (f) Sections and levels;
 - (g) A demolition plan;
 - (h) Shadow diagrams on the hour between 11.00am and 2pm on 22 March and 22 June;
 - (i) A car park layout plan;
 - (j) The location and design detail of all vehicle entry/exit points to the site;
 - (k) A site access plan for pedestrians;
 - (l) Loading and rubbish storage and collection areas;
 - (m) Perspective photographic montage views from Swan Street and from Alexandra Avenue on the south side of the Yarra River.
2. The layout of the site and the size of the proposed buildings and works as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the responsible authority.

Staged Development

3. The use and development of the land may be undertaken in stages. A staging plan may be submitted to and be approved to the satisfaction of the responsible authority prior to the commencement of development.

Landscape Plan

4. Within 12 months of the commencement of development, a landscape plan must be submitted to and approved to the satisfaction of the City of Melbourne and the responsible authority. The landscape plan must provide the following information:
- A schedule of all landscape materials and treatments;
 - A plant schedule;
 - Details of paving materials;
 - Details of lighting to public areas;
 - Fence details,
 - A management and maintenance plan; and
 - Details of public art and other urban design elements.
5. Landscape works as shown on the endorsed landscape plan must be completed within 6 months of the completion of the building work, or the relevant stage of work, to the satisfaction of the responsible authority and then maintained to the satisfaction of the responsible authority.

Wind assessment

6. Prior to the commencement of the development or any stages thereof, excluding demolition, a wind effects assessment must be submitted to the satisfaction of the responsible authority. Any recommendations to reduce adverse wind conditions that may arise in the assessment must be implemented and integrated into the development to the satisfaction of the responsible authority.

Materials and Finishes

7. Prior to the commencement of the development or any stages thereof, excluding demolition, bulk excavation works, piling and site preparation/retention works, a schedule with key to plan elevations of all external materials and finishes with accompanying sample board, must be submitted to and be to the satisfaction of the responsible authority. All external finishes and surfaces of all buildings and works, including materials and colours, must be in conformity with the approved schedule to the satisfaction of the responsible authority.

Building plant and equipment

8. All building plant and equipment on the roofs are to be concealed to the satisfaction of the responsible authority. The construction of any additional plant, machinery and equipment, including but not limited to all air-conditioning equipment, ducts, all exhausts including car parking and communications equipment shall be to the satisfaction of the responsible authority.
9. Except with the consent of the responsible authority, all external glazing must be of a type that does not reflect more than 20% of visible light when measured at an angle of incidence normal to the glass surface.

Construction Management Plan

10. Prior to the commencement of the development, a Construction Management Plan must be submitted to and approved to the satisfaction of the responsible authority and the City of Melbourne. CityLink Melbourne Ltd and VicRoads should be consulted during the preparation of the Construction Management Plan. All demolition and development must be undertaken in accordance with the Construction Management Plan, to the satisfaction of the responsible authority. The Construction Management Plan must provide for the installation and maintenance of the measures, if any, recommended by a qualified arboricultural consultant to protect the existing trees along Batman Avenue from damage during demolition and construction.

Car Parking and Traffic Plan

11. Prior to the commencement of the development, excluding demolition, bulk excavation works, piling and site preparation/retention works, a Car Parking and Traffic Plan from a recognised traffic consultant must be submitted to and approved to the satisfaction of the responsible authority and the City of Melbourne. The Car Parking and Traffic Plan must be prepared in consultation with the City of Melbourne, CityLink Melbourne Limited, and VicRoads and must specify:
 - (a) The likely demand for car parking for the Stadium and how the parking provision will address the demand and the remediation of traffic and parking impacts.
 - (b) The design detail of all vehicle entry/exit points to/from Swan Street and Batman Avenue;
 - (c) Any recommended traffic management measures;
 - (d) Disabled parking requirements;
 - (e) Strategies to encourage visitors to use public transport.

MELBOURNE PLANNING SCHEME

- (f) Pedestrian safety along Swan street and the pedestrian capacity of the Swan Street Bridge.
 - (g) Pedestrian safety and the capacity of the footpath along Batman Avenue having regard to Pedestrian access to Batman Avenue from Olympic Park and the Lexus Centre at the end of events, the high speed environment and adequate lighting levels.
- 12. All traffic and parking management measures recommended in the Car Parking and Traffic Plan must be implemented to the satisfaction of the responsible authority.
 - 13. The internal design of all car parks must be generally in accordance with Australian NZ Standard 2890.1-2004 to the satisfaction of the responsible authority.
 - 14. The areas set aside for the parking of vehicles and access ways to the car parks must be constructed delineated and maintained to the satisfaction of the responsible authority. The car parking spaces must not be used for any other purpose and all access aisles must be kept clear.
 - 15. The loading or unloading of vehicles of goods, plant and materials or other items delivered to or dispatched from the land must take place within the boundary of the land to the satisfaction of the responsible authority.
 - 16. Bicycle parking must be provided and located to the satisfaction of the responsible authority.

Street Levels, Crossovers, Drainage etc.

- 17. The owner of the subject land shall not be permitted to alter existing street levels for the purpose of constructing a new vehicle crossing or pedestrian entrances without first obtaining the written approval by VicRoads.
- 18. The owner of the subject land must construct all necessary vehicle crossings and demolish all unnecessary vehicle crossings adjacent the subject land, at no cost to VicRoads in accordance with plans and specifications first approved by VicRoads.
- 19. The owner of the subject land shall construct a stormwater drainage system for the development at no cost to the City of Melbourne and make provision to connect this system to Council's underground stormwater drainage system and where necessary, upgrade the system to accept the discharge from the site in accordance with plans and specifications first approved by the City of Melbourne and Melbourne Water.

Waste Management

- 20. All rubbish and other waste material must be stored in an area within the land and set aside for such purpose to the satisfaction of the responsible authority.

MELBOURNE PLANNING SCHEME

21. No waste bin or surplus materials generated by the permitted uses may be deposited or stored outside the site and bins must be returned to the waste storage areas as soon as practicable after waste collection to the satisfaction of the responsible authority.

Time Limits

22. This approval will expire if one of the following circumstances applies:

- (a) The development is not started within two years of the approval date;
- (b) The development is not completed within five years of the date of commencement of construction.

The responsible authority may extend the periods referred to if a request is made in writing before the approval expires or within three months afterwards.

23. The development must, after it is commenced, be continued and completed to the satisfaction of the responsible authority.

PRECINCT 2: GOSCH'S Paddock

This Incorporated Document (we can't say may allow for??) allows the use and development of land in Precinct 2 - Gosch's Paddock to the satisfaction of the Responsible Authority and the City of Melbourne for the purpose of two Open sports grounds including fencing, lights on poles for night sports training; sporting and community based events such as Grand Final Celebrations and Family Fun Days; landscape works and public art, subject to the following conditions:

Development plans

1. Prior to the commencement of the development or any stages thereof, detailed development plans to the satisfaction of the responsible authority must be submitted to and be to the satisfaction of the responsible authority. When approved, the plans will be endorsed and will then form part of the Incorporated Document. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must provide, and may not be limited to, the following information:
 - (a) An existing conditions plan including trees, sporting fields, paths, and other features with marked Reduced Levels;
 - (b) A site layout plan showing the location of all proposed works including the sporting fields, fences, lights, posts and nets and setbacks from all site boundaries with Reduced Levels;
 - (c) Retained, removed and relocated trees survey plan.
2. The layout of the site and the size of the proposed works as shown on the endorsed plans must not be altered or modified in any way without the prior written consent of the responsible authority.

Staged Development

MELBOURNE PLANNING SCHEME

3. The use and development of the land may be undertaken in stages. A staging plan may be submitted to and be approved to the satisfaction of the responsible authority prior to the commencement of development.

Events

4. Prior to the use of the land for an event, the written approval of the City of Melbourne in its capacity as the Committee of Management for Gosch's Paddock, must be obtained. Any conditions in the approval for the event issued by the City of Melbourne must be complied with. Prior to approving a request to use the land for an event, the City of Melbourne may require public notice of the proposal to be given for a maximum of 14 days.

Landscape Plan

5. Prior to the commencement of the development or stages thereof, a landscape plan must be prepared to the satisfaction of the City of Melbourne to be submitted to and approved to the satisfaction of the responsible authority. The landscape plan must:
 - Maintain and enhance the traditional public park- like, "open" character of Gosch's Paddock;
 - Provide for the retention of the trees identified for retention in the approved tree plan;
 - Replace each tree removed in accordance with the approved tree plan with four (4) new trees;
 - Provide new trees of suitable species to contribute to the park- like character of Gosch's Paddock;
 - Provide details of all proposed fences including- location, height, materials etc;
 - Provide details of public art, if any, and
 - Maintain the pedestrian path between Swan Street and the Batman Avenue overpass generally along the current alignment but modified if required to accommodate the training grounds.
6. Prior to the commencement of the development or stages thereof, tree protection measures recommended by a qualified arboricultural consultant must be installed to the satisfaction of the responsible authority to ensure that the retained trees shown on the approved tree plan are protected from damage during construction.
7. The landscape works shown on the approved landscape plan must be completed within 3 months of the commencement of the use of the training grounds in Gosch's Paddock, and must thereafter be maintained to the satisfaction of the responsible authority.

Training lights

8. Before lights on poles for night training may be installed, the details of the proposed lights must be submitted to and approved to the satisfaction of the responsible authority. The following information is required:
 - The location of the lights;
 - The design, colour and dimensions of the pole and light fitting;
 - The lux/intensity of light for training purposes;

.....
INCORPORATED DOCUMENTS - CLAUSE 81 - SCHEDULE

SEPTEMBER 2005

MELBOURNE PLANNING SCHEME

- The expected illuminated area to demonstrate that there is no light spill beyond the boundaries of Gosch's Paddock.

Construction Management Plan

9. Prior to the commencement of the development, a Construction Management Plan must be submitted to and approved to the satisfaction of the responsible authority. The City of Melbourne, CityLink Melbourne Ltd and VicRoads should be consulted during the preparation of the Construction Management Plan. All development must be undertaken in accordance with the Construction Management Plan, to the satisfaction of the responsible authority. The Construction Management Plan must provide for the installation and maintenance of measures recommended by a qualified arboricultural consultant to protect the retained trees in Gosch's Paddock from damage during construction.

Street Levels, Crossovers, Drainage etc.

10. The owner of the subject land shall not be permitted to alter existing street levels for the purpose of constructing a new vehicle crossing or pedestrian entrances without first obtaining the written approval by VicRoads.
11. The owner of the subject land must construct all necessary vehicle crossings and demolish all unnecessary vehicle crossings adjacent the subject land, at no cost to VicRoads in accordance with plans and specifications first approved by VicRoads.
12. The owner of the subject land shall construct a stormwater drainage system for the development at no cost to the City of Melbourne and make provision to connect this system to Council's underground stormwater drainage system and where necessary, upgrade the system to accept the discharge from the site in accordance with plans and specifications first approved by the City of Melbourne and Melbourne Water.

Time Limits

13. This approval will expire if one of the following circumstances applies:
 - (a) The development is not started within two years of the approval date;
 - (b) The development is not completed within five years of the date of commencement of construction.

The responsible authority may extend the periods referred to if a request is made in writing before the approval expires or within three months afterwards.

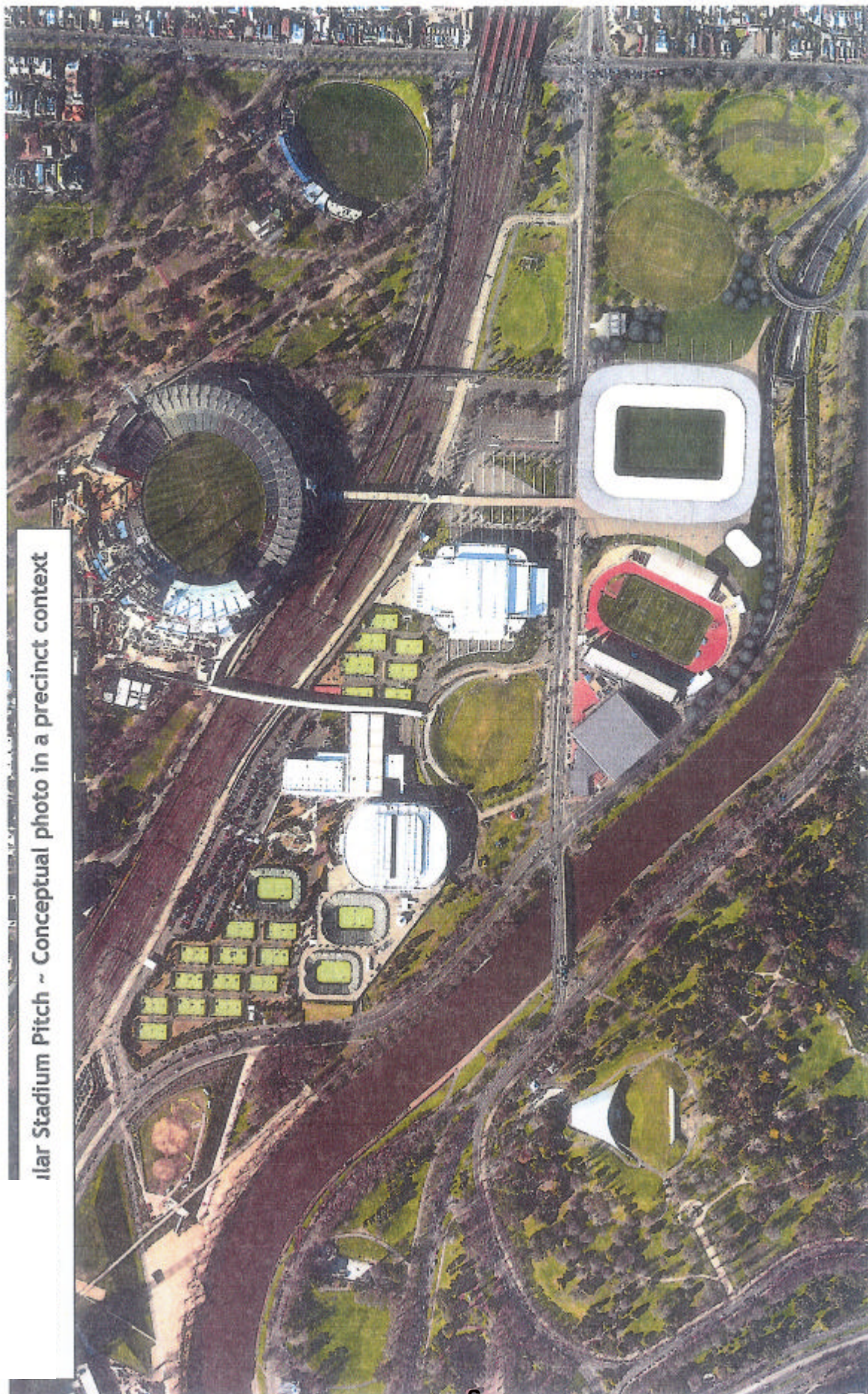
14. The development must, after it is commenced, be continued and completed to the satisfaction of the responsible authority.

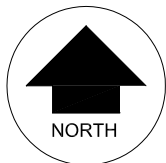
MELBOURNE PLANNING SCHEME

- END OF DOCUMENT -

DRAFT

ilar Stadium Pitch ~ Conceptual photo in a precinct context





Prepared by: dargre
GIS & Property Data Team - Rates & Valuations
Y:\extract_data\DG_Plans\Development Planning\Sports Photo.dwg



Title
**CITY OF MELBOURNE
OLYMPIC PARK SPORTS PRECINCT
AERIAL IMAGE - MARCH 2005**

Date 16-09-2005

Scale 1:2500
Lengths in Metres

25	0	25	50	75	100	125
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Planning and Environment Act 1987

MELBOURNE PLANNING SCHEME

AMENDMENT C103 EXPLANATORY REPORT

DRAFT 14/9/05

Who is the Planning Authority?

This amendment has been prepared by the Minister for Planning and the Minister for Planning is the responsible authority for the amendment.

The amendment has been made at the request of the following parties:

- Melbourne & Olympic Parks Trust (MOPT) in conjunction with the Department for Victorian Communities through Sport & Recreation Victoria, to implement a State Government decision to develop a Rectangular Pitch Stadium on the Edwin Flack Field at Olympic Park, Melbourne. The first stage of the Rectangular Pitch Stadium project involves an upgrade of the ovals in Gosch's Paddock to provide replacement training facilities for facilities located on the Stadium site.
- The Victorian Institute of Sport (VIS) to enable proposed signs to be erected at the former Olympic Swimming Stadium, Olympic Park, to identify the Olympic Park facility as the new home of VIS and to assist in distinguishing the VIS from the Lexus Centre - Collingwood Football Club, which also shares the building and has its own signage.
- Fulcrum Town Planners, on behalf of Daimler Chrysler Pty Ltd, to enable proposed signs to be erected at 135-149 Kings Way, Southbank, to provide business identification for the Mercedes Benz/Smart Car dealership, currently under construction on the site.

Land affected by the Amendment

The amendment affects the following land:

- bounded by Swan Street, Punt Road, Batman Avenue and Boulton Parade, Melbourne; and
- 135-149 Kings Way, Southbank.

What the Amendment does

The amendment makes changes to the Schedule to Clause 52.03 "Specific Sites and Exclusions", and the Schedule to Clause 81 "Documents Incorporated in this Scheme" to insert two new documents titled:

- a) 'Rectangular Pitch Stadium Project: Olympic Park and Gosch's Paddock, Melbourne, September 2005' and
- b) 'Advertising Signs - Mercedes-Benz, 135-149 KingsWay, Southbank'; and

changes the Schedule to Clauses 61.01-61.04 (inclusive) - 'Responsible authority for administering and enforcing this Scheme', to make the Minister for Planning the responsible

authority for the Stadium project area, which applies to land bounded by Swan Street, Punt Road, Batman Avenue and Boulton Parade, Melbourne.

The Incorporated Document titled 'Rectangular Pitch Stadium Project: Olympic Park and Gosch's Paddock, Melbourne, September 2005', specifically exempts the need for a permit for the use and development of the Rectangular Pitch Stadium, defined as a 'Major sports and recreation facility' and associated uses and development including Office, Place of assembly and Retail premises under the provisions of the Melbourne Planning Scheme, where generally in accordance with detailed development plans to be submitted to and approved to the satisfaction of the responsible authority. With regard to advertising signage it

- approves VIS signs at the former Olympic Swimming Stadium, Olympic Park in accordance with referenced plans;
- includes advertising sign objectives and conditions in accordance with a permit process that requires an advertising sign strategy for the Stadium Precinct and for the Gosch's Paddock Precinct to be developed in consultation with the City of Melbourne.

The Incorporated Document titled 'Advertising Signs - Mercedes-Benz, 135-149 KingsWay, Southbank', provides approval of a coordinated set of 9 business identification signs including 4 internally illuminated and 1 non illuminated panel signs; 1 internally illuminated revolving sky sign; 2 internally illuminated high wall logo signs; 2 internally illuminated pylon signs; an internally illuminated business identification sign; 3 non illuminated flagpole signs; a non illuminated directional sign at the corner of Sturt and Moore Street and a range of small non illuminated directional signs.

Strategic assessment of the Amendment:

Why the Amendment is required

Rectangular Pitch Stadium Project: Olympic Park and Gosch's Paddock, Melbourne

The amendment facilitates the development of a project of State significance in terms of national and international sport and tourism. The Rectangular Pitch Stadium will provide Victoria with an enhanced opportunity to attract national and international sporting events to Melbourne that require a rectangular pitch as well as other events that can be staged in the Stadium.

The provision of training facilities for Australian Rules football, football (soccer), rugby league and rugby union in Gosch's Paddock is integral to the success of the Stadium Project. These activities have to be relocated from the Stadium site on the Edwin Flack Field to enable construction of the Stadium to commence in time to be completed in the first quarter of 2008.

Completion of the Stadium relies upon a streamlined planning approval process for the works required in Gosch's Paddock to enable a transfer of training facilities from the Edwin Flack Field to Gosch's Paddock. These works must commence by late September 2005.

Mercedes Benz - 135 – 149 Kingsway, Southbank

The purpose of the signage is to provide business identification for the Mercedes Benz/Smart Car dealership. The use and development of the site for the dealership was approved by the City of Melbourne on 28 July 2004 and building works are nearing completion. The display of appropriate business identification signage is clearly a fundamental and critical element to the success of a commercial operation of this type.

The Road zone provisions and the City Link Overlay control prohibit a range of signage and do not permit the display of the proposed signage, despite the fact that it is otherwise consistent with the use; scale and presence of the approved building. This anomaly has been created because the subject land, which was originally reserved for the purpose of the City Link project, has recently been sold and approved for a commercial use and development, however the zoning controls have not been amended to reflect this change. Therefore, this signage proposal is not a matter that can be resolved through the normal permit process.

Impact of the Amendment

Social and Economic Effects

The amendment is expected to have positive economic and social benefits for the Victorian community. The Stadium will complement the range of sporting facilities of national and international standing provided in Melbourne as it will provide a venue for international rugby league, rugby and football (soccer) events that require a rectangular pitch. The Stadium will also offer a venue for other non- sporting events.

The project includes new administration, training, entertainment and other facilities for players and spectators. It will encourage new interest in rugby league, rugby and football (soccer) and contribute to the overall vitality of Melbourne's Sports and Entertainment Area. The Stadium's location in Melbourne's Sports and Entertainment Precinct will support and enhance the precinct's national and international role and significance and contribute to its appeal as a tourist destination for a range of sporting and other events.

The construction of the new Stadium and associated uses and development will also generate employment opportunities and contribute to the local economy.

The Mercedes Benz signage is integral to the successful operation of the commercial development under construction and is considered to be of regional significance because it relates to the development of a gateway site within the City of Melbourne, which has lain vacant for several years.

Environmental Effects

The amendment will not have any significant detrimental effects on the environment and the environment will not have any significant effects on the use or development envisaged in the amendment.

It is envisaged that the Stadium will be a leading edge Environmentally Sustainable Building.

The Incorporated Document requires the responsible authority to consider the views of the Director, Royal Botanic Gardens before deciding to approve detailed plans for buildings and works visible from the Royal Botanic Gardens. This process will ensure that the Royal Botanic Gardens are protected from unreasonable impacts.

Several Poplar trees, Plane trees and young eucalyptus trees and one young Elm tree in Gosch's Paddock will be removed, however the Incorporated Document requires the replacement of each removed tree with four (4) new trees. No other Elm trees in Gosch's Paddock will be damaged or removed.

Minister's Directions

The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the Act.

The amendment is consistent with the *Minister's Direction No 9 – Metropolitan Strategy*. This Direction requires that amendments have regard to Melbourne 2030.

The development of the Rectangular Pitch Stadium will help to achieve Direction 4 - A more prosperous City and Direction 5 – A great place to be by strengthening Melbourne's role as the primary sports and entertainment hub for the metropolitan area.

Minister's Direction No. 11 – Strategic Assessment of Amendments requires a comprehensive strategic evaluation of an amendment and the outcome it produces. The amendment addresses the strategic assessment guidelines.

Objectives of planning in Victoria

The amendment will facilitate the development of the Rectangular Pitch Stadium and associated facilities to further the relevant objectives of planning in Victoria.

- It provides for the fair, orderly, economic and sustainable use and development of the land.
- It provides for the protection of resources comprising a major "public" sports and entertainment venue.
- It will provide a pleasant, efficient and safe recreational environment for spectators and players.
- It will enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.
- It will balance the present and future interests of all Victorians.

Strategic and Policy Justification of the Amendment

The amendment facilitates a project of genuine State significance in terms of national and international sport and tourism. The Stadium will provide Victoria with an enhanced opportunity to attract additional national and international sporting events to Melbourne that require a rectangular pitch.

The use and development affected by the amendment is supported by and consistent with the 'Metropolitan Strategy - Melbourne 2030', State Planning Policy Framework and the City of Melbourne's Municipal Strategic Statement "City Plan" strategic directions, as follows:

Melbourne 2030

In accordance with the Directions and policies of Melbourne 2030, the amendment implements in part:

- Policy 4.2: To strengthen Central Melbourne's capital city functions and its role as the primary business, retail, sport and entertainment hub for the metropolitan area; including enhancing Melbourne's Sports and Entertainment Area and upgrading Olympic Park.
- Policy 5.6: To improve the quality and distribution of local open space and ensure long term protection of public open space.
- Policy 5.7: To rectify gaps in the networks of open space by creating new parks and ensure major open space corridors are protected and enhanced.

State Planning Policy Framework

In accordance with the SPPF of the Melbourne Planning Scheme, the amendment implements in part:

- Clause 15.10 Open Space: by contributing new sports and entertainment facilities to complement the existing facilities provided in Melbourne's Sports and Entertainment Area and to enhance the national and international standing of the area as a sports and tourist destination.
- Clause 17.01 Economic Development: by implementing objectives that encourage the concentration of major entertainment and cultural developments in locations that are highly accessible to the community.
- Clause 17.02 Business: by providing a development that meets the community's needs for entertainment, appropriately located in Melbourne's Sports and Entertainment Area and provides net community benefit in relation to accessibility and efficient infrastructure use.
- Clause 17.04 Tourism: by providing a well-designed and sited tourist facility that complements the range of sport and entertainment facilities provided in Melbourne's Sports and Entertainment Area.
- Clause 18.01 Declared Highways, Railways and Tramways: by selecting a site for the new Stadium that is very well served by public transport.
- Clause 19.03 Design and Built Form: by providing an appropriate response through detailed development plans to the key design influences including the Yarra River, the Royal Botanic Gardens and the parkland character of Gosch's Paddock and Yarra Park; and by allowing for signage which will achieve a cohesive and respectful urban design outcome and which will appear as an integral part of the buildings and facilities on the land.

Local Planning Policy Framework

In accordance with the Municipal Strategic Statement – City Plan and local policies, the proposed development and amendment achieves the policy aims and objectives as described for the following reasons:

- It will provide a Rectangular Pitch Stadium suitable for a wide range of events that will contribute to a Prosperous City, a Culturally Vital City and an Attractive City.
- The Rectangular Pitch Stadium project will achieve the objective for the Sports and Entertainment Area that is specifically identified in Part 2: Key Land Use and Development Objectives and Issues. It will support and enhance the regional and international sports and entertainment role of the area and will therefore have significant effects beyond the immediate locality. The triangle of parklands between Wellington Parade, Punt Road, and the Yarra River (Yarra Park, Melbourne Park, and Olympic Park) is identified as the sporting centre of Victoria containing most of the sporting stadia of the City.
- It will protect the public land on the south bank of the Yarra River and the Royal Botanic Gardens from unreasonable shadow effects.
- Advertising signs (Clause 22.07) – Heritage Place-as the design and location of the VIS signs respects the significance, character and appearance of the heritage listed former Olympic Swimming Pool building.

Mercedes- Benz

The Mercedes Benz signage is an integral part of the business of Daimler Chrysler Pty Ltd in meeting its accommodation and commercial services needs within the Central Activities District of Melbourne. Approval of the signs, is consistent with:

- Clause 21 City Plan – by supporting inner Melbourne as an economic centre for business and retailing, and providing the proposed building with an identity that is consistent with the existing commercial environment of the precinct.
- Clause 22.07 Advertising – by supporting advertising signs which are designed to sensitively integrate with the architecture of the approved building and with the character of the surrounding area. The signs will enhance the visual quality of the area, particularly considering that the site has lain vacant for several years.

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

The amendment does not amend the Victoria Planning Provisions. The amendment utilises the specific sites and exclusions provisions which are intended for proposals (such as the Rectangular Pitch Stadium Project; Olympic Park and Gosch's Paddock, Melbourne) that in extra-ordinary circumstances require specific controls designated to achieve a particular land use and development outcome.

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

The Rectangular Pitch Stadium Project and the proposed upgrade of the ovals in Gosch's Paddock have been discussed with the City of Melbourne and other stakeholders including VicRoads, Melbourne Water, CityLink Melbourne Ltd, Yarra Trams, Royal Botanic Gardens, and other groups through a structured consultation process undertaken on behalf of Melbourne and Olympic Parks Trust. There is generally "in principle" support for the project as it is appropriately located in the designated Sports and Entertainment Precinct.

Melbourne City Council, VicRoads and CityLink Melbourne Limited have been consulted with respect to the Mercedes Benz advertising signage and have no objection to the proposal being considered as an amendment under Section 20(4) of the Act without the requirement to give notice, subject to certain conditions being included on the Incorporated Document. It is also noted that the proposed advertising signs for the Mercedes Site were shown on the drawings for Council's approved permit TP03/1294 which underwent extensive public notification.

What impact will the new planning provision have on the resource and administration costs of the Responsible Authority?

The amendment provides planning approval for the Rectangular Pitch Stadium Project and Mercedes Benz signage and is not expected to impact unduly on the resource and administration costs of the Responsible Authority.

Where you may inspect this Amendment.

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

Department of Sustainability and Environment
Planning Information Centre
Ground Floor
8 Nicholson Street
East Melbourne 3002

City of Melbourne
Development Planning Branch
6th Floor
Council House
200 Little Collins Street
Melbourne 3000

FINANCE ATTACHMENT

**C103 – AMENDMENT TO THE MELBOURNE PLANNING SCHEME –
RECTANGULAR PITCH STADIUM DEVELOPMENT AND GOSCH'S PADDOCK**

Should Council adopt the recommendations contained in this report a future financial outlay might exist but at this stage the amount has not been quantified.

Joe Groher
Manager Financial Services

LEGAL ATTACHMENT

C103 – AMENDMENT TO THE MELBOURNE PLANNING SCHEME – RECTANGULAR PITCH STADIUM DEVELOPMENT AND GOSCH'S PADDOCK

Section 20(4) of the *Planning and Environment Act 1987* provides that the Minister may exempt himself or herself from the requirements of the Act which govern the normal statutory process for amending a planning scheme:

‘if the Minister considers that compliance with any of those requirements is not warranted or that the interests of Victoriamake such an exemption appropriate.’

Alison Lyon
Manager Legal & Governance