



213 Boundary Street, Port Melbourne

Fishermans Bend Planning Review Panel Amendment GC81

Prepared by Hansen Partnership on behalf of Hanson Construction Materials Pty Ltd

April, 2018

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Appendices

Appendix 1 - Tabled Capital City Zone, Schedule 4, with recommended modifications

Appendix 2 - Tabled Design and Development Overlay, Schedule 67, with recommended modifications

Appendix 3 - Tabled Clause 22.27, with recommended modifications

Appendix 4 - Tabled Melbourne Municipal Strategic Statement, with recommended modifications

Appendix 5 - Curriculum Vitae

1 Introduction

1. My name is David Barnes. I am the Managing Director of Hansen Partnership Pty Ltd, Urban Planning, Urban Design, Landscape Architecture, Level 4, 136 Exhibition Street, Melbourne.
2. I hold the following qualifications:
 - Bachelor of Town and Regional Planning (Hons), University of Melbourne, 1980.
 - Master of Business Administration, Royal Melbourne Institute of Technology, 1993.
3. I have practiced as a town planner for over 35 years, working in the public as well as the private sectors. I have also worked overseas in Vietnam on a variety of statutory planning, strategic planning, institutional strengthening and tourism projects.
4. I am both a statutory and a strategic planner. My planning experience covers many aspects of the planning approvals process on a range of projects including residential, industrial, retail, mixed use and rural developments. I regularly appear before VCAT and Planning Panels Victoria. I have been involved in a broad range of strategic planning projects including the preparation of industrial land use strategies, residential development strategies, integrated municipal strategies, township strategies, town centre strategies, structure plans and urban design frameworks for activity centres and transit cities, neighbourhood character studies, and rural land use strategies.
5. I have been engaged by Cornwall Stodart Lawyers on behalf of Hanson Construction Materials Pty Ltd (Hanson), to review the planning implications of Amendment GC81 on the site of a Hanson concrete batching plant at 213 Boundary Street, Port Melbourne. Amendment GC81 is a very comprehensive and complex amendment package. I restrict my evidence to issues associated with the Hanson site.
6. Key documents I have reviewed in preparing this statement include the following:
 - Fishermans Bend Draft Framework.
 - Fishermans Bend Vision 2016.
 - Fishermans Bend Strategic Framework Plan July 2014 (updated September 2016).
 - Amendment documents tabled on 1st and 2nd March 2018 and the week of 5 March 2018 including:
 - Melbourne Clause 21.13 Urban renewal areas
 - Melbourne Clause 22.27 Fishermans Bend Urban Renewal Area Local Policy
 - Melbourne Clause 37.04 Capital City Zone, Schedule 4
 - Melbourne Clause 43.02 Design and Development Overlay, Schedule 67
 - Melbourne Clause 45.09 Parking Overlay, Schedule 13
 - Relevant background reports to the Draft Fishermans Bend Framework.
 - The Minister for Planning's Part A and Part B responses.
 - Relevant evidence statements submitted by the Minister for Planning and the City of Melbourne.
 - EPA Recommended Separation Distances for Industrial Residual Air Emissions.
7. A summary of my opinions follows:
 - Amendment GC81 (Am GC81) proposes to introduce permanent planning controls to the four Capital City Zone precincts of Fishermans Bend, within the Melbourne and Port Phillip Planning Schemes.
 - The Amendment seeks to, amongst other things amend clauses contained within the Local Planning Policy Framework (LPPF), replace Schedule 4 to Clause 37.04 (Capital City Zone) with a new Schedule 4, replace Schedule 67 of Clause 43.02 (Design and Development Overlay) with a new Schedule 67

and replace Schedule 13 to Clause 43.05 with a new Schedule 13. The purpose of the planning controls are to implement the Draft Fishermans Bend Framework.

- The Hanson Heidelberg Cement Group (Hanson) operates a concrete batching plant at 213 Boundary Street, Port Melbourne (the subject site). The site is located within the Lorimer Precinct of the Fishermans Bend Framework, where a mixed use, high intensity, core area is envisaged.
 - The Boundary Street site is a strategic site of the utmost importance to Hanson. Hanson intends to remain on the site in the long term. Relocation of the site is not feasible from Hanson's perspective and would significantly impact on the Company's overall operations and on its ability to provide product to the Central City and surrounding areas.
 - The site benefits from existing use rights pursuant to Clause 63 of the Melbourne Planning Scheme.
 - The land is located in a cluster with another similar use, being located adjacent to the existing Barro concrete batching plant, which recently gained planning approval for expansion (Planning Permit TP-2017-447).
 - The Fishermans Bend Draft Framework and the proposed planning controls do not recognise the existing use of the Hanson site or the adjacent Barro site or provide an appropriate planning framework to manage their future ongoing operations and the redevelopment of the surrounding area.
 - Regardless of the planning ambitions identified for the Lorimer Precinct, planning policy and provisions should:
 - Acknowledge the 'reality' that the existing concrete batching plants are likely to remain in the longer term.
 - Support the upgrading and improvements to the plants.
 - Manage their ongoing operations and the development of land in the vicinity of the sites.
 - Encourage the ultimate relocation of the plants by providing incentives via the proposed planning controls, to relocate the plants and eventually redevelop the sites for alternative uses.
 - A background report to the Draft Framework, the *Fishermans Bend Buffer Assessment Report*, prepared by GHD and dated October 2016, identified the existing Hanson and Barro concrete batching plants and provided recommendations about the future operations.
 - The *Fishermans Bend Economic and Employment Study* prepared by SGS Economics & Planning (November 2016), identified the importance of existing concrete batching plants to the CDB, due to the limited shelf-life of concrete when transported.
 - The planning provision proposed to be included in the Melbourne Planning Scheme include a number of provisions that are supportive of the ongoing operation of industrial uses such as the Hanson Concrete batching plant. However, the provisions need to be supplemented to provide a comprehensive framework in which to consider planning permit applications for both the facility and for nearby uses, in the future.
 - I provide as appendices, tracked changes versions of the amendment documents that include my recommended changes. I note that my suggested changes to the amendment documents are my suggestions from a town planning perspective. The amendment documents and my suggestions should also be subject to a legal review. I understand that there will be a Drafting Day towards the conclusion of the hearing. It would be my expectation that the amendment documents and my suggestions would be reviewed and commented on by other parties and their representatives.
8. I have been assisted in the preparation of my evidence by Emily Harrod, Town Planner, and Pat Iwanyshyn, Urban Designer.
 9. I have made all the inquiries that I believe are desirable and appropriate and no matters of significance which I regard as relevant have to my knowledge been omitted from my report.
 10. A copy of my Curriculum Vitae has been provided in the appendices.

2 Subject site and surrounds

11. The subject site is located on the western side of Boundary Street in a triangle (approx.) of land bounded by the elevated Ingles Street to the west, the West Gate Freeway to the south (which is constructed at ground level in this location), Boundary Street to the east and Roger Street to the north.
12. The land is irregular in shape and has a 72 metre frontage to Boundary Street, a maximum 88 metre depth and an overall site area of approximately 4,230 square metres. The site is operated by Hanson Heidelberg Cement Group and is used as a concrete batching plant. The site and its surrounding context is shown in Figures 1 to 11.
13. Land to the immediate north at 225 Boundary Street and northwest at 310-324 Ingles Street is owned by the Barro Group Pty Ltd and is similarly used for a concrete batching plant and stockpile yard. Land at 310-324 Ingles Street has a recently approved Planning Permit (TP-2017-447) for buildings and works associated with the expansion of the existing batching plant (Figure 9).
14. Further to the north at 1 Rogers Street, is a modern 3 storey building used as a lighting business (Figure 10).
15. To the east, on the opposite side of Boundary Street at 111 Lorimer Street, is a Subaru dealership. That land has a current Planning Permit Application (PA1700285) for the development of a multi-storey mixed-use development comprising retail, food and drink premise, offices and upper level residential apartments (Figure 11).



Figure 1 The site and surrounds



Figure 2 The Hanson site, Boundary Street frontage



Figure 3 View along Boundary Street towards the site



Figure 4 "Sock" and "slump bays" on Hanson site



Figure 5 The site's interface with the West Gate Freeway (south)



Figure 6 Existing conditions on the Hanson site (facing southeast)



Figure 7 Material storage on the Hanson site



Figure 8 Ingles Street, to the rear of the site



Figure 9 Barro concrete batching plant, abutting site to north and northwest



Figure 10 Building at 1 Rogers Street used as a lighting business



Figure 11 Subaru dealership at 111 Lorimer Street

3 Site characteristics

16. The Boundary Street site is located abutting the West Gate Freeway. The amenity of the immediate area is significantly impacted by noise, emissions and vibrations generated by high volumes of traffic on the freeway, which is built at ground level adjacent to the site. It is also influenced by the existing operations of the concrete batching plant, which relies on Boundary Street for all vehicle access.
17. The Boundary Street site currently employs 22 full time staff, including drivers, and include a fleet of around 14 cement trucks. Operation hours can vary, with the yard typically open between 6am till 5pm and occasionally reopening from 10pm to 3am to meet demand. The site can operate 7 days per week and 24 hours per day at times.
18. The site comprises 3 silo's, storage bins, a conveyor system and concrete truck parking area, stockpile areas and office and staff amenities.
19. Cement is delivered by tanker and transferred to silos. Sand and aggregate is delivered by truck and transferred to stockpiles and ground bins.
20. There is 1 "sock" used to load cement trucks. The "sock" is covered on 2 sides and has a retractable rear door to minimise dust (refer Figure 12). The process to fill a truck takes 5 to 10 minutes. Drivers then move to the 2 "slump bays" to wash down trucks and ensure correct "slump" (wetness) of concrete.
21. Truck movements to the site can vary considerably, depending on demand. On average, truck movements are around:
 - 70 loads of concrete a day;
 - 3 to 5 cement tankers per day; and
 - 15 tip trucks per day (aggregates etc).



Figure 12 "Sock" where cement is loaded into vehicles

4 Existing planning controls

22. The planning controls currently applying to the subject site are shown overleaf.
23. The land is zoned Capital City Zone, Schedule 4 (CCZ4).
24. The land is affected by the following overlays:
- Design and Development Overlay, Schedule 67 (DDO67), which specifies the following built form outcomes for the site:
 - A mandatory 40 storey maximum building height.
 - A mandatory 20 metre, or 5 storeys, whichever is the lesser, maximum street wall height.
 - Above the street wall height, a mandatory 10 metre minimum tower setback to street(s).
 - Above the street wall height, towers must be setback a minimum 10 metres to the street.
 - Above the street wall height, a mandatory 10 metre minimum tower setback to all boundaries. Where a boundary adjoins a laneway, the setback is measured from the centreline of the laneway.
 - A mandatory minimum setback of 20 metres between towers within the site.
 - Parking Overlay, Schedule 13 (PO13).
 - Development Contributions Plan Overlay, Schedule 1 (DCPO1) pursuant to Clause 45.06.
25. Local Policy at Clause 21.13-3 (Fishermans Bend Urban Renewal area) identifies Fishermans Bend as part of the Expanded Central City and refers to its ability to accommodate employment and residential accommodation in higher densities.
26. Clause 22.27 (Employment and Dwelling Diversity within the Fishermans Bend Urban Renewal Area) sets down policy for dwelling diversity, housing affordability and employment.
27. The Fishermans Bend Strategic Framework Plan July 2014 (updated September 2016) is a reference document in the Melbourne Planning Scheme. In terms of its influence on the site, it proposes:
- A West Gate Interface Buffer along the southern boundary (Figure 13).
 - A local recreational open space along the Boundary Street frontage of the site (Figure 14).
 - A 6 metre service access along the site's southern boundary (Figure 15).
 - Two (2) new potential laneways through the site (Figure 15).
 - A 12 metre shared street (cycle and pedestrian priority) along the western boundary (Figure 15).
 - A desirable ROW (Potential to contribute to adjacent site developments) (Figure 15).

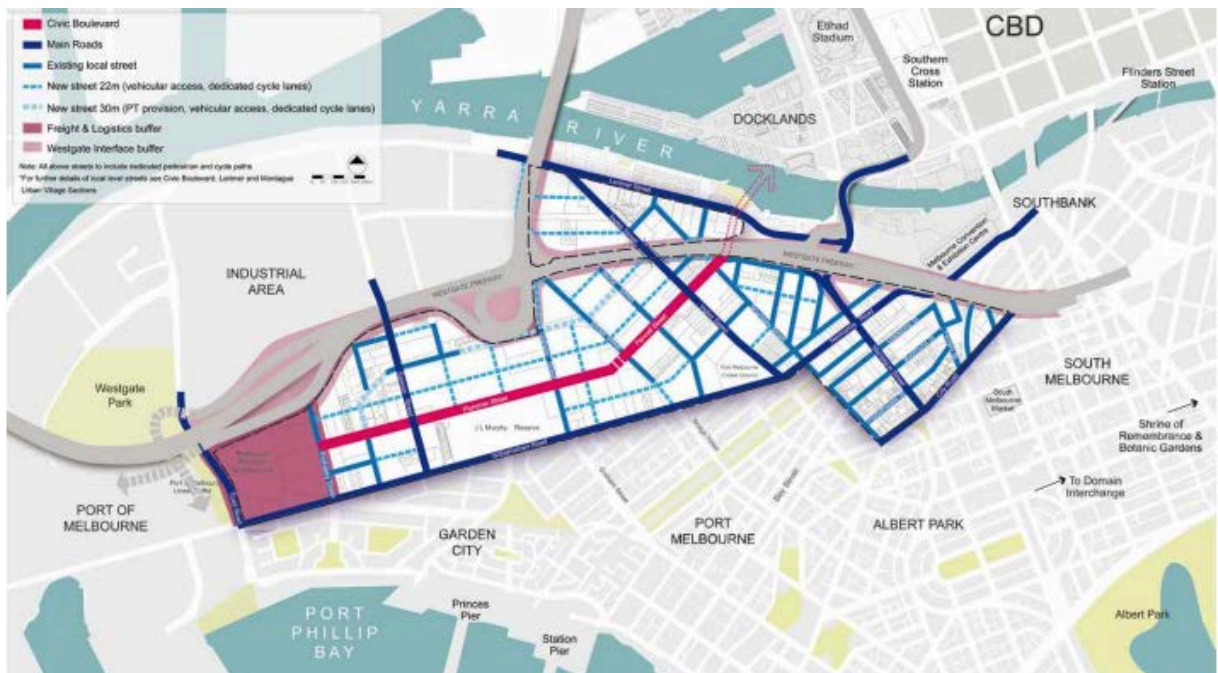


Figure 14 Road network

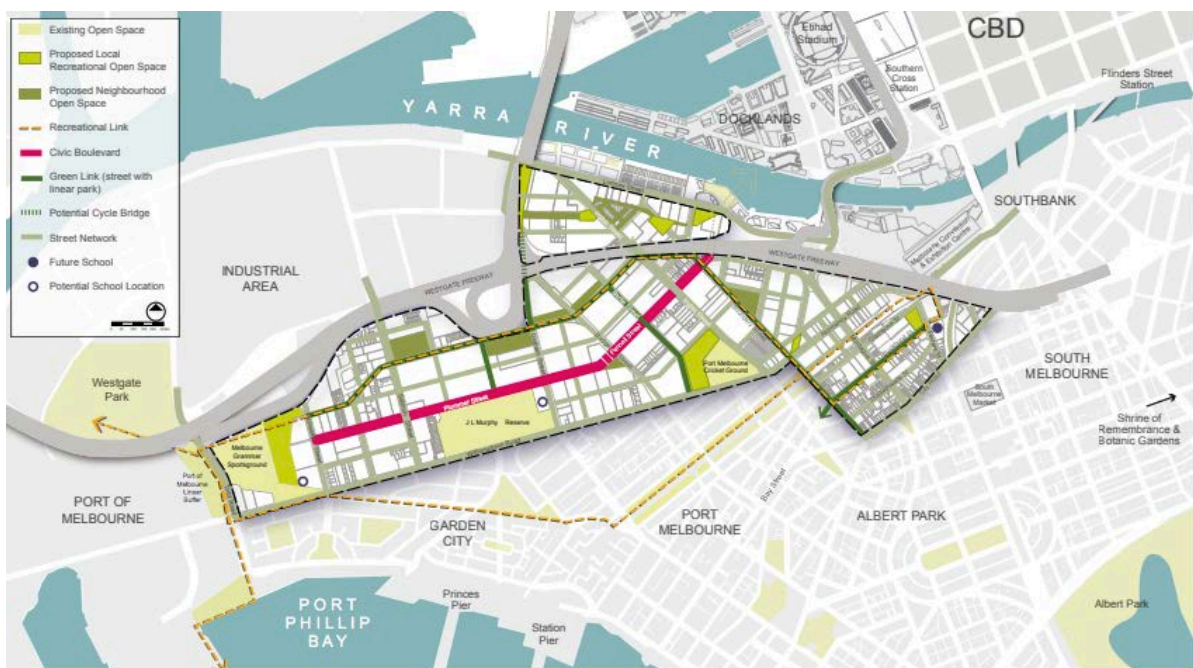


Figure 13 Open space

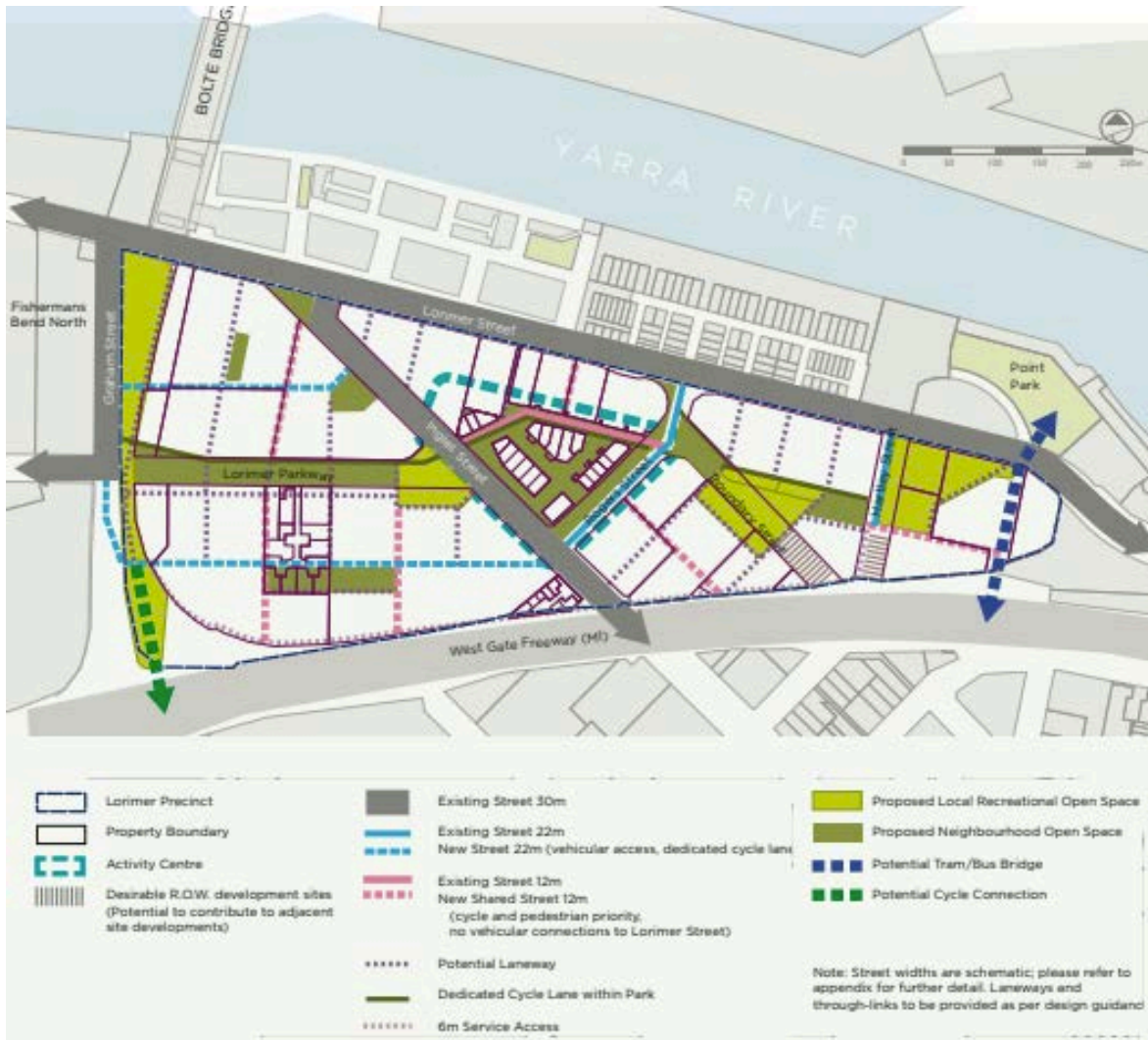


Figure 15 Lorimer Urban Village

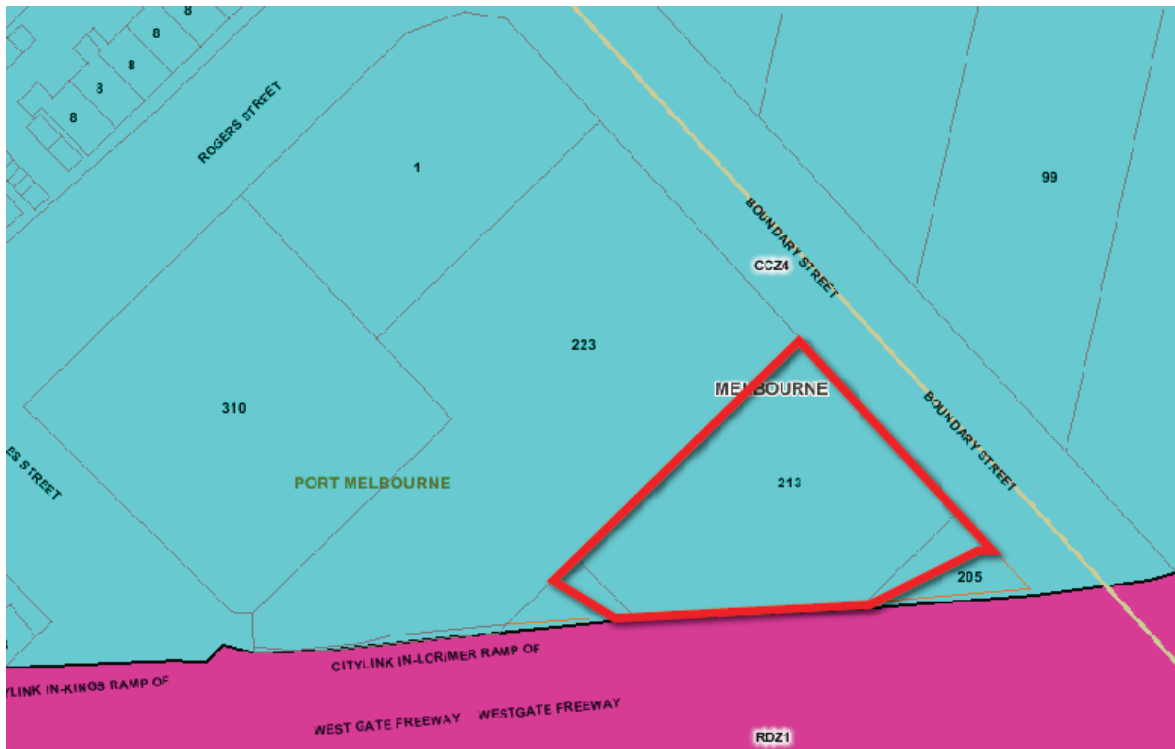


Figure 16 CCZ4

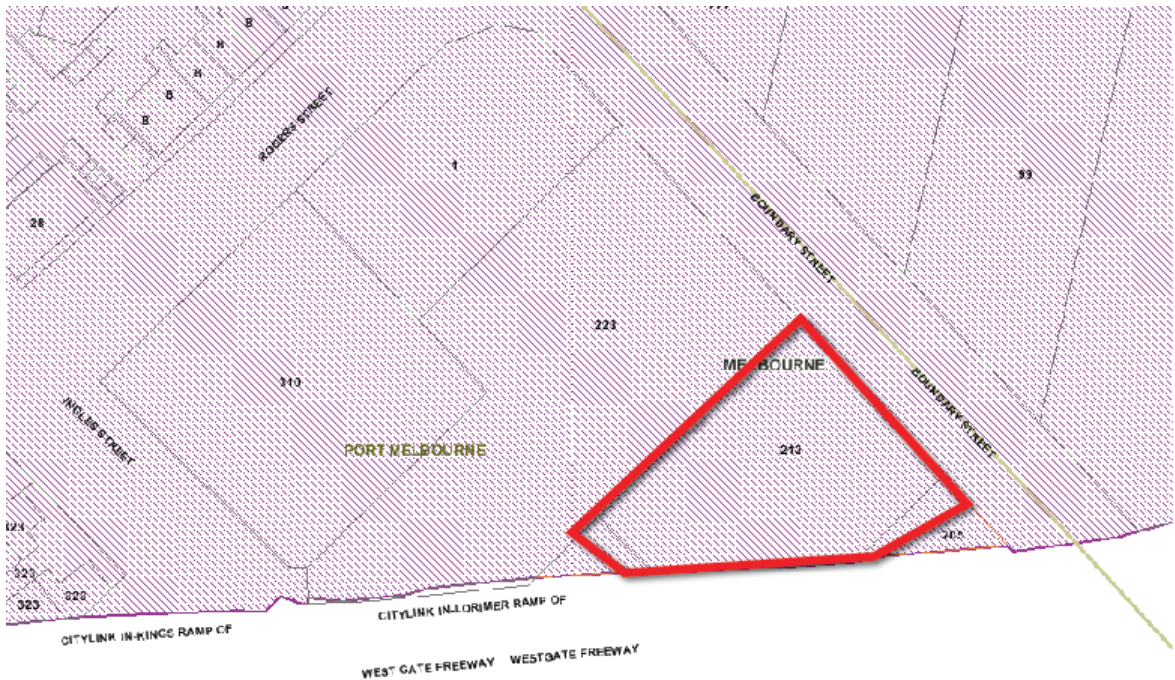
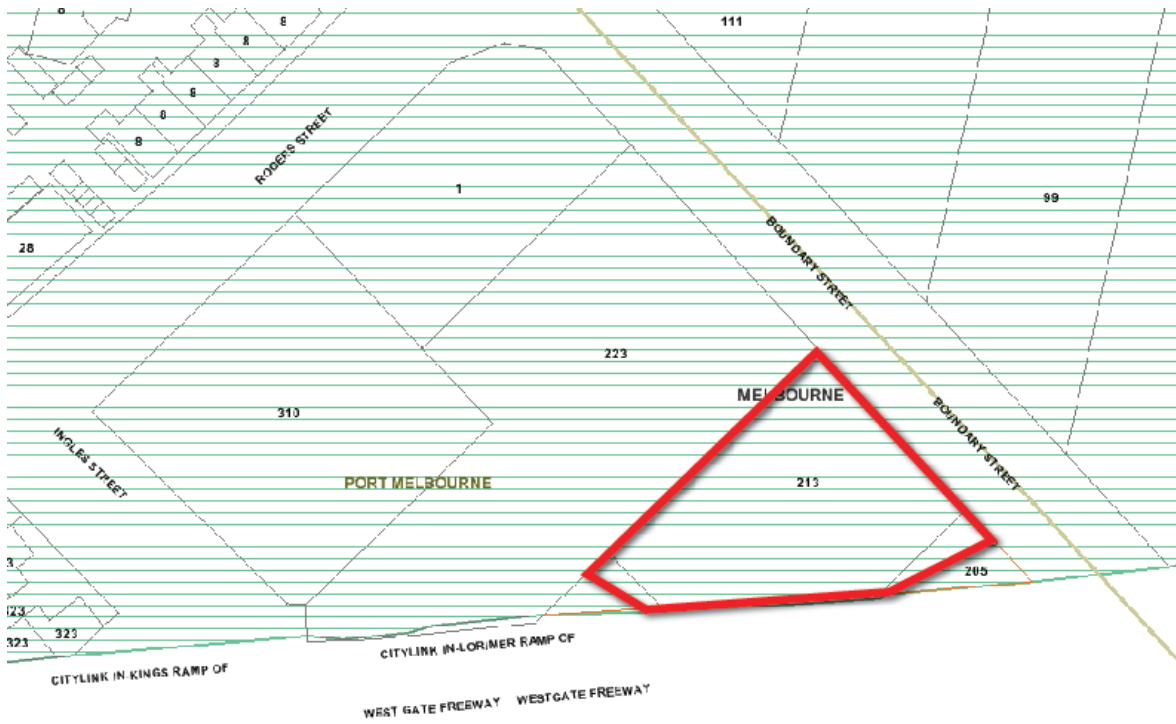
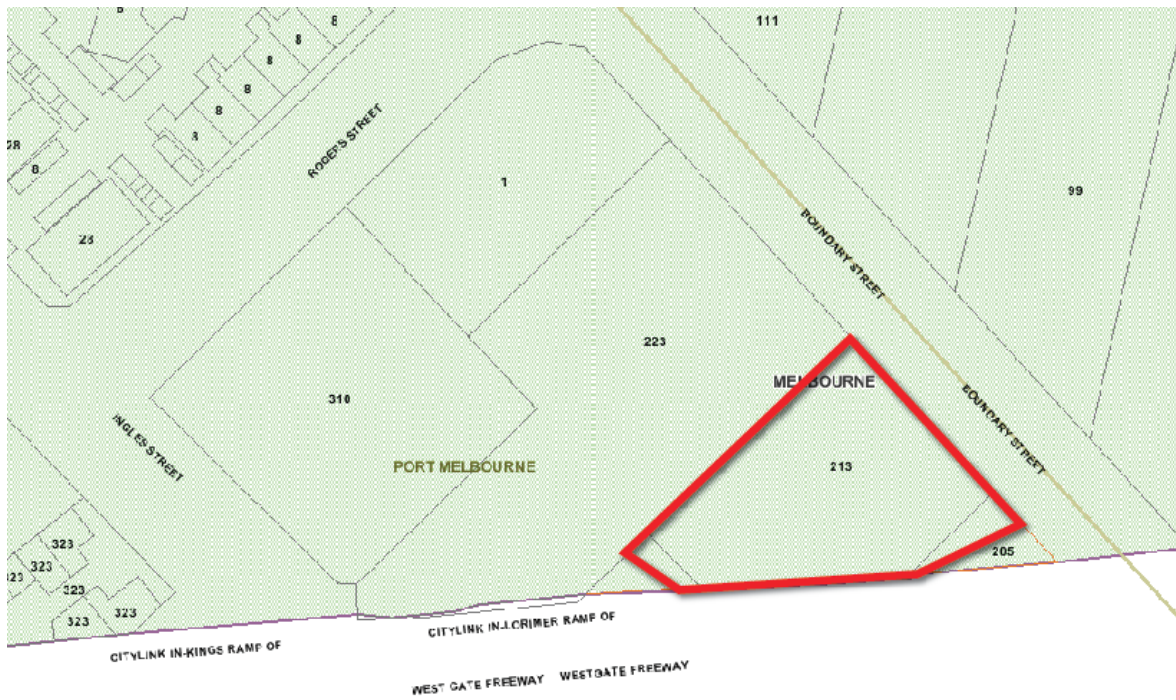


Figure 17 DD067



18

Figure 18 DCP01



19

Figure 19 PO13

5 Proposed planning controls

28. As far as relevant to the implications of the amendment on the Hanson site as addressed in my evidence, the proposed planning provisions envisaged for the site include the following:

- The land is to remain within the CCZ4, DD067 and P013.
- A revised Schedule 4 to the Capital City Zone.
- A revised Schedule 67 to the Design and Development Overlay.
- A revised Clause 21.13 – Fishermans Bend Urban Renewal – Area Lorimer.
- A revised Clause 22.27 – Fishermans Bend Urban Renewal Areas.
- A revised Schedule to P013.

29. The revised Schedule 4 to Clause 37.04 specifies, among other things:

- The land is in a Core Area.
- A 5.4:1 Floor Area Ratio (FAR) for the core area of Lorimer, including the site. (Figure 20).
- A new 12 metre road along the West Gate Freeway interface (Figure 21).
- An area of public open space on the east side of Boundary Street and the north side of Rogers Street (Figure 22).
- A requirement that a permit must not be granted to construct a building or construct or carry out works where the provision for any new streets, laneways, or public open space generally in accordance with Map 2 and Map 3 is not provided.
- Exemptions from third party rights for most uses.

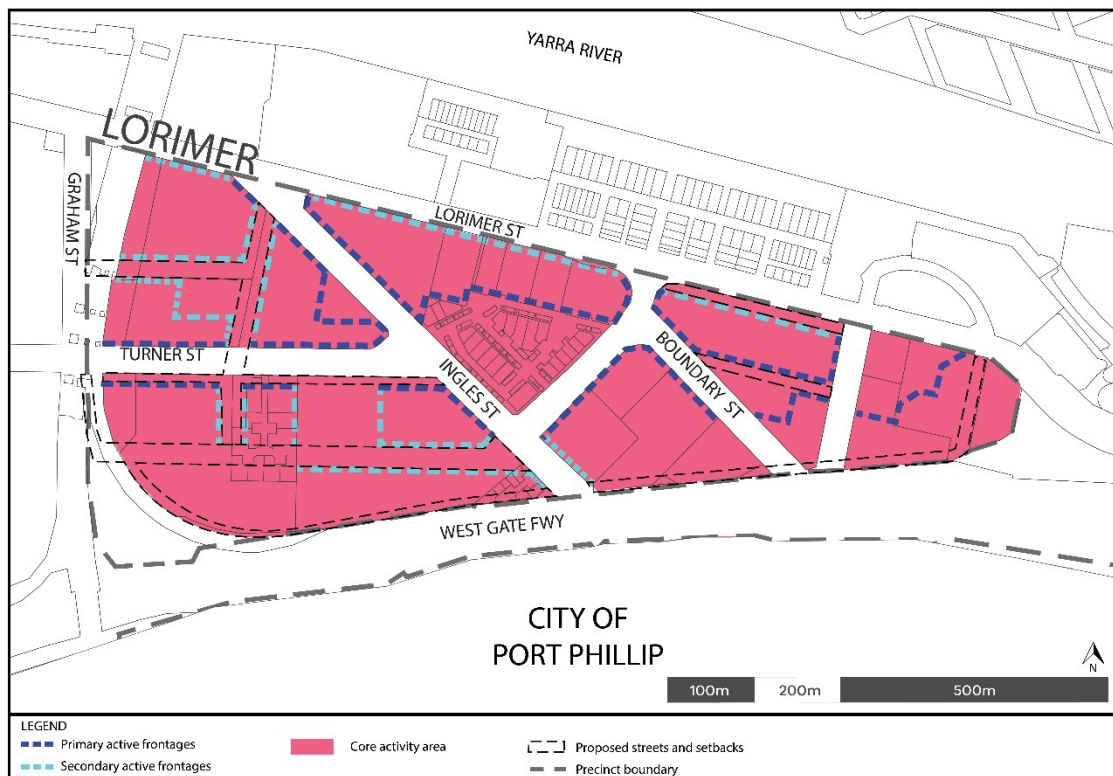


Figure 20 Core areas and active street frontages

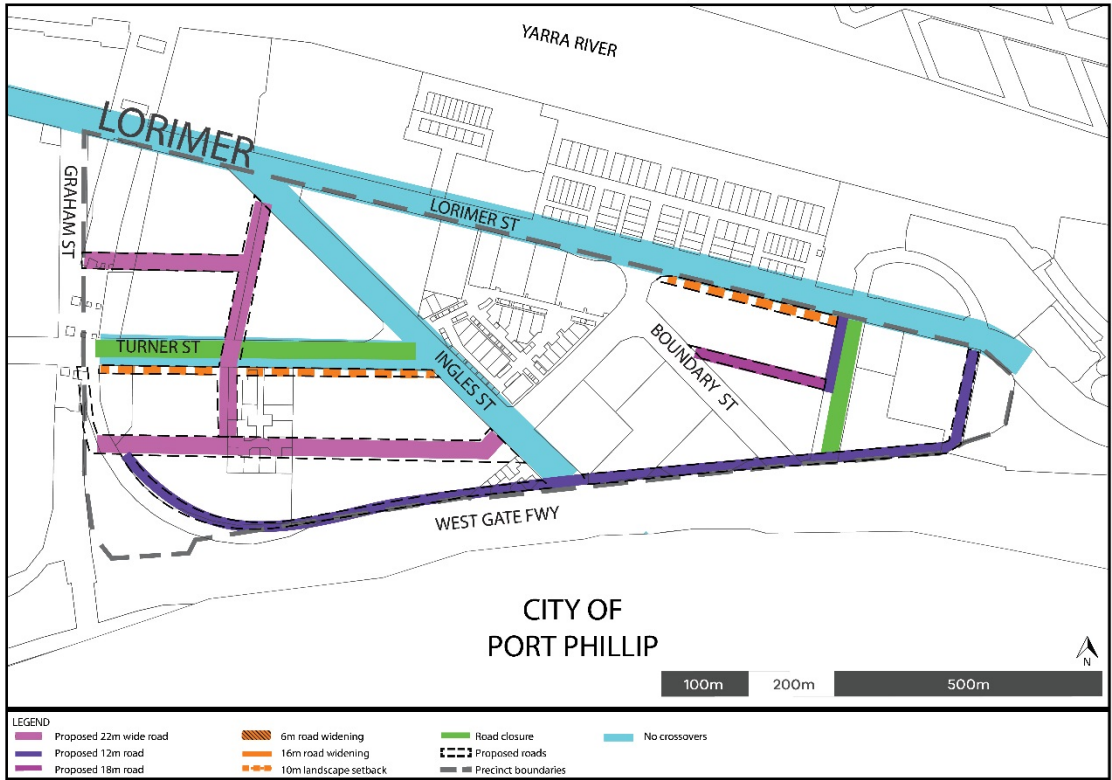


Figure 21 Street and laneway layout

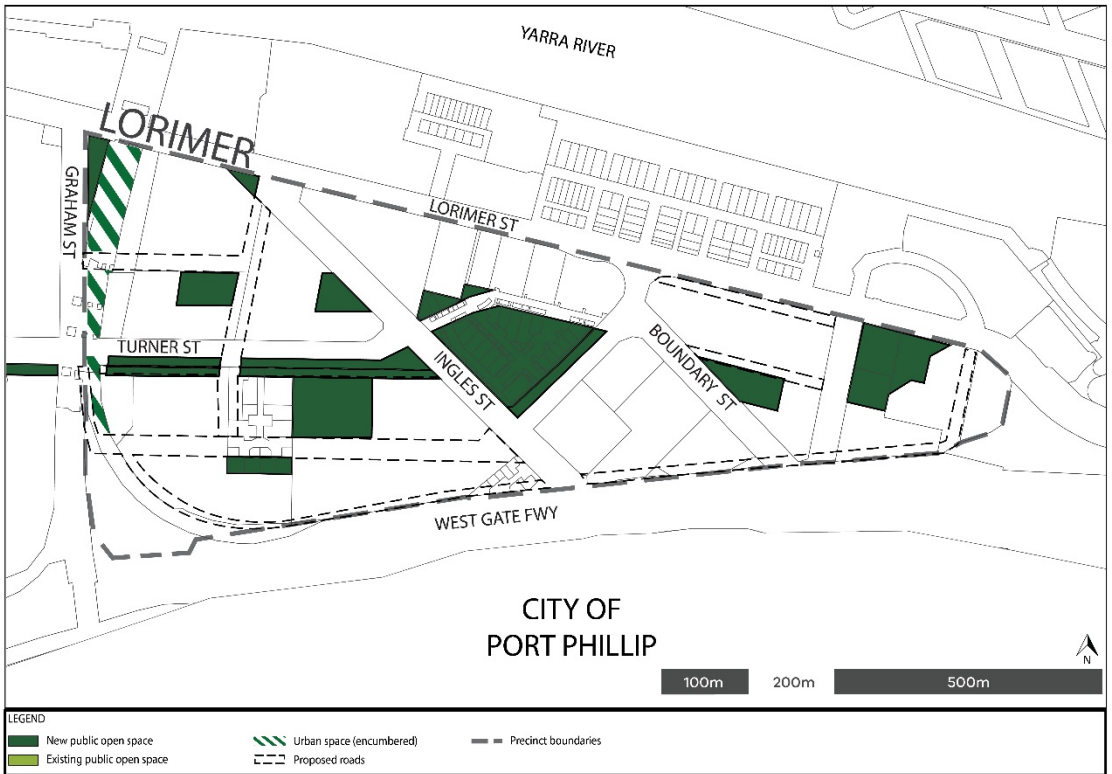


Figure 22 Open space layout

30. The revised Schedule 67 to Clause 43.02 specifies the following key built form outcomes for the site:

- An unlimited overall building height (Figure 23).
- A mandatory street wall height of 30 metres on streets with a width greater than 22 metres. (although this is unclear because of wording deficiencies in the Clause)
- A mandatory 30 metre building wall height on side and rear boundaries where a 30 metres street wall height is proposed.
- A mandatory minimum 5 metre setback above the street wall from the West Gate Freeway interface.
- A mandatory minimum 5 metre side or rear setback above the street wall.
- A mandatory 20 metre building separation within a site if development comprises two or more separate buildings with an overall building height greater than 68 metres.
- Mandatory comfortable wind conditions for sitting areas, standing areas and walking areas.
- A preferred 3.8 metre floor-to-floor height for car parking areas not within a basement and the provision for future conversion to other uses.
- A preferred 4 metre floor-to-floor height at ground level, and 3.8 metres for levels up to the height of the street wall.

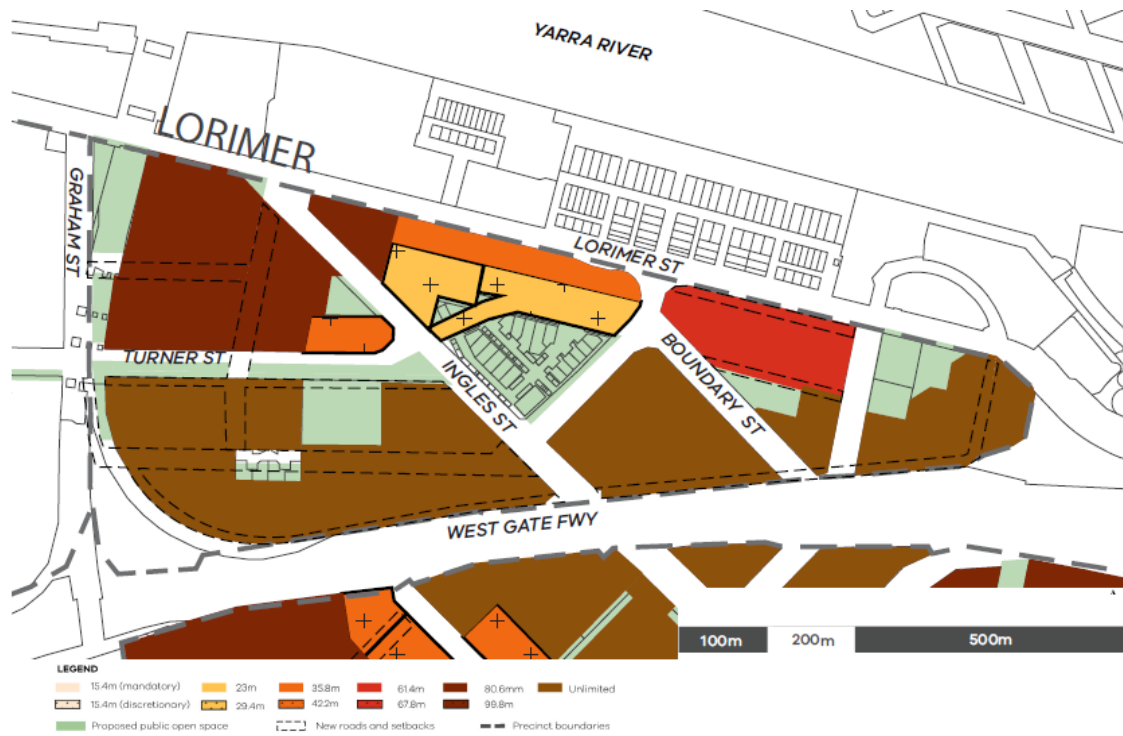


Figure 23 Building height

31. The Fishermans Bend Draft Framework (2017) is to be incorporated as a reference document. In addition to matters identified in the planning scheme documents, it proposes:

- Two new 12 metre wide roads within the site (Figure 24).
- A proposed investigation area for an Arts and Cultural Hub (Figure 24) which includes the site.
- A proposed investigation area for a Community and Education Hub on the opposite side of Boundary Street (Figure 24).

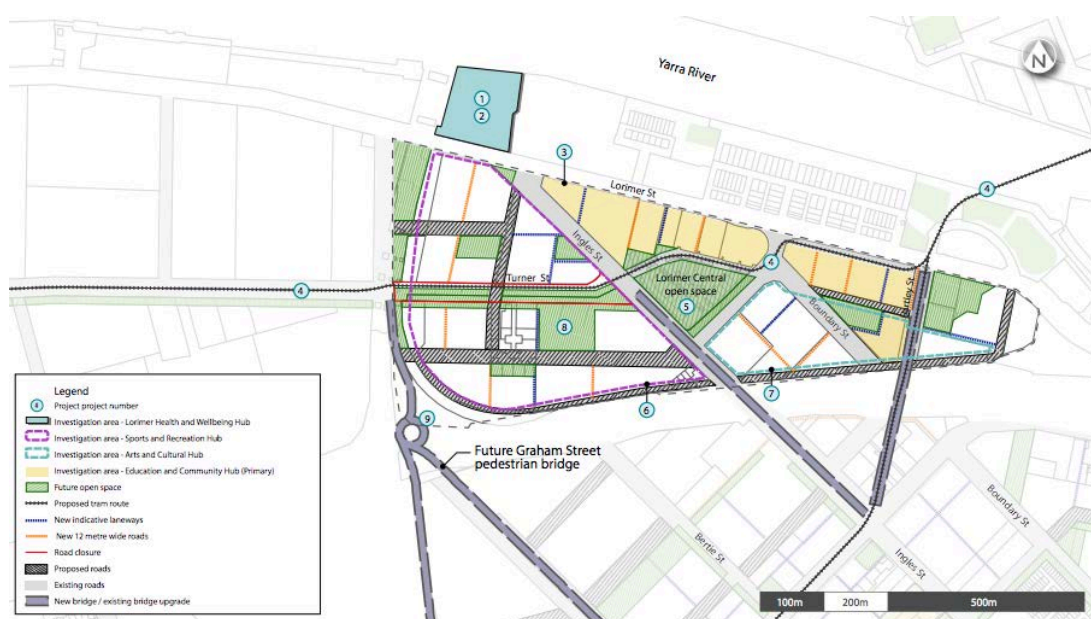


Figure 24 Lorimer

32. The revised Clause 21.13-3 (Fishermans Bend Urban Renewal Area – Lorimer) proposes the following:

- The site is located within Sub –precinct Area L4 (Figure 25).
- The preferred future character for Area L4 is as follows:
 - Hybrid developments of mid-rise perimeter blocks and tower developments*
 - Well-spaced towers that avoid a wall-of-towers effect when viewed from the Yarra River, Lorimer Parkway, internal streets and the West Gate Freeway.*
 - Provision of private and communal open space with good access to sunlight to provide high levels of amenity for residents and workers.*
 - Towers that create a visual landmark to the West Gate Freeway recognising that this is an important arrival point into the central city.*
 - Location and design of towers to minimise overshadowing of parks and streets in the Sandridge precinct.*
 - Activation of new north-south laneways and streets.*
 - Lower street wall heights on the east and west of the new large park on Turner Street.*
 - Elsewhere, higher street wall heights that assist in mitigating noise pollution from the West Gate Freeway into the Lorimer Precinct.*
 - Service access only on the new service road along the West Gate boundary.*

33. The revised Clause 22.27 (Fishermans Bend Urban Renewal Areas) proposes the following for the site:

- A 1.7:1 minimum FAR not used for dwellings.

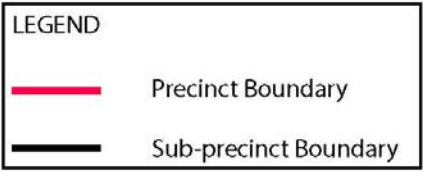
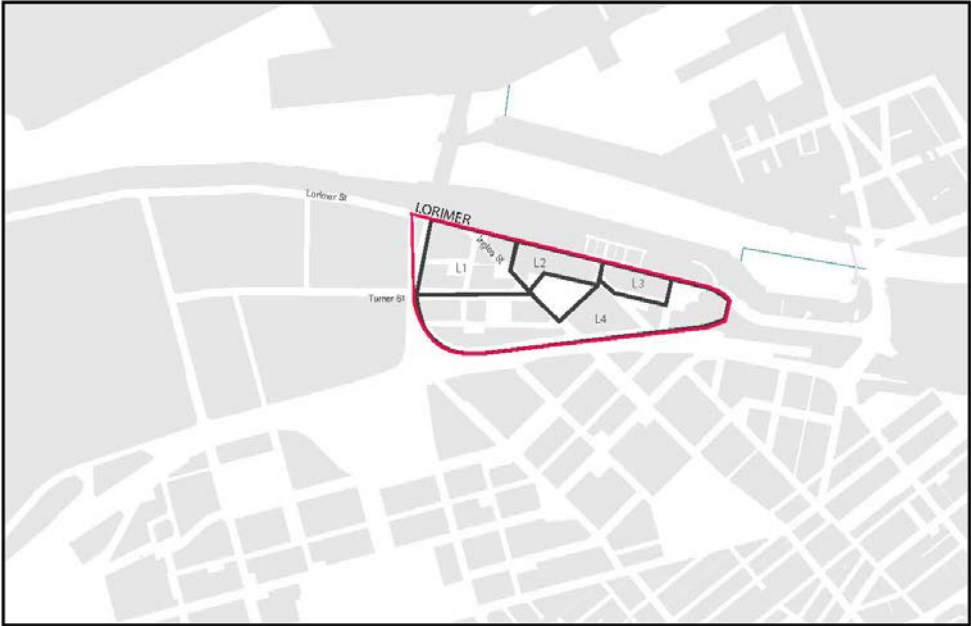


Figure 25 Sub-precincts within Fishermans Bend Urban Renewal Area

6 Key issues

34. In my opinion the key planning issues relevant to the Hanson concrete batching plant include the following:

- Responding to existing industrial uses in a changing area.
- The strategic importance of the Hanson site.
- The likelihood that the Hanson facility will remain on its existing site.
- The lack of policy recognition of the existing concrete batching plants in the area.
- Support for the upgrading of the existing facility.
- Managing ongoing amenity issues.
- The location of the proposed Arts and Education Hubs.
- Incentives to the ultimate transition the uses out of the area.

35. I discuss each of these issues in the following section of my report.

6.1 Responding to existing industrial uses in a changing area

36. Given the challenge presented by the transformation of Fishermans Bend from an existing industrial area to a high density, mixed use urban renewal area, a background report was prepared by GHD that assessed the implications of existing industrial uses on the future development of the area (the *Fishermans Bend Buffer Assessment Report*, GHD, October 2016). The report identified existing industrial uses that have buffer distances and made recommendations as to how to plan for those uses.

37. The report identified the strategic importance of existing cement distribution facilities within Fishermans Bend and commented that those facilities provide up to 70% of Melbourne's cement (p 45).

38. It recognised the existing Hanson and Barro concrete batching plant uses and their typical operating procedures. It identified that there is potential for dust and noise emissions to occur from concrete batching plants (p 71).

39. The report acknowledges that once Fishermans Bend begins to develop there will be an increased potential for amenity issues and reduced separation distances from sensitive uses to concrete batching plants.

Lorimer (Figure 9)

The two concrete batching plants within the Lorimer precinct constrain a significant portion within its centre.

A linear open space which extends from the river, through the centre of the Lorimer precinct and beyond to the Employment precinct, may be partially constrained, while sensitive high-density living outside of the buffers would be unconstrained.

Over time, mitigation measures could be applied to the two concrete batching plants. The possible mitigation measures applicable would be; 1) Planning - contact industries to establish their future plans and, contact industries to understand site operations, and 2) Transition of industry / relocation.

Figure 9: Lorimer Constraints



Figure 26 Excerpt from GHD Buffer Report (p31)

40. Mitigation measures recommended in the report include (p 107):

- Planning controls to separate dust producing activities from sensitive areas including providing open space, to act as a setback to reduce impacts and the use of directional buffers. The directional buffer for dust sources demonstrates they extend further than the 100 metre buffer set down for concrete batching plants by the EPA and recommended in the report.
- Staged development to maintain the recommended separation distance between operational industries and residential uses. Any initial development could target and remove industry likely to cause issues.
- Control of dust emissions including the use of BPEM (Best Practice Environmental Management) and reduction of dust output via dust mitigation methods enforced via EPA or similar.

41. Broader recommendations included (p 135 and 136):

- Contacting key industries to establish their future plans and understand their site operations.
- Varying separation distances where industries are 'transitioning' out of an area.
- Staging development, involving contacting industries to develop a staged implementation plan that allows for the smooth transition of land uses over time.
- Introducing the agent of change principle into the planning schemes.
- A staged development approach that could include buffer overlays, acquisition of problem sites by government to aid transition, incentives to relocate or mitigate measures and commercial uses within buffers.

42. The findings of the report are not reflected in the Draft Framework. However, some recognition of the issue has been included in proposed planning policies and in the provisions of Schedule 4 to the Capital City Zone.

6.2 Strategic importance of the Hanson site

43. The location of the site is of strategic importance to Hanson. Hanson is a leading Australian building materials supplier to the construction industry for large scale infrastructure projects and multi storey developments.
44. Concrete is a perishable product with an approximate 90-minute life cycle (generally). Hanson has a number of sites throughout metropolitan Melbourne. The Port Melbourne site is closest to and central to the Company's major markets in the Melbourne CBD, Docklands, South Bank, the new Fishermans Bend Urban Renewal area, and major infrastructure projects such as the West Gate Tunnel and Metropolitan Rail projects. The high levels of congestion and time delays experienced on freeways and arterial roads leading into Central Melbourne, makes it difficult to reliably supply concrete from other suburban depots to the Central City, in a timely manner.
45. The site is also located close to the Melbourne Cement Facility at the Port Melbourne, which is the source of all of the company's cement (Figure 27).
46. Background reports informing the amendment, including the *Fishermans Bend Economic and Employment Study* prepared by SGS Economics & Planning and the *Fishermans Bend Buffer Assessment Report* prepared by GHD, both emphasise the strategic importance of the concrete industry in Port Melbourne for the following reasons:
 - Concrete is a perishable product with a short curing time.
 - Port Melbourne is an ideal location due to its proximity to major sources of demand and reduced potential for time delays on major arterial roads leading into central Melbourne.
47. Hanson intends to remain on the site in the long term as it is ideally located for its current and long term future business needs.



Figure 27 Melbourne Cement Facilities, Lorimer Street

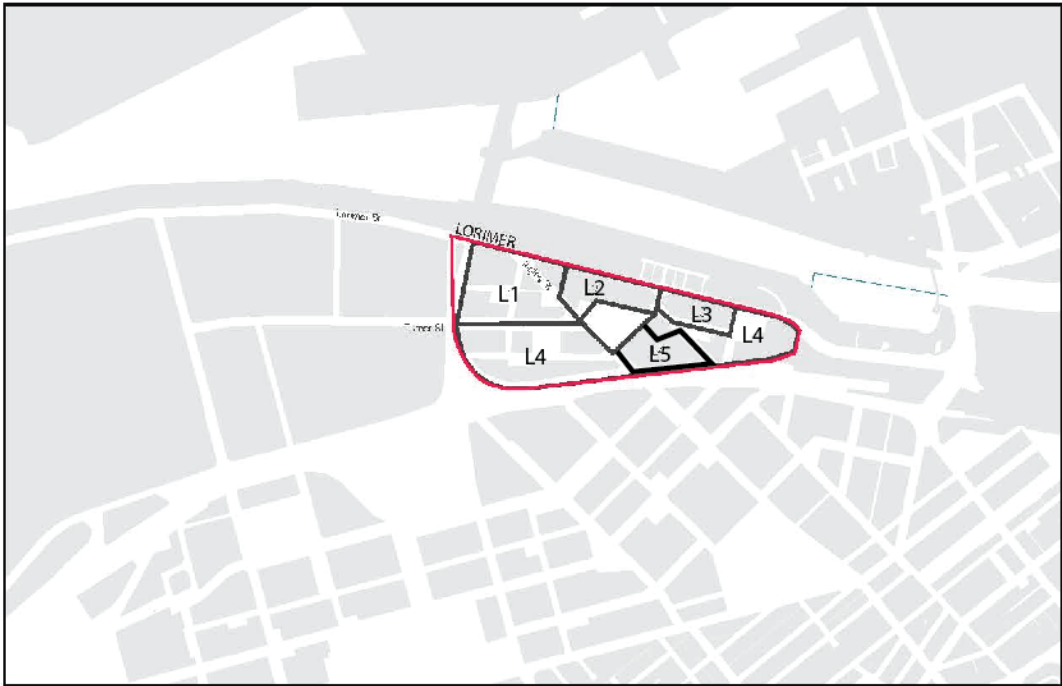
6.3 Likelihood that the Hanson facility will remain on its existing site

48. A concrete batching plant falls within the definition of 'Industry' in the planning scheme. Industry is presently a Section 2 use in the Table to Schedule 4 of the Central City Zone and will remain a Section 2 use upon approval of Amendment GC81.
49. A concrete batching plant is listed in the Table to 52.10 and has a threshold distance of 300m. Pursuant to the EPA's *Recommended Separation Distances for Industrial Residual Air Emissions* document, the recommended separation distance for a concrete plant to sensitive uses is 100 metres.
50. The existing concrete batching plant has existing use rights pursuant to Clause 63 of the planning scheme. It can continue to operate on the site into the long term, provided that it continues to comply with environmental and other requirements. The existing use provisions allow for planning permit applications to be lodged for buildings and works to upgrade and or expand the operation of the existing use.
51. Regardless of the broader ambitions of the Fishermans Bend Framework Plan for the redevelopment of the area, in my opinion, the reality is that unless the government actively pursues the relocation of the facility, it highly likely to remain on the site for the long term.
52. Accordingly, in my view, planning policies and controls for the Lorimer Precinct should reflect and plan for this eventuality. Whilst there are a number of provisions in proposed amendment documentation that respond to issues concerning the interaction between existing industrial uses and future sensitive uses, they should be enhanced to make them more comprehensive and responsive to the issue at hand. The Draft Framework Plan is completely silent on the matter.

6.4 Lack of policy recognition

53. Given the strategic importance of, and the reality that the facilities are likely to remain in the area in the long term, there is a lack of policy recognition of the Hanson and adjoining Barro facilities, in both the Draft Framework and in the local planning policy section of the Melbourne Planning Scheme.
54. Recognition in the policy is required to provide guidance for the responsible authority in considering planning permit applications for both the upgrading of existing concrete batching plants and also for new sensitive uses in the vicinity of the sites.
55. In my view proposed planning policies should be modified as follows:
 - Whilst only a reference document and not an incorporated document, the Fishermans Bend Draft Framework should be modified to recognise the existing cluster of concrete batching plants in the vicinity of the Hanson site and to provide a strategic basis for the policies, purpose statements and planning provisions proposed to be included in the amendment documents.
 - Clause 21.13 (Fishermans Urban Renewal Area – Lorimer) locates the Hanson and Barro sites within 'Sub-precinct 4', which seeks a future high density residential and commercial character for the sub-precinct. I recommend that this clause be modified to identify the cluster of concrete batching plants as 'Existing industrial uses – Concrete Batching Plants' (refer Figure 28) and to include the following future character statement in the table to that clause.

<p>Area L5</p>	<p><i>To recognise the existence of a cluster of concrete batching plants and the likelihood they will remain on their existing sites into the future.</i></p> <p><i>Facilitate the upgrading of existing plants to a higher standard of operation, with reduced potential for off-site amenity impacts.</i></p> <p><i>Manage new development within the threshold distance of the sites, pursuant to Clause 52.10, having regard to the continued operation of the plants.</i></p> <p><i>Provide a planning incentive to encourage the eventual relocation of the uses.</i></p> <p><i>Allow for the ultimate integration of the sub-precinct with Sub-precinct L4, should the concrete batching plants relocate.</i></p>
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LEGEND	
	Precinct Boundary
	Sub-precinct Boundary

Figure 28 Proposed Industry - Concrete batching plant sub precinct L5

56. I suggest that an additional objective be included in 'Economic Development' at Clause 21.13-3 (Fishermans Bend Urban Renewal Area - Lorimer), to manage ongoing amenity issues between existing concrete batching plants in the Lorimer Precinct and future high density mixed use development, facilitate the upgrading of existing plants and provide a planning incentive to encourage the eventual relocation of the plants.
57. I suggest that an additional objective be included in Clause 22.27-2 (Fishermans Bend Urban Renewal Areas), to manage operational and interface tensions between the exiting concrete batching plants in the Lorimer Precinct and future high density mixed use development, facilitate the upgrading of existing facilities and provide an incentive to encourage the eventual relocation of the uses in the long term.

6.5 Support for upgrading the existing facility

58. Hanson proposes to upgrade the existing facility in the future, to make it more compatible with an inner city mixed use urban renewal area, and to increase its production capacity. This has the potential to significantly improve the appearance of the facility and to reduce onsite noise and dust emissions.
59. A building and works permit would be required for any upgrading works on the site.
60. Schedule 4 to the Capital City Zone (and the Fishermans Bend Draft Framework) identifies that a new 12 metre wide street is required to be provided within the site, along its boundary with the freeway.
61. Schedule 4 to the Capital City Zone includes a requirement that a planning permit cannot be issued for buildings or works unless land is provided for the designated road. Such a requirement would prevent the issue of a permit to upgrade the facility, unless the road is provided.
62. The Hanson site is already a relatively small site, with no surplus land. Provision of a 12 metre street would very significantly constrain and potentially prevent the future upgrading of the site.
63. The requirement for a new street is relevant to apply at the time a site is being redeveloped for its ultimate purpose in accordance with the Framework Plan, not at the time existing industries are applying for permit to constructed buildings and works to modify their existing operations.
64. In my opinion, the planning provisions should be worded to facilitate the ongoing use of existing industries such as a concrete batching plants, which are strategically located in the precinct, are like to remain in the long term, and where upgrading would result in amenity and operational benefits to the wider area.
65. The wording of Schedule 4 to Capital City Zone should to modified to exempt permits for existing uses from this requirement as follows:
- A permit must not be granted to construct a building or construct or carry out works where the provision for any new streets, laneways, or public open space generally in accordance with Map 2 and Map 3 is not provided, except where associated with an existing use.
66. The wording of Schedule 67 to Design and Development Overlay should be modified to include a Design Objective as follows:
- To provide flexibility to encourage the redevelopment of the two existing concrete batching plants in the Lorimer Precinct, to encourage their eventual relocation.
67. I note that in addition to the new street shown in Schedule 4 to the Capital City Zone, the Draft Fishermans Bend Framework identifies two additional streets on the site. Although the Framework Plan is proposed to be a reference document only and no statutory requirement will exist to provide those two streets.
68. A wider issue arises concerning the need for the proposed road(s), and the way in which they are proposed to be realised by the amendment provisions. I do not support the means in which the

amendment proposes to require proposed roads to be provided, nor the prescriptive manner in which proposed roads and connections are shown in the amendment documents.

69. Separate evidence will be provided by Henry Turnbull in relation to the lack of need for a new road along the rear boundary of the Hanson site.

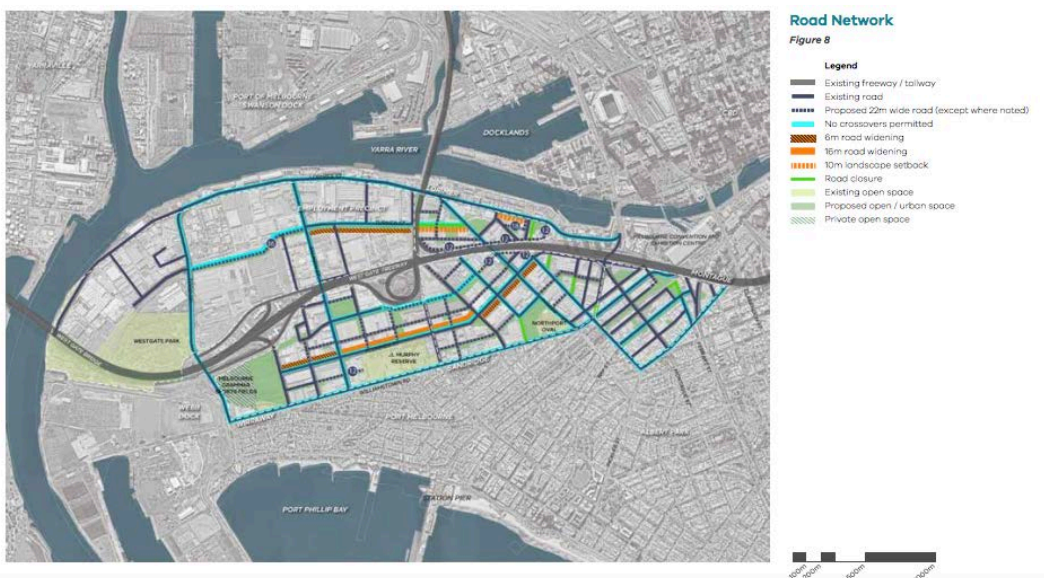


Figure 29 Road Network

6.6 Managing ongoing amenity issues

70. There are a number of provisions in the Schedule 4 to the Capital City Zone that appropriately respond to issues concerning the ongoing interaction between existing industrial uses and future sensitive uses. These provisions are important to retain in the amendment.
71. However, I believe additional provisions are needed to provide a complete framework for making decisions on planning permit applications for sensitive uses within the threshold distance of uses, such as concrete batching plants.
72. The existing provisions that I support include the following:
- In the land use table in Section 4 of the Capital City Zone:
 - ‘Accommodation’ listed in Section 1, subject to the condition – *“Must meet the threshold distance from industrial and/or warehouse uses referred to in the table to Clause 52.10.”*
 - A number of sensitive uses listed in Section 1, subject to the condition - *“Must meet the threshold distance from industrial and/or warehouse uses referred to in the table to Clause 52.10.”*
 - ‘Industry’ as a Section 2 use.
 - ‘Dwelling’ being a Section 2 use, if not located in the Core Area or if it is within a threshold distance.
 - The Application Requirement that *“an application to use land for the purpose of dwellings, residential village, retirement village, hostel, child care centre, education centre, or informal outdoor recreational uses, which do not meet the threshold distance from industrial or warehouse uses referred to in the table to Clause 52.10, or that are within 300 metre of an existing warehouse or industrial use, must be accompanied by an Amenity Impact Plan.”*

- The Decision Guideline that the Responsible Authority must consider whether a proposal incorporates appropriate measures to mitigate against adverse amenity from existing uses.

73. In order to provide a complete framework for decision making, the following provision should be added as an additional Purpose Statement to Schedule 4 of Capital City Zone:

- , To manage ongoing amenity issues between existing concrete batching plants in the Lorimer Precinct and future high density mixed use development, facilitate the upgrading of existing plants and provide a planning incentive to encourage the eventual relocation of the plants.

74. I note that there is an exemption from notice and review requirements for nearly all planning permit applications to use land within the Fishermans Bend Area. I do not believe that this exemption should exist for a planning permit application for sensitive uses within the threshold distance of a concrete batching plant. I believe such applications should be advertised so that the owners / operators of concrete batching plants are aware of and can have an input into any planning decisions made in relation to such applications. This exemption from notice and review should read:

- This exemption does not apply to an application to use the land for a nightclub, tavern, hotel or adult sex bookshop or an application within the threshold distance from a concrete batching plant referred to in the table to Clause 52.10.

6.7 Location of Arts and Education Hubs

75. The *Fishermans Bend Community Infrastructure Plan* seeks the provision of community infrastructure to cater for anticipated population growth within the Lorimer Precinct. The Draft Framework identifies the Hanson site as being located within an area proposed for further investigation for an 'Arts and Cultural Hub' and beside an area identified for further investigation for an 'Education and Community Hub (primary school)'.

76. I do not believe it is good strategic planning to identify land for a possible arts, cultural, community or education hub, on or adjacent to the site of an existing concrete batching plant that is likely to remain for the long term. I recommend that the Draft Framework be modified to remove the Arts and Cultural Hub investigation areas from the site, and to delete land along the east side of Boundary Street from the investigation area for a Community and Education Hub.

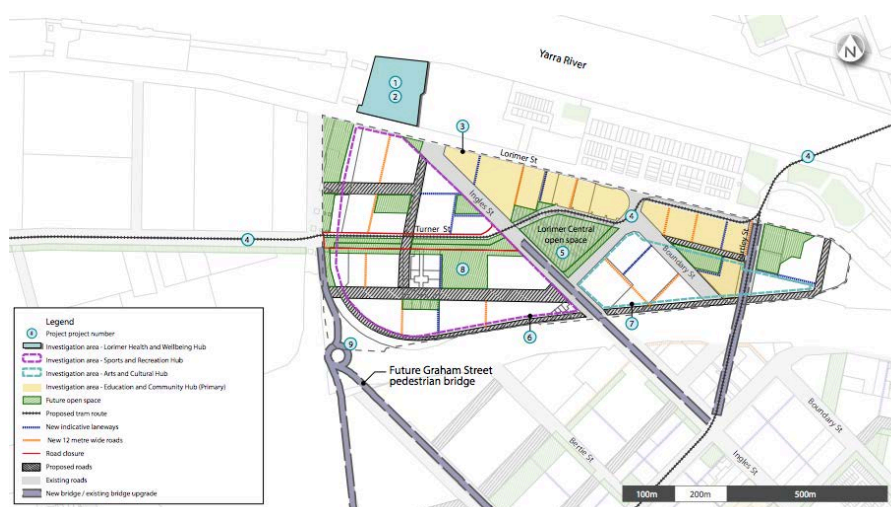


Figure 30 Proposed Arts and Cultural Hub' and 'Education and Community Hub (primary school)

6.8 Incentive to transition

77. In spite of Hanson's intention to continue to remain at their site, from a Planning Scheme perspective, it is appropriate to provide guidance that encourages or provides an incentive for an existing industrial use to transition to a residential, commercial or mixed use.
78. The relocation of the Barro and Hanson facilities would require government intervention in the form of compulsory acquisition.
79. An incentive could be achieved, by providing an exemption for the redevelopment of an existing concrete batching plant site from the mandatory planning controls and other restrictive provisions that are proposed in the amendment. This would allow greater flexibility for both the use and the development of such sites. It could well assist in tipping the balance when companies make future decisions regarding the continued use of their existing sites. I suggest the following changes to the amendment documentation:
- Floor Area Ratio (FAR). I believe that the proposed FAR requirement is a significant restriction on the development potential of a site identified as having an 'unlimited overall building height'. I believe that there would be significant merit in exempting the redevelopment of a site used by an existing concrete batching plant from this requirement, in order to incentivise the relocation of the use.
 - The following provision should be added to the Permit Requirements of Schedule 4 to Capital City Zone, A permit must not be granted or amended (unless the amendment does not increase the extend of non-compliance) to construct a building or construct or carry out works with a floor area ratio in excess of the floor area ratios in Tables 1 unless:
 - On the site of an existing concrete batching plant which will be relocated as a result of the redevelopment of the site.
 - Employment Floor Area Ratio (EFAR) policy (Clause 22.27). I believe that the FAR, in conjunction with EFAR, has the potential to significantly constrain the opportunity for largely residential apartment developments in the area. To provide an incentive to development the site(s), I would support exemption from the requirements of both of these provisions.
 - Mandatory built form controls and building setback controls. I do not support mandatory setback controls in Fishermans Bend generally. If such were to be supported by the Panel, I believe there is merit is providing an exemption from the mandatory nature of the controls, to provide greater flexibility for the redevelopment of a site used for a concrete batching plant.
 - All mandatory provisions found within policy should include a permit cannot be granted to vary this requirement, unless for an existing concrete batching plant.
 - I note the incorrect wording of street wall heights on streets with a width of greater than 22 metres in Schedule 67 to Design and Development Overlay and make the suggestion that this provision should read:
 - On streets with a width of greater than 22 metres, the street wall height must not exceed 30 metres. A permit cannot be granted to vary this requirement unless for an existing concrete batching plant.
 - The requirement for new streets. The Fishermans Bend Framework proposes two new 12 metre wide roads within the site and a 12 metre road along the southern boundary of the site. Only the 12 metre road along the southern boundary is proposed to be included in the planning scheme. Based on evidence from Henry Turnbull, I see no need for a new street along the southern boundary.

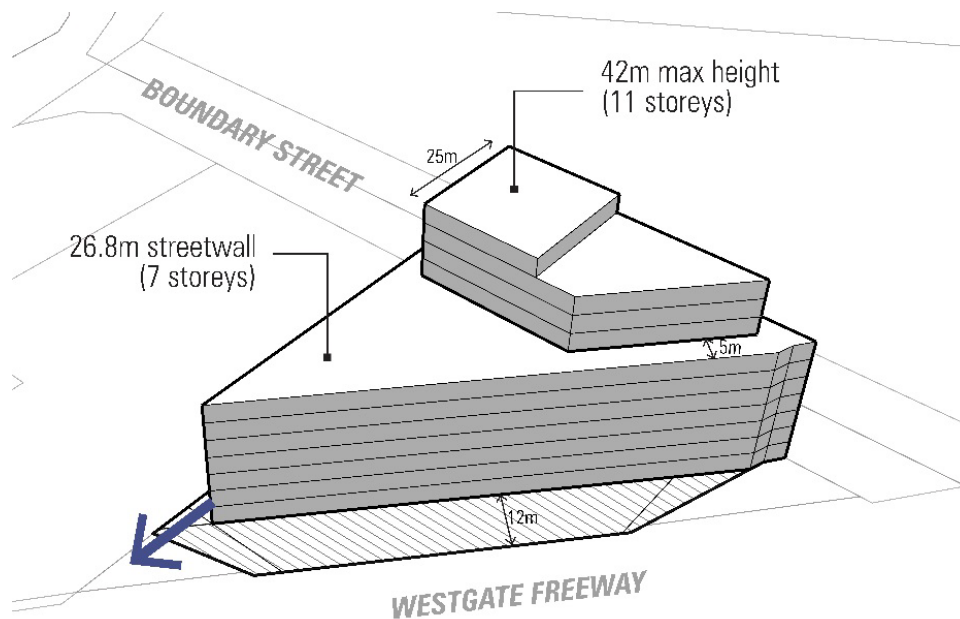


Figure 31 Modelling diagram of potential site redevelopment

7 Recommendations

80. Throughout this report I have made a number of recommendations for modifications to the amendment documentation, to appropriately respond to the practical reality that the Hanson (and Barro) concrete batching plants will remain on their existing sites within the Lorimer Precinct. In these circumstances, new developments will have to co-exist with the two concrete batching plants that will remain in the Lorimer Precinct.

81. In such a situation, planning scheme provisions should aim to:

- Recognise the existing facilities and plan for the ongoing use in an appropriate manner.
- Encourage complimentary mixed use developments within close proximity of the concrete batching plants.
- Support the upgrading and improvement of the existing concrete batching plants,.
- Manage ongoing amenity issues in relation to potentially sensitive uses established within the threshold distance of the plants.
- Provide encouragement or incentives to eventually relocate the concrete batching plants.

82. Attached to this report are tracked changes versions of the key amendment documents, which outline the changes I have recommended.

David Barnes BTRP(Hons); MBA; Fellow PIA

Appendix 1 - Tabled Capital City Zone, Schedule 4, with recommended modifications

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SCHEDULE 4 [MPS] TO CLAUSE 37.04 CAPITAL CITY ZONE

Shown on the planning scheme map as **CCZ1** [PPPS] **CCZ4** [MPS].

FISHERMANS BEND URBAN RENEWAL AREA

Purpose

To implement the *Fishermans Bend Vision, September 2016* and the *Fishermans Bend Framework, XX 2018*. [CCZ Objs p1]

To create a world leading sustainable area that incorporates sustainable transport patterns and best practice sustainable design into all developments. [CCZ Objs p2]

To create a highly liveable mixed-use area that prioritises employment uses over residential uses, [within core areas well serviced by public transport [PPPS]]. [CCZ Objs p3]

To achieve the population targets, job growth and residential densities [within each precinct [PPPS]] of Fishermans Bend and enable a scaple of growth that is aligned with the provision of infrastructure. [CCZ Objs p4]

To require a public benefit where the scale of growth exceeds planned infrastructure provision. [CCZ Objs p5]

To manage ongoing amenity issues between existing concrete batching plants in the Lorimer Precinct and future high density mixed use development, facilitate the upgrading of existing plants and provide a planning incentive to encourage the eventual relocation of the plants.

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Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Dwelling, Corrective institution, Motel, Residential aged care facility, Residential hotel, Residential village and Retirement village)	Must meet the threshold distance from industrial and/or warehouse uses referred to in the table to Clause 52.10.
Art and craft centre	
Bank	Must be located [in a core area [PPPS]] with frontage to a primary or secondary active frontage street.
Child care centre	Must meet the threshold distance from industrial and/or warehouse uses referred to in the table to Clause 52.10.
Cinema based entertainment facility	Must be located [in a core area [PPPS]] with frontage to a primary or secondary active frontage street.
Department store	Must be located in a core area with frontage to a primary or secondary active frontage street.
Display home	
[Dwelling [PPPS]]	[Must be in a Non-Core area. Must meet the threshold distance from industrial and/or warehouse uses referred to in the table to Clause 52.10. [PPPS]]
Education centre	Must meet the threshold distance from industrial or warehouse uses referred to in the table to Clause 52.10.
Home occupation	Must meet requirements of Clause 52.11.

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Use	Condition
Informal outdoor recreation Minor sports and recreation facility Office (other than Bank) Place of assembly (other than Amusement parlour, Function centre and Nightclub) Railway station	
Retail premises (other than Hotel, Shop and Tavern) Restricted retail premises	Must not exceed 1000 square metres gross leasable floor area, [and be located in a core area [PPPS]].
Residential aged care facility Residential hotel Motel	Must meet the threshold distance from industrial or warehouse uses referred to in the table to Clause 52.10.
Shop (other than Adult sex bookshop, Department store, Supermarket and Restricted retail premises)	
Supermarket	Must be located [in a core area[PPPS]] with frontage to a primary or secondary active frontage street.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Car park	Must not be an open lot car park.
Dwelling	
Function centre Hotel Industry Leisure and recreation (other than Informal outdoor recreation, Minor sport and recreation facility, Motor racing track and Racecourse) Nightclub Residential village Retirement village Tavern Transport terminal (other than Airport and Railway station) Utility installation Warehouse	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use

Airport
Agriculture (other than Apiculture and Crop raising)
Brothel
Cemetery
Corrective institution
Motor racing track
Racecourse
Pleasure boat facility

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Use of land

Application requirements

The following application requirements apply to an application for a permit under Clause 37.04, in addition to those specified in Clause 37.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:
 [CCZ 2.0p1]

- An application to use the land for a dwelling, residential village or retirement village must be accompanied by a report which addresses: [CCZ 2.0p2]
 - How the proposal contributes to an activated frontage [CCZ 2.0p3]
 - How the proposal achieves the dwelling density of the Fishermans Bend Urban Renewal Local Policy, including an assessment of the composition and size of dwellings proposed [CCZ 2.0p4]
 - How the proposal contributes to the job growth targets and employment floor area set out in the Fishermans Bend Urban Renewal Area Local Policy. [CCZ 2.0p5]
- An application to use land for a dwelling, a residential village, retirement village, hostel, child care centre, education centre or informal outdoor recreation use which does not meet the threshold distance from industrial or warehouse uses referred to in the table to Clause 52.10, or that is within 300 metres of any existing warehouse or industrial use, must be accompanied by an Amenity Impact Plan which includes, as appropriate: [CCZ 2.0p6]
 - A site plan that identifies the type and nature of the industrial/warehouse uses surrounding the site. [CCZ 2.0p7]
 - An assessment of the impact of the proposed sensitive use on existing industry/warehouse uses [CCZ 2.0p8]
 - An assessment of the amenity impact of nearby port operations, freight routes or major transport infrastructure on the proposed sensitive uses. [CCZ 2.0p9]
 - Measures proposed to mitigate potential amenity impacts of existing industry/warehouse uses or port, freight, [or [MPS]] transport infrastructure on the proposed sensitive use, to within acceptable levels. [CCZ 2.0p10]
- An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate: [CCZ 2.0p11]
 - The purpose of the use and the types of processes to be utilised. [CCZ 2.0p12]
 - The type and quantity of goods to be stored, processed or produced. [CCZ 2.0p13]
 - How land not required for immediate use is to be maintained. [CCZ 2p.0p14]
 - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority. [CCZ 2.0p15]
 - 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

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fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded. [CCZ 2.0p16]

- The likely effects, if any, on the neighbourhood, including: [CCZ 2.0p17]
 - Noise levels. [CCZ 2.0p18]
 - Air-borne emissions. [CCZ 2.0p19]
 - Emissions to land or water. [CCZ 2.0p20]
 - Traffic, including the hours of delivery and despatch. [CCZ 2.0p21]
 - Light spill or glare. [CCZ 2.0p22]

Exemption from notice and review

An application for the use of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. [CCZ 2.0p23]

This exemption does not apply to an application to use land for a nightclub, tavern, hotel or adult sex bookshop or an application within the threshold distance from a concrete batching plant referred to in the table to Clause 52.10. [CCZ 2.0p24]

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.04, in addition to those specified in Clause 37.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority: [CCZ 2.0p25]

- If a dwelling is proposed, whether the proposal: [CCZ 2.0p26]
 - Delivers dwelling diversity and dwelling density that aligns with the population targets and provision of community infrastructure. [CCZ 2.0p27]
 - Creates an activated ground floor[, particularly in core areas as per Map 1 of this schedule [PPPS]]. [CCZ 2.0p28]
 - Provides home-offices or communal facilities that support ‘work from home’ or ‘mobile’ employment. [CCZ 2.0p29]
- The impact the proposal has on the realisation of employment targets, ensuring that employment uses are maximised and safeguarded in [core [PPPS]] areas well serviced by public transport. [CCZ 2.0p30]
- Whether the use provides for employment uses in line with targets set out in the Fishermans Bend Urban Renewal Area Local Policy. [CCZ 2.0p31]
- Temporary uses of land not immediately required for the proposed use. [CCZ 2.0p32]
- If a dwelling is located within a buffer area to the Port of Melbourne, whether the intensity of use is appropriate to its location. [CCZ 2.0p33]
- Whether the proposal incorporates appropriate measures to mitigate against adverse amenity from existing uses. [CCZ 2.0p34]

3.0

Subdivision

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Permit requirements

The following requirements apply to subdivide land:

- The layout of the subdivision must make provision for any new streets, laneways[, [PPPS]] or public open space generally in accordance with Map 2 and Map 3 of this schedule. [CCZ 3.0p2]
- Car parking areas are to be retained in a single or a consolidated title as common property, unless the responsible authority is satisfied that this requirement is not required. [CCZ 3.0p3]

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Application requirements [CCZ 3.0p4]

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: [CCZ 3.0p5]

- The location of abutting roads, services, infrastructure [PPPS] and street trees. [CCZ 3.0p6]
- Information which demonstrates how the subdivision makes provision for the streets, laneways [PPPS] and open spaces [PPPS] generally in accordance with Map 2 and Map 3 of this schedule. [CCZ 3.0p7]
- Information which demonstrates how the subdivision will allow for the transition of car parking spaces to alternate uses over time. [CCZ 3.0p8]
- A layout plan, drawn to scale and fully dimensioned showing: [CCZ 3.0p9]
 - The location, shape and size of the site. [CCZ 3.0p10]
 - The location of any existing buildings, car parking areas and private open space. [CCZ 3.0p11]
 - The location, shape and size of the proposed lots to be created. [CCZ 3.0p12]
 - The location of any easements on the subject land. [CCZ 3.0p13]
 - Any abutting roads. [CCZ 3.0p14]
 - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate. [CCZ 3.0p15]
- A land budget showing the extent of land provided as a public benefit. [CCZ 3.0p16]

Exemption from notice and review

An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. [CCZ 3.0p17]

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.04, in addition to those specified in Clause 37.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority: [CCZ 3.0p18]

- Whether the layouts of streets, laneways and open space are consistent with those shown in Map 2 and Map 3 of this schedule. [CCZ 3.0p19]
- The contribution the proposed subdivision makes to a fine grain precinct, and pedestrian and bicycle permeability. [CCZ 3.0p20]
- Whether the proposed car parking areas are designed for future adaptation or repurposing of land in line with the future provision of public transport. [CCZ 3.0p21]
- Where the application to subdivide land provides for residential development, the objectives of Clause 56. [CCZ 3.0p22]
- Whether the subdivision provides for the necessary utilities infrastructure to service the development of the subdivided parcels, and allows for shared trenching. [CCZ 3.0p23]
- Whether any proposed staging of development is appropriate. [CCZ 3.0p24]
- Impacts the subdivision may have on landscape opportunities along street frontages, particularly for large canopy trees. [CCZ 3.0p25]
- Whether the subdivision can accommodate an appropriate building envelope. [CCZ 3.0p26]

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4.0 Buildings and works

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Permit requirement

A permit must not be granted to construct a building or construct or carry out works where the provision for any new streets, laneways[, [PPPS]] or public open space generally in accordance with Map 2 and Map 3 is not provided, except where associated with an existing use.

A permit must not be granted to construct a building or construct or carry out works where the vehicle access points and crossovers are located along roads designated as ‘no cross overs permitted’ in Map 2 of this schedule, except where a new street or laneway is being created in accordance with that plan, or no other access is possible. [CCZ 4.0p2]

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 the floor area ratios in Table 1 unless: [CCZ 4.0p3]

- In a core area as defined on Map 1 of this schedule: [CCZ 4.0p4]
 - The additional floor area that results from exceeding the floor area ratio is not used for Dwelling, or [CCZ 4.0p5]
 - A public benefit and floor area uplift as calculated and specified in a manner agreed to and approved by the responsible authority is provided, and the permit includes a condition (or conditions) which requires the [provision of the [MPS]] public benefit to be secured via an agreement made under section 173 of the *Planning and Environment Act 1987*, or [CCZ 4.0p6]
 - A combination of the above. [CCZ 4.0p7]
 - On the site of an existing concrete batching plant which will be relocated as a result of the redevelopment of the site.
- [In a non-core areas as defined on Map 1 of this schedule: [CCZ 4.0p8]
 - a public benefit, as calculated and specified in a manner agreed to, and approved by, the responsible authority, is provided, and the permit includes a condition (or conditions) which requires the public benefit to be secured via an agreement made under section 173 of the *Planning and Environment Act 1987*. [PPPS] [CCZ 4.0p9]

Table 1 Floor area ratios

Precinct	Core area	Non-core area [PPPS]
Lorimer [MPS]	5.4:1	
Wirraway [PPPS]	4.1:1	2.1:1
Sandridge [PPPS]	8.1:1	3.3:1
Montague [PPPS]	6.1:1	3.0:1

No permit required

No permit is required to construct a building or construct or carry out works for the following: [CCZ 4.0p16]

- 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. [CCZ 4.0p17]
- An addition or modification to a verandah, awning, sunblind or canopy of a building. [CCZ 4.0p18]
- External works to provide disabled access to a building or works that complies with legislative requirements. [CCZ 4.0p19]

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- Building or works which rearrange, alter or renew a plant area if the area or height of the plant equipment is not increased. [CCZ 4.0p20]
- Bus and tram shelters required for public purposes by or on behalf of the Crown or a public authority. [CCZ 4.0p21]

Conditions on permits

For a permit granted to construct a building, other than alterations and additions to an existing building, conditions must be included to the effect that: [CCZ 4.0p22]

- Prior to the commencement of buildings and works, evidence must be submitted 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. [CCZ 4.0p23]
- Prior to the occupation of the building, evidence must be submitted that demonstrates the building can achieve a minimum 4 Star Green Star Design Review certification (or equivalent). [CCZ 4.0p24]
- Within 12 months of occupation of the building, certification must be submitted that demonstrates that the building has achieved a minimum 4 Star Green Star Design and As Built rating (or equivalent). [CCZ 4.0p25]
- Where a permit is granted to construct a building, other than alterations and additions to an existing building, where the building is within 50 metres of a potential future metro alignment shown on Map 2 of this schedule, a condition must be included to the effect that: [CCZ 4.0p26]
 - Prior to the commencement of buildings and works, plans must be submitted to the satisfaction of the responsible authority in consultation with Transport for Victoria showing that the proposed building footings and foundations will not compromise delivery of the proposed future metro alignment. [CCZ 4.0p27]

Demolition or removal of buildings requirements

A permit is required to demolish or remove a building or works, except for: [CCZ 4.0p28]

- The demolition or removal of temporary structures. [CCZ 4.0p29]
- The demolition ordered or undertaken by the responsible authority in accordance with the relevant legislation and/or local law. [CCZ 4.0p30]

Before deciding on an application to demolish or remove a building or works, the responsible authority must consider any need for a condition to enter an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* between the landowner and the responsible authority to the effect of requiring: [CCZ 4.0p31]

- Temporary buildings or works on the vacant site should it remain vacant for six months after completion of the demolition. [CCZ 4.0p32]
- Temporary buildings or works on the vacant site where demolition or construction activity has ceased for six months, or an aggregate of six months[, [PPPS]] after commencement of the construction. [CCZ 4.0p33]
- Temporary buildings or works may include: [CCZ 4.0p34]
 - The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage. [CCZ 4.0p35]
 - Landscaping of the site for the purpose of public recreation and open space. [CCZ 4.0p36]

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: [CCZ 4.0p37]

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- A written urban context report documenting the key planning influences on the development and how it relates to its surroundings. [CCZ 4.0p38]
- A design response, detailing how the proposal responds to the Fishermans Bend Urban Renewal Area Local Policy and how the design makes provision for the streets, laneways, and open spaces, generally in accordance with Map 2 and Map 3 of this schedule. [CCZ 4.0p39]
- A 3D digital model suitable for insertion into the responsible authority’s interactive city model. [CCZ 4.0p40]
- An assessment and report of the proposed floor area ratio and if the proposed floor area ratio exceeds the floor area ratio in Table 1 of this schedule, details of the public benefit and/or, additional floor area not to be used for Dwelling to be provided. [CCZ 4.0p41]
- An application for buildings and works associated with accommodation, child care centre, education centre, or located within 100 metres of a freight alignment shown in the *Fishermans Bend Framework, XX 2018* or located within 100 metres of the West Gate freeway, or located within 300 metres of an existing industry must be accompanied by the following information to show how the development is designed to protect future occupants from potential adverse amenity impacts, including: [CCZ 4.0p42]
 - Incorporation of noise attenuation measures [internally and externally] [PPPS] in accordance with Australian Standard 2107 and SEPP N- 1. [CCZ 4.0p43]
 - Measures to protect against the impacts of vibration, light pollution, and odours and poor air quality. [CCZ 4.0p44]
- Any technical or supporting information necessary, prepared by suitably qualified professionals, including: [CCZ 4.0p45]
 - Environmentally Sustainable Design Statement addressing ESD, Waste and Water management [CCZ 4.0p46]
 - Sustainable Transport Plan demonstrating how the development supports sustainable travel behaviour and promotes active transport modes [CCZ 4.0p47]
 - Landscape Plan for all areas of open space, except private open space for dwellings, providing for biodiversity, canopy tree planting, water sensitive urban design [, [PPPS]] and microclimate management of buildings. [CCZ 4.0p48]
- A demolition plan, detailing the staging of demolition and any temporary works proposed. [CCZ 4.0p49]

Exemption from notice and review

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. [CCZ 4.0p50]

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.04, in addition to those specified in Clause 37.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority: [CCZ 4.0p51]

- Whether the layouts of streets, laneways and open space are consistent with those shown in Map 2 and Map 3 of this schedule. [CCZ 4.0p52]
- How the proposal contributes to establishing sustainable transport as the primary mode of transport through integrated walking, cycling and pedestrian links. [CCZ 4.0p53]
- Whether the development compromises the function, form and capacity of public spaces and public infrastructure. [CCZ 4.0p54]

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- Whether the proposal delivers design excellence, and contributes to creating a range of built form typologies. [CCZ 4.0p55]
- Whether the building design at street level provides for active street frontages, pedestrian engagement and weather protection. [CCZ 4.0p56]
- Whether the proposal delivers a diversity of households and housing typologies, and provides the necessary community infrastructure and facilities. [CCZ 4.0p57]
- Any impacts to the future metro train alignment and potential future elevated freight alignment. [CCZ 4.0p58]
- Whether the proposal includes appropriate mitigation measures to protect against off-site amenity impacts [associated with existing uses[PPPS]]. [CCZ 4.0p59]
- Whether the proposal is designed for all deliveries, servicing and waste management to occur on-site. [CCZ 4.0p60]
- Any constraints to vehicle access to the site, the impact of vehicle access on the provision of public transport, pedestrian and cyclist safety. [CCZ 4.0p61]
- The proposed 4 Star Green Star Design and As-Built rating (or equivalent). [CCZ 4.0p62]
- Whether appropriate sustainable water, waste and energy management is proposed. [CCZ 4.0p63]
- Where part of a site is developed, whether an agreement has been entered into to ensure that the floor area ratio across the site will not be exceeded and whether the development is sited so that adequate setbacks are maintained in the event that the site is subdivided or otherwise altered to create a separate future development site. [CCZ 4.0p64]
- If a public benefit is proposed: [CCZ 4.0p65]
 - The appropriateness of the value of the public benefit(s) commensurate to the increase in floor area ratio sought. [CCZ 4.0p66]
 - The management and maintenance of the public benefit(s). [CCZ 4.0p67]
 - How the public benefit will be delivered in a complete and timely manner. [CCZ 4.0p68]
- The views of Transport for Victoria for any proposal to construct a building, other than alterations and additions to an existing buildings that are within 50 metres of a potential future elevated freight route shown in the *Fishermans Bend Framework, XX 2018* to ensure the proposed building location and access points will not compromise construction of the future freight route. [CCZ 4.0p69]
- 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. [CCZ 4.0p70]

5.0

Advertising signs

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A permit is required to construct and display a sign except for: [CCZ 5.0p1]

- Advertising signs exempted by Clause 52.05-4. [CCZ 5.0p2]
- Renewal or replacement of an existing internally illuminated business identification sign. [CCZ 5.0p3]
- A home occupation sign with an advertisement area not more than 0.2 square metres. [CCZ 5.0p4]
- A direction sign where there is only one to each premises. [CCZ 5.0p5]
- [In core areas as shown on Map 1 of this schedule, a [PPPS] [A [MPS]] 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. [CCZ 5.0p6]

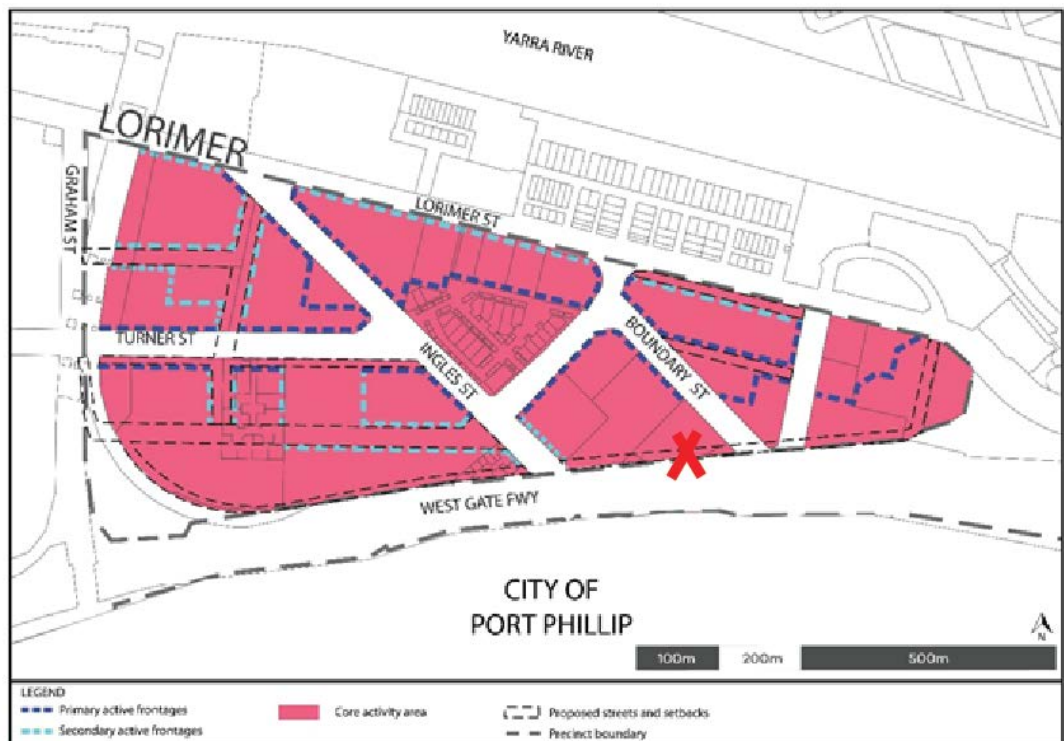
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- [In core areas as shown on Map 1 of this schedule, an [PPPS] [An [MPS]] internally illuminated sign of no greater than 1.5 square metres and the sign is not above a verandah or more than 3.7 metres above pavement level. The sign must [also [PPPS]] be more than 30 metres from a residential zone or pedestrian or traffic lights. [CCZ 5.0p7]
- [In core areas as shown on Map 1 of this schedule, a [PPPS] [A [MPS]] non-illuminated sign provided no part of the sign protrudes the fascia of the building. [CCZ 5.0p8]

Exemption from notice and review

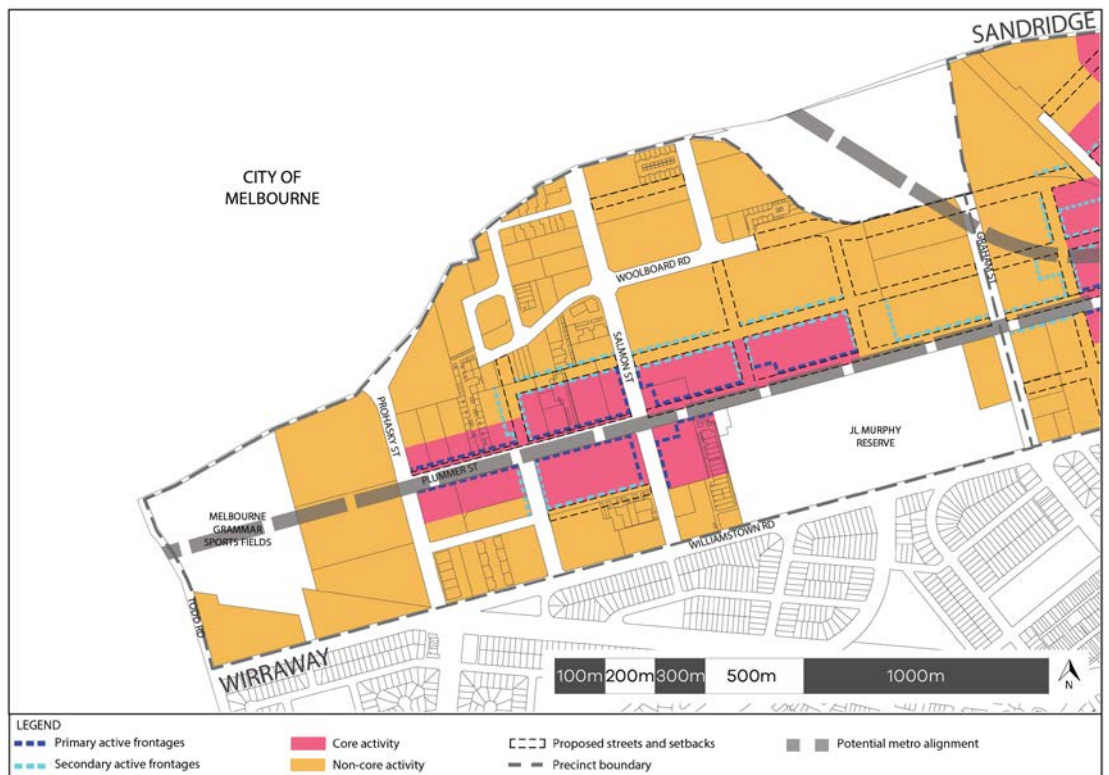
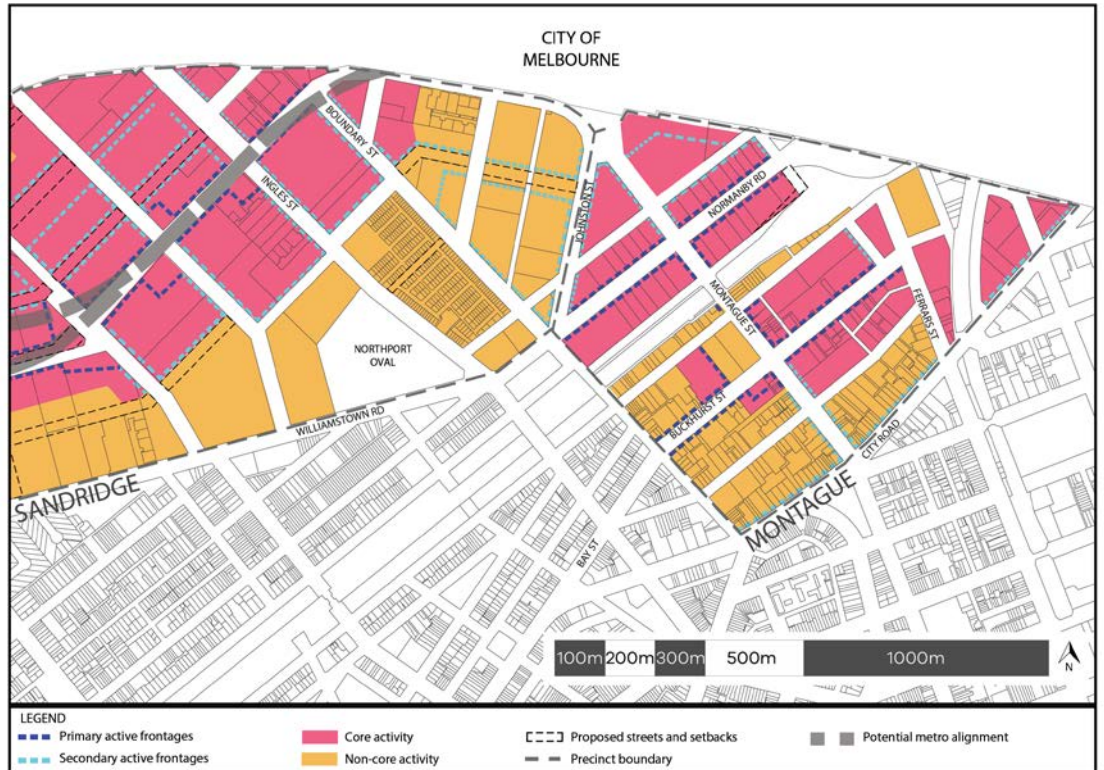
An application to construct and display a sign is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. [CCZ 5.0p9]

Map 1 Core areas and active street frontages [MPS]



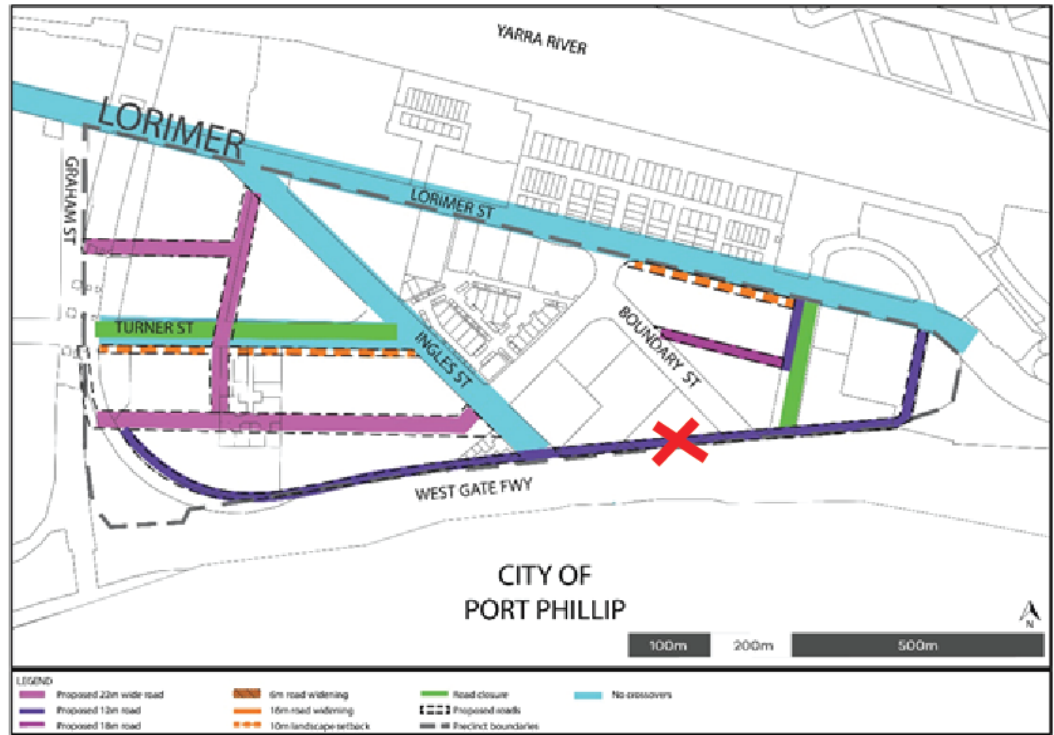
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Map 1 core and non-core areas and active street frontages (Map 1 consists of the following two map parts) [PPPS]



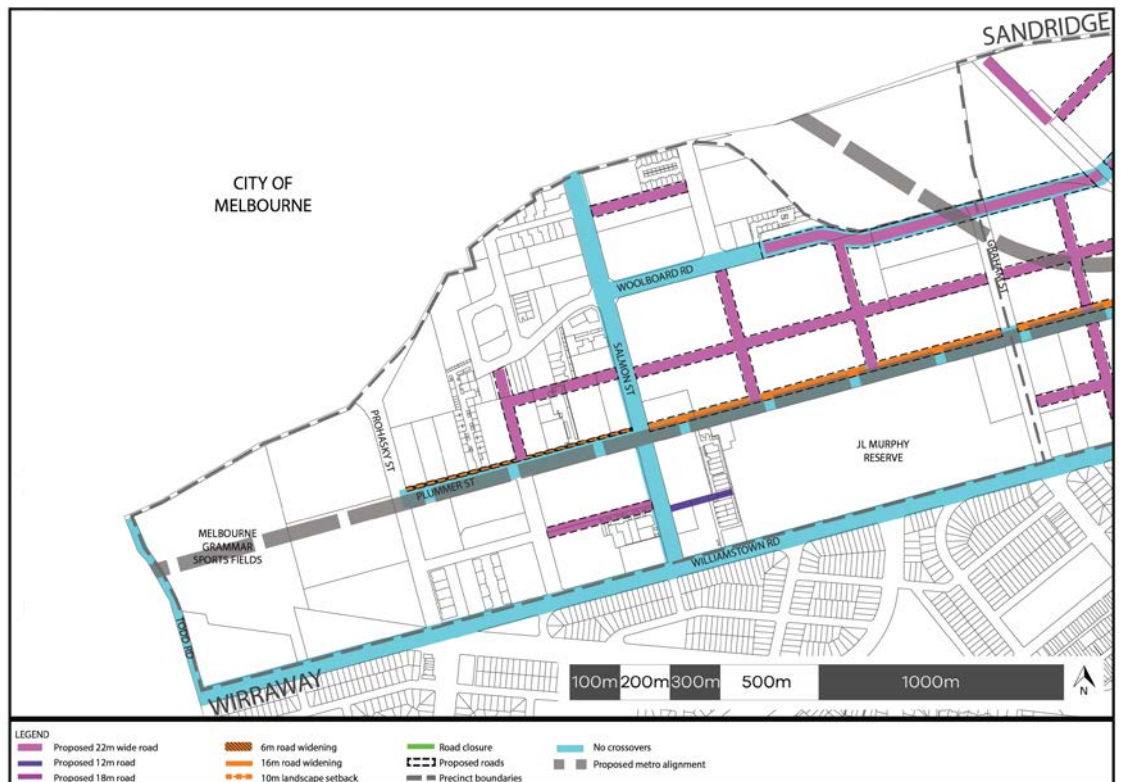
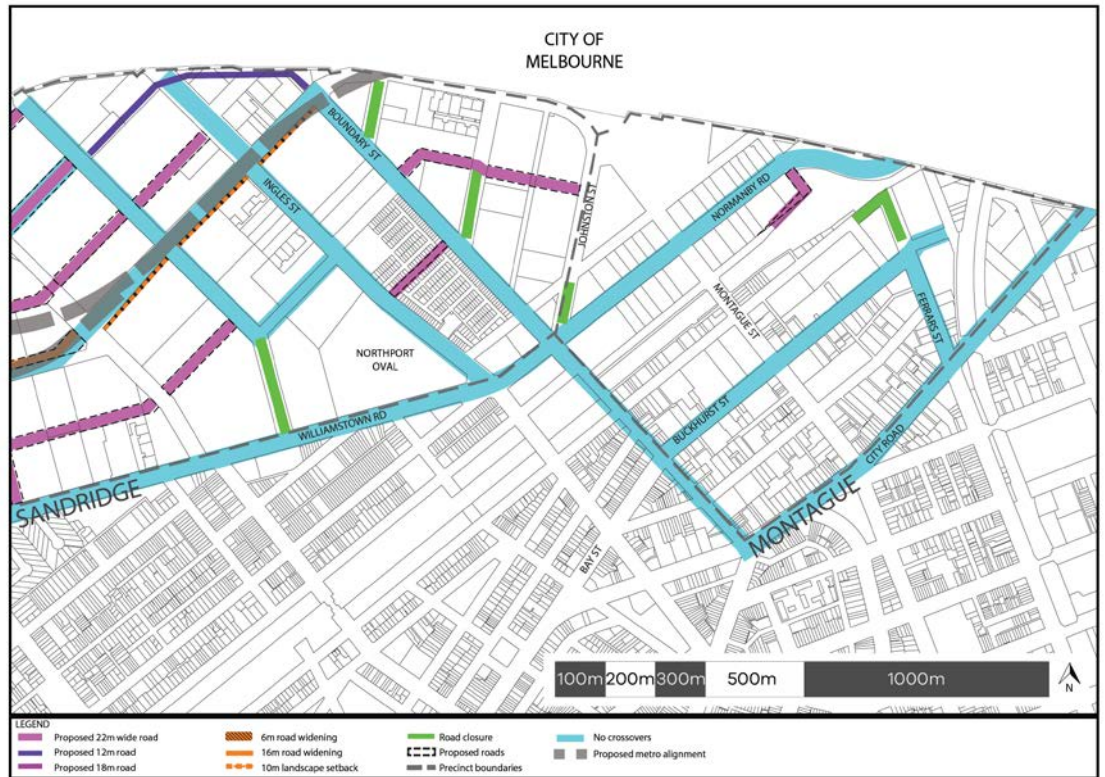
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Map 2 Street and laneway layout [MPS]



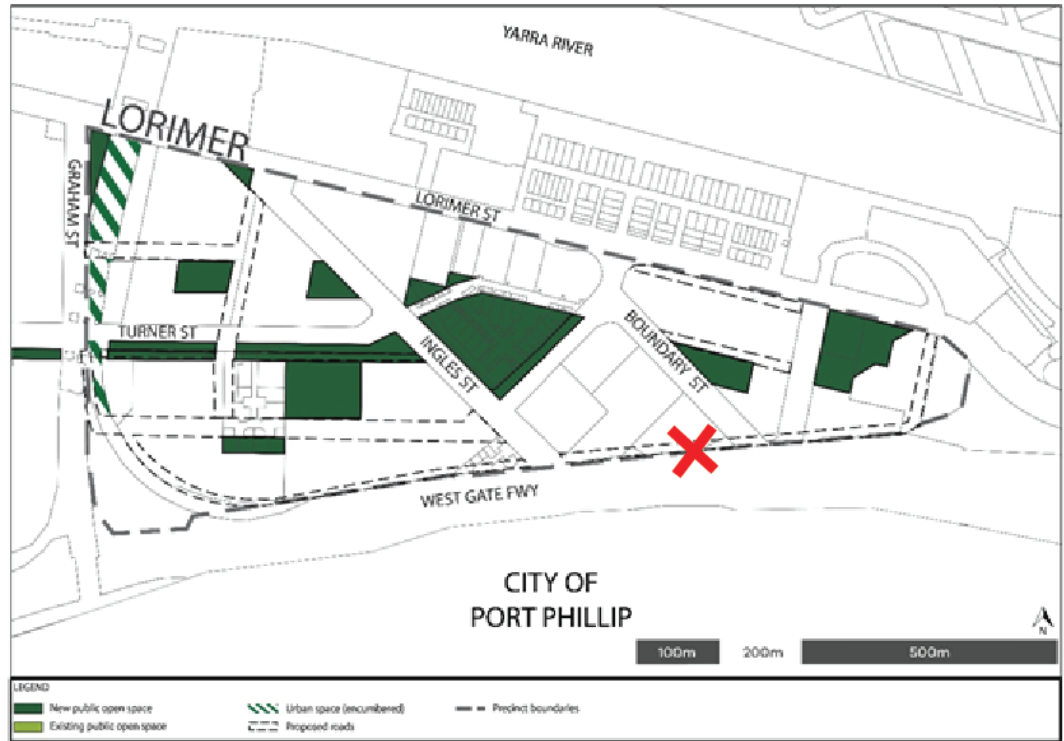
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Map 2 Street and laneway layout (Map 2 consists of the following two map parts) [PPPS]



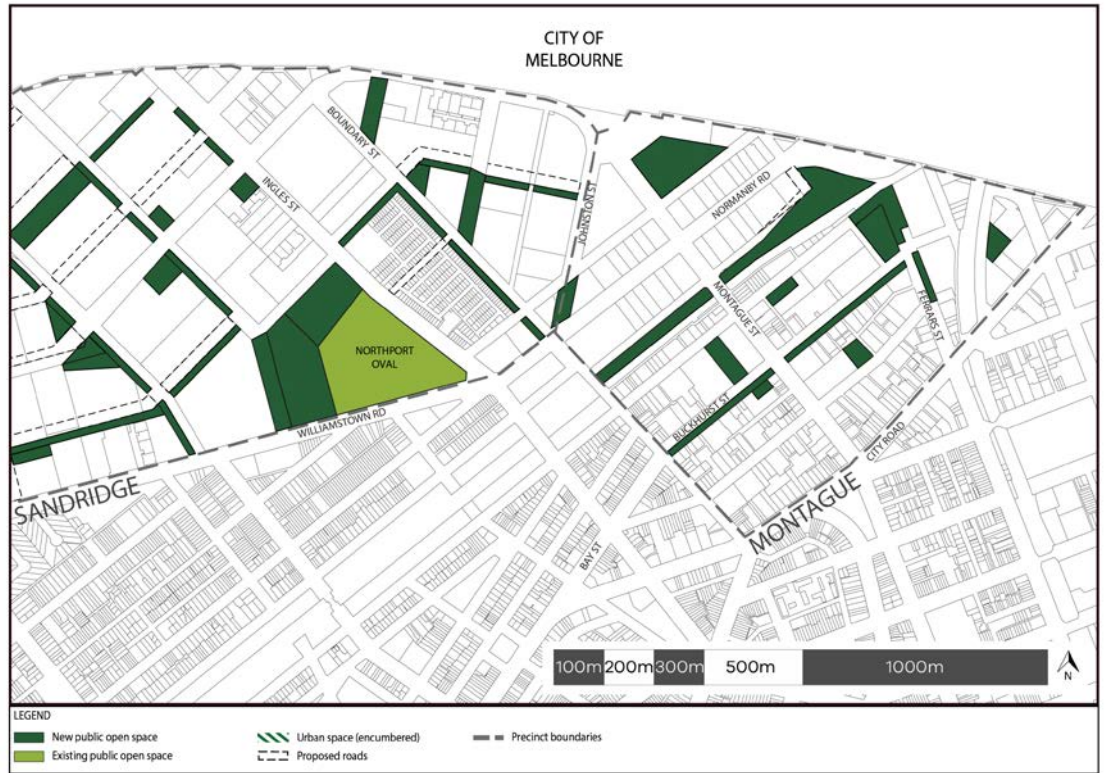
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Map 3 Open space layout [MPS]



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Map 3 Open space layout (Map 3 consists of the following two map parts) [PPPS]



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Definitions

The following definitions apply for the purposes of interpreting this schedule: [CCZ Def.0p1]

Active frontage street is a street shown as ‘Primary active frontage’ or a ‘Secondary active frontage’ on Map 1. [CCZ Def.0p2]

Core land and non-core land is located as shown on Map 1. [CCZ Def.0p3]

Floor area ratio means the gross floor area divided by the gross developable area. [CCZ Def.0p4]

Gross developable area means the area of the proposal land, including any proposed streets or laneways, new public open space and land for community infrastructure (public benefit). [CCZ Def.0p5]

Gross floor area means the area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies. Dedicated communal residential facilities and recreation spaces are excluded from the calculations of gross floor area. 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 [CCZ Def.0p6]

New public open space is land identified [in the *Fishermans Bend Framework, XX 2018* and as shown [MPS]] in Map 3 and is to be provided for public recreation or public resort, or as parklands, or for use for active or passive public open space. [CCZ Def.0p7]

Appendix 2 - Tabled Design and Development Overlay, Schedule 67, with recommended modifications

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SCHEDULE 30 [PPPS] 67 [MPS] TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO30** [PPPS] **DDO67** [MPS].

FISHERMANS BEND URBAN RENEWAL AREA

1.0 Design objectives

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To implement the Fishermans Bend Vision, September 2016 and the Fishermans Bend Framework, XX 2018. [DDO 1.0p1]

To encourage a diversity of architectural styles and building typologies, to create a place of architectural excellence, and an engaging and varied built form in response to the desired/preferred place and character. [DDO 1.0p2]

To ensure the scale, height and setbacks of development protects internal amenity and delivers a high quality public realm with good access to daylight and sunlight and appropriate levels of street enclosure. [DDO 1.0p3]

To encourage developments to create publicly accessible, private and communal open spaces. [DDO 1.0p4]

To encourage buildings to be designed to be adaptable over time. [DDO 1.0p5]

To provide flexibility to encourage the redevelopment of the two existing concrete batching plants in the Lorimer Precinct, to encourage their eventual relocation.

2.0 Buildings and works

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Buildings and works for which no permit is required

A permit is not required to construct a building or construct or carry out works for: [DDO 2.0p1]

- 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. [DDO 2.0p2]
- An addition or modification to a verandah, awning, sunblind or canopy of a building. [DDO 2.0p3]
- External works to provide disabled access to a building or works to comply with legislative requirements. [DDO 2.0p4]
- Building or works which rearrange, alter or renew a plant area if the area or height of the plant equipment is not increased. [DDO 2.0p5]
- Bus and tram shelters required for public purposes by or on behalf of the Crown or a public authority. [DDO 2.0p6]

Requirements

The following buildings and works requirements apply to an application to construct a building or construct or carry out works. [DDO 2.0p7]

Construction and extension of one dwelling on a lot

Buildings and works of four or less storeys must meet the requirements of Clause 54 if it proposes to construct or extend one dwelling on a lot of less than 300 square metres. [DDO 2.0p9]

[Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings [PPPS]]

[Construction of more than one dwelling on a lot [MPS]]

Buildings and works of four or less storeys must meet the requirements of [Clause 54 and [MPS]] Clause 55 if it proposes to: [DDO 2.0p10]

- Construct a dwelling if there is at least one dwelling existing on the lot. [DDO 2.0p11]
- Construct two or more dwellings on a lot. [DDO 2.0p12]
- Extend a dwelling if there are two or more dwellings on the lot. [DDO 2.0p13]
- Construct or extend a dwelling on common property. [DDO 2.0p14]
- Construct or extend a residential building. [DDO 2.0p15]

Building height

Buildings and works should not exceed the heights shown in Map 2 to this schedule, apart from where they are identified as “15.4 metres (mandatory)”. [DDO 2.0p16]

Buildings and works in areas identified as “15.4 metres (mandatory)” on Map 2 to this Schedule cannot be varied by a permit. [DDO 2.0p17]

Building height means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of: [DDO 2.0p18]

- Non-habitable architectural features not more than 3.0 metres in height. [DDO 2.0p19]
- Building services setback at least 3 metres behind the façade. [DDO 2.0p20]
- Rooftop landscaping or communal recreation facilities up to 4 metres [in height[PPPS]]. [DDO 2.0p21]

All buildings and works should also satisfy the following built form outcomes: [DDO 2.0p22]

- Respond to the preferred future precinct character and deliver built form diversity. [DDO 2.0p23]
- Contribute to a varied and architecturally interesting skyline. [DDO 2.0p24]
- Provide an appropriate transition and relationship to heritage buildings and existing lower-scale neighbourhoods of South Melbourne, Port Melbourne and Garden City. [DDO 2.0p25]
- [Limit impacts on the amenity of the public realm as a result of overshadowing.[MPS]] [DDO 2.0p26]

Street wall height

Street wall means any part of the building constructed within 0.3 metres of a lot boundary fronting the street. [DDO 2.0p27]

Street wall height means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the street wall, with the exception of non-habitable architectural features not more than 3 metres in height and building services setback at least 3 metres behind the street wall. [DDO 2.0p28]

Laneway means a road reserve of 9 metres or less in width. [DDO 2.0p29]

Street means a road reserve of greater than 9 metres in width. [DDO 2.0p30]

On streets or laneways with a width of 12 metres or less, street wall heights must not exceed 15.4 metres. A permit cannot be granted to vary this requirement unless for an existing concrete batching plant. [DDO 2.0p31]

On streets with a width of greater than 12 metres, street wall heights must not exceed 23 metres. A permit cannot be granted to vary this requirement unless for an existing concrete batching plant. [DDO 2.0p32]

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~~[On streets with a width of greater than 22 metres and an overall building height of 38 metres or less street wall heights must not exceed 30 metres. A permit cannot be granted to vary this requirement unless for an existing concrete batching plant. [MPS]] [DDO 2.0p33]~~

~~[If the overall building height is 38 metres or less and a street width greater than 22 metres, street wall heights must not exceed 30 metres. A permit cannot be granted to vary this requirement unless for an existing concrete batching plant. --PPPS]] [DDO 2.0p34]~~

In the instance where two different street wall heights intersect at a corner, the higher street wall height prevails. [DDO 2.0p35]

All buildings should also satisfy the following built form outcomes: [DDO 2.0p36]

- Create a street wall that does not overwhelm the street and allow for views to sky. [DDO 2.0p37]
- Enable adequate daylight, sunlight and sky views in the street or laneway. [DDO 2.0p38]
- Provide an appropriate transition to existing heritage buildings. [DDO 2.0p39]

Building wall heights on a side or rear boundary

The following requirements apply to a building that is proposed to be built on a side or rear boundary. [DDO 2.0p40]

Walls built on or within 200mm of a side or rear boundary must not exceed 23 metres. A permit cannot be granted to vary this requirement unless for an existing concrete batching plant.

Where a 30 metres street wall height is proposed, a building may be built to 30 metres on a side or rear boundary. A permit cannot be granted to vary this requirement unless for an existing concrete batching plant. [DDO 2.0p42]

Setbacks above the street wall from new and existing streets and laneways

Street wall setback is the shortest horizontal distance from a building façade, including projections such as balconies, building services and architectural features greater than 300mm, to the boundary. [DDO 2.0p44]

Where a boundary adjoins a laneway, the setback is measured from the centreline of the laneway. [DDO 2.0p45]

If overall building height is up to 30 metres, buildings should be setback 5 metres and no less than 3 metres above the street wall. A permit cannot be granted to vary this requirement unless for an existing concrete batching plant. [DDO 2.0p46]

If overall building height is between 30 metres and 68 metres, buildings should be setback 10 metres and no less than 5 metres above the street wall. A permit cannot be granted to vary this requirement unless for an existing concrete batching plant. [DDO 2.0p47]

If overall building height is above 68 metres, buildings must be setback 10 metres above the street wall. A permit cannot be granted to vary this requirement except where the side or rear boundary interfaces with the Westgate Freeway, Citylink overpasses, or existing Route 109 and 96 tram corridors, in which case buildings must be setback at least 5 metres above the street wall. [DDO 2.0p48]

All buildings and works should also satisfy the following built form outcomes: [DDO 2.0p49]

- Create a distinct street wall effect and avoid dominating the view from the street. [DDO 2.0p50]
- Mitigate wind effects on the public realm. [DDO 2.0p51]
- Enable adequate daylight, sunlight and sky views in the street, laneway[, [PPPS]] or lower levels of development. [DDO 2.0p52]
- Ensure buildings do not compromise the heritage character of a heritage building on the site or adjoining site. [DDO 2.0p53]
- Ensure upper levels of mid-rise buildings are visually recessive. [DDO 2.0p54]

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Side and [PPPS] or [MPS] rear setbacks

The following side or rear setbacks apply to a building not built on the boundary. A permit cannot be granted to vary these requirements. [DDO 2.0p56]

- A building up to 23 metres must be setback at least 6 metres. Where walls do not include windows to habitable room and/or balcony, the setback must be at least 3 metres unless for an existing concrete batching plant. [DDO 2.0p57]
- A building above 23 metres and less than 30 metres must be setback at least 9 metres. Where walls do not include windows to habitable room and/or balcony, the setback must be at least 3 metres unless for an existing concrete batching plant. [DDO 2.0p58]

The following side or rear setbacks apply to any part of a building above 23 metres (built on the boundary or not). A permit cannot be granted to vary these requirements. [DDO 2.0p59]

- A building above 30 metres and below 68 metres, must be setback a minimum of 10 metres. Where walls do not include windows to habitable room and/or balcony, the setback must be at least 5 metres unless for an existing concrete batching plant. [DDO 2.0p60]
- A building above 68 metres must be setback a minimum of 10 metres unless for an existing concrete batching plant. [DDO 2.0p61]

These requirements can be varied if the side or rear boundary of the building, above the street wall, interfaces with the Westgate Freeway, Citylink overpasses, or existing Route 96 and 109 tram corridors, in which case a minimum 5 metre setback applies. [DDO 2.0p62]

Building separation within a site

If a development comprises two or more separate buildings or parts of buildings with an overall building height up to 23 metres in height buildings must be separated by a minimum of: [DDO 2.0p63]

- 12 metres if there are habitable room windows/balconies in both buildings fronting onto the separation distance. [DDO 2.0p64]
- 9 metres, if one of the buildings does not include any habitable room windows/balconies fronting onto the separation distance. [DDO 2.0p65]
- 6 metres if both buildings do not include any habitable room windows/balconies fronting onto the separation distance. [DDO 2.0p66]

A permit cannot be granted to vary this requirement unless for an existing concrete batching plant. [DDO 2.0p67]

If a development comprises two or more separate buildings or parts of buildings with an overall building height greater than 23 metres and up to 30 metres, buildings must be separated by a minimum of: [DDO 2.0p68]

- 18 metres, if there are habitable room windows/balconies in both buildings fronting onto the separation distance. [DDO 2.0p69]
- 12 metres, if one of the buildings does not include any habitable room windows/balconies fronting onto the separation distance. [DDO 2.0p70]
- 6 metres if both buildings do not include any habitable room windows/balconies fronting onto the separation distance. [DDO 2.0p71]

A permit cannot be granted to vary this requirement unless for an existing concrete batching plant. [DDO 2.0p72]

If a development comprises two or more separate buildings or parts of buildings with an overall building height greater than 30 metres, any part of a building up to 23 metres in height must be separated by a minimum of: [DDO 2.0p73]

- 12 metres from another building, if there are habitable room windows/balconies in both buildings fronting onto the separation distance. [DDO 2.0p74]

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- 9 metres, if one of the buildings does not include any habitable room windows/balconies fronting onto the separation distance. [DDO 2.0p75]
- 6 metres, if one of the buildings does not include any habitable room windows/balconies fronting onto the separation distance. [DDO 2.0p76]

A permit cannot be granted to vary this requirement **unless for an existing concrete batching plant.** [DDO 2.0p77]

If a development comprises two or more separate buildings or parts of buildings with an overall building height of 68 metres or less, any part of a building above 23 metres in height must be separated by a minimum of: [DDO 2.0p78]

- 20 metres from another building, if there are habitable room windows/balconies in both buildings fronting onto the separation distance. [DDO 2.0p79]
- 15 metres, if one of the buildings does not include any habitable room windows/balconies fronting onto the separation distance. [DDO 2.0p80]
- 10 metres, if one of the buildings does not include any habitable room windows/balconies fronting onto the separation distance. [DDO 2.0p81]

A permit cannot be granted to vary this requirement **unless for an existing concrete batching plant.** [DDO 2.0p82]

If a development comprises two or more separate buildings or parts of buildings with an overall building height greater than 68 metres, any part of the building above 23 metres in height must be separated by a minimum of 20 metres. [DDO 2.0p83]

A permit cannot be granted to vary this requirement **unless for an existing concrete batching plant.** [DDO 2.0p84]

Overshadowing of public open space requirements

With the exception of minor works or minor changes to existing buildings within that defined space, a permit must not be granted to construct a building or construct or carry out works which would cast any additional shadow across existing and proposed parks/reserves listed in Table 1 and shown on Map 3 of this schedule, during the hours specified as listed in Table 1 of this schedule. [DDO 2.0p86]

Table 1 Public open space hierarchy and overshadowing requirements

Category	Park/reserve	Hours and dates
District parks [PPPS]	JL Murphy Reserve (Wirraway), Wirraway East (Prohasky Street, Wirraway) North Port Oval (Williamstown Road, Sandridge)	11:00am to 2:00pm 21 June to 22 September
Precinct parks [MPS]	Lorimer Central (Ingles Street)	No additional shadows above the street wall height within the following dates and times: 11:00am to 2:00pm 21 June to 22 September
Precinct parks [PPPS]	Wirraway North (Woolboard Road, Wirraway)	11:00am to 2:00pm 21 June to 22 September
Neighbourhood parks [MPS]	Parks with frontage to: Boundary Street, Ingles Street, Lorimer Street and new street north-west of Ingles and Turner Streets.	11:00am to 2:00pm 22 September
[MPS]	Turner Street (south side) shown as A in map 3 of this schedule	10.30am to 1.30pm 22 September
Neighbourhood parks [PPPS]	Parks with frontage to:	11:00am to 2:00pm 22 September

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Category	Park/reserve	Hours and dates
	Buckhurst Street, Gladstone Street, Whiteman Street and Thistlethwaite Street (Montague) Fennell/Bertie Streets, Plummer Street (Southside), Boundary Street / Woodruff Street (extension), and new streets between Graham Street and Bertie Street, excluding Bridge St/Plummer (Northside) (Sandridge) Plummer Street (South side), new streets between Salmon and Smith Streets (Wirraway)	
	Montague North (Montague Street, Montague) shown as A in map 3 of this schedule	No additional shadows above the street wall height within the following dates and times: 11:00am to 2:00pm 22 September
	Woolboard Street (South side) (existing section of the street), Wirraway shown as B in map 3 of this schedule	10:00am to 1:00pm 22 September
	Woolboard Street South side (proposed extension) to Plummer Street, Wirraway shown as C in map 3 of this schedule	12:30pm to 3:30pm 22 September
	Montague Park (Ferrars Street, Montague) shown as D in map 3 of this schedule	No additional shadows above the street wall height within the following dates and times: 11:00am to 2:00pm 22 June to 22 September
Streets [PPPS]	Plummer Street (South side) first 6 metres north of property boundary	11:00am to 2:00pm 22 September
Existing Residential Zoned Land [PPPS]	South of Williamstown Road, and City Road and East of Montague Street	11:00am to 2:00pm 22 September

Wind effects on the public realm requirements

A permit must not be granted for buildings and works with a total building height in excess of 40 metres that would cause unsafe wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half the total height of the building, whichever is greater as shown in Figure 1 of this schedule. [DDO 2.0p89]

A permit should not be granted for buildings and works with a total building height in excess of 40 metres that do not achieve comfortable wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half the total height of the building, whichever is greater as shown in Figure 1 of this schedule. [DDO 2.0p90]

Unsafe wind conditions means the hourly maximum 3 second gust which exceeds 20 metres/second from any wind direction considering at least 16 wind directions with the corresponding probability of exceedance percentage. [DDO 2.0p91]

Comfortable wind conditions means a mean wind speed from any wind direction with probability of exceedance less than 20 per cent of the time, equal to or less than: [DDO 2.0p92]

- 3 metres/second for sitting areas. [DDO 2.0p93]
- 4 metres/second for standing areas. [DDO 2.0p94]

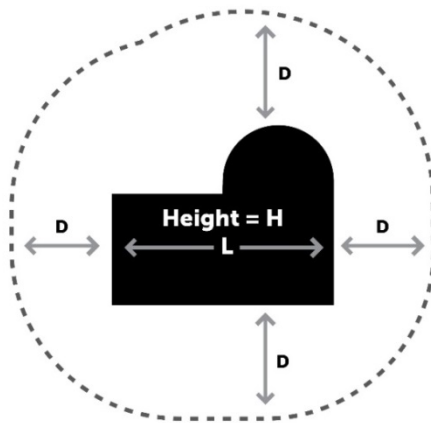
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- 5 metres/second for walking areas. [DDO 2.0p95]

Mean wind speed means the maximum of: [DDO 2.0p96]

- Hourly mean wind speed, or [DDO 2.0p97]
- Gust equivalent mean speed (3 second gust wind speed divided by 1.85). [DDO 2.0p98]

Figure 1



Assessment distance D = greater of:
 L/2 (Half longest width of building)
 OR
 H/2 (Half overall height of building)

[Site coverage requirements][PPPS]

Buildings and works within the non-core areas of Sandridge and Wirraway as shown in Map 1 of this schedule, should not exceed 70 per cent site coverage and should provide for ground level outdoor or communal open space or landscaping that is equivalent to 30 per cent of site area. [PPPS] [DDO 2.0p100]

Site coverage should only exceed 70 per cent where: [PPPS] [DDO 2.0p101]

- There is an existing building being retained that covers more than 70 per cent of the site. [PPPS] [DDO 2.0p102]
- The site has a gross developable area less than 1200 square metres. Gross developable area means the area of the proposal land, including any proposed roads or laneways, new public open space and land for community infrastructure (public benefit). [PPPS] [DDO 2.0p103]
- The responsible authority is satisfied that other site constraints warrant an increased site coverage. [PPPS] [DDO 2.0p104]

Active street frontages

On streets marked as primary active street on Map 1 to this schedule, buildings should provide: [DDO 2.0p105]

- At least 80 per cent visual permeability along the ground level of the building to a height of 2 metres. [DDO 2.0p106]
- Pedestrian entries at least every 15 metres. [DDO 2.0p107]

On streets marked as secondary active streets on Map 1 to this schedule, buildings should provide: [DDO 2.0p108]

- At least 60 per cent visual permeability along the ground level of the building to a height of 2 metres. [DDO 2.0p109]

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Buildings with primary abutting [PPPS] and [MPS] secondary active streets should provide footpath canopies where retail uses are proposed to provide weather protection and define the streetscape. [DDO 2.0p110]

Buildings on all streets should: [DDO 2.0p111]

- Address and define, existing or proposed streets or open space and provide direct pedestrian access from the street to ground floor uses. On a corner, buildings should address both street frontages. [DDO 2.0p112]
- Create activated building facades with windows, and doors. [DDO 2.0p113]
- Include openable windows and balconies on the first six levels along streets and laneways. [DDO 2.0p114]
- Consolidate services within sites and within buildings, and ensure any externally accessible services or substations are integrated into the façade design. [DDO 2.0p115]
- Provide entrances that are no deeper than one third of the width of the entrance. [DDO 2.0p116]
- Ensuring buildings that propose residential development at ground level: [DDO 2.0p117]
 - Create a sense of address by providing direct individual street entries to dwellings and/or home offices. [DDO 2.0p118]
 - Achieve a balance between privacy and activation using a [mix of [MPS]] low height, solid and transparent balustrade, terrace or fence elements, and incorporating vegetation where possible. [DDO 2.0p119]

Adaptable buildings

Car parking areas not within a basement should have level floors and a floor-to-floor height not less than 3.8 metres (except for ramps) and should make provision for future conversion of car parking areas to alternative uses over time. [DDO 2.0p121]

Buildings should be designed with: [DDO 2.0p122]

- Minimum floor to floor heights at ground level of 4.0 metres and of 3.8 metres for lower levels up to the height of the street wall, that [can [PPPS]] accommodate employment uses and provide for future adaptation or conversion of use over time. [DDO 2.0p123]
- Flexible and adaptable internal layouts and floor plates with minimal load bearing walls that maximise flexibility for retail or commercial refits. [DDO 2.0p124]
- Floorplate layout for [residential floor area should be designed [PPPS]] [Residential Floor Area [MPS]] with embedded flexibility to combine and adapt one and two bedroom dwellings into three or more bedroom dwellings. [DDO 2.0p125]
- [Whether [PPPS]] parking areas of a size and dimension that [they [MPS]] can adapt to other uses over time. [DDO 2.0p126]

Residential floor area means the gross floor area used for or associated with any accommodation use except for residential aged care facility (including nursing home), residential hotel and motel, or floor area used for affordable housing which are excluded from the residential floor area calculations. Floor areas of common areas shared by affordable housing and other accommodation uses should be calculated based on the proportion of accommodation use to affordable housing within the building. [DDO 2.0p127]

Building finishes

Building materials and finishes for buildings along main roads should not exceed 15 per cent perpendicular reflectivity, measured at 90 degrees to the façade surface. [DDO 2.0p128]

Buildings should not create blank facades. [DDO 2.0p129]

Building faces on shared boundaries that are visible from the public realm should be finished or treated to provide visual interest. [DDO 2.0p130]

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Landscaping

Landscaping should be provided in all areas of open space including public open space, communal open space[, [PPPS]] and private open space (where appropriate) and should: [DDO 2.0p131]

- Contribute to the creation of a sense of place and identity and the preferred character sought for the precinct. [DDO 2.0p132]
- Support the creation of complex and biodiverse habitat which include native and indigenous flora and fauna. [DDO 2.0p133]
- Balance the provision of native and indigenous plants with exotic climate resilient plants that provide resources for biodiversity. [DDO 2.0p134]
- Through plant selection and design, support the creation of vegetation links within Fishermans Bend to surrounding areas of biodiversity. [DDO 2.0p135]
- Encourage vertical and roof top greening to contribute to biodiversity outcomes. [DDO 2.0p136]
- Include deep soil zones of at least 1.5 metres or planter pits to accommodate canopy trees. [DDO 2.0p137]
- Incorporate green facades, rooftop, podium or terrace planting that is located and designed to be sustainable, viable and resilient and appropriate to micro-climate conditions. [DDO 2.0p138]
- Incorporate opportunities for productive landscaping or community gardens [DDO 2.0p139]
- Interpret and celebrate both non-aboriginal and Aboriginal heritage and culture. [DDO 2.0p140]
- Incorporate innovative approaches to flood mitigation and stormwater runoff, and best practice water sensitive urban design. [DDO 2.0p141]

Exemption from notice and review

An application for construction of 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. [DDO 2.0p143]

3.0 Subdivision

--/20--
Proposed
GC81

None specified. [DDO 3.0p1]

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. [DDO 3.0p3]

4.0 Advertising signs

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Proposed
GC81

None specified. [DDO 4.0p1]

5.0 Decision guidelines

--/20--
Proposed
GC81

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: [DDO 5.0p1]

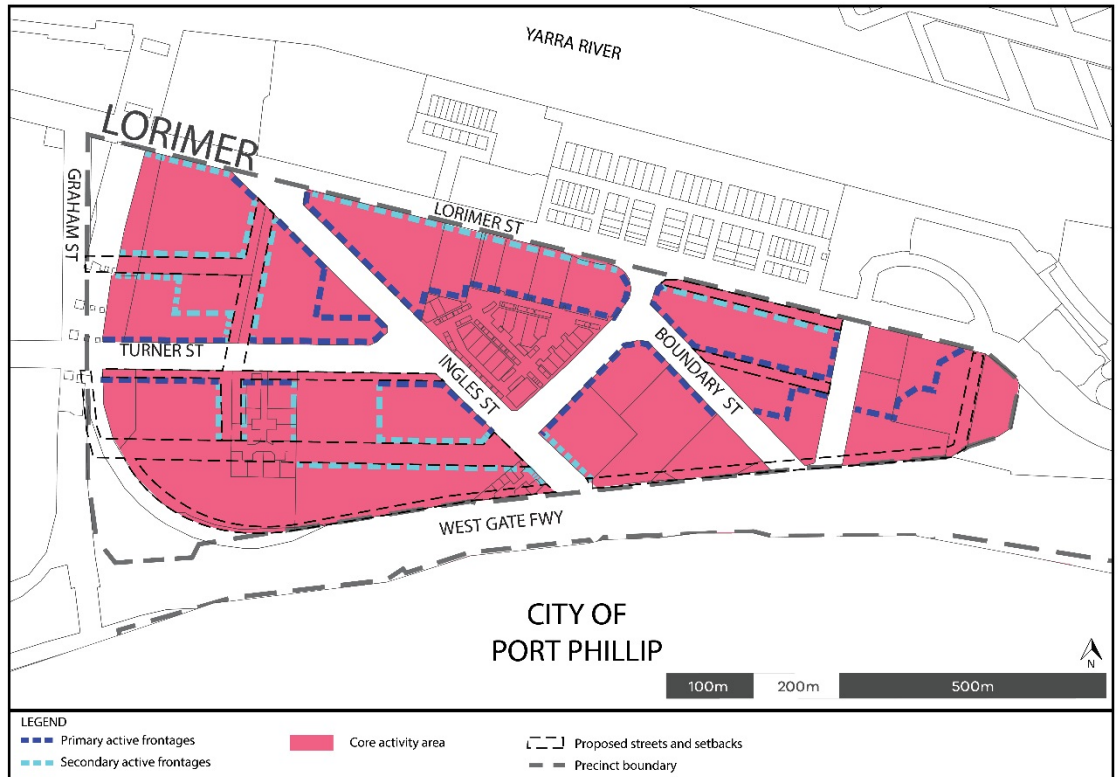
- The key elements of the future urban structure of Fishermans Bend. [DDO 5.0p2]

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- The preferred future character and building typologies defined in the Municipal Strategic Statement. [DDO 5.0p3]
- Whether the proposal delivers design excellence, and contributes to creating a range of built form typologies. [DDO 5.0p4]
- The impacts of built form and visual bulk on daylight, sunlight and sky views from within public open spaces, streets, laneways or on adjoining heritage places. [DDO 5.0p5]
- [The[PPPS]] internal amenity of the development and the amenity and equitable development opportunities of adjoining properties. [DDO 5.0p6]
- The impacts of wind on the amenity and useability of nearby public open spaces, streetscapes or the public realm. [DDO 5.0p7]

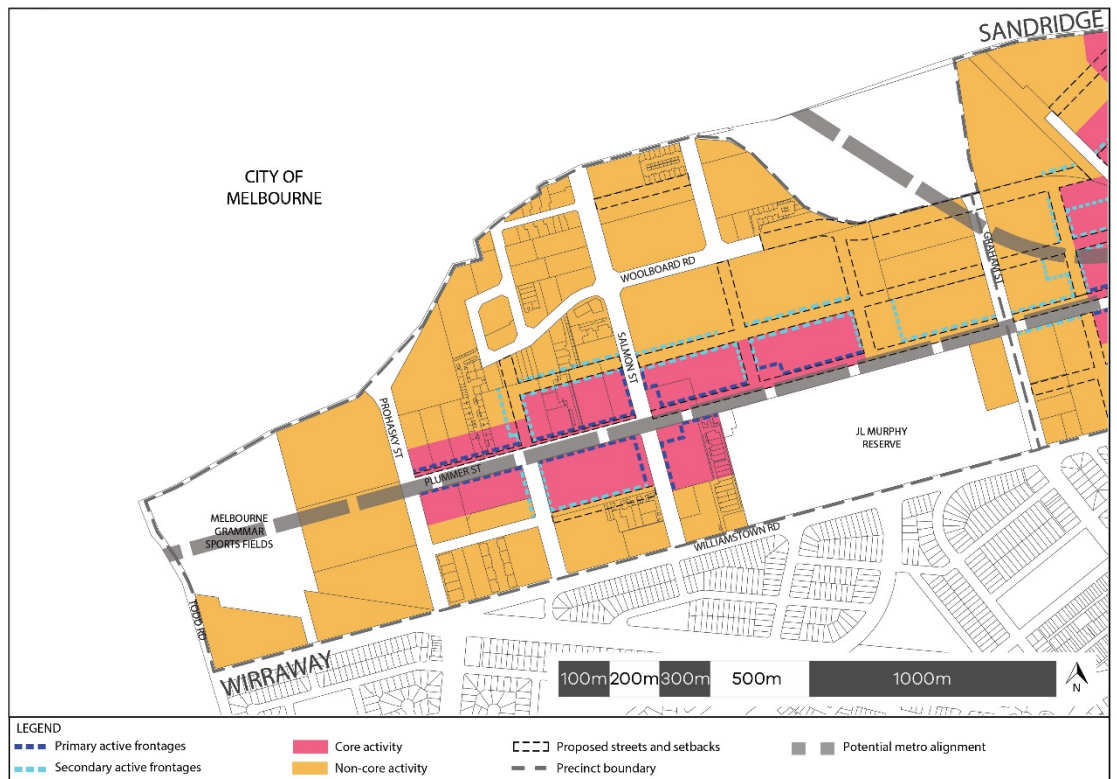
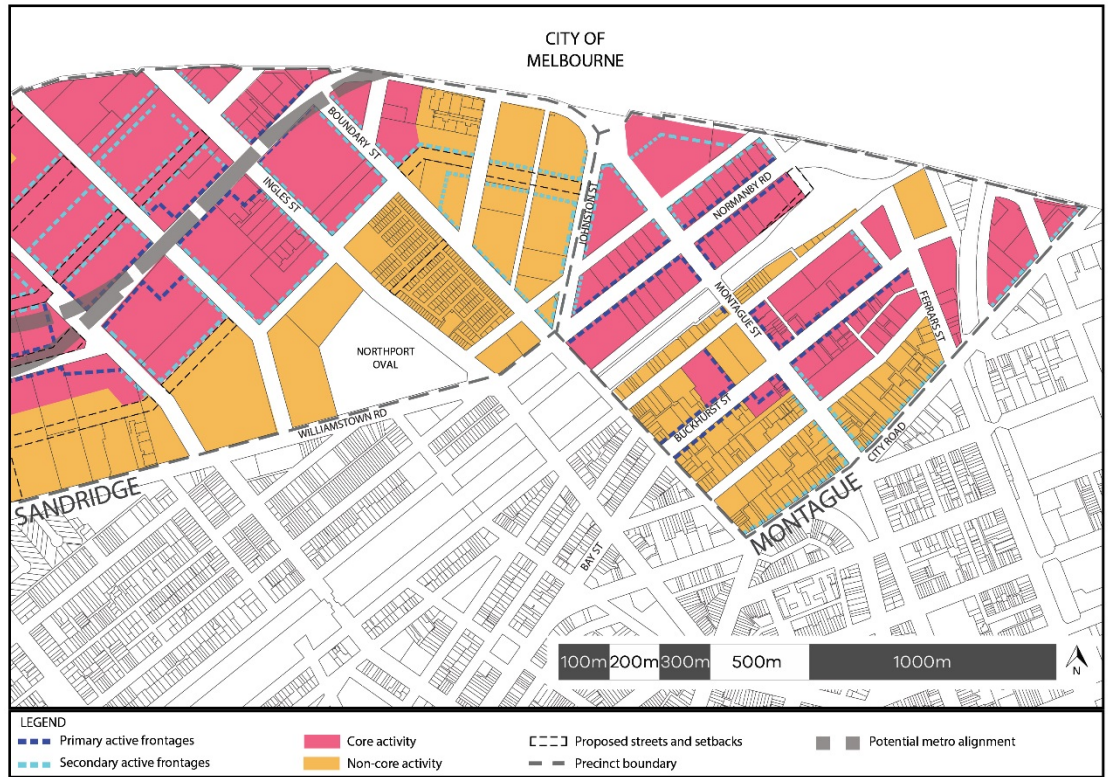
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Map 1 Core areas and active street frontages



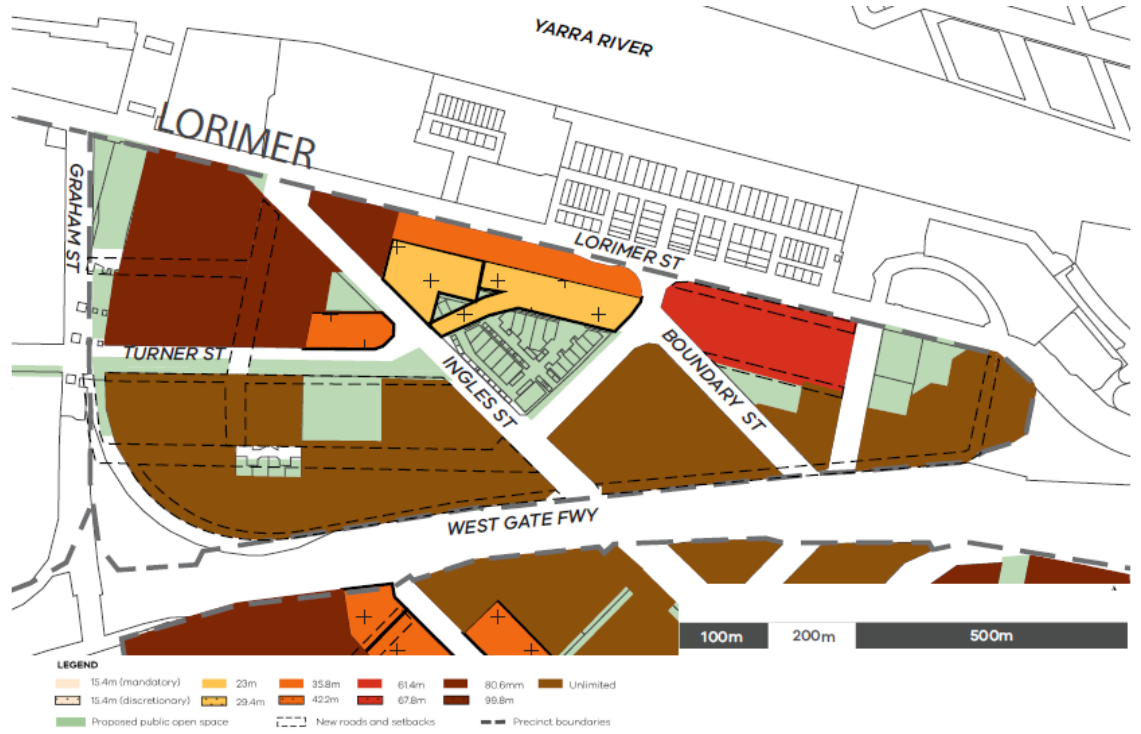
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Map 1 Core and non-core areas and active street frontages (Map 1 consists of the following two map parts)



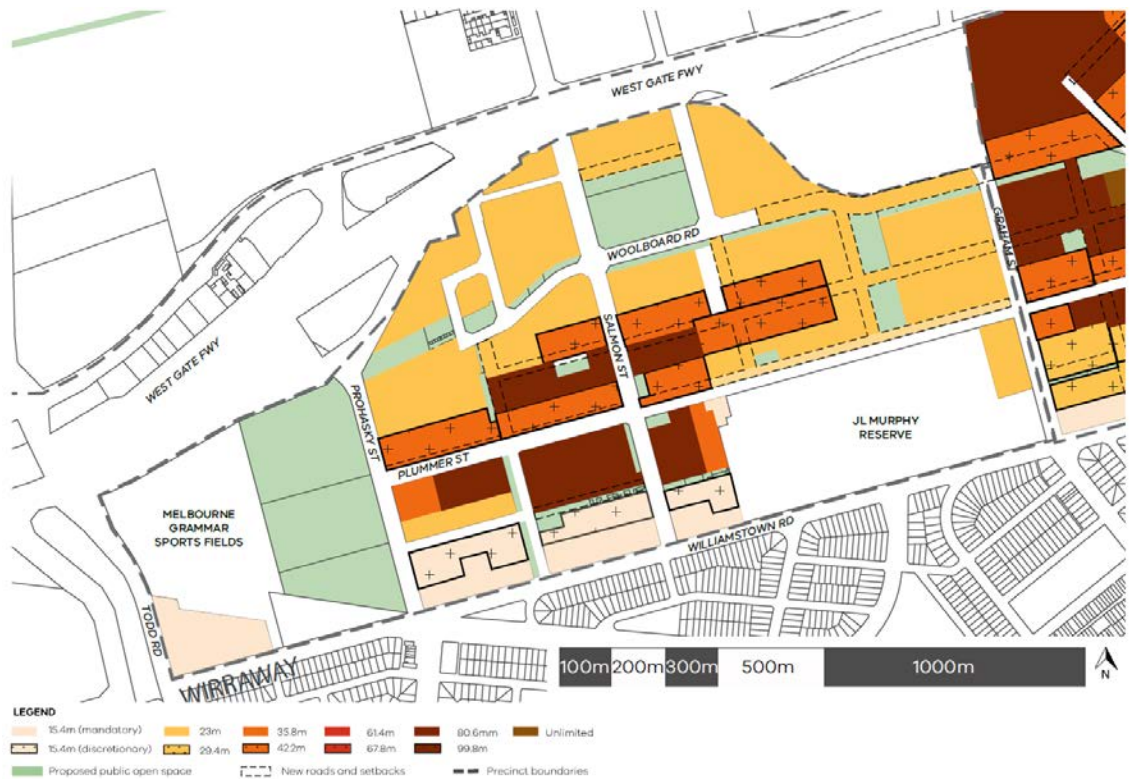
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Map 2 Building heights



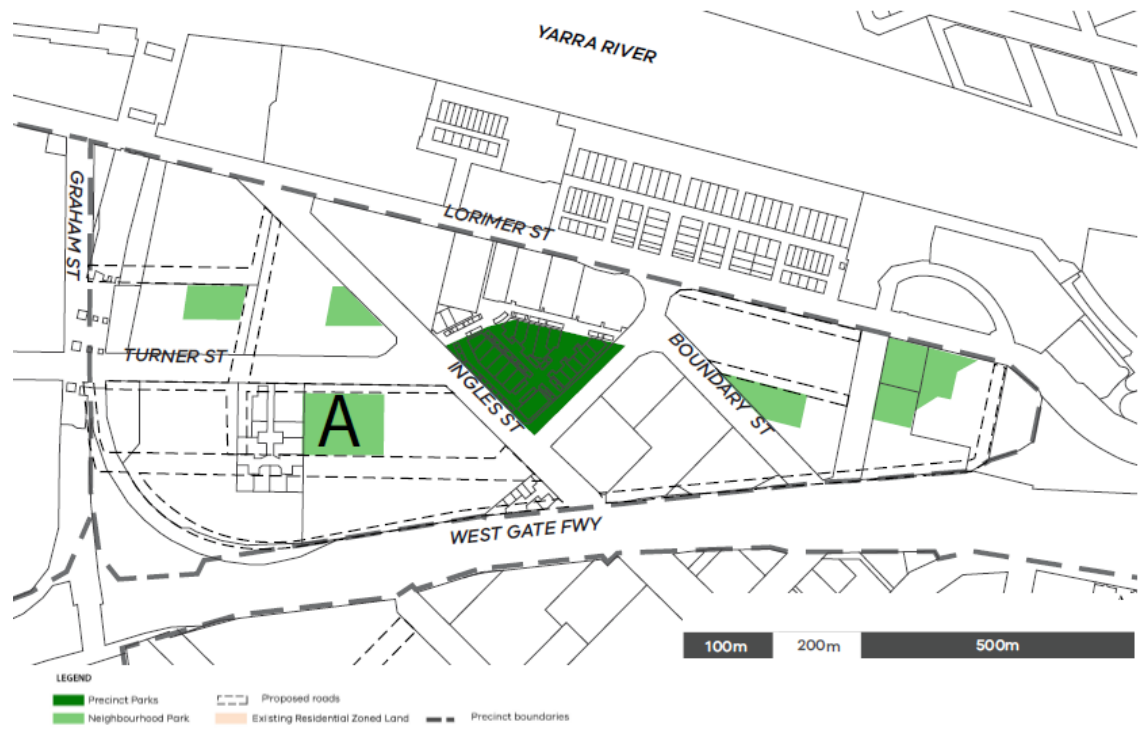
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Map 2 Building heights (Map 2 consists of the following two map parts)



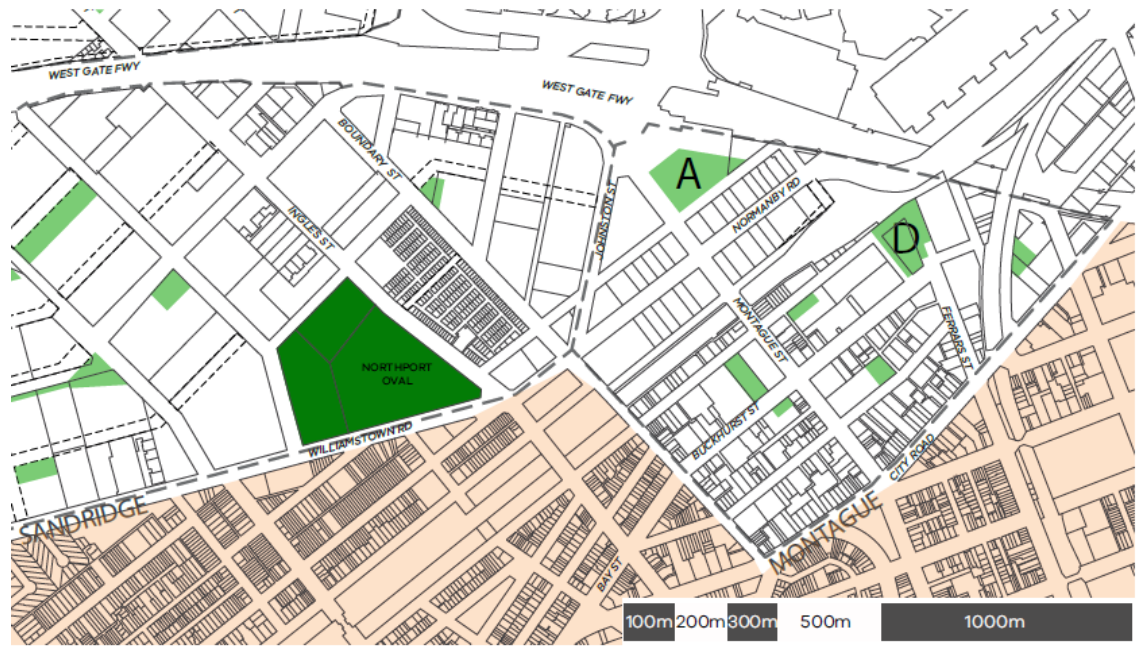
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Map 3 Overshadowing



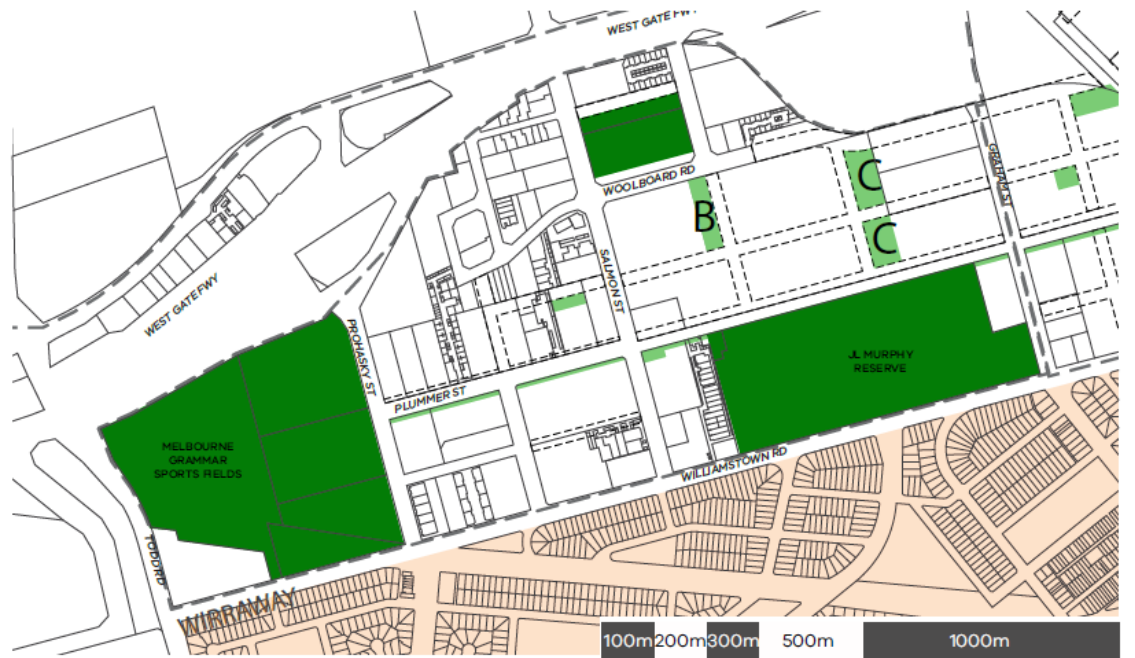
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Map 3 Overshadowing (Map 3 consists of the following two map parts)



LEGEND

 District / Precinct Parks	 Proposed roads
 Neighbourhood Park	 Existing Residential Zoned Land
	 Precinct boundaries



LEGEND

 District / Precinct Parks	 Proposed roads
 Neighbourhood Park	 Existing Residential Zoned Land
	 Precinct boundaries

Appendix 3 - Tabled Clause 22.27, with recommended modifications

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22. XX FISHERMANS BEND URBAN RENEWAL AREA

--/20--
Proposed
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This policy applies to use and development of all land within Fishermans Bend affected by the Capital City Zone Schedule 1[PPPS] 4[MPS] or Design and Development Overlay Schedule 30[PPPS] 67[MPS]. [LPP p1]

To the extent of any inconsistency with another local policy, this local policy prevails. [LPP p2]

22.XX-1 Policy basis

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Proposed
GC81

This policy implements the vision for Fishermans Bend, as set out in the *Fishermans Bend Framework, XX 2018* as a ‘*thriving place that is a leading example for environmental sustainability, liveability, connectivity, diversity and innovation*’ that will accommodate 80,000 residents, 40,000 jobs and be Australia’s largest Green Star – Community. [LPP-1 p1]

22.XX-2 Objectives

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To implement the *Fishermans Bend Vision, September 2016* and *Fishermans Bend Framework, XX 2018*. [LPP-2 p1]

To create a prosperous community that will support diverse employment opportunities across all precincts that build on proximity to the Central City and Port of Melbourne. [LPP-2 p2]

To promote employment generating floor space that supports growth in the knowledge, creative, design, innovation, engineering, and service sectors. [LPP-2 p3]

To support the creation of a precinct of design excellence. [LPP-2 p4]

To create thriving, lively mixed-use neighbourhoods that have distinct identity and character, which fosters social cohesion. [LPP-2 p5]

To encourage the provision of community infrastructure, open space and housing diversity to support the creation of a diverse and inclusive community. [LPP-2 p6]

To provide flexibility to encourage the redevelopment of the two existing concrete batching plants in the Lorimer Precinct, to encourage their eventual relocation.

22.XX-3 Policy

--/20--
Proposed
GC81

Providing for employment floor area

It is policy to enable the creation of at least 40,000 jobs in the Fishermans Bend Capital City Zone precincts by: [LPP-3 p1]

- Locating the highest densities of employment opportunities close to existing and planned public transport. [LPP-3 p2]
- Encouraging all development [in the core areas[PPPS]] to set aside non-residential floor area to provide floor area for employment generating uses. To enable this, Table 1 to this policy outlines the preferred minimum floor area ratio which should be set aside for a use other than Dwelling. [LPP-3 p3]

Table 1 Minimum floor area ratio not used for Dwelling [MPS]

Precinct	Minimum floor area ratio not used for Dwelling
Lorimer [MPS]	1.7:1 [MPS]

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Table 1 Minimum floor area ratio not used for Dwelling [PPPS]

Precinct	Minimum floor area ratio not used for Dwelling (Core Areas)
Wirraway [PPPS]	1.9:1 [PPPS]
Sandridge [PPPS]	3.7:1 [PPPS]
Montague [PPPS]	1.6:1 [PPPS]

Where development [in the core areas[PPPS]] provides less than the minimum floor area ratio set out in Table 1 to this policy, consideration will be given to: [LPP-3 p4]

- Whether the built form envelope available on the site makes it impractical to provide the minimum floor area ratios. [LPP-3 p5]
- Whether the application is associated with the continued operation or expansion of an existing employment or residential use on site that is currently less than the minimum floor area ratio. [LPP-3 p6]
- Whether the building floor to floor heights, layout and design will facilitate future residential to commercial use or for car parking areas to be converted to alternate uses. [LPP-3 p7]
- Whether the development can demonstrate that it is contributing to the employment objectives of this policy while providing less than the minimum floor area ratio. [LPP-3 p8]

Dwelling density

It is policy to deliver dwelling densities that achieve the overall population targets for Fishermans Bend. Higher dwelling densities should be located in areas with a high provision of proposed public transport infrastructure. These densities have been set to deliver a range of housing opportunities across each precinct to support a diverse range of households and a diverse and vibrant community by: [LPP-3 p9]

- Ensuring densities are aligned with the preferred character of each precinct area. [LPP-3 p10]
- Ensuring the available yield possible through a Floor Area Ratio is not delivered as large numbers of small dwellings that compromise the preferred dwelling diversity. [LPP-3 p11]
- Ensuring that densities do not create adverse outcomes within specific precinct areas. [LPP-3 p12]
- Encouraging a diversity of dwellings within each precinct and within development sites. [LPP-3 p13]

The dwelling densities outlined at Table 2 to this policy apply to all development in order to deliver these outcomes. [LPP-3 p14]

Table 2 Dwelling density

Precinct	Maximum Dwelling: density/ha – Core area	Maximum Dwelling: density/ha – non-core area
Lorimer		255
Wirraway	139	131
Sandridge	311	154

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Montague	301	198
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Community and diversity

It is policy to deliver a range of housing opportunities for a diverse community, including family friendly dwellings, developments that allow people to age in place, key worker housing, and affordable housing by: [LPP-3 p15]

- Supporting the provision of six per cent affordable housing across Fishermans Bend. [LPP-3 p16]
- Encourage any affordable housing provided to comprise a range of built form typologies. [LPP-3 p17]
- Encouraging proposals of more than 300 dwellings to provide the following percentage of 3 bedroom dwellings: [LPP-3 p18]
 - [Lorimer: 20 per cent [MPS]] [LPP-3 p19]
 - [Wirraway: 30 per cent [LPP-3 p20]]
 - [Sandridge: 20 per cent [LPP-3 p21]]
 - [Montague: 25 per cent [PPPS]] [LPP-3 p22]
- Encouraging design that delivers family friendly housing through: [LPP-3 p23]
 - The development of mid-rise housing with access to private open space. [LPP-3 p24]
 - Locating family friendly housing on the lower levels of development with direct visual access to communal play spaces. [LPP-3 p25]
 - Living room sizes that exceed minimum requirements to enable multiple uses and/or areas. [LPP-3 p26]
 - Access to outdoor communal green space on ground level, podium levels or roof tops. [LPP-3 p27]
 - Providing children’s communal active indoor play or recreation space as part of indoor communal spaces. [LPP-3 p28]
 - Locating sufficient storage areas in areas with easy access to dwellings. [LPP-3 p29]
- Encouraging communal open spaces within residential development to create opportunities for social interaction and a sense of community. This includes facilities, garden and recreation areas, with consideration given to opportunities for a range of users. [LPP-3 p30]
- Encouraging the early delivery of community infrastructure hubs. [LPP-3 p31]

Design excellence

It is policy to create a place of design [excellence [PPPS]] by: [LPP-3 p32]

- Encouraging built form typologies that align with the precinct character area as detailed in the Municipal Strategic Statement. [LPP-3 p33]
- Encouraging variation in the design of buildings and spaces, to create a unique city image and assist in way-finding. [LPP-3 p34]
- Encouraging large sites with multiple buildings, to incorporate a range of built form typologies. [LPP-3 p35]
- Encouraging large sites to create a fine grain, pedestrian scale environment. [LPP-3 p36]
- Ensuring the design of buildings contributes to a high quality public realm. [LPP-3 p37]
- Encouraging developments to deliver spaces, including open spaces for people to meet, gather, socialise, exercise and relax. [LPP-3 p38]
- Delivering variation in massing, building height, and roof forms and staggering or offsetting of tower footprints where there are multiple towers. [LPP-3 p39]

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- Encouraging design to respond to non-aboriginal and aboriginal heritage and culture through interpretive design. [LPP-3 p40]
- Encouraging the design of buildings to respond to the existing industrial built form. [LPP-3 p41]
- Encouraging the retention or re-use of existing industrial building elements. [LPP-3 p42]
- Ensuring a materials palette and building finishes that respond to the industrial context and social history of the area. [LPP-3 p43]

Achieving a climate adept, water sensitive, low carbon, low waste community [LPP-3 p44]

It is policy to create a benchmark for sustainable and resilient urban transformation that supports the creation of a climate adept, water sensitive, low carbon, low waste community. This will be achieved through the following areas of sustainability. [LPP-3 p45]

Energy

Creating a low carbon community that provides energy efficient design will be achieved by encouraging: [LPP-3 p46]

- Developments to achieve a 20 per cent improvement on current National Construction Code energy efficiency standards. This includes energy efficiency standards for building envelopes and for lighting and building services. [LPP-3 p47]
- Residential developments to achieve an average 7 star NatHERS rating for each building. [LPP-3 p48]
- Development to incorporate renewable energy generation, on-site energy storage, and opportunities to connect to a future precinct-wide or locally distributed low-carbon energy supply. [LPP-3 p49]

Urban heat island

Creating a climate adept community that is resilient to extreme weather events will be achieved by encouraging: [LPP-3 p50]

- Non-glazed facades materials exposed to summer sun to have a low solar absorptance. [LPP-3 p51]
- At least 70 per cent of the total site area should comprise building or landscape elements that reduce the impact of the urban heat island effect including: [LPP-3 p52]
 - Vegetation, green roofs and water bodies. [LPP-3 p53]
 - Roof materials, shade structures or hard scaping materials with high solar reflectivity index, including solar panels. [LPP-3 p54]
- Building design to include provision for green roofs and green walls and deep planters for canopy trees to maximise shading. [LPP-3 p55]

Sea level rise and water recycling and management

Creating a water sensitive community where the design of developments accommodates sea level rise and storm events by ensuring: [LPP-3 p56]

- Any level changes required between street level and elevated ground floor levels are integrated into the design of buildings to maintain good physical and visual connection between the street and internal ground floor spaces. This may include use of footpath level building entries with internal level changes. Where development requires raised floor levels: [LPP-3 p57]
 - Development uses stepped internal levels to maximise street engagement at ground floor. [LPP-3 p58]

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- Finished floor levels, balconies or terraces are raised up to 1.2 metres allow street surveillance whilst maintaining privacy. [LPP-3 p59]
- Ramp structures are well designed, high quality and are located internal to buildings where possible. [LPP-3 p60]
- Exterior ramps are well integrated with the building and contribute to the quality and character of the public realm. [LPP-3 p61]
- The location of essential services, such as power connections, switchboards and other critical services anticipates and addresses potential flooding events. [LPP-3 p62]
- Buildings include installation of a third pipe for recycled water: [LPP-3 p63]
 - To supply non-potable uses including toilet flushing to all properties and commercial spaces, irrigation and laundry, unless otherwise agreed by the relevant water authority. [LPP-3 p64]
 - With an agreed building connection point designed in conjunction with the relevant water [supply[PPPS]] authority to ensure readiness to connect to future precinct-scale recycled water supply. [LPP-3 p65]
- Rainwater is captured from 100 per cent of suitable roof harvesting areas and retained in a rainwater tank with a capacity of 0.5 cubic metres for every 10 square metres of catchment area. [LPP-3 p66]
- Rainwater tanks are 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. [LPP-3 p67]
- Rainwater captured from suitable harvesting areas is re-used for toilet flushing, laundry and irrigation or, as a last option, controlled release. [LPP-3 p68]
- Development and public realm layout and design integrate best practice Water Sensitive Urban Design. [LPP-3 p69]

Waste management

Create a low waste community that is designed to provide best practice waste and resource recovery management, by ensuring: [LPP-3 p70]

- Development responds to any precinct waste management plan, if one exists. [LPP-3 p71]
- Where practicable, developments create opportunities to: [LPP-3 p72]
 - Optimise waste storage and efficient collection methods. [LPP-3 p73]
 - Combine commercial and residential waste storage. [LPP-3 p74]
 - Share storage or collections with adjacent developments. [LPP-3 p75]
 - Separate collection for recycling, hard waste, and food and green waste. [LPP-3 p76]

Public and communal open spaces

It is policy to create publicly accessible, private and communal open spaces within developments, by: [LPP-3 p77]

- Ensuring where public open space is provided on site: [LPP-3 p78]
 - Open space is encouraged to be at least 500 square metres with a minimum dimension of 20 metres. [LPP-3 p79]
 - Open space is designed to the satisfaction of the responsible authority. [LPP-3 p80]
- Encouraging development with an interface to existing or proposed open space to: [LPP-3 p81]
 - Ensure no unreasonable amenity or microclimate impacts on the open space. [LPP-3 p82]

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- Ensure pedestrian and vehicle movement to or from the development does not unreasonably impact on the function, useability or amenity of the open space. [LPP-3 p83]
- Integrate any publicly accessible open space within the development with adjoining areas of open space. [LPP-3 p84]
- Ensuring any communal open space, including rooftop and podium spaces are designed to meet the needs of a range of users. [LPP-3 p85]
- Encouraging internal communal open spaces to connect to external communal open spaces and be designed as multifunctional, adaptable spaces. [LPP-3 p86]
- Encouraging the provision of additional public open space at ground level, and ensure the location, design and layout or proposed public open space which contributes to the creation of a network of passive, informal and informal recreational spaces: [LPP-3 p87]
 - Has direct street access and where possible is co-located with other existing or proposed open spaces. [LPP-3 p88]
- Discourage the use of encumbered land as ‘additional public open space’. This space has an ancillary public open space function for active uses and biodiversity opportunities. [LPP-3 p89]

New streets, laneways and pedestrian connections

It is policy to create a connected, permeable and accessible community that prioritises walking, cycling, and public transport use, by: [LPP-3 p90]

- Ensuring new streets, laneways and pedestrian connections are: [LPP-3 p91]
 - No more than 100 metres apart, and no more than 50 metres apart in core areas as shown on Map 1 to the Capital City Zone Schedule 1 [PPPS] 4 [MPS], or within 200 metres of public transport routes. [LPP-3 p92]
 - Align with and connected to existing and proposed streets, laneways and paths. [LPP-3 p93]
 - Provide direct access to existing or proposed public transport stations and routes. [LPP-3 p94]
- Ensuring any new shared streets or shared laneways are designed to prioritise pedestrian movement and safety and designed to: [LPP-3 p95]
 - A maximum design speed of 10km/hr in accordance with the 9 metre road cross section. [LPP-3 p96]
 - A maximum design speed of 5km/hr in accordance with the 6 metre road cross section. [LPP-3 p97]
- Encouraging on sites more than 3000 square metres, new streets, laneways or paths to be used to create mid-block through links and define and separate buildings. [LPP-3 p98]
- Encouraging on sites with a street frontage of less than 100 metres, new streets, laneways or paths to be located along a side boundary. [LPP-3 p99]
- Encouraging new streets and laneways to be designed to: [LPP-3 p100]
 - Enable views straight through the street block. [LPP-3 p101]
 - Have active frontages[, if the site is in a core area[PPPS]]. [LPP-3 p102]
 - Be open to the sky and allow for the planting of canopy trees. [LPP-3 p103]

Smart cities

It is policy to encourage developments to include smart city technology, by: [LPP-3 p104]

- Embedding smart technology and installing digital sensors and actuators into built form to collect digital data. [LPP-3 p105]

PORT PHILLIP [PPPS] MELBOURNE [MPS] PLANNING SCHEME
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- Embedding opportunities for ‘smart’ and responsive urban management and practices into the design and operation of infrastructure and buildings and services. [LPP-3 p106]
- Encouraging smart infrastructure to be installed on existing infrastructure. [LPP-3 p107]
- Integrating ‘smart’ management and design of energy, water, and waste infrastructure that supports efficient use of resources. [LPP-3 p108]
- Ensuring developments provide provision for the delivery of high speed data networks. [LPP-3 p109]
- Ensuring that all technology and data systems comply with best practices. [LPP-3 p110]

Sustainable transport

It is policy to encourage developments to be designed to support 80 per cent of movements being made via active and public transport, by: [LPP-3 p111]

- Providing high levels of and easy access to bicycle parking facilities, including end of trip change rooms, showers and lockers. [LPP-3 p112]
- Facilitating the delivery of future public transport including new trams, train and bus routes. [LPP-3 p113]
- Designing internal connections to give priority to bicycle and pedestrian movements. [LPP-3 p114]
- Delivering new streets and laneways to provide easy walking and cycling permeability. [LPP-3 p115]
- Discouraging development from providing more than the maximum number of car spaces allowed and include provision for future conversion of car parking to alternative uses over time. [LPP-3 p116]
- Reducing impacts of new vehicle access points on pedestrian, public transport and bicycle priority routes. [LPP-3 p117]
- Providing information to residents and employees about local walking, cycling and public transport routes. [LPP-3 p118]

Floor area uplift

It is policy to ensure where a floor area uplift is sought that the responsible authority, in consultation with the receiving agency of the proposed public benefit(s) considers the following: [LPP-3 p119]

- Whether the public benefit(s) is consistent with state and local policy, strategic initiatives. [LPP-3 p120]
- Whether the quantity and value of the floor area uplift has been appropriately calculated. [LPP-3 p121]
- Whether the proposed public benefit(s) can be realistically delivered and secured by a suitable legal agreement, and [LPP-3 p122]
- Whether the proposed public benefit is supported by the proposed receiving agency and can be maintained. [LPP-3 p123]

22.XX-4 Definitions [LPP 4 p0]

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The following definitions apply for the purposes of interpreting this policy: [LPP 4 p1]

Dwelling densities per hectare (dw/ha) means the number of dwellings on the site divided by the gross developable area (hectares) of the site. [LPP 4 p2]

Family-friendly housing means housing that supports the living arrangements of families, particularly with children. A visual relationship between the internal apartment areas and communal spaces provided for recreation and play are critical. [LPP 4 p3]

PORT PHILLIP [PPPS] MELBOURNE [MPS] PLANNING SCHEME
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Floor area ratio means the gross floor area divided by the gross developable area. [LPP 4 p4]

Gross developable area means the area of the proposal land, including any proposed roads or laneways, new public open space and land for community infrastructure (public benefit). [LPP 4 p5]

Gross floor area means the area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies. Dedicated communal residential facilities and recreation spaces are excluded from the calculations of gross floor area. 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 metres if there is no adjacent floor. [LPP 4 p6]

22.XX -5 Reference documents

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Fishermans Bend Vision, September 2016 [LPP 5 p1]

Fishermans Bend Framework, XX 2018 [LPP 5 p2]

Fishermans Bend Community Infrastructure Plan 2017 [LPP 5 p3]

Fishermans Bend Urban Design Strategy 2017 [LPP 5 p4]

Fishermans Bend Waste and Resource Recovery Strategy 2017 [LPP 5 p5]

How to calculate floor area uplift and public benefits in Fishermans Bend [LPP 5 p6]

Appendix 4 - Tabled Melbourne Municipal Strategic Statement, with recommended modifications

MELBOURNE PLANNING SCHEME (EXTRACT)
MELBOURNE MSS – REVIEW PANEL DAY 1 VERSION
 EXHIBITED VERSION WITH UNCHANGED CLAUSES REMOVED AND SELECTED PARAGRAPHS NUMBERED

21.02 MUNICIPAL PROFILE

12/09/2013

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21.02-1 Context and history

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Melbourne's growth

12/09/2013
C162

21.02-3 People City

12/09/2013
C162

21.02-4 Creative City

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C162

21.02-5 Prosperous City

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Proposed 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. [Melb 21.02-5 p1]

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) [Melb 21.02-5 p2]

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) [Melb 21.02-5 p3]

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) [Melb 21.02-5 p4]

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 \(NEIC\)](#) ~~industrial area, however,~~ the City has a vibrant industrial ~~area~~ ~~precinct~~ with head offices of leading manufacturers and nationally important clusters in aviation and aerospace and defence. There is also an ongoing need for industrial uses that service the other activities in the City, the construction sector and for management of waste. [Melb 21.02-5 p5]

21.02-6 Knowledge City

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21.02-7 Eco-City

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Connected City

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21.04 SETTLEMENT

21.04–1 Growth Area Framework

As the municipality continues to grow and develop, the culture and functioning of the City in twenty years time will be very different from today. However, through these changes the characteristics of the city we value today must be retained. [Melb 21.04-1 p1]

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. [Melb 21.04-1 p12]

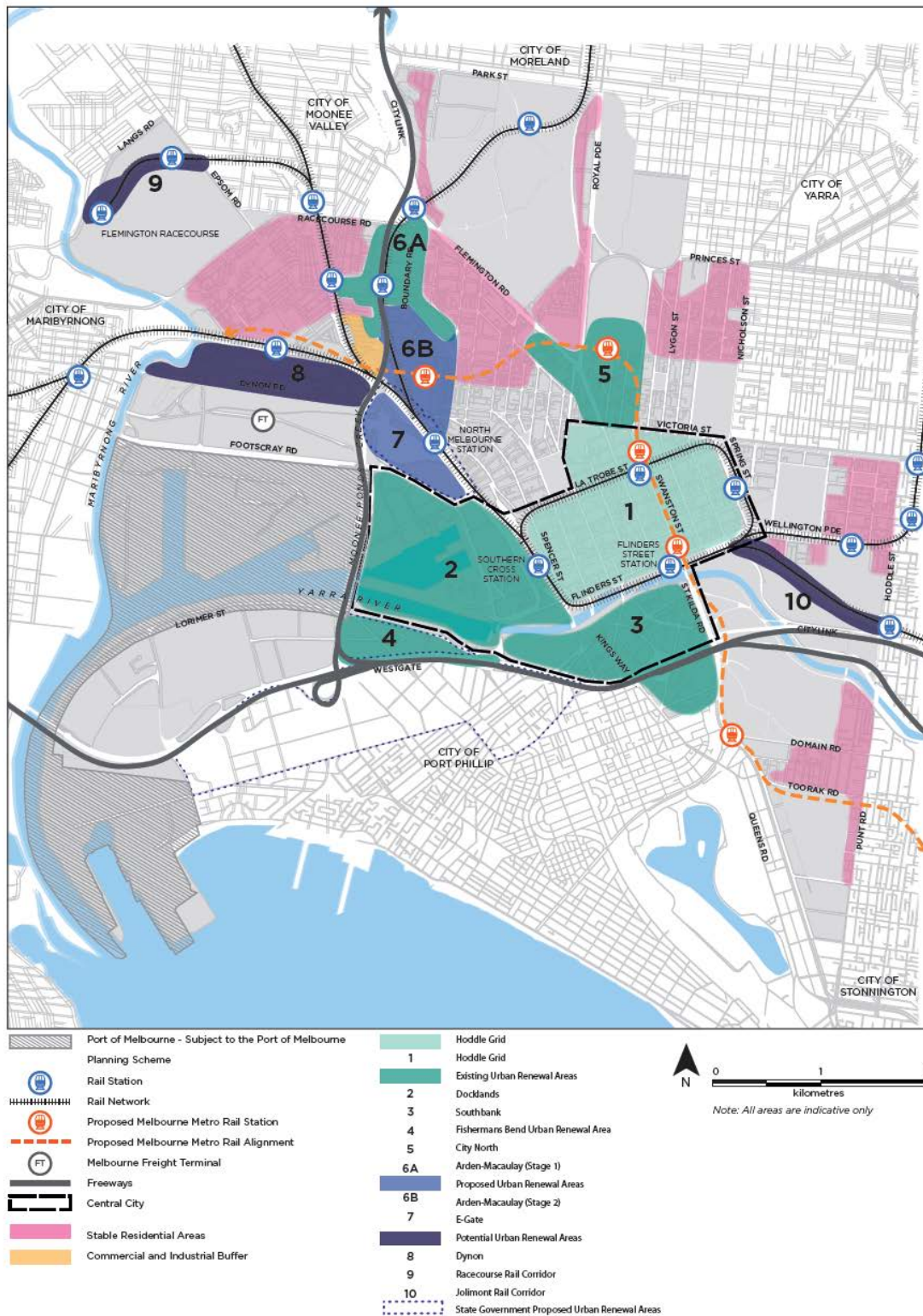
The focus of this MSS is on promoting areas of growth and protecting areas of stability. Areas of ongoing and incremental growth will continue to be regulated under the current planning scheme controls. The MSS identifies five types of areas: [Melb 21.04-1 p3]

- The original city centre (the Hoddle Grid) [Melb 21.04-1 p4]
- Urban renewal areas [Melb 21.04-1 p5]
- Proposed urban renewal areas [Melb 21.04-1 p6]
- Potential urban renewal areas [Melb 21.04-1 p7]
- Stable residential areas [Melb 21.04-1 p8]

The Growth Area Framework Plan at Figure 1 identifies these areas. [Melb 21.04-1 p9]

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Figure 1 Growth Area Framework Plan



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21.04–1.1 The original city centre – the Hoddle Grid

21.04–1.2 Urban renewal areas

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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. [[Melb 21.04–1.2 Intro p1](#)]

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. [[Melb 21.04–1.2 Intro p2](#)]

Southbank

Docklands

Fishermans Bend Urban Renewal Area

The area measuring ~~over 480-240~~ hectares [is part of the expanded Central City. The four mixed use precincts have](#) ~~has~~ been declared a site of State significance and rezoned as part of an [expansion to the expanded Capital City Zone. \[\[Melb 21.04–1.2 FB p1\]\(#\)\]](#)

This rezoning expands the Capital City Zone by more than 50 per cent and is expected to accommodate jobs and residents [within four mixed use precincts and one employment precinct](#). [[Melb 21.04–1.2 FB p2](#)]

The urban renewal area is also within the City of Port Phillip municipality. The area adjoins the Docklands and Southbank existing urban renewal areas. [[Melb 21.04–1.2 FB p3](#)]

City North

Arden-Macaulay

21.04–1.3 Proposed Urban Renewal Areas

23/10/2017
 C190(Part 1)

21.04–1.4 Potential Urban Renewal Areas

29/01/2015
 C225

21.04–1.5 Stable Residential Areas

29/01/2015
 C225

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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.

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21.08 Economic Development

12/09/2013

Proposed
GC81

Retail

Retailing is an important component of Melbourne's Capital City function. The Hoddle Grid will remain the State's pre-eminent retail centre and retailing in its Retail Core needs to be maintained and enhanced as a world class shopping district while respecting the character and heritage of this areas existing buildings and lanes.

There is a need to support the provision of local shops to serve the residential and working communities in local centres. A proliferation of eating and entertainment uses should not undermine the character and range of services offered in these local centres.

Business

The Central City is the prime location for commerce in metropolitan Melbourne, and along with the St Kilda Road commercial area, is of state significance. Areas zoned Mixed Use and Commercial around the Central City have traditionally provided locations for business activities, which support Capital City functions. These areas are under increased pressure for housing, and it is important to ensure their ongoing functioning and viability as business areas, which serve both local community needs and Capital City business activity.

Industry

Manufacturing uses in the inner City areas will continue to relocate to more competitive industrial locations in outer metropolitan Melbourne. The City of Melbourne, however offers unique locational and access advantages, particularly for advanced manufacturing industries. These industries and associated research have consolidated in the municipality. They are cleaner and more compatible with dense inner urban settings and need to be, protected and supported.

Industries can affect the amenity and environment of nearby sensitive land uses such as residential. Carefully manage this tension between the traffic, noise and other impacts of industrial operations and the amenity of surrounding residential areas.

Knowledge

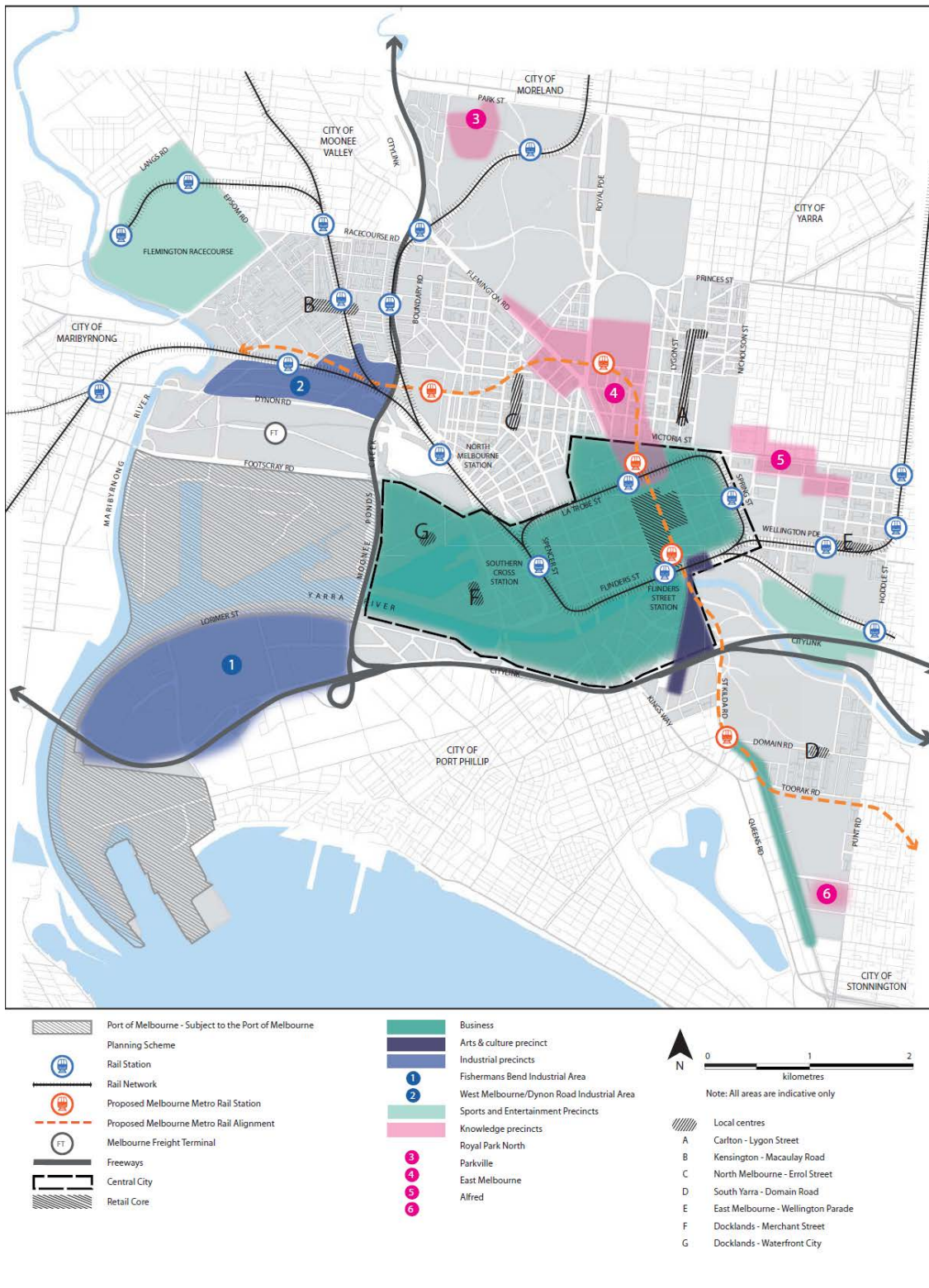
Innovation in business is central to Melbourne's economic vitality and its role as a globally competitive Capital City. The municipality is a dense centre of world standard services and research activity particularly in the financial, engineering, biotechnology and design sectors.

The University of Melbourne and RMIT University, the city campuses of four other universities and a number of TAFE institutes are able to link locally with industry, business, hospitals and research institutes in the Parkville, Alfred Hospital St Vincent's Hospital precincts.

This dense co-location of business, education, and medical and, research centres will be supported to strengthen the City's competitive and innovative capacity.

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Figure 3 Economic Development Map



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21.08 – 1 Retail

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21.08 – 2 Business

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21.08 – 3 Industry

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Objective 1 To improve the long term viability and security of the City's industries.

Strategy 1.1 Support the development of Fishermans Bend [Employment Precinct as a National Employment and Innovation Cluster](#) ~~Industrial Precinct~~ and as the City's primary industrial area and the preferred location for clean, advanced manufacturing, research and development, and ancillary services.

Strategy 1.2 ~~Ensure~~~~Limit~~ the development of commercial and retail uses in [the Fishermans Bend Employment Precinct](#) ~~industrial area, which are not ancillary to industrial use~~ [supports the vision as Australia's leading design, engineering and advanced manufacturing precinct.](#)

Strategy 1.3 Facilitate the on going role of industry in the West Melbourne Industrial Precinct.

Strategy 1.4 Support the ongoing 24 hour function of the Port of Melbourne and associated industries as Australia's leading container port.

Strategy 1.5 Support the ongoing function of freight uses in the West Melbourne Industrial Precinct and the development of the Melbourne Freight Terminal to better integrating Port operations and Fishermans Bend [Employment Precinct](#) ~~industrial area~~ with the rail network.

Objective 2 To encourage industries to adopt the highest standards of environmental management practice.

Strategy 2.1 Encourage industries to adopt Environmental Management Plans and ensure new industrial uses incorporate measures to minimise noise and environmental impacts.

Strategy 2.2 Ensure that the appearance and operation of transport, manufacturing and wholesale and distribution industries minimise their adverse impacts on the surrounding road network and on the amenity and condition of the public realm.

21.08 – 4 Maritime precincts

12/09/2013
C162

Objective 1 To promote water transport for recreational and commuter use as part of a larger integrated transport system and consistent with maintaining safe and efficient Port operation.

Strategy 1.1 Maintain opportunities for potential future transport access to the rivers.

Strategy 1.2 Ensure the capacity for necessary shore based infrastructure such as adequate mooring facilities and passenger and service access.

Strategy 1.3 Minimise the extent of marina encroachment into navigable waterways especially in the Docklands.

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21.08 – 5 Knowledge precincts

12/09/2013
C162

Objective 1 To support education, medical and research activities.

- Strategy 1.1 Support the operation, development and clustering of education research centres and associated uses whilst protecting the amenity of Residential and Mixed Use zoned areas.
- Strategy 1.2 Support the increased integration of the tertiary education facilities into the public realm of the City through better access connections and the design of new development.
- Strategy 1.3 Encourage research and development uses in appropriate zones throughout the City.
- Strategy 1.4 Discourage the encroachment of non-residential uses associated with research, education and medical institutions into adjoining Residential Zones and parkland.
- Strategy 1.6 Manage the off-site impacts of education and research facilities such as car parking and traffic to protect the character and amenity, (including visual amenity) of adjoining areas.

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21.13 URBAN RENEWAL AREAS

21.13-3 Fishermans Bend Urban Renewal Area - Lorimer

14/11/2016

Proposed
GC81

~~The area measuring 250 hectares within the City of Melbourne and City of Port Phillip municipalities has been declared a site of State significance and rezoned as part of an expanded Capital City Zone.~~ [21.13-3 p1]

~~The area is now part of the Expanded Central City and will accommodate CBD jobs and residents, in high densities.~~ [21.13-3 p2]

~~The Fishermans Bend Strategic Framework Plan, July 2014 (amended September 2016) sets out the long term vision for the area, and includes statutory requirements for development of the area. This document is incorporated in this planning scheme pursuant to the Schedule to Clause 81.01.~~ [21.13-3 p3]

The State Planning Policy identifies Fishermans Bend as a priority urban renewal area. It is an unparalleled renewal opportunity within Melbourne. It will provide for 80,000 jobs (40,000 within the mixed use precinct and 40,000 in the Employment Precinct) and a range of well serviced, high density housing options for 80,000 people. Lorimer is planned to accommodate 12,000 residents and 6,000 jobs. [21.13-3 p4]

The Lorimer precinct will promote a mix of residential, retail, commercial, entertainment and employment opportunities that complements the functions and built form of the Central City and Docklands. The area will provide opportunities for co-location of employment and housing, increasing productivity through decreased travel times for residents [21.13-3 p5]

Fishermans Bend urban renewal project is driven by the fundamental principles of economic prosperity, social equity and environmental quality that takes advantage of its close proximity to existing employment, residential and transport links in the Central City/ Southbank/ Docklands areas. Design excellence and environmental sustainability is fundamental to delivering a high quality, high amenity urban environment and realising the vision for a highly liveable urban renewal area. [21.13-3 p6]

The Fishermans Bend Urban Renewal Area will seek to achieve an affordable housing target of 6% across the precincts. Delivering improved housing affordability, choice and a diversity in this key area of Melbourne. [21.13-3 p7]

The Lorimer precinct has a distinct role in realising the vision for Fishermans Bend and will have its own distinct character and identity. [21.13-3 p8]

Housing [21.13-3 p9]

- Ensure new residential areas have a strong sense of community and are welcoming and convenient places to live. [21.13-3 p10]
- Encourage a vibrant, mixed use precinct close to the Yarra River and connected to Melbourne's Central City, Docklands and other emerging urban renewal areas. [21.13-3 p11]
- Encourage a high density mixed use precinct centred around a linear green spine and open spaces. To create an important recreational and biodiversity green link, promoting a healthy and diverse lifestyle for people of all ages and backgrounds. [21.13-3 p12]

Economic Development [21.13-3 p13]

- Ensure Lorimer has excellent access to employment and public transport, being located on the doorstep of the Central City, Docklands and adjacent to the Fishermans Bend Employment Precinct (NEIC), connected by the northern Tram Route. [21.13-3 p14]
- Encourage development to deliver high levels of amenity, focus on the attraction and retention of talent, and to support investment and growth in the knowledge, creative,

design, research, education, innovation, engineering, advanced manufacturing and service sectors. [21.13-3 p15]

- Encourage mixed use outcomes across the four mixed use precincts that create a significant employment growth, complementing existing industries in the Employment Precinct (NEIC), and build on strengths in aeronautical and automotive engineering and defence. [21.13-3 p16]
- Ensure that new development implements measures to mitigate itself from potential amenity impacts from existing industry and warehouse uses, or from ongoing port operations. [21.13-3 p17]
- To manage ongoing amenity issues between existing concrete batching plants in the Lorimer Precinct and future high density mixed use development, facilitate the upgrading of existing plants and provide a planning incentive to encourage the eventual relocation of the plants.”

Built Environment and Heritage [21.13-3 p18]

Encourage a visual and physical connection to the Yarra River through a series of new north-south laneways that will stitch the precinct across Lorimer Street through to the Yarra River. [21.13-3 p19]

Encourage a diversity of mid and high-rise buildings with taller buildings located along the less sensitive interface of the West Gate Freeway providing an attractive architectural backdrop to the precinct. [21.13-3 p20]

Encourage a mix of courtyard, perimeter block apartments, and tower developments with hybrid developments that accommodate a mix on larger sites strongly encouraged. [21.13-3 p21]

Ensure heights are reduced in key locations to protect existing and proposed open spaces from being overshadowed. [21.13-3 p22]

Encourage defined frontages with retail uses activate ground level interfaces with open spaces. Large and smaller format commercial uses are also encouraged within podium or lower levels of development. [21.13-3 p23]

Ensure towers are well spaced to provide for outlook and view through to the river, with setbacks to protect amenity of streets and laneways. [21.13-3 p24]

Encourage higher street walls along the freeway interface, providing a buffer from freeway traffic. [21.13-3 p25]

Sub-precincts: Preferred character outcomes [21.13-3 p26]

The following outlines the preferred character within each sub-precinct within the Lorimer precinct (refer Map 10: Sub-precincts within the Fishermans Bend Urban Renewal Area) [21.13-3 p27]

Table 1: Preferred future character

<u>Lorimer</u>	<u>Preferred character</u>
<u>Area L1</u>	<p><u>Hybrid developments of mid-rise perimeter blocks and tower developments</u> [21.13-3 p27]</p> <p><u>Slender towers located to minimise overshadowing impacts on the Lorimer Parkway</u> [21.13-3 p28]</p> <p><u>Provision of private and communal open space with good access to sunlight to provide high levels of amenity for</u></p>

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	<p>residents and workers. [21.13-3 p29]</p> <p>Activation of the Lorimer Parkway, Ingles Street and the new north-south street through a diversity of fine-grain frontages, nominally 4-8 metres wide. [21.13-3 p30]</p> <p>Lower street wall heights along Lorimer Parkway to maximise the amount of sunlight penetrating between tower elements to reach the southern side of the parkway [21.13-3 p31]</p>
Area L2	<p>Mid-rise developments with activated laneways leading to Lorimer Street and the Yarra River [21.13-3 p32]</p>
Area L3	<p>Slender towers located to minimise overshadowing of the Lorimer parkway [21.13-3 p33]</p> <p>Lower street wall heights along Lorimer parkway to maximise the amount of sunlight penetrating between tower elements to reach the southern side of the parkway. [21.13-3 p34]</p>
Area L4	<p>Hybrid developments of mid-rise perimeter blocks and tower developments [21.13-3 p35]</p> <p>Well-spaced towers that avoid a wall-of-towers effect when viewed from the Yarra River, Lorimer Parkway, internal streets and the West Gate Freeway [21.13-3 p36]</p> <p>Towers that create a visual landmark to the West Gate Freeway recognising that this is an important arrival point into the central city [21.13-3 p37]</p> <p>Location and design of towers to minimise overshadowing of parks and streets in the Sandridge precinct [21.13-3 p38]</p> <p>Activation of new north-south laneways and streets</p> <p>Lower street wall heights on the east and west of the new large park on Turner Street [21.13-3 p39]</p> <p>Elsewhere, higher street wall heights that assist in mitigating noise pollution from the West Gate Freeway into the Lorimer Precinct. [21.13-3 p40]</p> <p>Service access only on the new service road along the West Gate boundary [21.13-3 p41]</p>
Area L5	<p>To recognise the existence of a cluster of concrete batching plants and the likelihood they will remain on their existing sites into the future.</p> <p>Facilitate the upgrading of existing plants to a higher standard of operation, with reduced potential for off-site amenity impacts.</p> <p>Manage new development within the threshold distance of the sites (pursuant to Clause 523.10) having regard to the continued operation of the plants.</p> <p>Provide a planning incentive to encourage the eventual relocation of the uses.</p> <p>Allow for the ultimate integration of the sub-precinct with Sub-precinct L4, should the concrete batching plants relocate.</p>

Transport [21.13-3 p42]

- Support the creation of the northern tram route along Turner Street and Lorimer Street providing direct, high frequency public transport connection to Docklands and the Central City. [21.13-3 p43]
- Support the creation of new or upgraded bridges over the Freeway at Ingles Street and Graham Street to provide public transport, bike and pedestrian access to Sandridge. [21.13-3 p44]

Infrastructure [21.13-3 p45]

- Support the creation of the Lorimer Central Open Space located in the heart of the precinct, between Ingles and Boundary Streets [21.13-3 p46]
- Support Turner Street closure and widening to create a new Linear Parkway along the tram route, and creating a green link to the new Lorimer West Open Space, and additional green link connecting to new open space at intersection of Hartley and Lorimer Streets. [21.13-3 p46]
- Support a network of new streets and laneways to transform the existing industrial scale blocks into a walkable neighbourhood. [21.13-3 p48]
- Support a pop-up community hub created on land adjacent to the Bolte Bridge, evolving into a Health and Well-Being Hub. Education and Community Hub (primary) is located in the north eastern part of the precinct, and an Art and Cultural Hub is located in the south eastern part of the precinct. [21.13-3 p49]
- Encourage new facilities to be delivered as part of mixed use development, located in close proximity to the Lorimer Central Open Space or Hartley Street Open Space and northern tram route. [21.13-3 p50]
- Encourage a Sports and Recreation hub (or part of cluster) to be delivered as part of mixed use development, located within the 'investigation area' at the western part of the precinct. [21.13-2p51]

MELBOURNE PLANNING SCHEME (EXTRACT)
MELBOURNE MSS – REVIEW PANEL DAY 1 VERSION
 EXHIBITED VERSION WITH UNCHANGED CLAUSES REMOVED AND SELECTED PARAGRAPHS NUMBERED

Figure 9: Fishermans Bend Urban Renewal Area

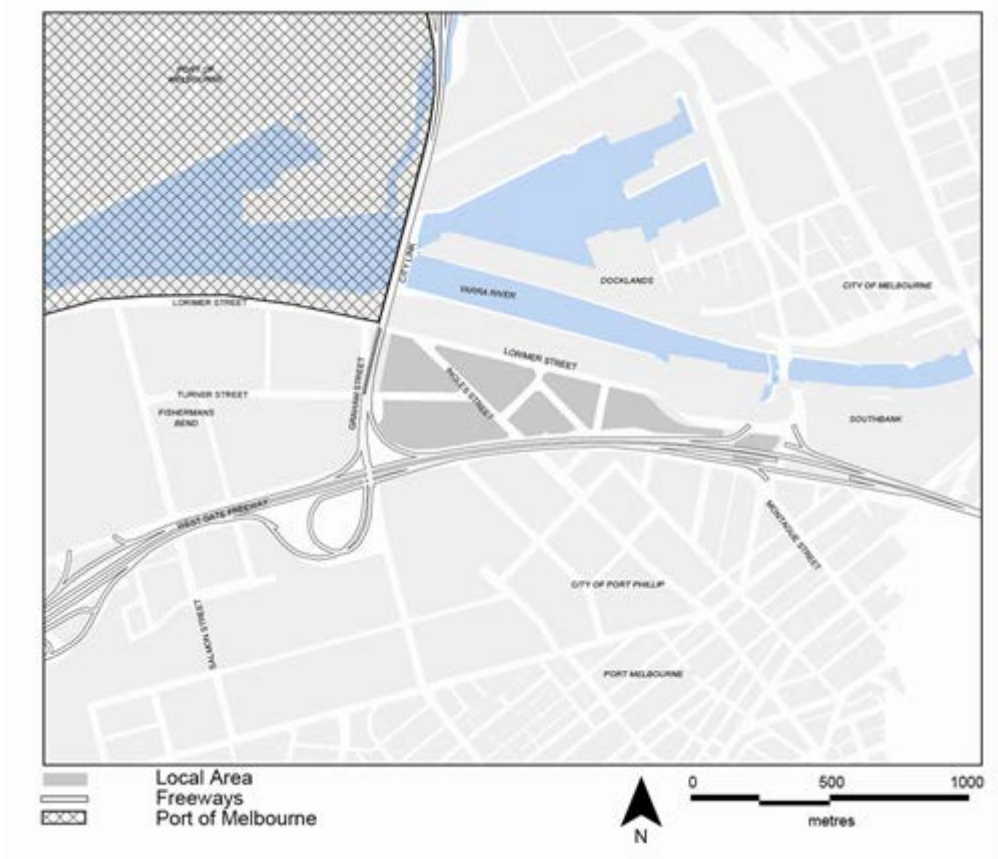
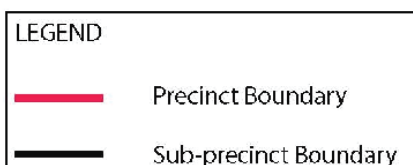
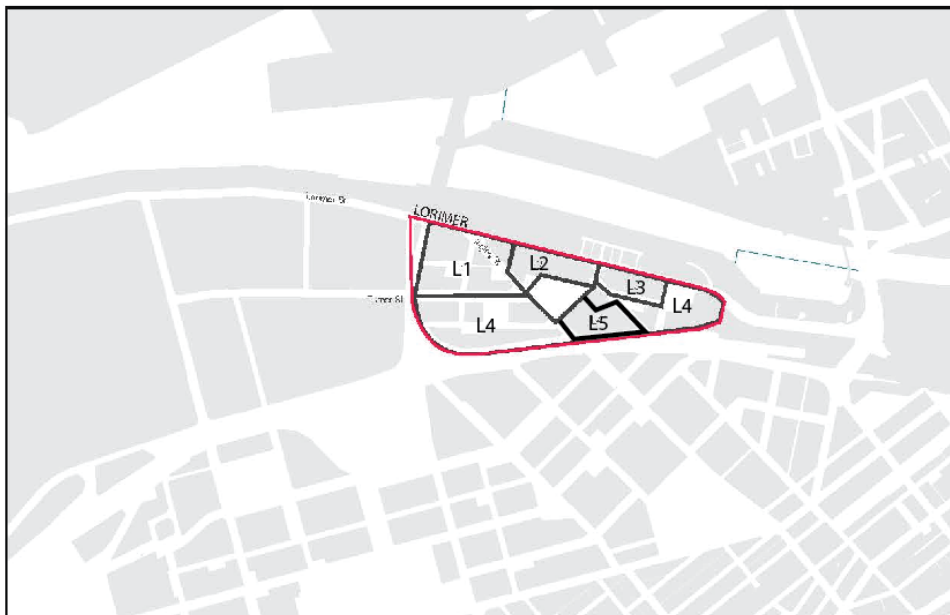


Figure 10: Sub-precincts within Fishermans Bend Urban Renewal Area



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21.16 OTHER LOCAL AREAS

29/01/2015
Proposed GC81

Fishermans Bend Employment Precinct~~Industrial Area~~

29/01/2015
Proposed
GC81

The Fishermans Bend Employment Precinct is one of Victoria's National Employment and Innovation Clusters (NEIC) is the area of industrial land to the west of the city adjacent to the Port of Melbourne. The Port of Melbourne is covered by a separate planning scheme administered by the Minister for Planning. While not the responsible authority for the Port, the City of Melbourne must ensure an appropriate interface and access to the Port as Australia's largest container and general cargo port. [21.16-6 p1]

The continued protection of industry and the Port from encroachment by residential and other sensitive uses will be important. [21.16-6 p2]

Economic Development

- Support the development of limited convenience retail and professional services in the area ~~Fishermans Bend~~ to support the area's growing workforce. [21.16-6 p3]
- Support advanced manufacturing and associated research and development organisations especially within the aerospace and automotive sectors to locate in the precinct ~~Fishermans Bend~~, to provide mutual benefit through proximity to existing businesses and activities. [21.16-6 p4]
- Support development of the area as a National Employment and Innovation Cluster ~~Corporate precinct as an area~~ to attract new manufacturing business and corporate headquarters, focused on research and technology. [21.16-6 p5]
- Support the development of the ~~Small Medium Enterprise~~ precinct as a transitional area separating the larger manufacturing industries to the west from more intensive industrial businesses to the north east and encourage a variety of business and industrial uses and business incubators. [21.16-6 p6]
- Discourage small scale industrial and commercial development and subdivision in ~~Fishermans Bend~~ precinct that is not related to advanced manufacturing and research and development uses. [21.16-6 p7]
- Manage the interface between ~~the Docklands' future residents of nearby areas~~ by encouraging emission free or office based manufacturing uses and development ~~in Lorimer Street (near the interface with Docklands) that are complementary to the adjacent Docklands development.~~ [21.16-6 p8]
- Encourage larger manufacturing businesses to locate in the western portion of ~~Fishermans Bend precinct in the Corporate Precinct~~ to minimise conflict with ~~the Docklands development~~ future residents of nearby areas. [21.16-6 p9]
- Discourage the location of sensitive activities in ~~Fishermans Bend~~ the precinct that are not compatible with the operations of the Port of Melbourne or other industrial activities. [21.16-6 p10]

Built Environment and Heritage

- Strengthen pedestrian and cycle connections and support provision of open space and links through Fishermans Bend between the Port Melbourne foreshore, the Hoddle Grid and Westgate Park. [21.16-6 p11]
- Ensure that development in Fishermans Bend visible from Docklands does not detract from the appearance or visual amenity of the Docklands area. [21.16-6 p12]

MELBOURNE PLANNING SCHEME (EXTRACT)
MELBOURNE MSS – REVIEW PANEL DAY 1 VERSION

EXHIBITED VERSION WITH UNCHANGED CLAUSES REMOVED AND SELECTED PARAGRAPHS NUMBERED

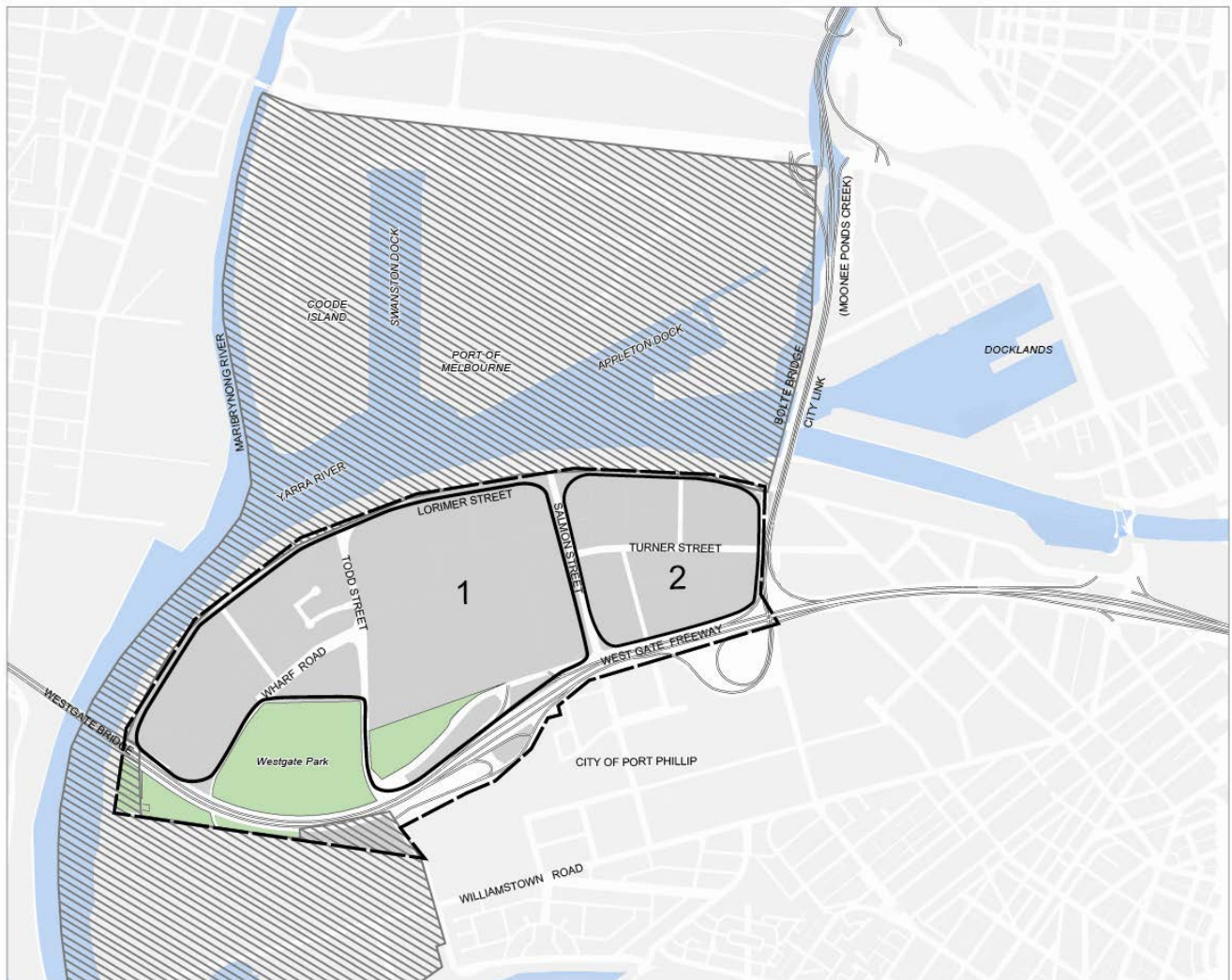
- Support improvements to the physical infrastructure, urban design and amenity of Fishermans Bend to make the area a high quality urban environment and more attractive for business. [21.16-6 p13]
- Encourage a high standard of visual amenity along Lorimer Street to reinforce the image of Fishermans Bend and to strengthen main vistas and views. [21.16-6 p14]
- Encourage large front landscaped setbacks on larger industrial sites in Fishermans Bend. [21.16-6 p15]
- Discourage the location of car parking along Lorimer Street where it is visible from the street. [21.16-6 p16]
- Discourage high wire mesh fencing at street frontages particularly along Lorimer Street. [21.16-6 p17]
- Enhance the environmental and open space values of Westgate Park. [21.16-6 p18]
- Enhance open space in Fishermans Bend to provide for the needs of the working population. [21.16-6 p19]

Transport

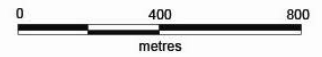
- Support the extension of bus, fixed and light rail services to Fishermans Bend. [21.16-6 p20]
- Support the development of transport infrastructure required for the Port of Melbourne in Fishermans Bend including planning for future rail links to Webb Dock to the south, heavy vehicles and freight and protecting shipping lanes. [21.16-6 p21]
- Support the extension of heavy rail to Webb Dock. [21.16-6 p22]

MELBOURNE PLANNING SCHEME (EXTRACT)
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Figure 21: Fishermans Bend Industrial Area



- Local Area Boundary
- Public Open Space
- Freeways
- Port of Melbourne
- Precincts**
- Corporate
- Small Medium Enterprise



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21.17 REFERENCE DOCUMENTS

31/08/2017

Proposed
GC81

General

Housing and community

Business and Retail

Urban Form and Structure and character

Parks

Transport and Access

Environment

Local Area Plans

[Fishermans Bend Urban Renewal Area](#)

[Fishermans Bend Vision 2015](#)

[Fishermans Bend Framework 2017](#)

[Fishermans Bend Community Infrastructure Plan 2017](#)

[Fishermans Bend Urban Design Strategy 2017](#)

[Fishermans Bend Open Space Plan 2017](#)

Appendix 5 - Curriculum Vitae

David Barnes

Managing Director

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Summary of Experience

David has been a town planner since 1980. With an MBA to supplement his planning qualifications, David is both a strategic planning specialist and an experienced statutory planner. As a statutory planner, David has been involved in obtaining planning approvals for a wide range of projects including residential, retail, commercial, industrial, rural, tourism, entertainment, sports, recreation and community development projects. He has extensive experience representing clients at planning appeals and panel hearings as both an advocate and as an expert witness.

As a strategic planner, David's experience encompasses policy formulation and implementation; preparation of strategy plans, structure plans, urban design frameworks, development plans, planning schemes and amendments; community consultation; preparation of infrastructure funding strategies and development contributions plans; and preparation of commercial, industrial and residential market assessments.

In addition, David has experience in Asia, preparing urban management plans, strategy plans, structure plans, master plans and detailed plans, planning and development controls, and in relation to institutional strengthening programs and professional training programs.

Current

Managing Director
Hansen Partnership
 January 2012 – present

Experience

Hansen Partnership
 Director (september 1997 – december 2011)

Henshall Hansen Associates
 Director (july 1995 – aug 1997)
 Associate director (1992 – july 1995)
 Senior planner (april 1988 – november 1989) Associate (1989-1992)

wbcm Consultants Limited
 Senior urban planner (july 1985 – april 1988)

Melbourne and Metropolitan Board of Works
 Statutory planner (february – june 1985)
 Planning officer (april 1982 – february 1984)

Estate Office, Victorian Railways
 Town planner (november 1980 – april 1982)

Qualifications

- Master of Business Administration, RMIT University (1993)
- Bachelor of Town and Regional Planning (hons), University of Melbourne (1980)

Affiliations

- Property Council of Australia, Victoria Division (2012 – present; 2009-2010) - member planning committee
- Planning Institute of Australia (PIA) (2007 – present) - fellow
- Victoria Planning and Environmental Law Association (2009 – present) - member
- planning institute of australia (PIA) (1996-2007) - member
- vice president and treasurer royal australian planning institute (1996-1997)

Specialisations

- strategic planner
- statutory planner
- town planning advocate
- town planning expert witness
- infrastructure funding and development contributions
- international planning – urban management, institutional strengthening, training

Key Project Experience

Structure Planning

- Review of Bayswater / Bayswater North Industrial Precinct, with the AEC Group, State Development Business and Innovation (2014)
- Bendigo Hospital Surrounds Structure Plan, the City of Greater Bendigo (2013)
- Birregurra Structure Plan Review, Otway Shire Council (2013)
- Chapel Vision Structure Plan Review, Stonnington City Council (2013)
- Warrnambool – North Dennington Structure Plan and Development Control Plan, Warrnambool City Council (2012)
- Hamilton Structure Plan and Town Centre Urban Design Framework, for South Grampians Shire (2010)
- Traralgon Town Centre Structure Plan and Urban Design Framework, for Latrobe Valley Shire (2010)
- Ringwood Transit City Development Contributions Plan, for Maroondah City Council (2009)
- Frankston Safe Boat Harbour Planning Scheme Amendment, for Frankston City Council (2008)
- Clifton Springs Town Centre Structure Plan, for the City of Greater Geelong (2008)
- Warrnambool and Moyne Development Program, for Warrnambool City Council and Moyne Shire Council (2008)
- Spring Creek Urban Growth Framework Plan and Precinct Structure Plan, for the Surf Coast Shire (2008)
- Newhaven, Cape Woolamai and San Remo Structure Plan, for Bass Coast Shire Council (2007)
- Ocean Grove Structure Plan, for the City of Greater Geelong (2006)
- Jackass Flat Structure Plan, Greater Bendigo City Council (2006)
- Burwood Heights Activity Centre Structure Plan, Whitehorse City Council, (2004)
- Torquay / Jan Juc Population and Residential Development Review, (2004)
- West Melbourne Structure Plan, for the City of Melbourne (2003)
- Highett Structure Plan, for the Cities of Bayside and Kingston (2002-2003)

Character Studies

- Birregurra Neighbourhood Character Study, Otway Shire Council, (2011)
- Romsey Neighbourhood Character Study, for Macedon Ranges Shire, (2010)
- Boroondara My Neighbourhood – Prized Residential Character Areas, for

Boroondara City Council (2008)

- Dandenong Neighbourhood Character Study, for the City of Greater Dandenong (2007-2008)
- Queenscliffe Urban Character Study, for the Borough of Queenscliffe (2000)

Strategy Planning and Studies

- La Trobe University Bendigo Campus Vision, for La Trobe University (2014)
- La Trobe University Boroondara Campus Vision, La Trobe University (2012)
- Mildura Settlement Strategy, Mildura Rural City Council (2013)
- New Gisborne Development Plan, Macedon Ranges Shire Council, (2011)
- Wyndeham Open Space and Recreation Strategy, with @leisure, for the Wyndeham Shire Council (2011)
- Strengthening Victoria's Food Bowl, with PSI Delta, for Moira Campaspe, Swan Hill and Mildura councils (2011)
- Sweetwater Creek, Strategic Justification for Development / Environmental Overlays, for Frankston City Council (2010)
- Utilising Victoria's Planning Framework to Support Sustainability, Municipal Association of Victoria (2009-2010)
- Shepparton East Outline Development Plan, for the City of Greater Shepparton (2009)
- Melbourne Industrial Land Supply and Demand Study, with Charter Keck Cramer, for Melbourne City Council (2009)
- LaTrobe University Strategy Planning Review, for LaTrobe University (2008/2009)
- Review of Referral Requirements under the Victoria Planning Provisions, for the Department of Planning and Community Development (2008)
- Whitehorse Student Accommodation – Strategic Review and Planning Scheme Amendment, for Whitehorse City Council (2007)
- Sustainability in the Planning Process, for the municipalities of Moreland, Port Phillip and Darebin (2007-2008)
- Geelong Region Strategy Plan, for the G21 Geelong Regional Alliance (2005-2006)
- Bell Street Strategy Plan and Urban Design Framework, Darebin City Council (2005)
- Kingston Retail and Commercial Development Strategy, with Charter keck Cramer, for the City of Kingston (2004)
- Willoughby Industrial Strategy, Willoughby City Council (2003)
- Yarra Industrial Strategy, for Yarra City Council (2003)
- Moorabool Rural Housing Study, for Moorabool Shire Council (2003)

- Ballan Township Strategy Plan, for Moorabool Shire Council (2003)
- Blackrock Shopping Centre Study, for the Cities of Bayside and Kingston, (2002-2003)
- Bayside Industrial Areas Study, for the City of Bayside (2002)
- Moreland Industrial Areas Review, for the City of Moreland (2002)
- Geelong Industrial Land Use Study, for the City of Greater Geelong, with MacroPlan (2001)
- Anglesea Population Review and Review of Township Boundaries, for Surf Coast Shire Council (2000)
- Torquay Population and Residential Strategy Review, for Surf Coast Shire Council (2000)
- Torquay Industrial Area Review, for Surf Coast Shire Council (2000)
- Bayside Height Control Study, for the City of Bayside (1999)
- Development Contributions Plan for Plenty and Yarrambat, for the Nillumbik Shire Council (1998-1999)
- Geelong CAA Revitalisation Program, for the Greater City of Geelong (1998)
- Sydenham Activity Area Policy Review, for the City of Brimbank (1998)

Management Plans

- Melton North Green Wedge Management Plan, Melton Shire Council (2014)

Infrastructure reviews

- Traralgon Growth Areas Review, for LaTrobe City Council (2011)
- Fishermans Bend Industrial Land Review, with Charter Keck Cramer, for Port Phillip City Council (2009)
- Doncaster Hill Energy Plan, for Manningham City Council and Sustainability Victoria (2008)
- Car Parking Rate Review, for the Department of Infrastructure (1999)

Master Planning

- Geelong Western Wedge Strategic Framework Plan and Railway Station Master Plan, for the Department of Infrastructure (2002)

Urban Design Framework

- Ringwood Town Centre Urban Design Framework, for the City of Maroondah (2002-2003)
- Knox Central Urban Design Framework, for the City of Knox (2002-2003)

Design Guidelines

- Knox Residential Capacity and Design Guidelines Project, Knox City Council (2010)
- Aireys Inlet Activity Centre Urban Design Guidelines, for Surf Coast Shire, (2008-2009)
- Kingston Residential Design Guidelines, for the city of Kingston (2000)
- Kingston Residential Design Guidelines, for the city of Kingston (2000)
- Miller Street and Gilbert Street Preston Design Guidelines, for Darebin City Council (2009)
- Station Street Fairfield Design Guidelines, for Darebin City Council (2008)
- Victoria Street Urban Design Framework and Streetscape Plan, for the City of Yarra (2002)
- Hastings Foreshore Urban Design Framework, for Mornington Peninsula Shire (2000)
- Carrum Urban Design Framework, for the City of Kingston (2000)

International planning

- Ben Dam Detailed Master Plan and Urban Management System, for the Ba Ria Vung Tao People's Committee, Vietnam, 2013.
- Long Thanh International Airport Master Plan – Vietnam, with the Vietnamese Institute of Architecture Urban and Rural Planning, for the Dong Nai People's Committee (2009-2012)
- Three Delta Towns Water Supply and Sanitation Project – Vietnam, with Gutteridge Haskins and Davey, for AusAide, (2002-2003)
- Capacity 21 Project – Environment Issues in Investment Planning in Vietnam – Quang Ninh Provincial Pilot Project, Ha Long Bay Vietnam, UNDP Project VIE 97/007, prepared for Colenco-Holinger (2000)
- HCMC UNDP Public Administration Reform Project, preparation of Proposal for Consultancy Team, (1999)
- Hanoi Planning and Development Controls, Hanoi, Vietnam, as part of Hanoi Planning and Development Control Project (1995-1997)