

MELBOURNE METRO RAIL AUTHORITY STRATEGIC ASSESSMENT OF DRAFT PLANNING SCHEME AMENDMENT GC45

20 April 2016



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1 Introduction

The Melbourne Metro Rail Authority (MMRA), on behalf of the Secretary of the Department of Economic Development, Jobs, Transport and Resources (DEDJTR), is the proponent for the Melbourne Metro Rail Project (Melbourne Metro). MMRA is responsible for the delivery of the Melbourne Metro infrastructure for the Victorian Government.

MMRA has asked the Minister for Planning to facilitate a planning scheme amendment to allow for the development, delivery and use of the Melbourne Metro into the future. The *Planning and Environment Act 1987* allows the Minister, in the interests of Victoria, to prepare, adopt and approve planning scheme amendments. Draft planning scheme amendment GC45 is appended (Technical Appendix A) to the Environment Effects Statement (EES) prepared for Melbourne Metro, and has been informed by the comprehensive environmental, social and economic impact assessment conducted for the EES.

This document addresses *Minister's Direction No. 11 Strategic Assessment of Amendments*. The purpose of the Direction is to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

It is considered appropriate that the Minister for Planning has planning oversight of this State and regionally significant project because:

- There are a large number of zones and overlays traversed by the Melbourne Metro alignment, and hence a large number of permit triggers. It is desirable to have consistency across the four planning schemes in how the project is endorsed and how its delivery is regulated
- The outcome of consultation on the Melbourne Metro EES, including with Councils, has supported the use of an integrated planning approval mechanism for the project.

MMRA has prepared this report and associated documents to support the draft planning scheme amendment GC45 to the Melbourne, Port Phillip, Stonnington and Maribyrnong Planning Schemes. MMRA has developed the draft planning scheme amendment using the statutory and planning controls that are currently available, although Section 4 of this report considers alternative options including amendment of the Victoria Planning Provisions or legislative amendments. It is noted that the Minister for Planning also has powers under the *Planning and Environment Act 1987* to prepare, adopt and approve an amendment to the Victoria Planning Provisions, together with any consequent amendment to one or more specified planning schemes.

Specifically, the draft planning scheme amendment would seek to do the following:

Melbourne, Port Phillip, Stonnington and Maribyrnong Planning Schemes

- Amend the Schedule to Clause 52.03 'Specific Sites and Exclusions' to facilitate planning approval for the Melbourne Metro Rail Project in accordance with the specific control in the 'Melbourne Metro Rail Project Incorporated Document, April 2016'
- Amend the Schedule to Clause 61.01 to make the Minister for Planning the responsible authority for the provisions which apply to the use and development of land for the Melbourne Metro Rail Project
- Amend the Schedule to Clause 81.01 to inset an incorporated document titled 'Melbourne Metro Rail Project Incorporated Document, April 2016'.

Melbourne, Port Phillip and Stonnington Planning Schemes

- Introduce a new Schedule to Clause 43.02 'Design and Development Overlay' to include a new Schedule to land above and immediately adjacent to the Melbourne Metro's tunnels, stations and associated infrastructure to require development applications to be referred to the relevant referral authority for assessment to ensure that future development does not compromise the Melbourne Metro structures. The relevant maps would also be amended
- Amend the Schedule to Clause 66.04 to make the referral authority for permit applications required by the proposed Schedule to Clause 43.02, the Secretary, DEDJTR until 31 December 2026 and then VicTrack
- The DDO Schedule is not required in Maribyrnong because all infrastructure in that municipality is above surface and within the rail reserve.

This report also considers alternative options to including a Design and Development Overlay in the planning schemes to protect Melbourne Metro infrastructure.

The table below outlines how the amendment responds to the strategic considerations arising from *Minister's Direction No. 11 Strategic Assessment of Amendments*.

Strategic consideration	Response
Why is an amendment required?	<p>The most appropriate mechanism available by which Melbourne Metro could be approved under the <i>Planning and Environment Act 1987</i> is a planning scheme amendment given:</p> <ul style="list-style-type: none"> • The extent of planning permit triggers across Melbourne, Port Phillip, Stonnington and Maribyrnong • The number of stakeholders (in addition to the Councils) with an interest in the Melbourne Metro • The consultation and planning and environmental assessments undertaken as part of the EES process • The need to provide an integrated approval for the project • The need to provide ongoing protection of the project infrastructure that is visible within the planning system. <p>See Section 4 of this document for more detail.</p>
Does the amendment implement the objectives of planning and address any environmental, social and economic effects?	<p>The potential environmental, social and economic effects of the construction and operation of Melbourne Metro have been considered through the EES process under the <i>Environment Effects Act 1978</i> and in accordance with the scoping requirements published by the Minister for Planning.</p>

Strategic consideration	Response
Does the amendment address bushfire risk?	Not applicable to this amendment.
Does the amendment comply with all the relevant Minister's Directions?	<p>The amendment complies with all the relevant Minister's Directions including:</p> <ul style="list-style-type: none"> • Form and Content of Planning Schemes • No. 9 Metropolitan Strategy • No. 11 Strategic Assessment of Amendments.
Does the amendment support or implement the State Planning Policy Framework (SPPF)?	<p>The amendment supports and implements the State Planning Policy Framework.</p> <p>See the Explanatory Report and EES Technical Appendix E <i>Land Use and Planning</i> for more detail.</p>
Does the amendment support or implement the Local Planning Policy Framework (LPPF)?	<p>The amendment supports and implements the Local Planning Policy Framework of the relevant planning schemes.</p> <p>See the Explanatory Report and EES Technical Appendix E <i>Land Use and Planning</i> for more detail.</p>
Does the amendment make proper use of the Victoria Planning Provisions (VPP)?	<p>Using an Incorporated Document for construction and a schedule to the Design and Development Overlay during construction and operation make proper use of the Victoria Planning Provisions.</p> <p>See Section 4 of this document for more detail.</p>
How does the amendment address the views of any relevant agency?	<p>The amendment has been developed in consultation with the Department of Environment, Land, Water and Planning (DELWP) together with the four municipalities covered by the amendment.</p> <p>See Section 5 of this document and the Explanatory Report for more detail.</p>
Does the amendment address the requirements of the <i>Transport Integration Act 2010</i> ?	<p>Melbourne Metro (and this amendment) has been developed having regard to the transport system objectives and decision making principles under the <i>Transport Integration Act 2010</i>.</p> <p>See the Explanatory Report for more detail.</p>
What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?	<p>The new planning provisions are not expected to have an material impact on the resource and administrative costs of the responsible authority.</p> <p>See the Explanatory Report for more detail.</p>

2 Melbourne Metro background

2.1 The Melbourne Metro

Melbourne Metro is one of the largest infrastructure projects ever undertaken in Australia. The Project would lead the transformation of Melbourne's rail network into an international-style metro system, boosting the capacity of the rail network to keep pace with Melbourne's growing and changing travel needs as the city heads towards a population of six million over the next 20 years.

Generally, the Melbourne Metro comprises:

- Twin nine-kilometre rail tunnels from Kensington to South Yarra connecting the Sunbury and Cranbourne/Pakenham railway lines (with the tunnels to be used by electric trains)
- Rail tunnel portals (entrances) at Kensington and South Yarra
- New underground stations at Arden, Parkville, CBD North, CBD South and Domain with longer platforms to accommodate longer High Capacity Metro Trains (HCMTs). The stations at CBD North and CBD South will feature direct interchange with the existing Melbourne Central and Flinders Street Stations respectively
- Train/tram interchange at Domain station
- A rail turnback at West Footscray Station.

Proposed construction methods would involve bored and mined tunnels, cut and cover portals and stations at Arden, Parkville and Domain, mined cavern stations at CBD North and CBD South. Melbourne Metro would require planning, environmental and land tenure related approvals to proceed.

The project is located across the municipalities of Melbourne, Port Phillip, Stonnington and Maribyrnong and is therefore subject to the provisions of their planning schemes. Figure 2-1 shows the location of Melbourne Metro within the context of boundaries of these municipalities.

High-level project objectives set by MMRA have established the broad strategic direction and guided the development of the Melbourne Metro. These include:

- Provide additional capacity on Melbourne's rail system to meet customer needs that, as part of a program of investment, meets projected medium-term demand and supports long-term patronage growth
- Optimise the efficiency and reliability of operations and improve the customer experience by moving towards a metro-style rail system
- Support the long-term plan and vision to develop and operate Victoria's rail network
- Improve access and reduce congestion of the tram system in Central Melbourne and the road network in the north, west and south east by diverting travel to the rail network
- Improve accessibility to jobs, education and other social and economic opportunities by enabling the growth and more effective use of land in Melbourne

- Deliver strong productivity, sustainability and liveability benefits by providing a value for money transport solution
- Contribute to a safe, accessible rail network that supports the health and wellbeing of users.

The overall duration of the construction phase for Melbourne Metro, from award of the main contract to commencement of passenger services, would be approximately ten years. The infrastructure will be designed for operation over 100 years.

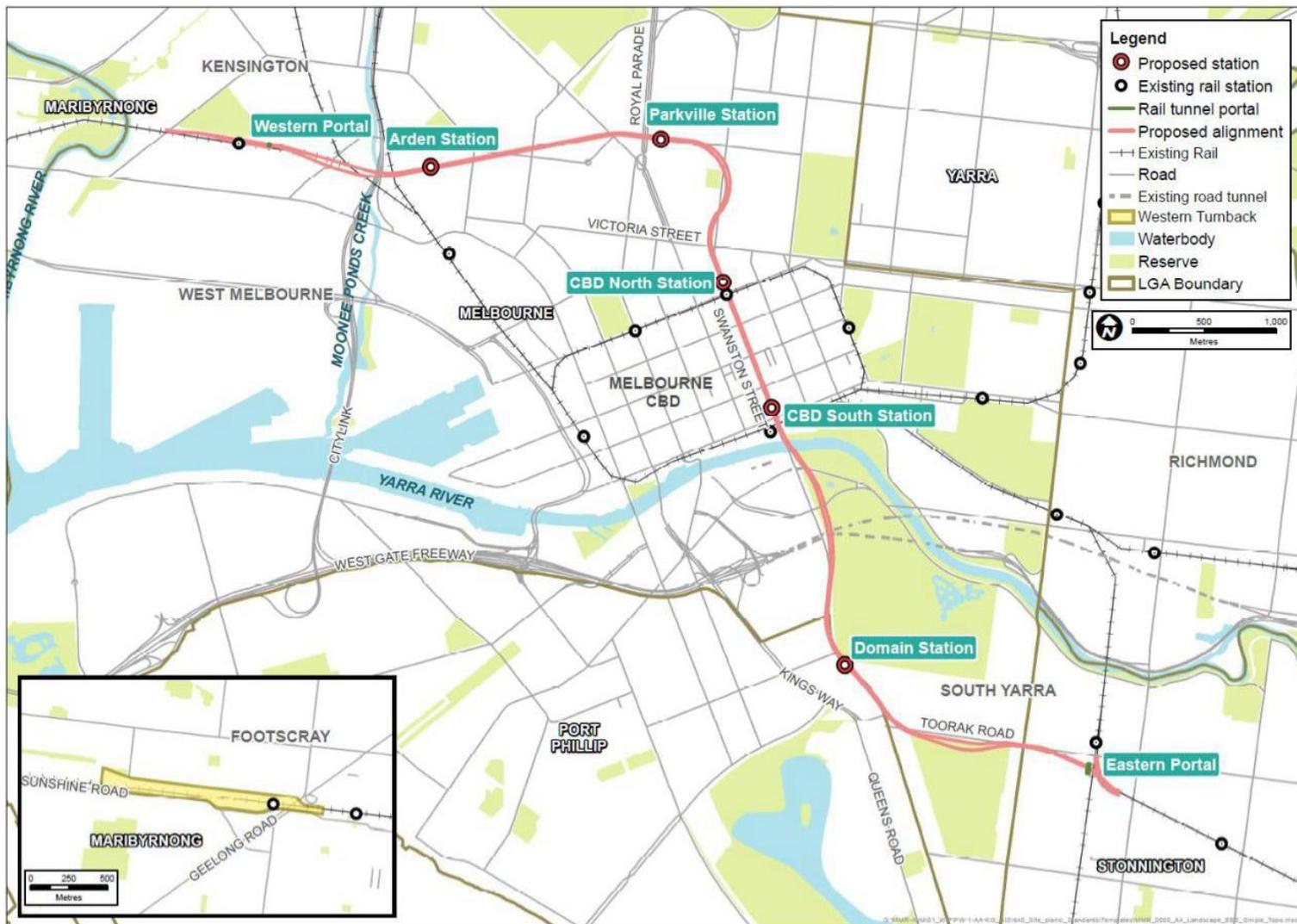


Figure 2-1: Location of Melbourne Metro and municipal boundaries

3 Strategic considerations

In preparing an amendment, consideration must be given to evaluating and including a discussion about how the amendment addresses the strategic considerations in the explanatory report, as well as an assessment of the impact of the new planning provision on the resource and administration costs of the responsible authority. This section addresses these requirements. A copy of the explanatory report is contained in Appendix A to this document.

3.1 Strategic rationale for the Melbourne Metro

Melbourne's rail network is under pressure and approaching capacity from a number of factors including population growth, record public transport patronage, the geographic separation of employment growth from areas of residential growth, and the increasing demand for access to Central Melbourne.

Melbourne Metro provides the foundation for further expansion of Melbourne's public transport network, helping to ensure Melbourne remains one of the world's most liveable cities now and into the future. Melbourne Metro would also catalyse significant urban renewal in a number of places, opening up opportunities for new housing, commercial development and jobs close to the city centre.

Melbourne Metro would deliver a substantial uplift in capacity across the rail network, allowing more people to travel by train in the morning and evening peak periods. It would also improve the connectivity and accessibility of Melbourne's high growth areas, catalyse urban renewal and open up opportunities for new housing, commercial development and jobs close to the city centre. It would facilitate the transition of Melbourne's rail network into an international-style metro system and provide opportunities for further expansion of the network. As described in Chapter 1 of the EES, metro-style systems are characterised by:

- Stand-alone, end-to-end lines, that prevent service disruptions on one line from cascading across other lines
- Simple timetables with 'turn up and go' frequency and consistent stopping patterns
- Frequent services designed to facilitate interchange with other train lines at stations, as well as connecting with trams and buses
- Separate train fleets, maintenance and stabling facilities for each line
- Modern high capacity signalling technology to maximise the number of trains that can operate on each line
- High Capacity Metro Trains (HCMTs) that are longer, can carry more passengers and are designed to minimise boarding and alighting times
- Grade separations of level crossings.

3.2 Is it supported by or is it a result of any strategic study or report?

3.2.1 Investing in Transport report

In 2006, the Victorian Government appointed Sir Rod Eddington to lead an independent investigation into the best transport solutions for connecting Melbourne's eastern and western suburbs. The report of Eddington's study, *Investing in Transport*, documented the investigation of east-west transport volumes and patterns, the existing capacity of transport infrastructure, options to address capacity constraints and future demand and funding issues.

Key findings of the study included:

- Melbourne's strong economic and population growth means that there will be a very substantial increase in demand for travel
- Melbourne's economic success is increasingly less dependent upon traditional industries such as manufacturing and more dependent upon 'knowledge' and 'business' services. This shift is generating different patterns of travel
- In the future, Melbourne will need a flexible, fully connected transport network to reduce road and rail congestion and would support a modern economy
- Many high income, highly sought after jobs will continue to be located in the CBD and inner urban region. This would place further pressure on peak period transport connections to the central city
- Melbourne's long-term prosperity would require the city to find new ways to succeed and grow in a carbon-constrained world. Higher levels of investment in public transport are vital, as is the development of urban areas that are conducive to walking and cycling
- Transport issues are more pressing in the west: Strong population growth is outstripping local employment growth in the city's west, creating significant travel pressures as more people travel to the city and to the inner- and middle-eastern suburbs for work or business.

To address these and other issues, the *Investing in Transport* report recommended construction of a new 17 km rail tunnel linking Melbourne's fast-growing western and south-eastern suburbs to deliver a 'generational step-up' in the city's rail capacity and Melbourne's first 'metro' style passenger line.

3.2.2 Previous project development

Following the *Investing in Transport* report, further work was undertaken to develop the rail tunnel concept. A summary of these studies and investigations is provided below:

- 2009 – Infrastructure Australia released its first assessment of the Melbourne Metro Stage One project and classified it as 'Ready to Proceed'
- 2010 to 2011 – Business cases for Melbourne Metro Stage One to Domain (2010) and subsequently (following value engineering) Melbourne Metro Stage 2 to South Yarra (2011) were completed

- 2012 to 2013 – Following further value engineering of the 2011 alignment and variations in scope and initial operations from the former Melbourne Metro Stage One to Domain business case, Infrastructure Australia classed Melbourne Metro as a new ‘Threshold’ project on its National Priority List. This list sets out a pipeline of infrastructure projects across four categories: Early Stage, Real Potential, Threshold and Ready to Proceed. ‘Threshold’ projects have strong economic merit, but are not ready to proceed due to a small number of outstanding issues
- 2015 – Following further investigation of a number of capital investment options, an update of the earlier Melbourne Metro business cases assessed the preferred option of linking Melbourne Metro from Kensington to South Yarra via two nine kilometre tunnels in a single stage. MMRA has developed this updated Melbourne Metro business case to inform consideration of the project by the Australian and Victorian Governments. The Melbourne Metro Business Case was released in February 2016 and can be viewed on the MMRA website.

Melbourne Metro has been developed within the context of existing legislation, policies and plans at the national and state levels. Melbourne Metro is supported by all relevant transport and land use planning strategies that have been published or adopted by the Australian and Victorian governments, and has been designed with regard to the transport system objectives and decision-making principles of Victoria’s *Transport Integration Act 2010*.

3.2.3 Plan Melbourne

Plan Melbourne is the metropolitan planning strategy that would guide Melbourne’s growth to 2050. The Plan sets out a vision for the future and provides a blueprint that would shape how people in greater Melbourne would live and work over the next 40 years.

Plan Melbourne contains policies and strategies that address transport, housing, economic development, and the environment across Melbourne. It envisages an integrated transport system connecting people to jobs and services, and goods to markets. The key transport challenges nominated in the plan are to ensure sufficient commuter capacity on the city’s public transport and road networks, and to ensure Victoria maintains a competitive advantage in freight and logistics. These challenges are reflected in the State Planning Policy Framework in Clause 11.04-1 and Clause 11.04-3:

- Plan for the expanded central city to become Australia’s largest commercial and residential centre by 2040
- Transform the transport system to support a more productive central city
- Improve access to job-rich areas across Melbourne and strengthen transport networks in existing suburbs.

Plan Melbourne is being refreshed to reflect community and expert priorities. The *Plan Melbourne Refresh discussion paper* (released in October 2015) acknowledges the ‘big challenges’ facing Melbourne as a result of projected population growth and the need to upgrade the city’s transport system to respond to growth pressures. The discussion paper notes that “as the city grows, Melbourne’s transport network will be under increasing pressure which will impact on productivity and the city’s liveability. Building new transport infrastructure will be a key part of responding to increased demand, particularly in the fast growing parts of the city”. Melbourne Metro is clearly aligned with the directions outlined in the discussion paper.

4 Why is a planning scheme amendment required?

4.1 Rationale

The *Planning and Environment Act 1987* contains two mechanisms which could be used to approve Melbourne Metro under the four planning schemes – planning permits and the planning scheme amendment process. A planning permit process is the traditional mechanism used to obtain planning approval to use or develop land, and is most often used for a project with a limited amount of planning approval triggers and/or land parcels.

Planning scheme amendments are often used for large scale and/or linear projects which affect a large number of titles or impact on multiple municipalities as they provide for a more coordinated and integrated approval mechanism. It is also used in cases where a planning scheme amendment would provide for a more streamlined approval process due to the complexity, urgency or importance of the project to the State or a region. Planning scheme amendments can be facilitated by Councils or by the Minister for Planning.

As an overall summary, Melbourne Metro affects 17 zones and 30 overlays in the City of Melbourne, three zones and six overlays in the City of Port Phillip, six zones and eight overlays in the City of Stonnington and two zones and three overlays in the City of Maribyrnong. The zones and overlays contain an estimated 81 planning triggers. There are likely to be additional permit triggers in the particular provisions and general provisions of each planning scheme. A complete list of these zones and overlays and other planning scheme provisions, together with maps, is contained in EES Technical Appendix E *Land Use and Planning*.

The most appropriate mechanism available by which Melbourne Metro could be approved under the provisions of the *Planning and Environment Act 1987* is a planning scheme amendment. Given the extent of planning permit triggers across Melbourne, Port Phillip, Stonnington and Maribyrnong, the number of stakeholders (in addition to the Councils) with an interest in the Melbourne Metro, the consultation and planning and environmental assessments undertaken as part of the EES process and the need to provide an integrated approval, it is considered appropriate that the Melbourne Metro is facilitated by the Minister for Planning. This would ensure delivery of this State and regionally significant project which provides improved public transport for Melbourne as well as consistency across the four planning schemes that Melbourne Metro traverses.

The *Planning and Environment Act 1987* allows the Minister to prepare, adopt and approve a planning scheme amendment. Affected parties will have an opportunity to comment on the draft planning scheme amendment which is contained in EES Technical Appendix A.

In light of the timing imperatives for efficient delivery of the Project, it is anticipated that the MMRA will request the Minister to prepare, adopt and approve a planning scheme amendment for the Project. The Minister has also appointed the members of the EES Inquiry as an Advisory Committee under Section 151 of the *Planning and Environment Act 1987* to advise the Minister in respect of the draft planning scheme amendment.

The draft planning scheme amendment would provide for the:

- ability to create uniform control across the Melbourne Metro area which streamlines communication of on-ground compliance requirements
- ability to significantly reduce administrative burden on Councils, by removing the need to address numerous individual planning permit triggers through the planning system
- reduction in the complexity of the planning approvals for Melbourne Metro, providing transparency for the community and stakeholders and reduction in time delays
- higher likelihood of achieving holistic environmental outcomes as Melbourne Metro would have greater and more direct oversight over planning and construction aspects
- timely delivery of Melbourne Metro.

By making the Minister for Planning the responsible authority for the Melbourne Metro, the schedule to Clause 61.01 in all relevant planning schemes would need to be amended.

4.2 Incorporated Document

Including a new Incorporated Document to the Schedule to Clause 52.03 (Specific Sites and Exclusions) and Schedule to Clause 81.01 of each of the relevant planning schemes has been selected as the most appropriate tool to regulate the development and use of land for Melbourne Metro. Clause 52.03, which would give legal effect to the Incorporated Document, has two purposes:

- To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date
- To provide, in extraordinary circumstances, specific controls designed to achieve a particular land use and development outcome.

Using an Incorporated Document as the planning control for a project under clause 52.03 is common for large scale or linear projects which impact on multiple municipalities or traverse a mosaic of different zone and overlay controls with different purposes and permit triggers, or where and has the effect of creating a planning control specific to a particular project on a particular site.

Incorporated documents are tailor made for individual projects and would exempt the need for individual planning permits to be applied and issued for Melbourne Metro (and ancillary activities) under any other provision of the four relevant planning schemes by each of the Councils. Development would be undertaken in accordance with the specific conditions contained within the Incorporated Document without further planning approval being required.

It is appropriate to give effect to an Incorporated Document under clause 52.03 to regulate the development of Melbourne Metro because. In line with the purposes of clause 52.03, the Incorporated Document will recognise that:

- Specific planning controls are required to enable to endorsement of plans and to appropriately regulate the environmental effects of Melbourne Metro, especially during its construction
- The nature of Melbourne Metro is an 'extraordinary circumstance' which justifies its use. It is a linear infrastructure projects which traverse beneath a large number of different zones and overlays, each with different purposes and permit triggers, yet for the most part will not affect or undermine the land use and built form outcomes which those zones and overlays seek to encourage or achieve. This is particularly so for Melbourne Metro because it is mostly underground, and will not impact upon the use and development of the land surface.

The proposed conditions of this particular Incorporated Document have been structured to allow for the Melbourne Metro's development and use as well as ancillary activities in stages, if required.

Environmental Management Framework

The Environmental Management Framework (EMF) provides a transparent and integrated governance framework to manage environmental aspects as described in the EES for design, construction and operation phases of the project.

The EMF includes the recommended Environmental Performance Requirements that define the project-wide environmental outcomes that must be achieved during design, construction and operation of Melbourne Metro (regardless of the design solutions adopted). This performance-based approach aims to achieve outcomes that provide a net community benefit, while allowing for a delivery model with sufficient flexibility to encourage innovation by the private sector to determine how any recommended Environmental Performance Requirements would be achieved. The Environmental Performance Requirements have been derived from the specialist impact assessments prepared for the EES and address the following areas:

- Aboriginal and Historical Cultural Heritage
- Air quality
- Biodiversity (terrestrial and aquatic)
- Business
- Contaminated land and spoil management
- Greenhouse Gas
- Ground movement

- Ground water
- Land use and planning
- Landscape and Visual
- Noise and vibration
- Social and community
- Surface water
- Transport.

The full list of the proposed EPRs is contained in Chapter 23 *Environmental Management Framework* of the EES.

Prior to the commencement of any buildings or works associated with the Project, the Environmental Management Framework must be submitted to and endorsed by the Minister for Planning. Compliance with the Environmental Performance Requirements would be the subject of Independent Audit and reporting as set out in the draft Environmental Management Framework documented in Chapter 23 of the EES. Amendments to Environmental Performance Requirements will follow the change management process as set out in the draft Environmental Management Framework at Chapter 23 of the EES.

The Environmental Performance Requirements define the outcomes that the Melbourne Metro must achieve during its construction and operation. Defining clear outcomes to be achieved allows the contractor to determine the best approaches to achieving the Environmental Performance Requirements, creating opportunities for innovative, flexible and value for money solutions. If Melbourne Metro proceeds, the recommended Environmental Performance Requirements outlined in Chapter 23 of the EES would be implemented (if approved) and delivery of the Melbourne Metro would be required to comply with these requirements. Once approved, compliance with the Environmental Management Framework and the Environmental Performance Requirements will be enforced by MMRA through the contractual arrangements for delivery of the project.

The Environmental Management Framework would also require MMRA to prepare an overarching Melbourne Metro Environmental Management System (EMS). Each appointed contractor for Melbourne Metro would be required to comply with the Environmental Management Framework, the Melbourne Metro EMS, its own EMS and the Environmental Performance Requirements. Contractors would have to demonstrate their approach to achieving compliance with all aspects of the EMF through the development of Environmental Management Plans (EMPs) for the construction and operations phases of the Melbourne Metro.

Development Plans

Development Plans are required for each of the above ground components and undergrounds areas from stations entrances to the ticket gate and must include a site layout plan, architectural, landscape and public realm plan and elevations as well as a response to the Urban Design Strategy.

A summary of consultation with key stakeholders must accompany the Development Plan when submitted to the Minister for Planning. The plans must be approved by the Minister for Planning prior to the commencement of any development to which a Development Plan relates.

Urban Design Strategy

Prior to the submission of Development Plans, an Urban Design Strategy must be submitted to and endorsed by the Minister for Planning. A draft of the Urban Design Strategy can be seen at EES Appendix M *Urban Design Strategy*.

Early Works Plan

Early Works identified in the EES for the Project may be carried out before a Development Plan is approved, provided that the Minister for Planning has approved an Early Works Plan for such works.

A summary of consultation with key stakeholders must accompany the Early Works Plan when submitted to the Minister for Planning. The plans must be approved by the Minister for Planning prior to the commencement of any early works.

4.3 Protection of the Melbourne Metro

4.3.1 Issues to be addressed

The purpose of the Incorporated Document is to regulate the use and development of land for Melbourne Metro under the relevant planning schemes. A further control is considered desirable to protect the tunnels, station and other infrastructure during the construction and operation of Melbourne Metro from inconsistent developments. The issues to be addressed by this further control include:

- Avoiding direct contact with, and providing a safe working clearance around, Melbourne Metro structures
- Avoiding loading onto Melbourne Metro structures that leads to structural damage with an associated reduction of structural capacity, damage detrimental to the serviceability of the structures (leading to effects such as increased leakage of groundwater into the underground structures), and displacement of Melbourne Metro assets to the detriment of operations
- Avoiding excavations or other unloading of the ground around Melbourne Metro underground assets that would generate unfavourable reduction in the stresses in the ground that leads to structural, serviceability, or operational damage of Melbourne Metro assets
- Avoiding construction methods or operations in the development that would generate unacceptable levels of vibration in Melbourne Metro structures and equipment
- Avoiding new development works that rely upon direct structural support from Melbourne Metro assets unless specifically envisaged in Melbourne Metro design.

A number of legal and regulatory options have been considered that could best address these issues. These options are discussed below.

4.3.2 Consideration of options to protect the Melbourne Metro

4.3.2.1 Summary of options

Three options to protect the tunnels have been considered. These options are not in all cases mutually exclusive:

- A legislative approach. This could include an amendment to the scope of Section 54 of the *Transport (Compliance and Miscellaneous) Act 1983* to require persons who propose to develop land along or in the immediate proximity of the Melbourne Metro to obtain approval from VicTrack (the authority owning and managing of railway land and assets in Victoria) as was done for the Melbourne Underground Rail Link (City Loop). Alternatively, project-specific legislation could be enacted
- Amending the planning schemes to introduce a schedule to the Design and Development Overlay
- Amending the Victoria Planning Provisions by including:
 - a new particular provision in clause 52 of the relevant planning schemes to describe the type and location of permit applications that need to be referred to a referral authority
 - introducing a project-specific overlay
 - amending clause 66.02 to describe the type and location of permit applications that need to be referred to a referral authority.

When developing the draft planning scheme amendment within the current statutory regime and using existing planning controls, MMRA was concerned to balance the need to protect Melbourne Metro from inappropriate development, whilst also achieving visibility in the planning system and integration with the planning permit process. Early consideration of the project infrastructure by future development will assist design and decision-making for those developments.

The options to protect Melbourne Metro are considered in more detail below.

4.3.2.2 Legislative amendments

The City Loop was initially protected by the *Melbourne Underground Rail Loop Act 1970*. This Act provided that until the City Loop had been constructed, any person who proposed to develop any land or any building or erection along the line or in the immediate proximity of the line, as shown in a plan, was required to submit to the rail authority full details of the proposed development. In addition, the land owner was also required to comply with any conditions imposed by the authority necessary to protect the City Loop.

After completion of the City Loop, similar provisions were included with respect to the completed rail tunnels. These provisions are now contained in the *Transport (Compliance and Miscellaneous) Act 1983*. The Act provides that if notice is not given prior to the construction of the proposed development, the rail authority may require demolition of the structure or the making of alterations.

The key benefits of a legislative amendment are that it has a demonstrable record of success with the City Loop and would provide clear and emphatic statutory protection of the tunnels from any development. Legislation would give the Secretary a power of veto over inconsistent development that would not be subject to merits review in the Victorian Civil and Administrative Tribunal (VCAT).

A key limitation of this option is that there would be nothing registered on title or within the relevant planning scheme that would notify existing or potential landowners of the existence of these statutory restrictions. The Secretary's consideration of the applicants proposed development would occur in isolation from the planning permit process.

4.3.2.3 Amending the VPPs or planning schemes

Referral Authority

Clause 66 of the Victoria Planning Provisions lists the kinds of permit applications that must be referred to the referral authorities listed in that clause in accordance with Section 55 of the *Planning and Environment Act 1987*. This section requires a responsible authority, when it receives a planning permit application, to seek comments from a referral authority with respect to that application.

If the referral authority is a *determining referral authority*, then any comments and conditions required by that authority **must** be included in any planning permit the responsible authority decides to issue. A responsible authority also **must** refuse to grant a permit if a relevant *determining referral authority* objects to the grant of the permit.

Consideration has been given to amending the schedule to clause 66.02 of the relevant planning schemes to include the Secretary and VicTrack as *determining referral authorities* for permit applications in the vicinity of Melbourne Metro. However, this is not of itself a complete solution and would need to operate in tandem with another planning control that is designed to protect Melbourne Metro infrastructure from inappropriate developments.

A further consideration is how to define the circumstances in which permit applications must be referred to the Secretary. Given the necessity to protect Melbourne Metro infrastructure, it has been assumed that the obligation on responsible authorities to refer permit applications to the Secretary would need to apply to land within an identified area in the vicinity of the Melbourne Metro infrastructure.

A planning control designed to achieve these aims could conceivably be achieved through applying a schedule to the DDO along the alignment or amending the Victoria Planning Provisions. These options are considered below.

Design and Development Overlay

The first option considered was to amend the relevant planning schemes by applying an overlay to land in the vicinity of the Melbourne Metro tunnels, stations and other infrastructure. The DDO was considered the best option from existing overlay controls in the Victoria Planning Provisions.

The purpose of a DDO is to identify areas which are affected by specific design and built form requirements. A new DDO schedule for Melbourne Metro would enable responsible authorities to consider the design and loading of new developments and their implications for Melbourne Metro by creating a planning permit trigger within the DDO area. This could operate in conjunction with clause 66.04, requiring applications under the DDO to be referred to the Secretary or VicTrack as relevant. The Future Development Loading report is included in the EES Technical Appendix E *Land Use and Planning* and sets out the technical assessment of the land to which the DDO would apply – essentially the land where development has the potential to adversely affect the Melbourne Metro infrastructure, but where careful design or construction techniques could be utilised so that development can proceed safely.

The spatial area of a DDO schedule could be included in planning scheme maps that would notify relevant authorities, landowners and developers of the location of Melbourne Metro and the requirements imposed on development applications to protect Melbourne Metro infrastructure. Vendor statements under the *Sale of Land Act 1962* would also need to specify the presence of the overlay control.

There are a number of limitations with using an overlay as opposed to amending clause 52. These are that DDOs have typically been used to meet design objectives rather than to control particular forms of building and do not control the use of land at all. However, the Cities of Melbourne, Port Phillip and Stonnington have all used the DDO tool to manage design and built form within their municipalities and would be familiar with the DDO provisions and its implementation.

A DDO would also provide permit applicants with a right of review in VCAT to overturn decisions of responsible authorities, notwithstanding the fact that the Secretary or VicTrack may view the proposed development as a threat to the integrity or operation of Melbourne Metro. It would therefore be important for the design objectives and decision guidelines to give clear guidance as to the importance of safety considerations and weight to be given to the referral authority's views in that respect. Any application for review to VCAT would be required to clearly demonstrate on strong engineering grounds why the application should be approved or any condition designed to protect the Melbourne Metro be varied. It is also noted that the Minister for Planning retains the power to call in and determine planning or review applications.

Introducing a new project-specific Overlay

An alternative to a DDO schedule would be to amend the Victoria Planning Provisions to include a project-specific overlay. Such an overlay could enable the spatial extent to which the overlay applies to be included in planning scheme maps, and regulate the development of land within the overlay area. It could also include design objectives and decision guidelines in the same way as a DDO schedule. It is anticipated that a project-specific overlay would apply to the same land to which the DDO would apply, using the rationale set out in the Future Development Loading report included in the EES Technical Appendix E *Land Use and Planning*.

The key benefit of applying a project-specific overlay is that it could provide stronger tunnel protection than a DDO schedule. For example, it could remove VCAT's review function by prohibiting particular forms of development, or prohibit a development that, in the Secretary's opinion, would or may compromise the structural integrity or operational capacity of Melbourne Metro. This would give the State the power in deciding whether a permit application to undertake development could affect Melbourne Metro. However, a project-specific overlay could not prohibit or regulate a land use.

There is the CityLink precedent for including a project-specific overlay. The CityLink approach utilised a project-specific overlay to facilitate the use and development of the project while also setting up a referral trigger to regulate future development over tunnels and other infrastructure. Melbourne Metro's approach differs to CityLink as this project proposes an incorporated document to facilitate the use and development of the project, whilst using an overlay control to regulate future development in proximity to tunnels, station and other infrastructure.

Amending clause 52

A further option would be to amend the Victoria Planning Provisions by introducing a new Particular Provision that defines the locations to which it applies (for example, by reference to plans attached or referred to in the Incorporated Document). The Particular Provision could include controls over development of land that have the potential to threaten Melbourne Metro infrastructure. Again, it is anticipated that a new Particular provision would apply to the same land to which the DDO would apply, using the rationale set out in the Future Development Loading report that is included in the EES Technical Appendix E *Land Use and Planning*.

The role of Public Transport Victoria as a determining authority is an example of the utilisation of clause 66 together with a Particular provision in clause 52 of the Victoria Planning Provisions. Clause 52.36 is titled 'Integrated Public Transport Planning,' and its purpose is to support public transport usage, to ensure that development provides access to public transport, incorporates safe, attractive and convenient pedestrian access to public transport stops and does not adversely affect the efficient, equitable and accessible operation of public transport. Clause 52.36 requires certain types of applications to be referred such as large residential developments (eg comprising 60 or more dwellings or lots); new retail premises of over 4,000 square metres; and office development of 10,000 square metres to be referred to Public Transport Victoria (PTV).

Unlike a project-specific overlay or DDO, a Particular Provision could prohibit development and land use. This means that a particular provision for Melbourne Metro could remove VCAT's review function by prohibiting particular forms of land use or development, either by way of listing those uses in the conventional sense or prohibiting a use or development that, in the Secretary's opinion, would or may compromise the structural integrity or operational capacity of Melbourne Metro. This would give the State ultimate power in deciding whether a permit application for a change in land use or development could affect Melbourne Metro in much the same way that it presently does for City Loop. Although protecting the project infrastructure, the key disadvantage of this option is that the spatial operation of a Particular Provision would not be included in planning scheme maps and would not necessarily be identified in standard planning certificates for prospective purchasers of affected properties.

It is noted that the Minister for Planning has powers under the *Planning and Environment Act 1987* to prepare, adopt and approve an amendment to the Victoria Planning Provisions, together with any consequent amendment to one or more specified planning schemes.

4.3.2.4 Concept Design and Development Overlay

Given the scale of Melbourne Metro, the number of properties it passes under and its impact on multiple municipalities, MMRA's preference was to clearly identify the area in which tunnel protection considerations will arise in the planning schemes. This would ensure that proponents of future development that may affect Melbourne Metro assets will become aware of the potential issues through normal planning processes and vendor statements, and can plan development accordingly.

The draft planning scheme amendment exhibited at Technical Appendix A of the EES assumes and is based on existing statutory provisions, and uses existing planning controls in the VPPs. Of those controls, MMRA considered a new schedule to the DDO to be the most appropriate tool to protect Melbourne Metro from inappropriate development. A draft DDO forms part of the suite of potential planning controls in the draft planning scheme amendment for Melbourne Metro. The draft DDO, if approved, would operate in tandem with the establishment of easements, title acquisition and strata acquisition.

If it is determined that the Project objectives can be better achieved through an amendment to the VPPs by including a new project-specific overlay or Particular provision, MMRA will work with the Minister for Planning and his Department to progress this prior to requesting that the Minister exercise his powers under the *Planning and Environment Act 1987* to prepare, adopt and approve the amendment to the VPP and associated planning scheme amendments. The schedules to the DDO are proposed to be introduced into the relevant planning schemes at clause 43.02. By including a referral requirement, the schedule to clause 66.04 of the relevant planning schemes also need to be amended.

4.4 What would the draft amendment intend to do?

The amendment changes the Melbourne, Port Phillip, Stonnington and Maribyrnong Planning Schemes to:

- Amend the Schedule to Clause 52.03 'Specific Sites and Exclusions' to facilitate planning approval for the Melbourne Metro Rail Project in accordance with the specific control in the 'Melbourne Metro Rail Project Incorporated Document, April 2016'
- Amend the Schedule to Clause 61.01 to make the Minister for Planning the responsible authority for the provision which apply to the use and development of land for the Melbourne Metro Rail Project
- Amend the Schedule to Clause 81.01 to inset an incorporated document titled 'Melbourne Metro Rail Project Incorporated Document, April 2016'.

The amendment also changes the Melbourne Planning Scheme to:

- Amend Planning Scheme Maps 4DDOPT1, 5DDOPT1, 8DDOPT1, 11DDOPT7 to include a Design and Development Overlay over the Project's tunnels and associated structures

- Introduce a new Schedule to Clause 43.02 'Design and Development Overlay' to include Schedule 67 applying to land above, below, or in close proximity to the Project's tunnels, stations and associated infrastructure to require an application to be referred to the relevant referral authority, being the Secretary to the Department of Economic Development, Jobs, Transport and Resources until 31 December 2026, and thereafter VicTrack
- Amend the Schedule to Clause 66.04 to make the referral authority for permit applications required by the proposed Schedule 67 to Clause 43.02 the Secretary to the Department of Economic Development, Jobs, Transport and Resources until 31 December 2026, and thereafter VicTrack.

The amendment also changes the Port Phillip Planning Scheme to:

- Amend Planning Scheme Maps 4DDO to include a Design and Development Overlay over the Project's tunnels and associated structures
- Introduce a new Schedule to Clause 43.02 'Design and Development Overlay' to include Schedule 30 applying to land above, below, or in close proximity to the Project's tunnels, stations and associated infrastructure to require an application to be referred to the relevant referral authority, being the Secretary to the Department of Economic Development, Jobs, Transport and Resources the referral authority until 31 December 2026, and thereafter VicTrack
- Amend the Schedule to Clause 66.04 to make the referral authority for permit applications required by the proposed Schedule 30 to Clause 43.02 the Secretary to the Department of Economic Development, Jobs, Transport and Resources the referral authority until 31 December 2026, and thereafter VicTrack.

The amendment also changes the Stonnington Planning Scheme to:

- Amend Planning Scheme Maps 1DDO to include a Design and Development Overlay over the project's tunnels and associated structures
- Introduce a new Schedule to Clause 43.02 'Design and Development Overlay' to include Schedule 20 applying to land above, below, or in close proximity to the Project's tunnels, stations and associated infrastructure to require an application to be referred to the relevant referral authority, being the Secretary to the Department of Economic Development, Jobs, Transport and Resources the referral authority until 31 December 2026, and thereafter VicTrack
- Amend the Schedule to Clause 66.04 to make the referral authority for permit applications required by the proposed Schedule 20 to Clause 43.02 the Secretary to the Department of Economic Development, Jobs, Transport and Resources the referral authority until 31 December 2026, and thereafter VicTrack.

4.5 What is the desired outcome of the draft amendment?

The amendments would provide the basis to endorse the ultimate design of Melbourne Metro and ensure its development achieves the desired urban design and environmental performance outcomes. In so doing, the amendments will also ensure that project benefits would be realised.

4.6 Project Land and delivery of Melbourne Metro

The proposed Project Land encompasses the key locations that would be used for permanent structures and temporary construction work sites (both above and below ground). A plan showing the proposed Project Land is contained in Attachment 1 of the Incorporated Document. The assessments undertaken for the EES have informed the draft Project land exhibited with the draft amendment.

In due course, the Minister will appoint a project authority under Section 6 of the Act. Following the Minister for Planning's designation of a Project Area, the project authority will be able to exercise the project delivery powers described above.

5 Community and stakeholder engagement

Extensive consultation has been undertaken as part of the EES with both the community and agency stakeholders. A community and stakeholder engagement plan was prepared as part of the EES and is contained in EES Appendix C *Community and Stakeholder Feedback Report*.

The process for preparing the Melbourne Metro EES included the establishment of a Technical Reference Group (TRG) in line with typical process for an EES. The TRG was made up of the Cities of Melbourne, Port Phillip and Stonnington, EPA, Heritage Victoria, Melbourne Water, Office of Aboriginal Affairs Victoria, VicRoads, as well as the planning, urban design and environment sections of the DELWP, who have a statutory or policy interest in the Melbourne Metro.

The TRG was established in August 2015 and has met during the preparation of the EES. The draft planning scheme amendment was reviewed by the TRG during this process. Further MMRA has also undertaken detailed consultation on the draft planning scheme amendment with relevant councils, DELWP and VicTrack.

The public exhibition phase of the EES will allow the community to provide submissions and feedback on the draft amendment, which will be considered by the Advisory Committee and ultimately by the Minister for Planning.

6 Conclusion

Melbourne Metro is a transformational project that will deliver major long term benefits for Melbourne and Victoria. To allow the efficient and effective delivery of the project, considers it appropriate that the Minister for Planning has planning oversight of this State and regionally significant project.

Having regard to Melbourne Metro's scale and magnitude, the large number of zones and overlays traversed by the alignment, and hence a large number of permit triggers, it is desirable to have consistency across the four planning schemes in how the project design is endorsed and how its delivery is regulated.

Consequently, MMRA submits that the Minister for Planning should, in the interests of Victoria, prepare, adopt and approve draft planning scheme amendment GC45 under the *Planning and Environment Act 1987*, either in the form proposed including a Design and Development Overlay, or effecting the necessary amendments to legislation or the Victoria Planning Provisions to implement one of the alternative tunnel protection mechanisms discussed in this report.

Appendices

Appendix A

Draft Explanatory Report

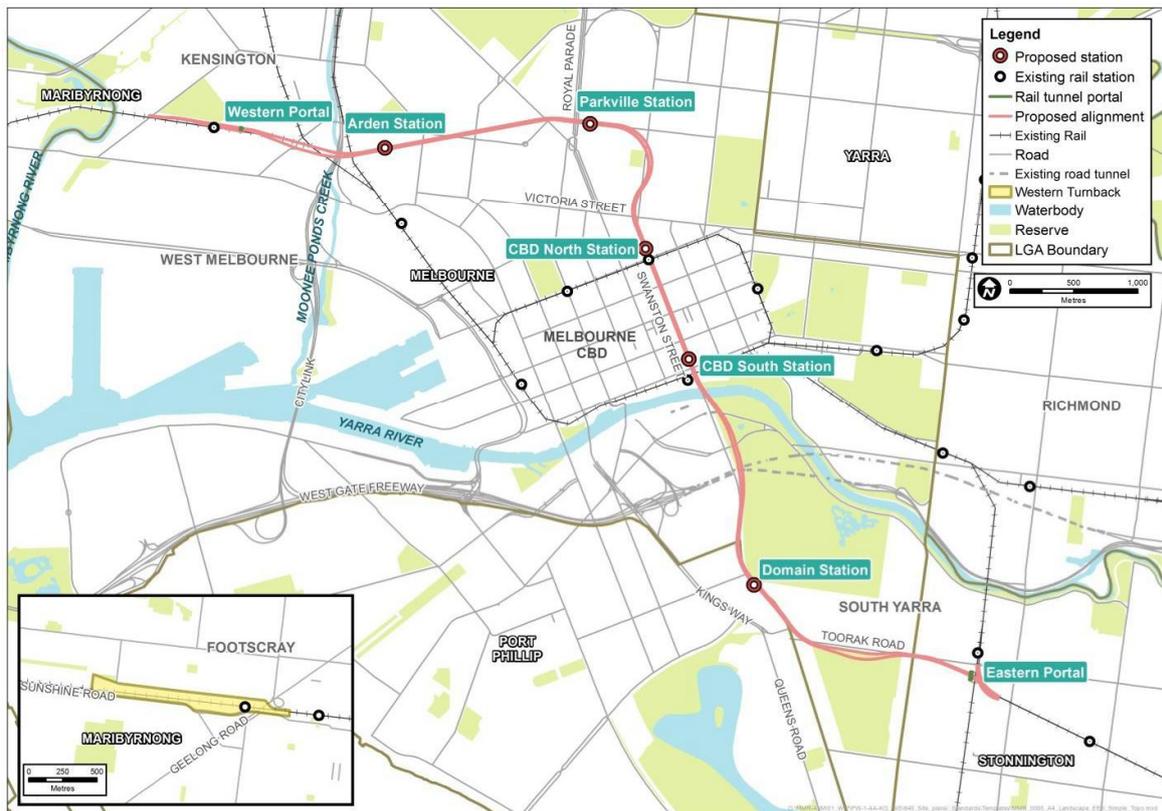
**MELBOURNE PLANNING SCHEME
PORT PHILLIP PLANNING SCHEME
STONNINGTON PLANNING SCHEME
MARIBYRNONG PLANNING SCHEME
AMENDMENT GC45
EXPLANATORY REPORT**

Who is the planning authority?

This amendment has been prepared by the Minister for Planning, who is the planning authority for this amendment.

The amendment has been made at the request of Melbourne Metro Rail Authority.

Land affected by the amendment



Detailed mapping of the land affected by the proposal is included with the accompanying Incorporated Document.

The amendment applies to land in the Cities of Melbourne, Port Phillip, Stonnington and Maribyrnong to be developed for the Melbourne Metro Rail Project.

Generally, the project comprises:

- Two nine-kilometre rail tunnels from Kensington to South Yarra, travelling underneath Swanston Street in Melbourne's Central Business District (CBD), connecting the Sunbury and Cranbourne/Pakenham railway lines. The tunnels would be used by electric trains

- New underground stations at Arden, Parkville, CBD North, CBD South and Domain. CBD North and CBD South would feature a direct interchange with the existing Melbourne Central and Flinders Street Stations respectively
- Train/tram interchanges at Parkville and Domain stations
- Rail portals at Kensington and South Yarra
- A rail turnback at West Footscray.

What the amendment does

The amendment changes the Melbourne, Port Phillip, Stonnington and Maribyrnong Planning Schemes to:

- Amend the Schedule to Clause 52.03 “Specific Sites and Exclusions” to facilitate planning approval for the Melbourne Metro Rail Project in accordance with the specific control in the “Melbourne Metro Rail Project Incorporated Document, April 2016”.
- Amend the Schedule to Clause 61.01 to make the Minister for Planning the responsible authority for the provision which apply to the use and development of land for the Melbourne Metro Rail Project.
- Amend the Schedule to Clause 81.01 to inset an incorporated document titled “Melbourne Metro Rail Project Incorporated Document, April 2016”.

The amendment also changes the Melbourne Planning Scheme to:

- Amend Planning Scheme Maps 4DDOPT1, 5DDOPT1, 8DDOPT1, 11DDOPT7 to include a Design and Development Overlay over the Project’s tunnels and associated structures.
- Introduce a new Schedule to Clause 43.02 “Design and Development Overlay” to include Schedule 67 applying to land above, below, or in close proximity to the Project’s tunnels, stations and associated infrastructure to require an application to be referred to the relevant referral authority, being the Secretary to the Department of Economic Development, Jobs, Transport and Resources until 31 December 2026, and thereafter VicTrack.
- Amend the Schedule to Clause 66.04 to make the referral authority for permit applications required by the proposed Schedule 67 to Clause 43.02 the Secretary to the Department of Economic Development, Jobs, Transport and Resources until 31 December 2026, and thereafter VicTrack.

The amendment also changes the Port Phillip Planning Scheme to:

- Amend Planning Scheme Maps 4DDO to include a Design and Development Overlay over the Project’s tunnels and associated structures.
- Introduce a new Schedule to Clause 43.02 “Design and Development Overlay” to include Schedule 30 applying to land above, below, or in close proximity to the Project’s tunnels, stations and associated infrastructure to require an application to be referred to the relevant referral authority, being the Secretary to the Department of Economic Development, Jobs, Transport and Resources the referral authority until 31 December 2026, and thereafter VicTrack.
- Amend the Schedule to Clause 66.04 to make the referral authority for permit applications required by the proposed Schedule 30 to Clause 43.02 the Secretary to the Department of Economic Development, Jobs, Transport and Resources the referral authority until 31 December 2026, and thereafter VicTrack.

The amendment also changes the Stonnington Planning Scheme to:

- Amend Planning Scheme Maps 1DDO to include a Design and Development Overlay over the project’s tunnels and associated structures.

- Introduce a new Schedule to Clause 43.02 “Design and Development Overlay” to include Schedule 20 applying to land above, below, or in close proximity to the Project’s tunnels, stations and associated infrastructure to require an application to be referred to the relevant referral authority, being the Secretary to the Department of Economic Development, Jobs, Transport and Resources the referral authority until 31 December 2026, and thereafter VicTrack.
- Amend the Schedule to Clause 66.04 to make the referral authority for permit applications required by the proposed Schedule 20 to Clause 43.02 the Secretary to the Department of Economic Development, Jobs, Transport and Resources the referral authority until 31 December 2026, and thereafter VicTrack.

Strategic assessment of the amendment

Why is the amendment required?

The Melbourne Metro Rail Project will lead the transformation of Melbourne’s rail network into an international-style metro system, boosting the capacity of the rail network to keep pace with Melbourne’s growing and changing travel needs as the city heads towards a population of six million over the next 20 years.

The Melbourne Metro Rail Project would also catalyse significant urban renewal in a number of places, opening up opportunities for new housing, commercial development and jobs close to the city centre.

The purpose of the amendment is to allow for the delivery and use of the Melbourne Metro Rail Project across the Cities of Melbourne, Port Phillip, Stonnington and Maribyrnong.

A GC planning scheme amendment is considered the most appropriate mechanism by which the Melbourne Metro Rail Project could be approved under the provisions of the Melbourne, Port Phillip, Stonnington and Maribyrnong Planning Schemes.

The use of an Incorporated Document would have the effect of exempting the Project from further planning approval, in accordance with the specific conditions contained within the Incorporated Document.

The Design and Development Overlay is proposed to be applied to land above, below, or in close proximity to the Project’s tunnels, stations and associated infrastructure to protect them from inappropriate development. The Design and Development Overlay is only proposed to be applied to the proposed Project Area in the Cities of Melbourne, Port Phillip and Stonnington as works no sub-surface assets are proposed within the City of Maribyrnong.

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

The amendment supports the objectives of planning in Victoria as set out in section 4 of the *Planning and Environment Act 1987*. The following objectives are particularly relevant to the amendment:

- to provide for the fair, orderly, economic and sustainable use, and development of land.
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.
- to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.
- to balance the present and future interests of all Victorians.

In facilitating planning approval for the use and development of land for the purposes of the Melbourne Metro Rail Project, the amendment will implement the objectives of planning in

Victoria as it will deliver a major capacity increase across the rail network that would not only benefit existing public transport users, but also provide the 'spine' for future expansions of the network to keep pace with Melbourne's growth.

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

The potential environmental, social and economic effects of the construction and operation of the Melbourne Metro Rail Project have been considered through the Environment Effects Statement (EES) process under the *Environment Effects Act 1978* and in accordance with the scoping requirements published by the Minister for Planning in November, 2015. This has involved input from a broad range of specialist disciplines which have informed the design of the project and the EES.

Does the amendment address relevant bushfire risk?

The amendment will not increase the risk to life, property, community infrastructure and the natural environment from bushfire.

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

Section 12(2)(a) of the *Planning and Environment Act 1987* requires that in preparing a planning scheme amendment, a planning authority must have regard to the Minister's Directions.

Ministerial Direction on the Form and Content of Planning Schemes

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

Ministerial Direction No. 9 Metropolitan Strategy

In relation to metropolitan strategy, the most relevant directions are:

- 3.1 – Transform the transport system to support a more productive central city; and
- 3.2 – Improve access to job-rich areas across Melbourne and strengthen transport networks in existing suburbs.

The amendment is consistent with the metropolitan strategy's policy direction by facilitating a project that:

- takes Melbourne's rail network towards a metro-style system with higher frequency and more reliable services; and
- improves public transport services to provide access to job-rich areas in the suburbs.

Ministerial Direction No. 11 Strategic Assessment of Amendments

The amendment has been prepared having regard to the Minister's Direction No. 11 - Strategic Assessment of Amendments. The amendment has also been prepared with consideration of the Revised Practice Note – Strategic Assessment Guidelines for Planning Scheme Amendments.

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

The amendment supports and implements the State Planning Policy Framework as follows:

- Encouraging the build-up of activity centres around all of the proposed stations and encouraging a concentration of activities which provide a variety of land uses and are highly accessible to the community through improved access (Clause 11.01 – Activity Centres)

- The proposed alignment and siting of the stations support the definition of a new city structure which will provide for an expanded central city and enabling an investment pipeline for transit oriented development and urban renewal. It will also improve access to jobs, improve travel options which increase social and economic participation and, create more public places in the inner city. The Project has been designed to drive sustainable outcomes for growth whilst protecting the significant water assets including the Yarra River (Clause 11.04 – Metropolitan Melbourne)
- The project has been designed to maintain biodiversity (Clause 12.01 – Biodiversity), as well as protect environmentally sensitive areas including the Yarra and Maribyrnong Rivers (Clause 12.04 – Environmentally Sensitive Areas, Clause 12.05 – Rivers)
- The design of the project in areas such as Arden and Maribyrnong River reflects the need to manage floodplains, including the maintenance of storage. Potentially contaminated land will be appropriately treated to enable the project to be developed and operated. The baseline condition of noise and air in the project area has been defined to ensure that the appropriate management and mitigation measures are put in place during construction and considered as part of the final design (Clause 13.02 – Floodplains, Clause 13.03, – Soil Degradation, Clause 13.04 – Noise and Air)
- The design of the project, combined with the management and mitigations measures, will ensure that works near waterways are undertaken appropriately to minimise impacts on the catchment and on the quality of water (Clause 14.02)
- The project has been designed and the stations and associated infrastructure located to create an environment that that is safe and functional whilst providing a quality environment that addresses the sense of place at each station. Achieving architectural excellence has been a key driver of the project’s design, as has the need to recognise the siting of stations and their neighbourhoods, conserving and respecting identified places of heritage significance (both state and local) as well as aboriginal heritage (Clause 15.01 – Urban Environment, Clause 15.02 – Sustainable Development, Clause 15.03 – Heritage)
- The Project will support the use of more sustainable personal transport by increasing the capacity and reliability of the public transport system. Recognition of road layouts in areas around stations such as Parkville and Domain will support cycling along key routes into the CBD. Changes to the road system in places will also enhance the on-road (tram and bus) aspects of the Principal Public Transport Network (Clause 18.01 – Integrated Transport, Clause 18.02 - Movement Networks).

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

The amendment supports and implements the Local Planning Policy Frameworks of the Melbourne, Port Phillip, Stonnington and Maribyrnong Planning Schemes in that it will support the growth of residential, commercial, health and other economic activity, along with new built forms where appropriate.

The project has been designed with consideration to each locality to ensure that the character, including the heritage and landscape values, of each area has been appropriately addressed. The amendment also seeks to protect the tunnels, stations and associated infrastructure to ensure development in each municipality is appropriate.

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

The amendment makes proper use of the Victoria Planning Provisions (VPP) by:

- Introducing an Incorporated Document to allow the identified land to be used and developed for the purposes of the Melbourne Metro Rail Project without the need to obtain planning permits or to otherwise comply with the planning schemes.
- Introducing a new Schedule to the Design and Development Overlay to ensure that the development of land above, below, or in close proximity to the Melbourne Metro Rail

Project's tunnels, stations and associated infrastructure does not adversely affect the construction or operation this critical infrastructure as part of Melbourne's public transport network.

In contrast with the City Loop, the Melbourne Metro Rail Project's protection mechanism will be built into the planning schemes, ensuring visibility and procedural certainty. This approach is consistent with the objectives of the *Planning and Environment Act 1987* by providing for the *orderly* development of land above, below, or in close proximity to the Melbourne Metro Rail Project's tunnels, stations and associated infrastructure.

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

The views of relevant agencies have been obtained through an extensive consultation program for the planning of the project in the EES process.

Consultation has been undertaken with a Technical Reference Group established as part of the EES process which has been managed by the Department of Environment, Land, Water and Planning and comprised representatives from government stakeholder agencies including the Cities of Melbourne, Port Phillip and Stonnington, Environment Protections Agency, Heritage Victoria, Office of Aboriginal Affairs Victoria, VicRoads and Melbourne Water. The City of Maribyrnong has been separately consulted on the amendment.

Does the amendment address relevant requirements of the *Transport Integration Act 2010*?

The *Transport Integration Act 2010* requires interface bodies (i.e. planning authorities) to have regard to the transport system objectives, the decision making principles and any applicable statement of policy principles when exercising powers and performing functions that are likely to have a significant impact on the transport system.

The amendment is necessary to facilitate the Melbourne Metro Rail Project, which will provide a significant benefit to the transport system.

The transport system objectives are set out in Part 2, Division 2 of the *Transport Integration Act 2010* and include social and economic inclusion, economic prosperity, environmental sustainability, integration of transport and land use, efficiency, coordination and reliability and safety, health and wellbeing.

The decision making principles are set out in Part 2, Division 3 of the *Transport Integration Act 2010* and include the principles of integrated decision making, triple bottom line assessment, equity, transport system user perspective, precautionary principle, stakeholder engagement and community participation and transparency.

The Melbourne Metro Rail Project has been developed having regard to the transport system objectives and decision making principles under the *Transport Integration Act 2010*.

Resource and administrative costs

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

The Minister for Planning will be the responsible authority for administering and enforcing the planning scheme provisions which apply to the use or development of land for the Melbourne Metro Rail Project.

The new planning provisions are not expected to have an material impact on the resource and administrative costs of the responsible authority, particularly given that the incorporated document introduced by the amendment allows the identified land to be used and developed for the purposes of the Melbourne Metro Rail Project without the need to obtain planning permits or to otherwise comply with the planning schemes. Similarly, determining referral

authorities would provide responsible authorities with input for applications triggered by the new Design and Development Overlay.

Where you may inspect this Amendment

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

City of Melbourne

State Library of Victoria
328 Swanston Street, Melbourne

City of Melbourne

Melbourne Town Hall – Administration Building
120 Swanston Street, Melbourne

City of Melbourne

City of Melbourne Library – CBD
253 Flinders Lane, Melbourne

City of Melbourne

City of Melbourne Library – North Melbourne
66 Errol Street, North Melbourne

City of Port Phillip

Port Phillip Library – Emerald Hill
195 Bank Street, South Melbourne

City of Stonnington

Stonnington Library
340 Toorak Road, South Yarra

City of Maribyrnong

Municipal Offices
61 Napier Street, Footscray

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at <http://www.dtpli.vic.gov.au/publicinspection>.

Appendix B

Draft Incorporated Document

Melbourne Metro Rail Project

Incorporated Document

April 2016

Incorporated Document in the Melbourne, Port Phillip, Stonnington and Maribyrnong Planning Schemes pursuant to section 6(2)(j) of the *Planning and Environment Act 1987* (Vic).

1. INTRODUCTION

This document is an Incorporated Document in the Schedule to Clause 81 of each of the Melbourne, Port Phillip, Stonnington and Maribyrnong Planning Schemes (**Planning Schemes**) and is made pursuant to section 6(2)(j) of the *Planning and Environment Act 1987* (Vic).

This document gives effect to specific controls for the Melbourne Metro Rail Project (**Project**) pursuant to Clause 52.03 in the Planning Schemes.

The controls in this Incorporated Document prevail over any contrary or inconsistent provisions in the Planning Schemes.

2. PURPOSE

The purpose of this Incorporated Document is to permit and facilitate the use and development of the Project Land described in Clause 3 below for the purposes of the Project, in accordance with the controls in clauses 4, 5 and 6 of this Incorporated Document.

3. LAND DESCRIPTION

This Incorporated Document applies to the land described as Project Land for the Melbourne Metro Rail Project on Maps 1 to 16 (**Project Land**).

4. CONTROL

Despite any provision to the contrary or any inconsistent provision in the Planning Schemes, no planning permit is required for, and no provision in the Planning Schemes operates to prohibit, control or restrict:

- the use or development of the Project Land, including any ancillary activities described below; and
- the creation, variation or removal of an easement or covenant within or over the Project Land

for the purposes of, or related to, constructing or maintaining the Project and using any aspect of the Project infrastructure to operate passengers train and tram services. The Project infrastructure to which this control applies includes, but is not limited to:

- Railway, including twin railway tunnels, about 9km long, between South Kensington and South Yarra, and tunnel portals at those locations
- Underground and above ground railway lines between and adjacent to the tunnel portals
- Underground *railway stations*, retail premises and support structures at Arden, Parkville, CBD North, CBD South and Domain
- Above ground *railway station* works and modifications at West Footscray railway station
- Ventilation structures and systems
- *Utility installation* and services to construct and operate any aspect of the Project, including any Project infrastructure and the operation of passenger trains or trams. Such services include traction energy, communications and rail operating systems
- *Tramway*
- Emergency and maintenance access shafts and infrastructure
- Bridges, transport interchanges and road works
- Earthworks and related structures, kerbs, channels, water quality and soil treatment structures or works, retaining walls, noise and screening barriers, cuttings, batters and fill associated with the Project
- Any works or Project infrastructure described in the Environment Effects Statement for the Project.

Ancillary activities to the use and development of the Project Land for the purpose of, or related to, the Project include, but are not limited to:

- Development and use of construction laydown areas for construction purposes
- Removing, destroying and lopping trees and vegetation
- Demolishing and removing buildings, fixtures, structures and infrastructure
- Constructing or carrying out works for excavation, fences, temporary barriers, noise attenuation walls, stabilisation, creating bunds or mounds, landscaping, shared use paths, wetlands or ground treatment
- Creating or altering access to a road in a Road Zone, Category 1 to the satisfaction of the relevant road authority
- Constructing and using temporary site workshops and storage, administration and amenities buildings
- Manufacturing any materials required for the Project within the Arden precinct
- Constructing and using temporary access roads, diversion roads and vehicle parking areas
- Displaying construction, directional and business identification signage
- Carrying out of preparatory works including, but not limited to, those set out in clause 5.6 of this Incorporated Document
- Subdividing and consolidating land
- Altering or relocating rail lines, tram lines and *Utility installations*
- Any activity which the Minister for Planning confirms in writing is ancillary for the purposes of the Project or use of Project infrastructure.

Land uses in italics have the same meaning as in Clause 74 of the Planning Schemes.

This control is subject to the conditions in clause 5 of this Incorporated Document.

5. CONDITIONS

The use and development of the Project Land permitted by this Incorporated Document must be undertaken in accordance with the following conditions:

Development Plans

- 5.1 Subject to clause 5.6, a Development Plan must be prepared to the satisfaction of the Minister for Planning for development relating to each of:
- Western tunnel portal
 - Eastern tunnel portal
 - Arden Station
 - Parkville Station
 - CBD North Station
 - CBD South Station
 - Domain Station
 - Rail turnback at West Footscray Station
 - Any other above-ground tunnel access and / or ventilation structures

A Development Plan must address surface works of each item listed above. A Development Plan for a station must address underground areas from the station entrance to the ticket gate.

A Development Plan must include:

- A site layout plan/s
- Architectural, landscape and public realm plans and elevations including lighting, signage, pedestrian access, bicycle access and other ancillary facilities
- A response to the Urban Design Strategy;

A Development Plan must be accompanied by a summary of consultation undertaken with the Office of the Victorian Government Architect, relevant Council/s and where relevant, the Roads Corporation, Public Transport Development Authority, Melbourne Water and Heritage Victoria. The summary of consultation must show the issues raised during the consultation.

A Development Plan must be approved by the Minister for Planning prior to the commencement of any development to which that Development Plan relates.

Approval may be granted by the Minister for Planning to demolish, construct a building or construct or carry out works associated with the Project before a Development Plan or other requirement is approved.

For land to which a Development Plan applies, development must be carried out generally in accordance with an approved Development Plan.

A Development Plan may be prepared and approved in stages or parts, and may be amended from time to time to the satisfaction of the Minister for Planning.

Environmental Management Framework

5.2 Prior to the commencement of any buildings or works associated with the Project, an Environmental Management Framework (**EMF**) must be prepared for the Project or any stage or part of the Project. The EMF must include Environmental Performance Requirements addressing the following areas and any other relevant matters:

- Transport
- Land use and planning
- Social and community
- Business
- Air quality
- Noise and vibration
- Historical cultural heritage
- Aboriginal heritage
- Surface water
- Ground water
- Ground movement
- Contaminated land and spoil management
- Biodiversity
- Greenhouse gas

The EMF must set out the process and timing for development of a Construction Environment Management Plan, Site Environment Implementation Plan and Traffic Management Plan as relevant to any stage or part of the Project, including process and timing for consultation with relevant Council/s, Heritage Victoria, the Roads Corporation, Melbourne Water, Public Transport Development Authority, and the Environment Protection Authority as relevant.

The EMF must be submitted to and endorsed by the Minister for Planning and may be prepared and endorsed in stages or parts and may be amended from time to time to the satisfaction of the Minister for Planning.

The use and development for the Project must be carried out generally in accordance with the endorsed EMF and the Environmental Performance Requirements.

Urban Design Strategy

- 5.3 Prior to the submission of Development Plans, an Urban Design Strategy must be submitted to and endorsed by the Minister for Planning. The Urban Design Strategy may be prepared and endorsed in stages or parts and may be amended from time to time to the satisfaction of the Minister for Planning.

The use and development for the Project must be carried out generally in accordance with the endorsed Urban Design Strategy.

Early Works Plans

- 5.4 Early Works identified in the Environment Effects Statement for the Project as Early Works may be carried out before a Development Plan is approved, provided that the Minister for Planning has endorsed an Early Works Plan for such works.

Early works for the Project identified in the Environment Effect Statement include:

- Utility service relocation and protection of utility assets;
- Site preparation works, including demolition works, removal or relocation of trees and monuments, minor road / transport network changes; and
- Works for construction of shafts at CBD North and CBD South station precincts.

An Early Works Plan must be endorsed by the Minister for Planning prior to the commencement of works to which that Early Works Plan relates. It must include site layout plan/s. An Early Works Plan may be prepared and approved in stages or parts and may be amended from time to time to the satisfaction of the Minister for Planning.

For land to which an Early Works Plan applies, development must be carried out generally in accordance with an approved Early Works Plan.

An Early Works Plan must be accompanied by a summary of consultation undertaken with relevant Council/s and where relevant, the Roads Corporation, Public Transport Development Authority, Melbourne Water, Heritage Victoria and affected utility service providers. It must also show how issues have been addressed.

Native Vegetation

- 5.5 Native vegetation offsets for the removal of native vegetation to construct the Project must be provided in accordance with the *Permitted Clearing of Native Vegetation - Biodiversity Assessment Guidelines* (Department of Environment and Primary Industries, September 2013).

Preparatory Works

- 5.6 Preparatory works for the Project may commence before the plans and other matters listed in sub-clauses 5.1 - 5.5 are approved.

The preparatory works permissible under this sub-clause for the Project include, but are not limited to:

- Works, including vegetation removal, not requiring a permit under the provisions of the relevant Planning Scheme
- Investigations, surveys, testing and preparatory works to determine the suitability of land
- Construction, protection, modification, removal or relocation of existing utility services and infrastructure

- Creation of construction access points
- The removal or relocation of road, railway or tramway services and infrastructure
- The removal or relocation of vegetation (including native vegetation) to the minimum extent necessary to enable such preparatory works.

Any native vegetation removed to enable preparatory works forms part of the total extent of native vegetation removal necessary for the construction of the project and native vegetation offsets must be provided in accordance with the *Permitted Clearing of Native Vegetation - Biodiversity Assessment Guidelines* (Department of Environment and Primary Industries, September 2013)

- Establishment of environmental and traffic controls
- Fencing and temporary barriers to enable preparatory works.

6. EXPIRY

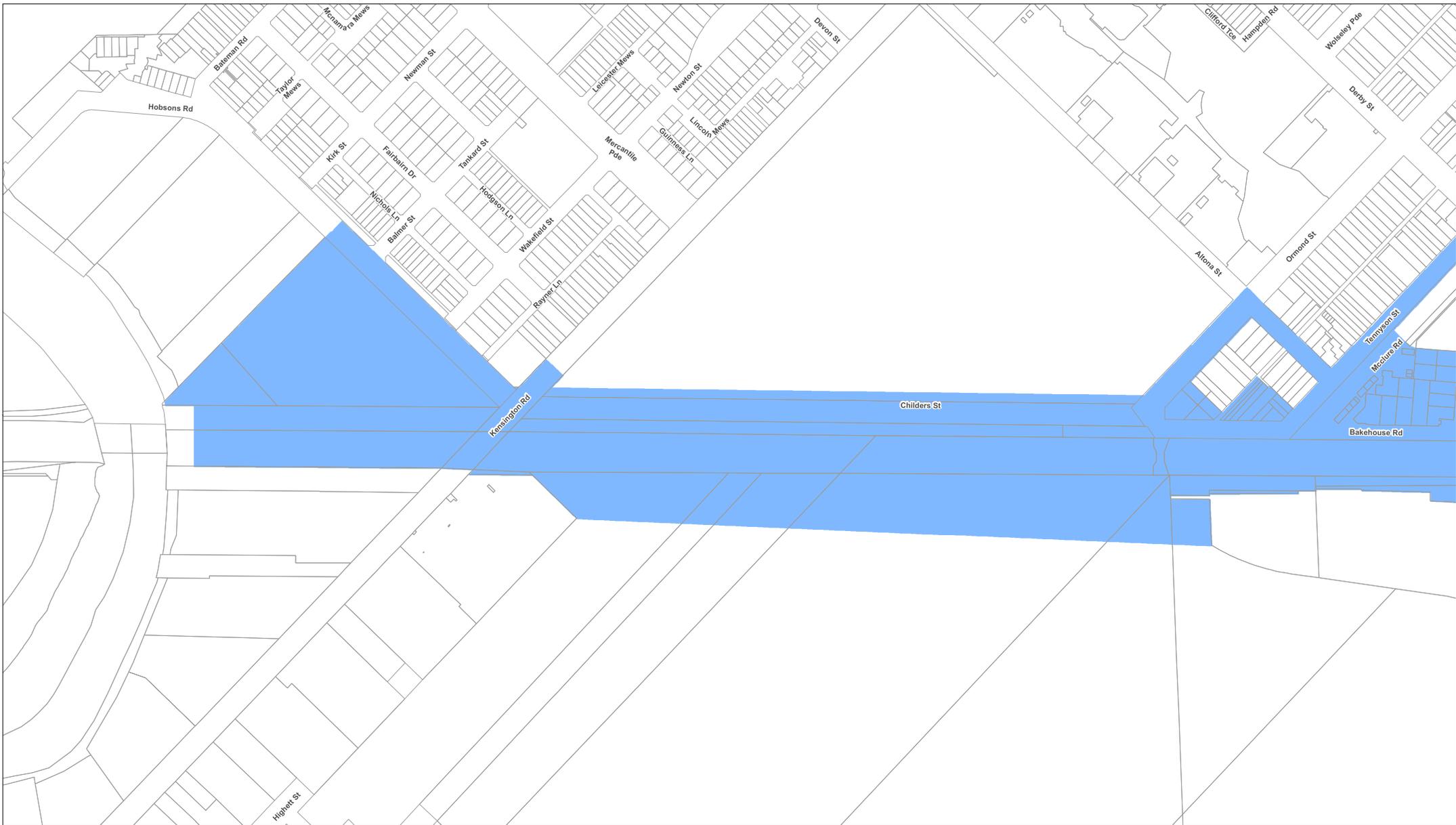
The control in this Incorporated Document expires if any of the following circumstances applies:

- The development allowed by the control is not started by 31 December 2018
- The development allowed by this control is not completed by 31 December 2028
- The use allowed by the control is not started by 31 December 2028.

The Minister for Planning may extend these periods if a request is made in writing before the expiry date or within three months afterwards.

PROJECT LAND

MAPS 1 TO 16



Legend

- Project Land
- Property Boundary

Map 1 of 16



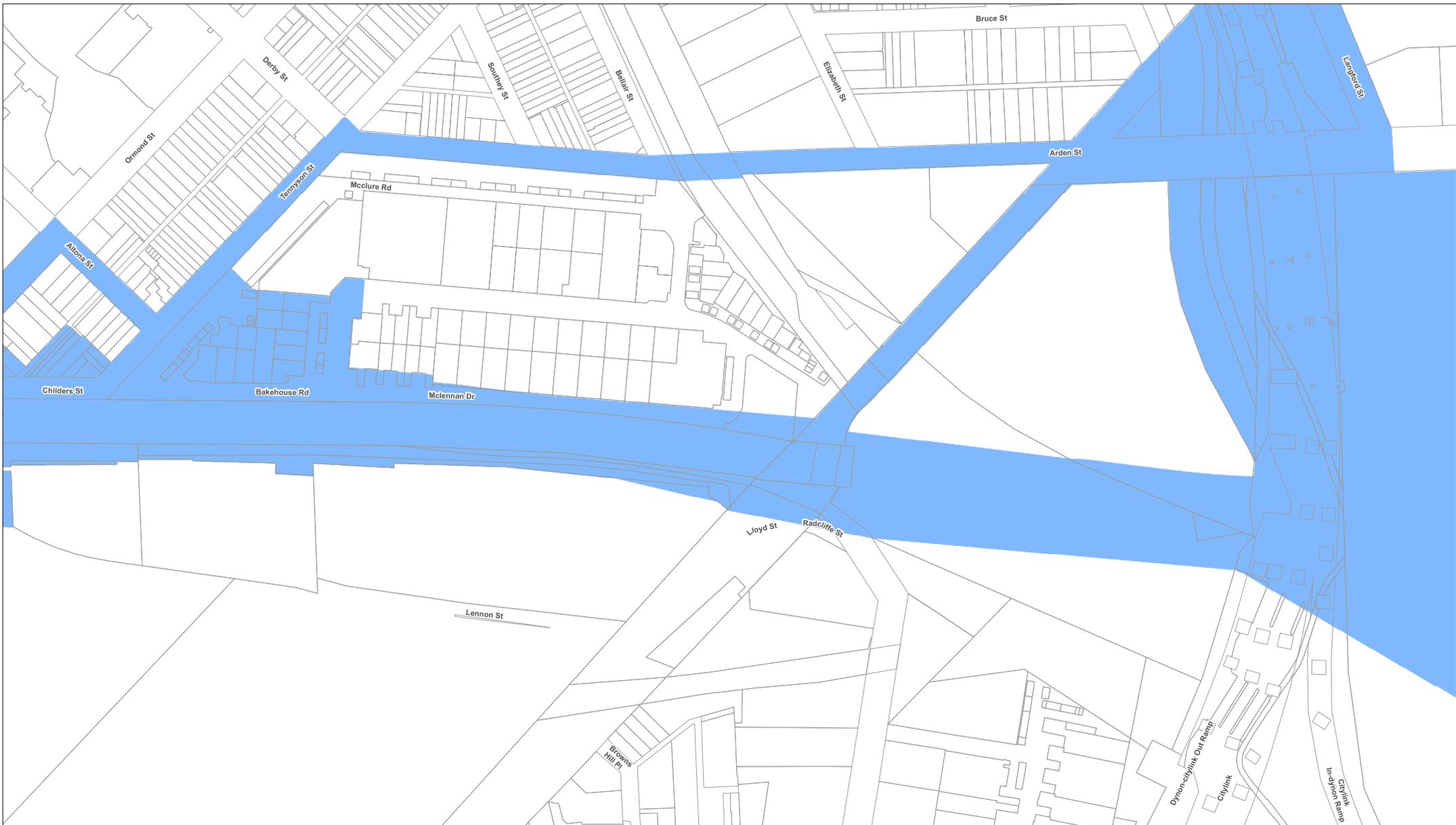
Melbourne Metro Rail Project

Title:
Melbourne Metro Project Land

Drawing Number: MMR-AJM-UGAA-MP-NL-500342	Revision: D1
Drawn By: R. Syme	Approved By: G. Hoinville
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Legend

- Project Land
- Property Boundary

Map 2 of 16

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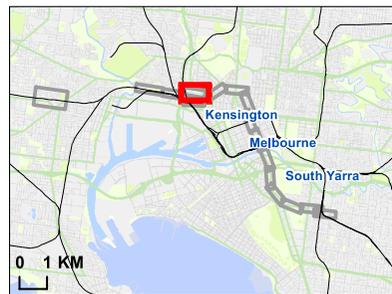




Legend

- Project Land
- Property Boundary

Map 3 of 16



Melbourne Metro Rail Project

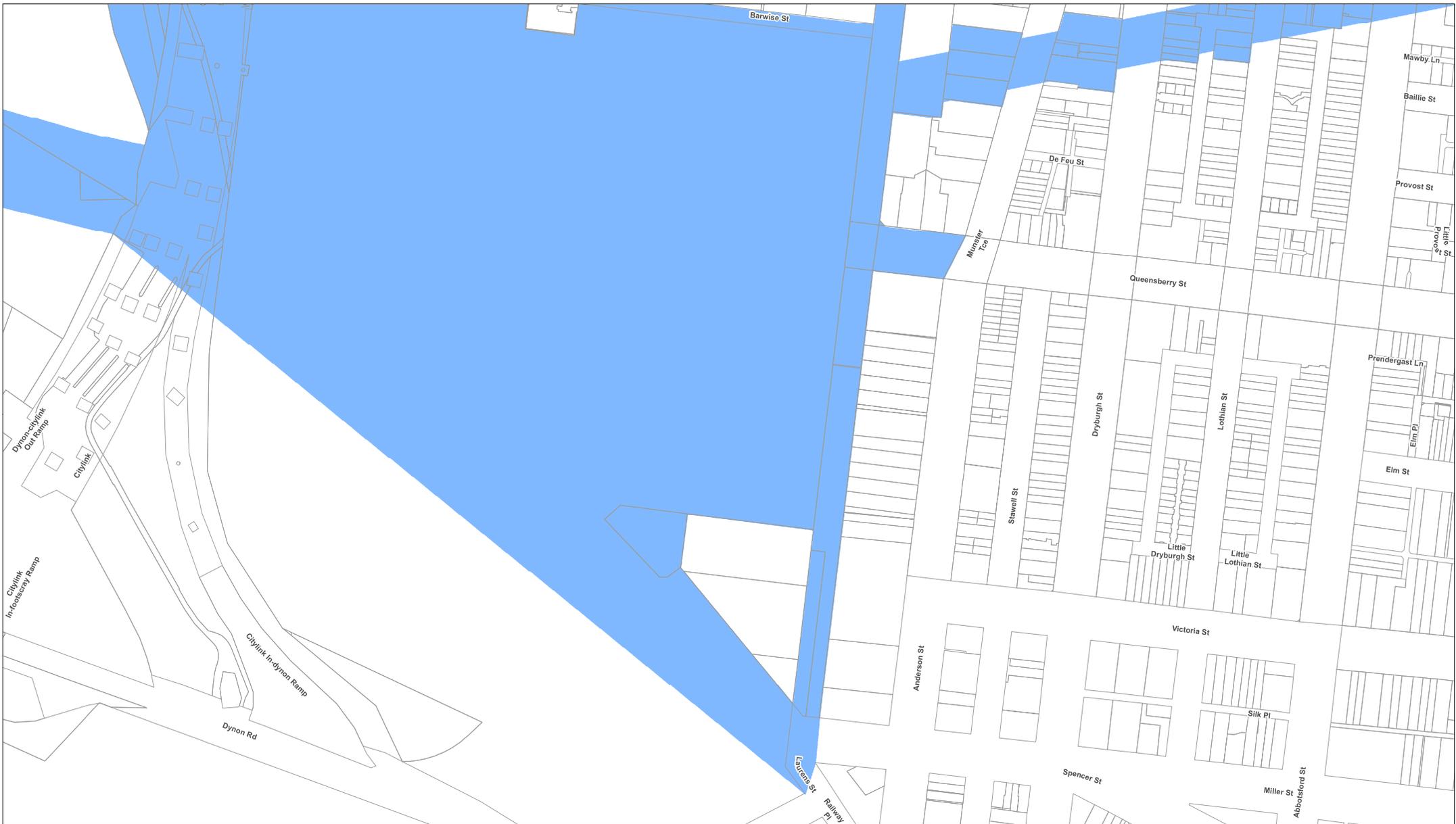
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Drawing Number: MMR-AJM-UGAA-MP-NL-500342	Revision: D1
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Drawn By: R. Syme	Approved By: G. Hoinville	Date: 20 April 2016	Map Size: A4
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Legend

- Project Land
- Property Boundary

Map 4 of 16

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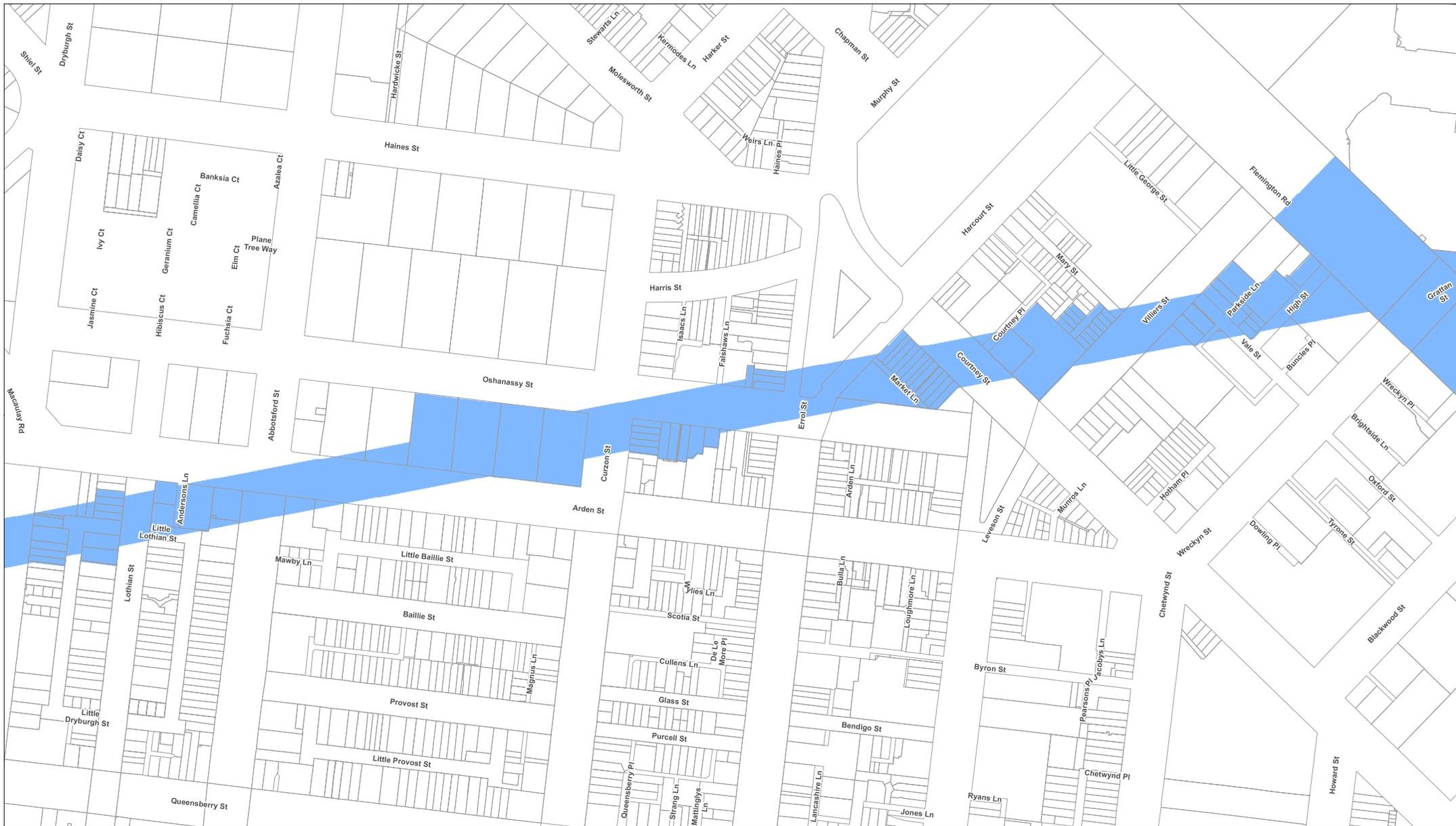
Melbourne Metro Rail Project

Title:
Melbourne Metro Project Land

Drawing Number: MMR-AJM-UGAA-MP-NL-500342	Revision: D1
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Drawn By: R. Syme	Approved By: G. Hoinville	Date: 20 April 2016	Map Size: A4
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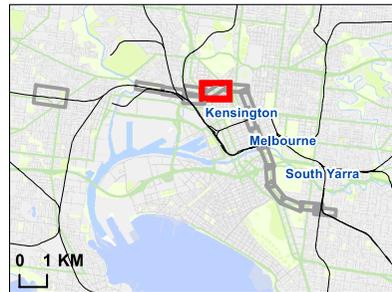




Legend

- Project Land
- Property Boundary

Map 5 of 16



Melbourne Metro Rail Project

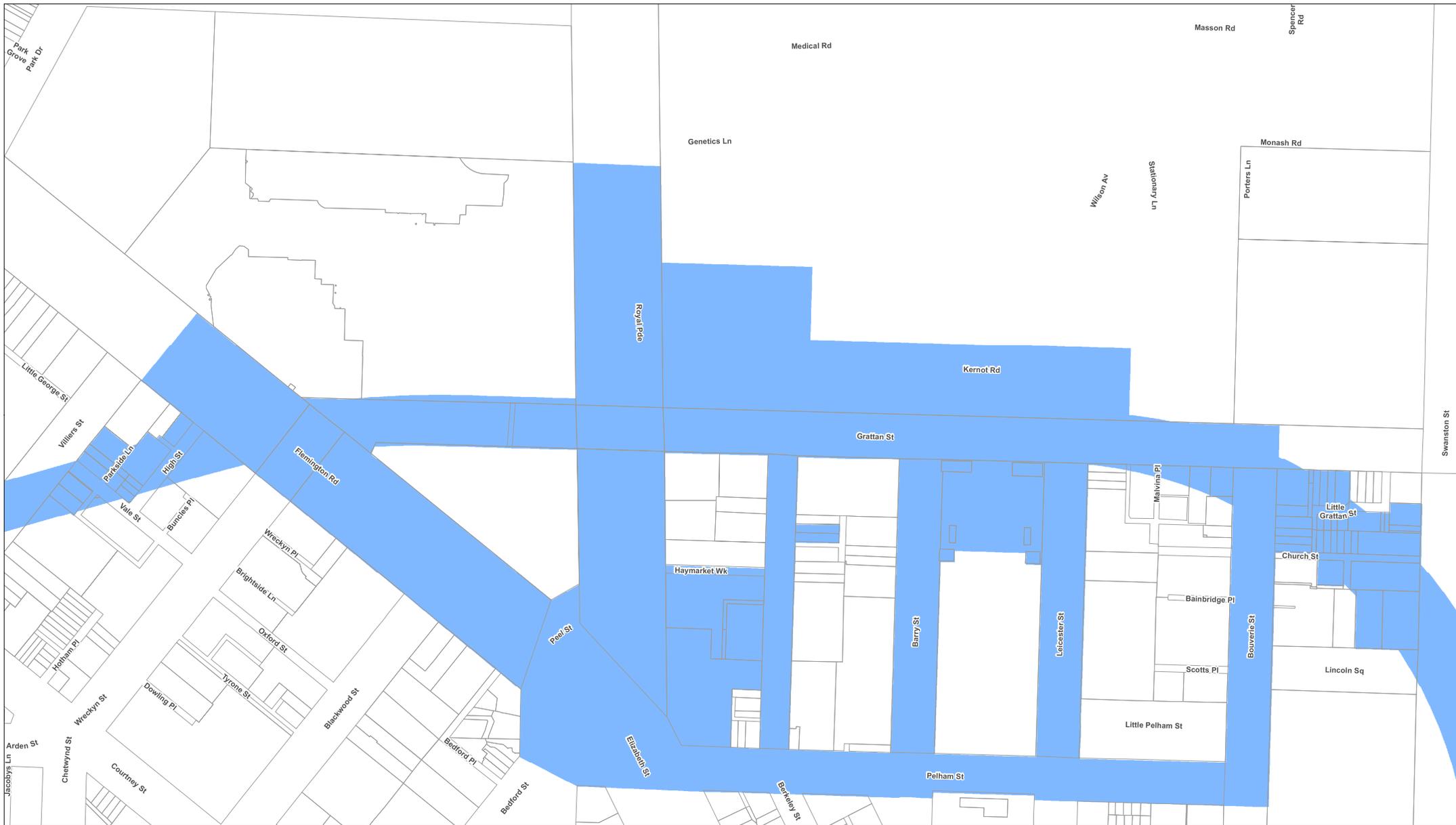
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Melbourne Metro Project Land

Drawing Number: MMR-AJM-UGAA-MP-NL-500342
Revision: D1

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Legend

- Project Land
- Property Boundary

Map 6 of 16



Melbourne Metro Rail Project

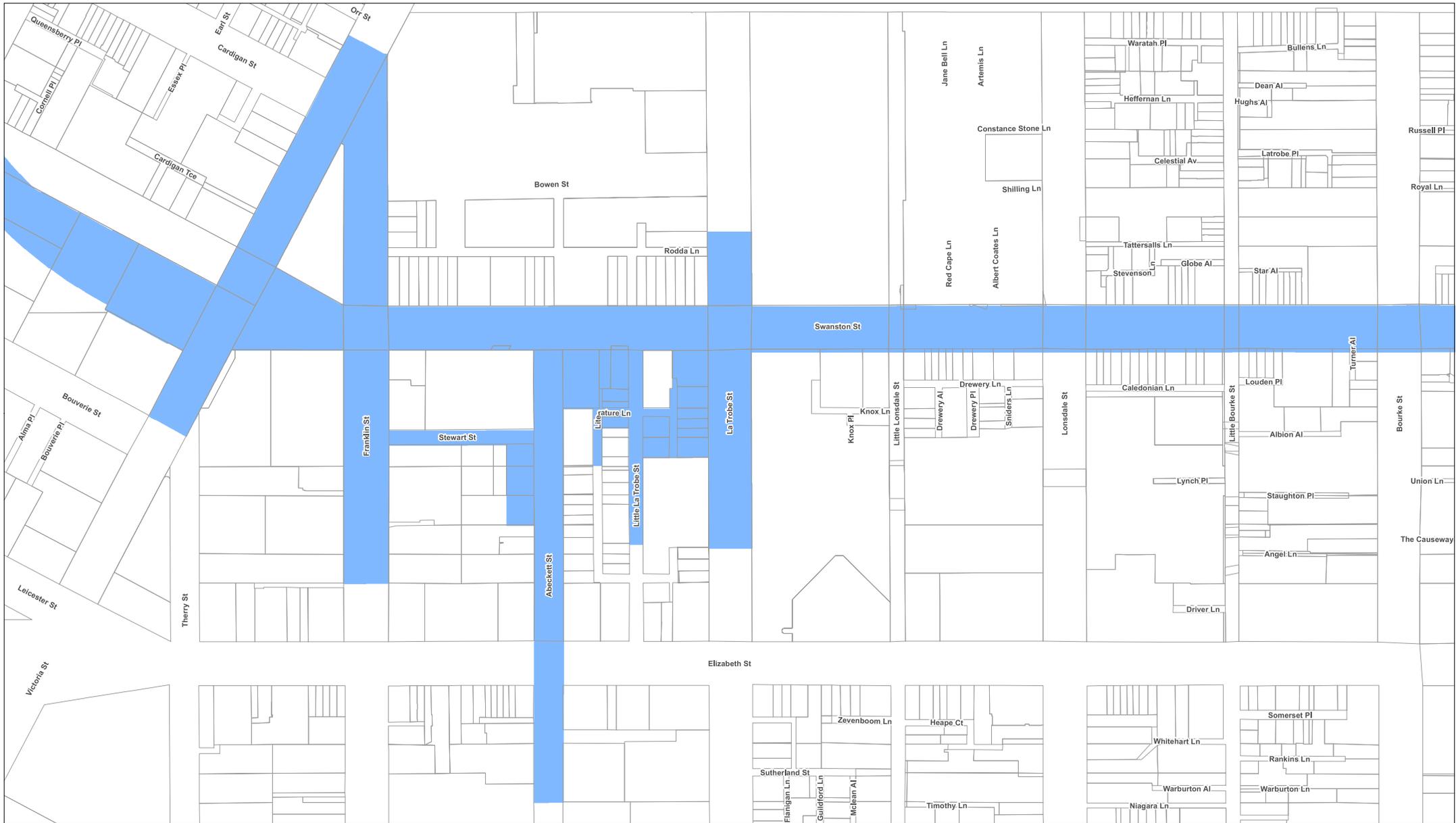
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Drawing Number: MMR-AJM-UGAA-MP-NL-500342
Revision: D1

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Legend

- Project Land
- Property Boundary

Map 8 of 16

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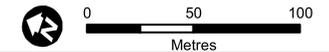
Melbourne Metro Rail Project

Title:

Melbourne Metro Project Land

Drawing Number: MMR-AJM-UGAA-MP-NL-500342	Revision: D1
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Drawn By: R. Syme	Approved By: G. Hoinville	Date: 20 April 2016	Map Size: A4
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Legend

- Project Land
- Property Boundary

Map 9 of 16

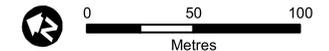
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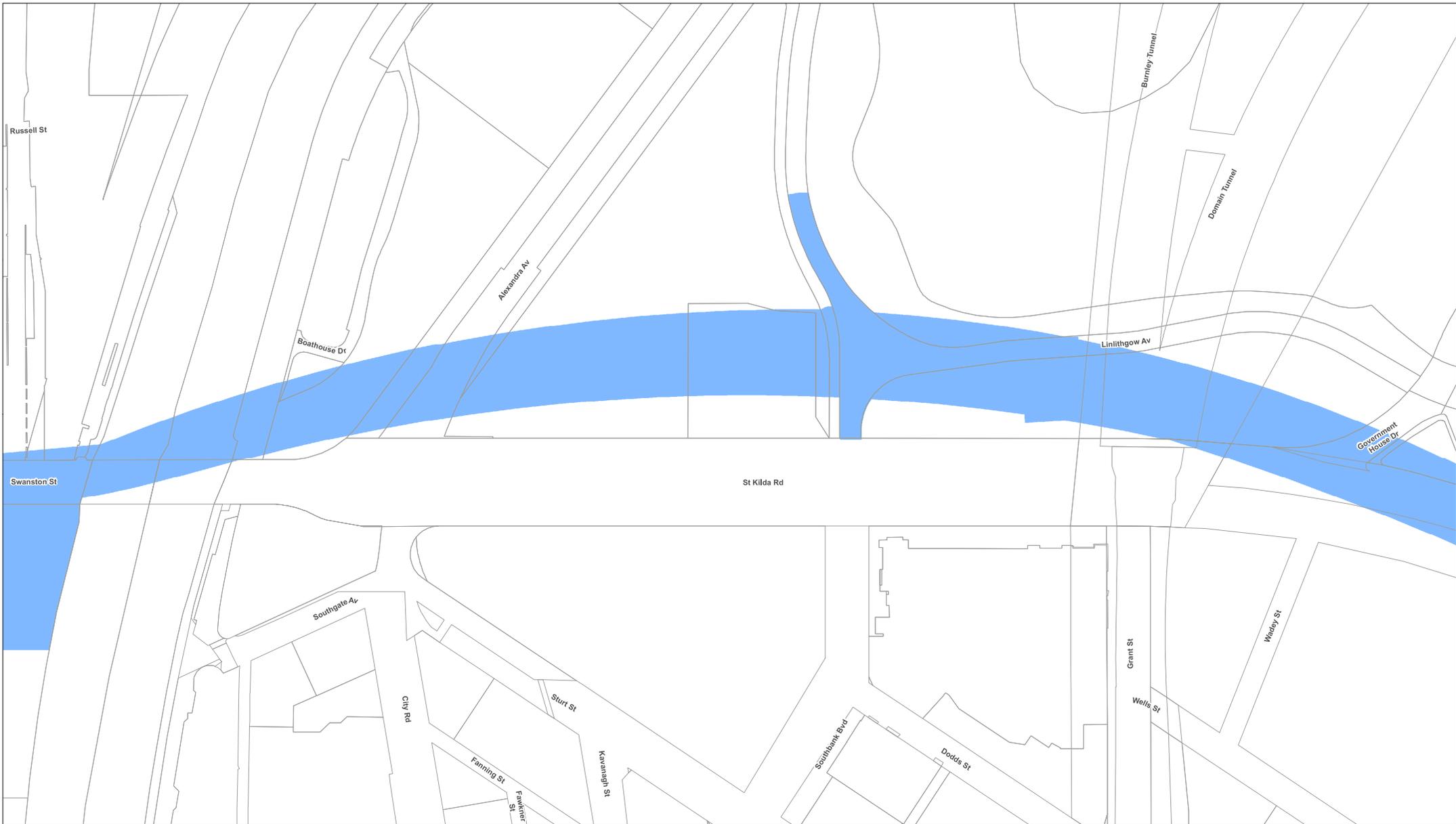


Melbourne Metro Rail Project

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Melbourne Metro Project Land

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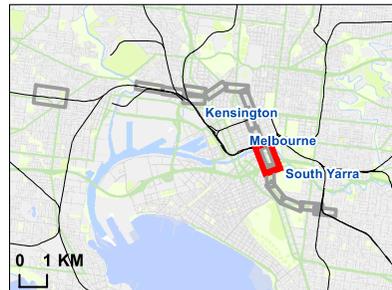


Legend

- Project Land
- Property Boundary

Map 10 of 16

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0 50 100 Metres



Legend

- Project Land
- Property Boundary

Map 11 of 16

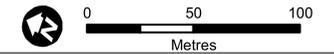
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Legend

- Project Land
- Property Boundary

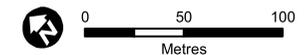
Map 12 of 16



Melbourne Metro Rail Project

Title:
Melbourne Metro Project Land

Drawing Number: MMR-AJM-UGAA-MP-NL-500342		Revision: D1	
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Legend

- Project Land
- Property Boundary

Map 13 of 16

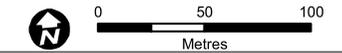
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Legend

- Project Land
- Property Boundary

Map 14 of 16



Melbourne Metro Rail Project

Title:
Melbourne Metro Project Land

Drawing Number: MMR-AJM-UGAA-MP-NL-500342	Revision: D1
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Legend

- Project Land
- Property Boundary

Map 15 of 16



Melbourne Metro Rail Project

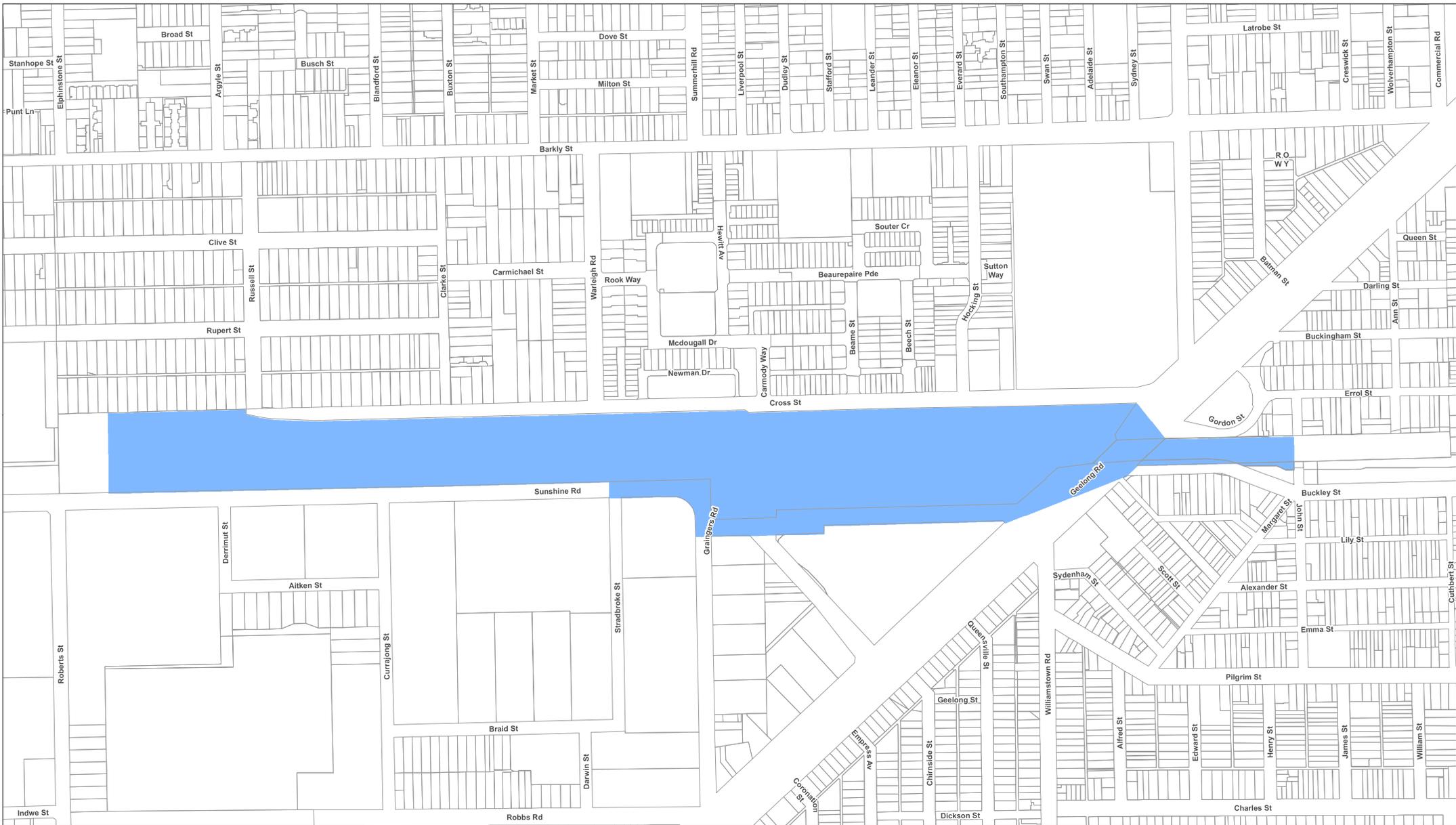
Title:
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Drawing Number: MMR-AJM-UGAA-MP-NL-500342
Revision: D1

Drawn By: R. Syme
Approved By: G. Hoinville
Date: 20 April 2016
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Legend

- Project Land
- Property Boundary

Map 16 of 16

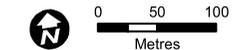


Melbourne Metro Rail Project

Title:
Melbourne Metro Project Land

Drawing Number: MMR-AJM-UGAA-MP-NL-500342
Revision: D1

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Approved By: G. Hoinville
Date: 20 April 2016
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Appendix C

Planning Scheme Amendment GC45 Instruction Sheet

Planning and Environment Act 1987

MELBOURNE PLANNING SCHEME

PORT PHILLIP PLANNING SCHEME

STONNINGTON PLANNING SCHEME

MARIBYRNONG PLANNING SCHEME

AMENDMENT GC45

INSTRUCTION SHEET

The planning authority for this amendment is the Minister for Planning.

The Melbourne Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of four attached map sheets.

Overlay Maps

1. Amend Planning Scheme Map Nos. 4DDOPT1, 5DDOPT1, 8DDOPT1 and 11DDOPT1 in the manner shown on the four attached maps marked "Melbourne Planning Scheme, Amendment GC45".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

1. In Overlays – Clause 43.02, insert a new Schedule 67 in the form of the attached document.
2. In Particular Provisions – Clause 52.03, replace the Schedule with a new Schedule in the form of the attached document.
3. In General Provisions – Clause 61.01, replace the Schedule with a new Schedule in the form of the attached document.
4. In General Provisions – Clause 66.04, replace the schedule with a new Schedule in the form of the attached document.
5. In Incorporated Documents – Clause 81.01, replace the Schedule with a new Schedule in the form of the attached document.

The Port Phillip Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of one attached map sheets.

Overlay Maps

1. Amend Planning Scheme Map No. 4DDO in the manner shown on the one attached map marked "Port Phillip Planning Scheme, Amendment GC45".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

1. In Overlays – Clause 43.02, insert a new Schedule 30 in the form of the attached document.
2. In Particular Provisions – Clause 52.03, replace the Schedule with a new Schedule in the form of the attached document.
3. In General Provisions – Clause 61.01, replace the Schedule with a new Schedule in the form of the attached document.
4. In General Provisions – Clause 66.04, replace the schedule with a new Schedule in the form of the attached document.
5. In Incorporated Documents – Clause 81.01, replace the Schedule with a new Schedule in the form of the attached document.

The Stonnington Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of one attached map sheets.

Overlay Maps

1. Amend Planning Scheme Map No. 1DDO in the manner shown on the one attached map marked "Stonnington Planning Scheme, Amendment GC45".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

1. In Overlays – Clause 43.02, insert a new Schedule 20 in the form of the attached document.
2. In Particular Provisions – Clause 52.03, replace the Schedule with a new Schedule in the form of the attached document.
3. In General Provisions – Clause 61.01, replace the Schedule with a new Schedule in the form of the attached document.
4. In General Provisions – Clause 66.04, replace the schedule with a new Schedule in the form of the attached document.
5. In Incorporated Documents – Clause 81.01, replace the Schedule with a new Schedule in the form of the attached document.

The Maribyrnong Planning Scheme is amended as follows:

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

6. In Particular Provisions – Clause 52.03, replace the Schedule with a new Schedule in the form of the attached document.
7. In General Provisions – Clause 61.01, replace the Schedule with a new Schedule in the form of the attached document.
8. In Incorporated Documents – Clause 81.01, replace the Schedule with a new Schedule in the form of the attached document.

End of document

Appendix D

Draft changes to Schedules to clause 43.02 (Design and Development Overlay) and maps of the Melbourne, Port Phillip and Stonnington Planning Schemes

--/20--
GC45

SCHEDULE 67 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO67**

MELBOURNE METRO RAIL PROJECT – INFRASTRUCTURE PROTECTION AREAS

1.0 Purpose

--/20--
GC45

To provide an assessment process for consideration of proposed design requirements, construction techniques or operations on land within this Overlay to ensure that the integrity and operation of the strategically important Melbourne Metro Rail Project (**Melbourne Metro**) is not compromised.

2.0 Design objectives

--/20--
GC45

In this Schedule:

- **Melbourne Metro** means the use and development the subject of the Melbourne Metro Rail Project Incorporated Document, dated April 2016.
 - **Melbourne Metro Infrastructure** means the Melbourne Metro tunnels, stations and associated infrastructure and equipment
 - **Loading** means the application of force to an asset.
 - **Surface level** means the level of the land to AHD at the date this Schedule is applied to the land.
- To avoid direct contact with and provide safe working clearance around MMRP tunnels, stations, associated infrastructure and equipment;
 - To ensure that the development of land does not adversely affect or put at risk the construction or integrity of the Melbourne Metro Infrastructure or operation of the Infrastructure as part of Melbourne's public transport network;
 - To avoid loading onto the Melbourne Metro Infrastructure that could lead to structural damage, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of the Infrastructure to the detriment of passenger rail operations;
 - To avoid excavations or other unloading of the ground that could lead to structural, serviceability, or operational damage of the Melbourne Metro Infrastructure;
 - To prevent construction methods or development that could generate unacceptable levels of vibration in the Melbourne Metro Infrastructure;
 - To ensure that development works do not rely upon direct structural support from the Melbourne Metro Infrastructure unless specifically envisaged in Melbourne Metro's design;
 - To provide an assessment process to ensure that proposed development within the area affected by the DDO is assessed and the potential effects of proposed developments on the Melbourne Metro Infrastructure, and the consequences of those effects on the wider Melbourne transport network are appropriately managed or mitigated.

3.0 No permit required

--/20--
GC45

A permit is not required under this Schedule for:

- A new building of up to two storeys without basements provided that its footings are founded no more than two metres below the existing Surface level;
- Single storey temporary structures;
- Earthworks or excavation that does not change the surface level by more than one metre;
- Poles, signs and retaining walls with footings less than two metres deep;

- Underground utilities with trenches less than two metres deep;
- Internal and external alterations to buildings which do not require works below Surface level;
- Installation of an automatic teller machine;
- Tramway infrastructure and works which do not require earthworks that would change the Surface level by more than one metre or which require works more than two metres deep.

4.0 Permit required for development

--/20--
GC45

A permit is specifically required for the following that would otherwise be exempt under clause 62:

- Demolition or removal of a building or works where the building or works is greater than two storeys or includes a basement of greater than one storey;
- A rainwater tank with a capacity of more than 4,500 litres if requiring works below surface level;
- A new domestic swimming pool if requiring works below Surface level;
- Roadworks which require earthworks that would change the Surface level by more than one metre or which require works more than two metres deep; and
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation, if such works require earthworks that would change the Surface level by more than one metre or require works more than two metres deep.

A permit is required under clause 43.02-2 for the following if requiring works below Surface level:

- Construction of an outdoor swimming pool associated with a dwelling.

5.0 Referral requirement

--/20--
GC45

In this Schedule, the relevant referral authority is the Secretary to the Department of Economic Development, Jobs, Transport and Resources until 31 December 2026, and thereafter VicTrack.

An application to construct or demolish a building or structure or to construct or carry out works, or an application to amend a permit for such demolition, building, structure or works, must be referred in accordance with section 55 of the Act to the relevant referral authority.

This does not apply to applications accompanied by the relevant referral authority's written approval or to applications for which a permit is not required under clause 3 of this Schedule.

6.0 Application requirements

--/20--
GC45

An application to construct or demolish a building or structure or to construct or carry out works, or an application to amend a permit for such demolition, building, structure or works must be accompanied by the following information, as appropriate:

- Site and layout plans drawn to scale which show:
 - the boundaries and dimensions of the site;
 - adjoining roads and infrastructure;
 - relevant ground level and Surface levels to AHD;
 - the layout and dimensions of existing and proposed buildings and works, including foundation details, loadings and proposed levels of bulk excavation or filling;
 - the locations of, and the proposed use of, all existing and proposed buildings;
- Sections and elevations drawn to scale which show:

- the boundaries and dimensions of the site;
- the depth of basement/s, if any;
- the proposed foundations, including their form, founding levels and loads;
- the details of proposed drainage system, including discharge outlet, if any;
- Details relating to the staging of development and an appropriate time scale in which each stage of development may be undertaken;
- A report summarising any consultation undertaken with the relevant referral authority prior to lodgement of planning permit application;
- A technical assessment which identifies any potential adverse effects or risks to the construction, integrity or operation of the Melbourne Metro Infrastructure. The assessment may address as relevant:
 - Identify the geology of the site for the purpose of analysing the loading effects on ground conditions;
 - Establish the additional loading on the Melbourne Metro infrastructure from the proposed development taking into account other infrastructure existing at the time of the permit application, and provide reasoning as to whether the loading satisfies the design objectives of this Schedule;
 - Specify any particular design requirements, construction techniques or operations for the proposed development to address potential loading, unloading or vibration from the proposed development; and
 - Establishes whether the proposed development works rely upon direct structural support from the Melbourne Metro infrastructure.

7.0 Subdivision

--/20--
GC45

A permit is not required to subdivide land.

8.0 Exemption from notice and review

--/20--
GC45

An application 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.

9.0 Decision guidelines

--/20--
GC45

Before deciding on an application for a building, structure or works to be constructed, carried out, demolished or removed, the responsible authority must consider:

- The views of the relevant referral authority as to whether the development satisfies the purpose and design objectives of this Schedule
- Whether safe working clearances have been provided around the Melbourne Metro Infrastructure so as to avoid direct contact with the Infrastructure
- Whether the design of proposed development and proposed construction techniques could adversely affect or put at risk the construction or integrity of the Melbourne Metro Infrastructure or operation of the Infrastructure as part of Melbourne transport network
- Whether the proposed loading onto Melbourne Metro Infrastructure and will lead to structural damage, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of that infrastructure to the detriment of passenger rail operations
- Whether any proposed excavation or other unloading of the ground could compromise structure, serviceability, or operation of the Melbourne Metro infrastructure
- Whether the proposed construction methods or development could generate unacceptable levels of vibration to the Melbourne Metro Infrastructure

- Whether the proposed development works would rely upon direct structural support from the Melbourne Metro Infrastructure in a matter not specifically envisaged in Melbourne Metro's design

--/20--
GC45**SCHEDULE 30 TO THE DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO30****MELBOURNE METRO RAIL PROJECT – INFRASTRUCTURE PROTECTION AREAS****1.0 Purpose**--/20--
GC45

To provide an assessment process for consideration of proposed design requirements, construction techniques or operations on land within this Overlay to ensure that the integrity and operation of the strategically important Melbourne Metro Rail Project (**Melbourne Metro**) is not compromised.

2.0 Design objectives--/20--
GC45

In this Schedule:

- **Melbourne Metro** means the use and development the subject of the Melbourne Metro Rail Project Incorporated Document, dated April 2016.
 - **Melbourne Metro Infrastructure** means the Melbourne Metro tunnels, stations and associated infrastructure and equipment
 - **Loading** means the application of force to an asset.
 - **Surface level** means the level of the land to AHD at the date this Schedule is applied to the land.
- To avoid direct contact with and provide safe working clearance around MMRP tunnels, stations, associated infrastructure and equipment;
 - To ensure that the development of land does not adversely affect or put at risk the construction or integrity of the Melbourne Metro Infrastructure or operation of the Infrastructure as part of Melbourne's public transport network;
 - To avoid loading onto the Melbourne Metro Infrastructure that could lead to structural damage, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of the Infrastructure to the detriment of passenger rail operations;
 - To avoid excavations or other unloading of the ground that could lead to structural, serviceability, or operational damage of the Melbourne Metro Infrastructure;
 - To prevent construction methods or development that could generate unacceptable levels of vibration in the Melbourne Metro Infrastructure;
 - To ensure that development works do not rely upon direct structural support from the Melbourne Metro Infrastructure unless specifically envisaged in Melbourne Metro's design;
 - To provide an assessment process to ensure that proposed development within the area affected by the DDO is assessed and the potential effects of proposed developments on the Melbourne Metro Infrastructure, and the consequences of those effects on the wider Melbourne transport network are appropriately managed or mitigated.

3.0 No permit required--/20--
GC45

A permit is not required under this Schedule for:

- A new building of up to two storeys without basements provided that its footings are founded no more than two metres below the existing Surface level;
- Single storey temporary structures;
- Earthworks or excavation that does not change the surface level by more than one metre;
- Poles, signs and retaining walls with footings less than two metres deep;

- Underground utilities with trenches less than two metres deep;
- Internal and external alterations to buildings which do not require works below Surface level;
- Installation of an automatic teller machine;
- Tramway infrastructure and works which do not require earthworks that would change the Surface level by more than one metre or which require works more than two metres deep.

4.0 Permit required for development

--/20--
GC45

A permit is specifically required for the following that would otherwise be exempt under clause 62:

- Demolition or removal of a building or works where the building or works is greater than two storeys or includes a basement of greater than one storey;
- A rainwater tank with a capacity of more than 4,500 litres if requiring works below surface level;
- A new domestic swimming pool if requiring works below Surface level;
- Roadworks which require earthworks that would change the Surface level by more than one metre or which require works more than two metres deep; and
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation, if such works require earthworks that would change the Surface level by more than one metre or require works more than two metres deep.

A permit is required under clause 43.02-2 for the following if requiring works below Surface level:

- Construction of an outdoor swimming pool associated with a dwelling.

5.0 Referral requirement

--/20--
GC45

In this Schedule, the relevant referral authority is the Secretary to the Department of Economic Development, Jobs, Transport and Resources until 31 December 2026, and thereafter VicTrack.

An application to construct or demolish a building or structure or to construct or carry out works, or an application to amend a permit for such demolition, building, structure or works, must be referred in accordance with section 55 of the Act to the relevant referral authority.

This does not apply to applications accompanied by the relevant referral authority's written approval or to applications for which a permit is not required under clause 3 of this Schedule.

6.0 Application requirements

--/20--
GC45

An application to construct or demolish a building or structure or to construct or carry out works, or an application to amend a permit for such demolition, building, structure or works must be accompanied by the following information, as appropriate:

- Site and layout plans drawn to scale which show:
 - the boundaries and dimensions of the site;
 - adjoining roads and infrastructure;
 - relevant ground level and Surface levels to AHD;
 - the layout and dimensions of existing and proposed buildings and works, including foundation details, loadings and proposed levels of bulk excavation or filling;
 - the locations of, and the proposed use of, all existing and proposed buildings;
- Sections and elevations drawn to scale which show:

- the boundaries and dimensions of the site;
- the depth of basement/s, if any;
- the proposed foundations, including their form, founding levels and loads;
- the details of proposed drainage system, including discharge outlet, if any;
- Details relating to the staging of development and an appropriate time scale in which each stage of development may be undertaken;
- A report summarising any consultation undertaken with the relevant referral authority prior to lodgement of planning permit application;
- A technical assessment which identifies any potential adverse effects or risks to the construction, integrity or operation of the Melbourne Metro Infrastructure. The assessment may address as relevant:
 - Identify the geology of the site for the purpose of analysing the loading effects on ground conditions;
 - Establish the additional loading on the Melbourne Metro infrastructure from the proposed development taking into account other infrastructure existing at the time of the permit application, and provide reasoning as to whether the loading satisfies the design objectives of this Schedule;
 - Specify any particular design requirements, construction techniques or operations for the proposed development to address potential loading, unloading or vibration from the proposed development; and
 - Establishes whether the proposed development works rely upon direct structural support from the Melbourne Metro infrastructure.

7.0 Subdivision

--/20--
GC45

A permit is not required to subdivide land.

8.0 Exemption from notice and review

--/20--
GC45

An application 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.

9.0 Decision guidelines

--/20--
GC45

Before deciding on an application for a building, structure or works to be constructed, carried out, demolished or removed, the responsible authority must consider:

- The views of the relevant referral authority as to whether the development satisfies the purpose and design objectives of this Schedule
- Whether safe working clearances have been provided around the Melbourne Metro Infrastructure so as to avoid direct contact with the Infrastructure
- Whether the design of proposed development and proposed construction techniques could adversely affect or put at risk the construction or integrity of the Melbourne Metro Infrastructure or operation of the Infrastructure as part of Melbourne transport network
- Whether the proposed loading onto Melbourne Metro Infrastructure and will lead to structural damage, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of that infrastructure to the detriment of passenger rail operations
- Whether any proposed excavation or other unloading of the ground could compromise structure, serviceability, or operation of the Melbourne Metro infrastructure
- Whether the proposed construction methods or development could generate unacceptable levels of vibration to the Melbourne Metro Infrastructure

- Whether the proposed development works would rely upon direct structural support from the Melbourne Metro Infrastructure in a matter not specifically envisaged in Melbourne Metro's design

--/20--
GC45**SCHEDULE 20 TO THE DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO20****MELBOURNE METRO RAIL PROJECT – INFRASTRUCTURE PROTECTION AREAS****1.0 Purpose**--/20--
GC45

To provide an assessment process for consideration of proposed design requirements, construction techniques or operations on land within this Overlay to ensure that the integrity and operation of the strategically important Melbourne Metro Rail Project (**Melbourne Metro**) is not compromised.

2.0 Design objectives--/20--
GC45

In this Schedule:

- **Melbourne Metro** means the use and development the subject of the Melbourne Metro Rail Project Incorporated Document, dated April 2016.
 - **Melbourne Metro Infrastructure** means the Melbourne Metro tunnels, stations and associated infrastructure and equipment
 - **Loading** means the application of force to an asset.
 - **Surface level** means the level of the land to AHD at the date this Schedule is applied to the land.
- To avoid direct contact with and provide safe working clearance around MMRP tunnels, stations, associated infrastructure and equipment;
 - To ensure that the development of land does not adversely affect or put at risk the construction or integrity of the Melbourne Metro Infrastructure or operation of the Infrastructure as part of Melbourne's public transport network;
 - To avoid loading onto the Melbourne Metro Infrastructure that could lead to structural damage, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of the Infrastructure to the detriment of passenger rail operations;
 - To avoid excavations or other unloading of the ground that could lead to structural, serviceability, or operational damage of the Melbourne Metro Infrastructure;
 - To prevent construction methods or development that could generate unacceptable levels of vibration in the Melbourne Metro Infrastructure;
 - To ensure that development works do not rely upon direct structural support from the Melbourne Metro Infrastructure unless specifically envisaged in Melbourne Metro's design;
 - To provide an assessment process to ensure that proposed development within the area affected by the DDO is assessed and the potential effects of proposed developments on the Melbourne Metro Infrastructure, and the consequences of those effects on the wider Melbourne transport network are appropriately managed or mitigated.

3.0 No permit required--/20--
GC45

A permit is not required under this Schedule for:

- A new building of up to two storeys without basements provided that its footings are founded no more than two metres below the existing Surface level;
- Single storey temporary structures;
- Earthworks or excavation that does not change the surface level by more than one metre;
- Poles, signs and retaining walls with footings less than two metres deep;

- Underground utilities with trenches less than two metres deep;
- Internal and external alterations to buildings which do not require works below Surface level;
- Installation of an automatic teller machine;
- Tramway infrastructure and works which do not require earthworks that would change the Surface level by more than one metre or which require works more than two metres deep.

4.0 Permit required for development

--/20--
GC45

A permit is specifically required for the following that would otherwise be exempt under clause 62:

- Demolition or removal of a building or works where the building or works is greater than two storeys or includes a basement of greater than one storey;
- A rainwater tank with a capacity of more than 4,500 litres if requiring works below surface level;
- A new domestic swimming pool if requiring works below Surface level;
- Roadworks which require earthworks that would change the Surface level by more than one metre or which require works more than two metres deep; and
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation, if such works require earthworks that would change the Surface level by more than one metre or require works more than two metres deep.

A permit is required under clause 43.02-2 for the following if requiring works below Surface level:

- Construction of an outdoor swimming pool associated with a dwelling.

5.0 Referral requirement

--/20--
GC45

In this Schedule, the relevant referral authority is the Secretary to the Department of Economic Development, Jobs, Transport and Resources until 31 December 2026, and thereafter VicTrack.

An application to construct or demolish a building or structure or to construct or carry out works, or an application to amend a permit for such demolition, building, structure or works, must be referred in accordance with section 55 of the Act to the relevant referral authority.

This does not apply to applications accompanied by the relevant referral authority's written approval or to applications for which a permit is not required under clause 3 of this Schedule.

6.0 Application requirements

--/20--
GC45

An application to construct or demolish a building or structure or to construct or carry out works, or an application to amend a permit for such demolition, building, structure or works must be accompanied by the following information, as appropriate:

- Site and layout plans drawn to scale which show:
 - the boundaries and dimensions of the site;
 - adjoining roads and infrastructure;
 - relevant ground level and Surface levels to AHD;
 - the layout and dimensions of existing and proposed buildings and works, including foundation details, loadings and proposed levels of bulk excavation or filling;
 - the locations of, and the proposed use of, all existing and proposed buildings;
- Sections and elevations drawn to scale which show:

- the boundaries and dimensions of the site;
- the depth of basement/s, if any;
- the proposed foundations, including their form, founding levels and loads;
- the details of proposed drainage system, including discharge outlet, if any;
- Details relating to the staging of development and an appropriate time scale in which each stage of development may be undertaken;
- A report summarising any consultation undertaken with the relevant referral authority prior to lodgement of planning permit application;
- A technical assessment which identifies any potential adverse effects or risks to the construction, integrity or operation of the Melbourne Metro Infrastructure. The assessment may address as relevant:
 - Identify the geology of the site for the purpose of analysing the loading effects on ground conditions;
 - Establish the additional loading on the Melbourne Metro infrastructure from the proposed development taking into account other infrastructure existing at the time of the permit application, and provide reasoning as to whether the loading satisfies the design objectives of this Schedule;
 - Specify any particular design requirements, construction techniques or operations for the proposed development to address potential loading, unloading or vibration from the proposed development; and
 - Establishes whether the proposed development works rely upon direct structural support from the Melbourne Metro infrastructure.

7.0 Subdivision

--/20--
GC45

A permit is not required to subdivide land.

8.0 Exemption from notice and review

--/20--
GC45

An application 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.

9.0 Decision guidelines

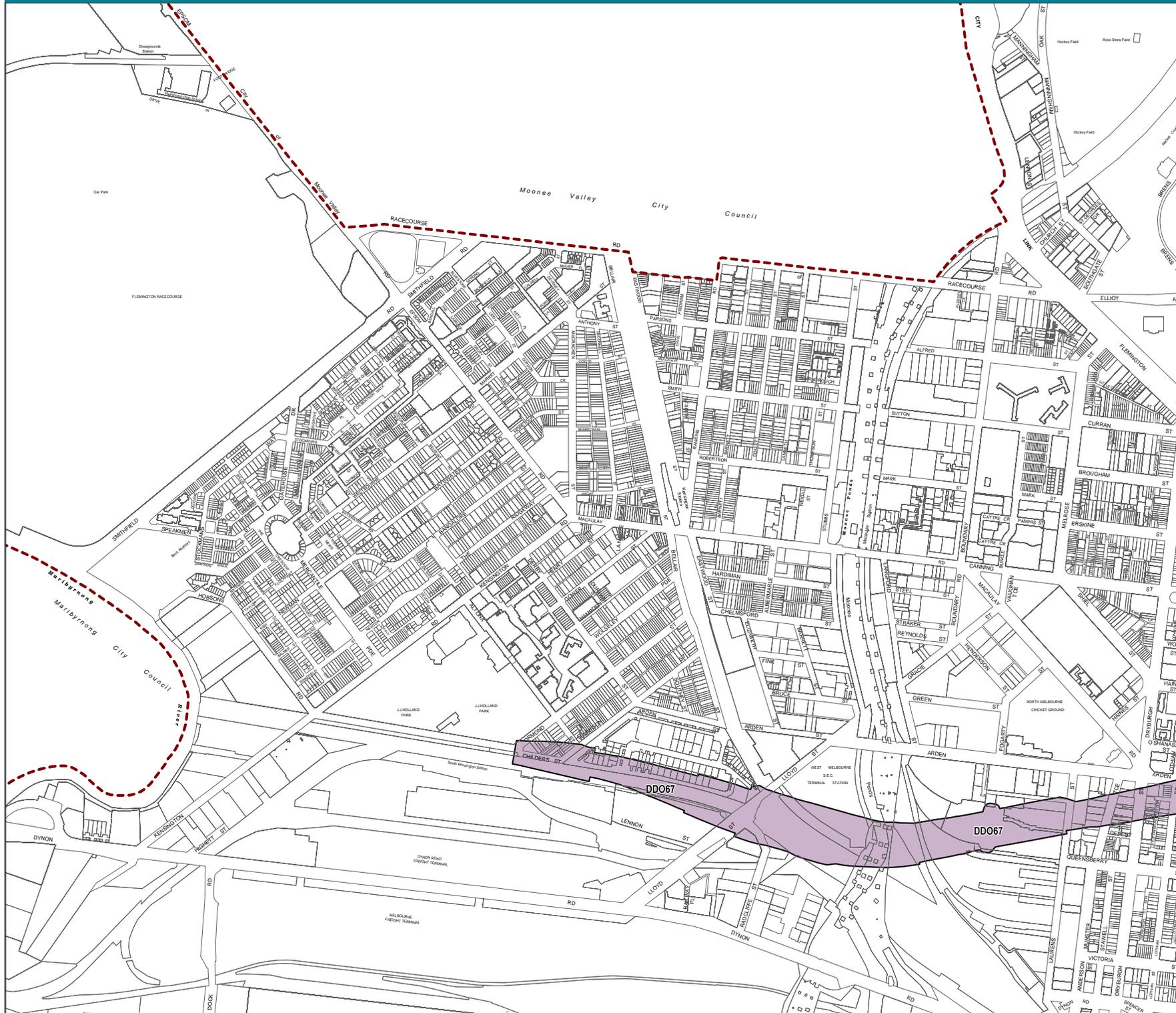
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GC45

Before deciding on an application for a building, structure or works to be constructed, carried out, demolished or removed, the responsible authority must consider:

- The views of the relevant referral authority as to whether the development satisfies the purpose and design objectives of this Schedule
- Whether safe working clearances have been provided around the Melbourne Metro Infrastructure so as to avoid direct contact with the Infrastructure
- Whether the design of proposed development and proposed construction techniques could adversely affect or put at risk the construction or integrity of the Melbourne Metro Infrastructure or operation of the Infrastructure as part of Melbourne transport network
- Whether the proposed loading onto Melbourne Metro Infrastructure and will lead to structural damage, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of that infrastructure to the detriment of passenger rail operations
- Whether any proposed excavation or other unloading of the ground could compromise structure, serviceability, or operation of the Melbourne Metro infrastructure
- Whether the proposed construction methods or development could generate unacceptable levels of vibration to the Melbourne Metro Infrastructure

- Whether the proposed development works would rely upon direct structural support from the Melbourne Metro Infrastructure in a matter not specifically envisaged in Melbourne Metro's design

DESIGN AND DEVELOPMENT OVERLAY



Overlays

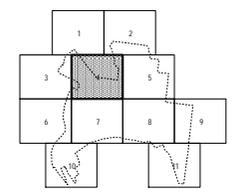
Design And Development Overlay - Schedule 66



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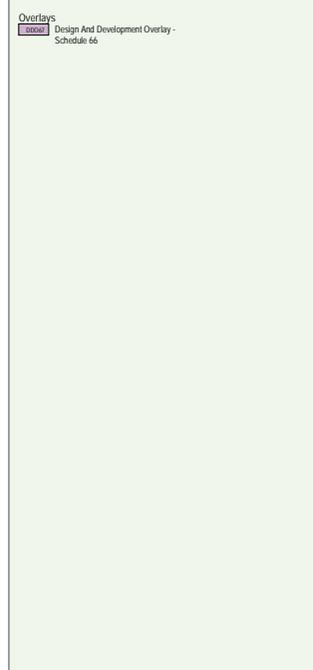
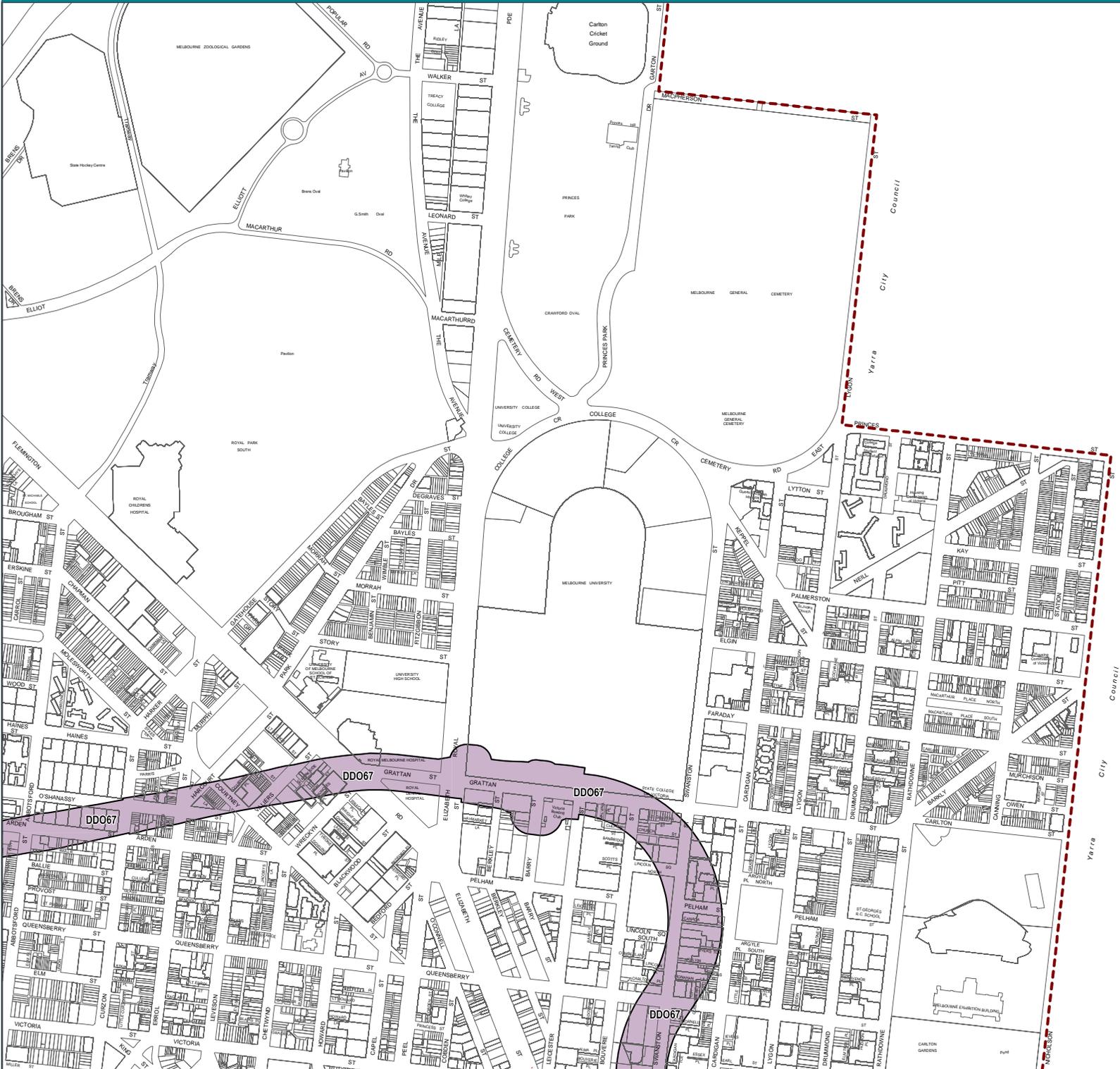
MAP No 4DDO

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 * A complete list of zones and other overlays is in the written part of this scheme.

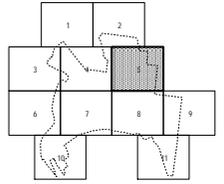
DESIGN AND DEVELOPMENT OVERLAY



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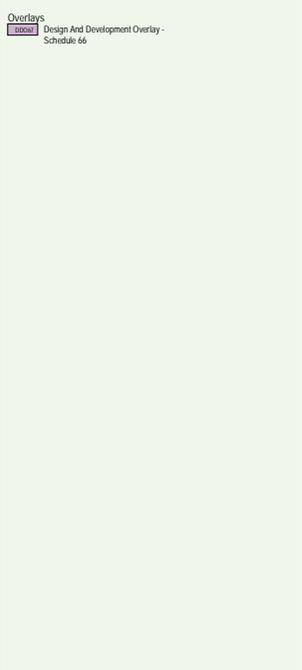
Scale of Victoria

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MELBOURNE PLANNING SCHEME - LOCAL PROVISION



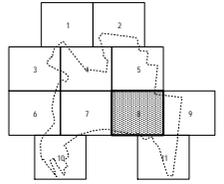
DESIGN AND DEVELOPMENT OVERLAY



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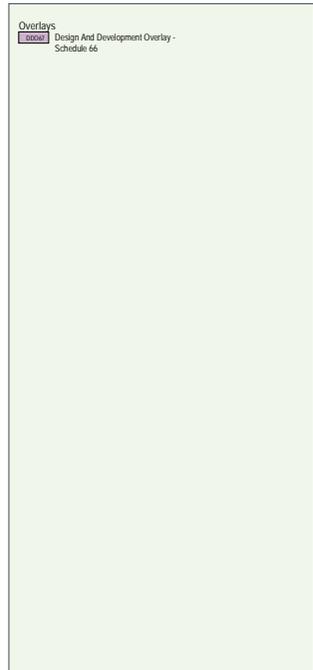
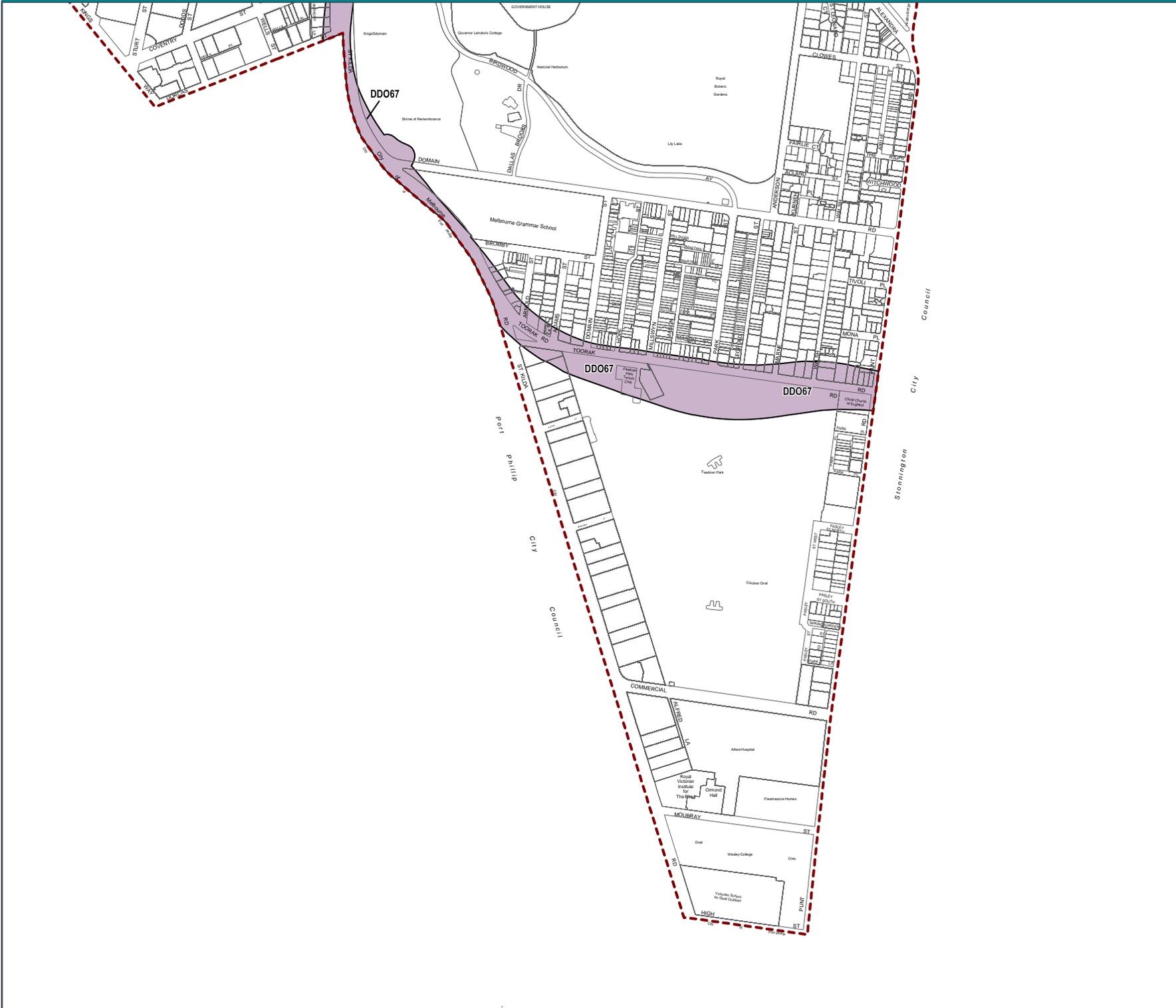
* This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.
 * A complete list of zones and other overlays is in the written part of this scheme.

MELBOURNE PLANNING SCHEME - LOCAL PROVISION

DESIGN AND DEVELOPMENT OVERLAY

Overlays

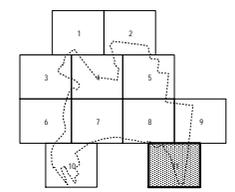
 Design And Development Overlay - Schedule 66

PREPARED BY: Planning Mapping Services



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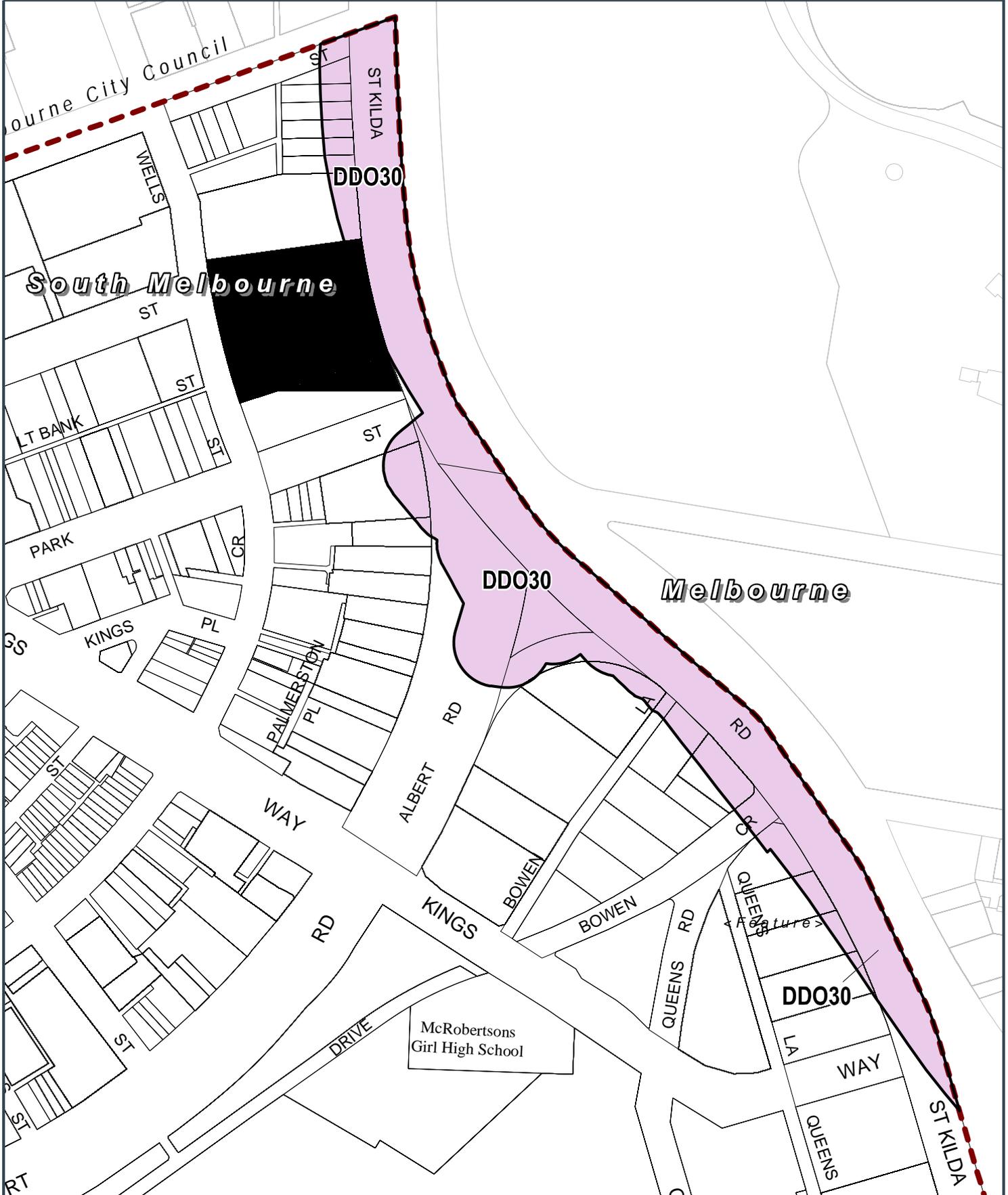
Printed: 9/3/2016 **AMENDMENT GC45**

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* A complete list of zones and other overlays is in the written part of this scheme.

PORT PHILLIP PLANNING SCHEME

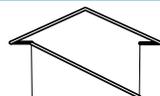


LEGEND

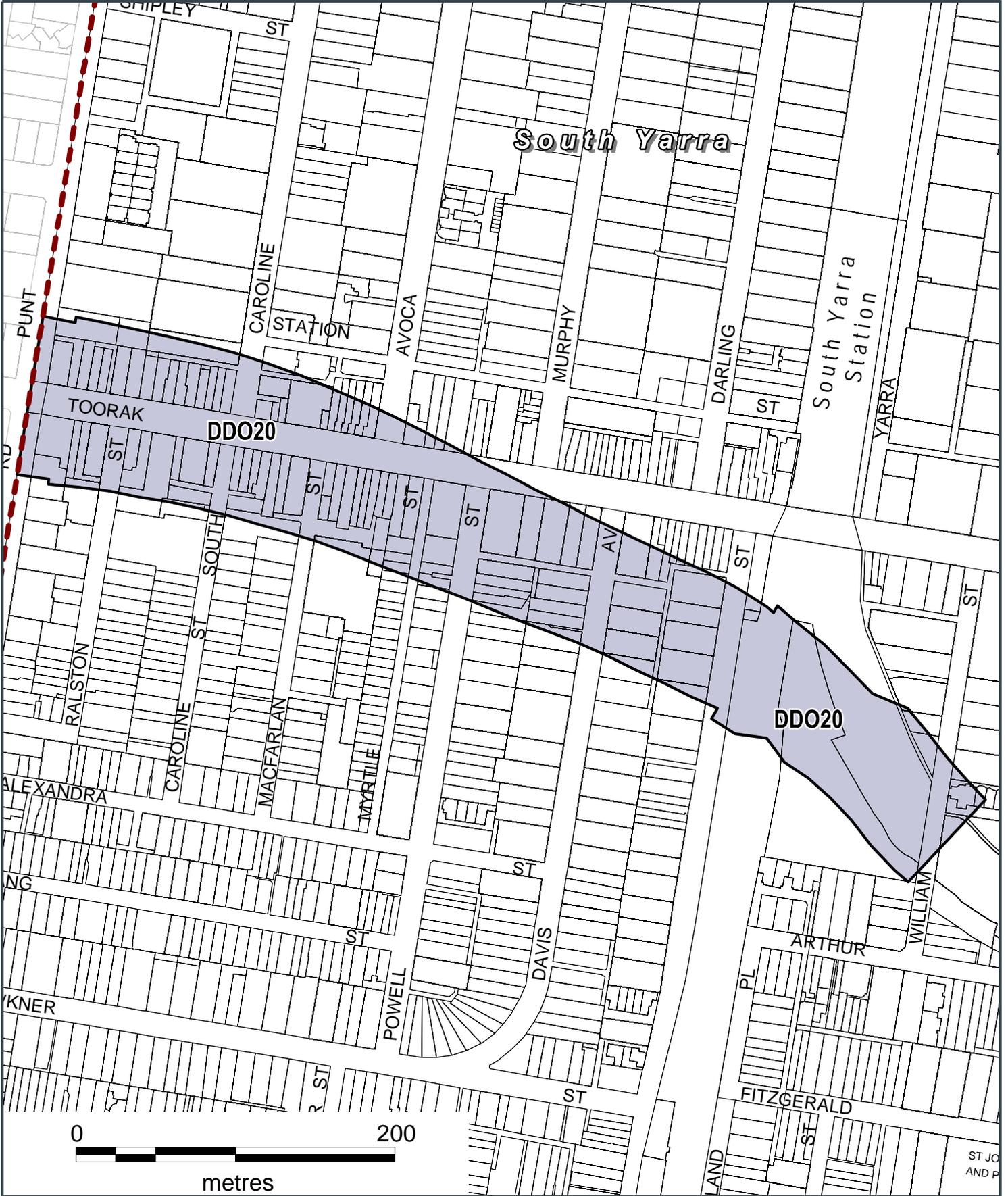
DDO30 Design and Development Overlay - Schedule 30

Part of Planning Scheme Map 4DDO

AMENDMENT GC45



STONNINGTON PLANNING SCHEME

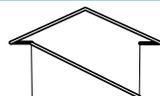


LEGEND

DDO20 Design and Development Overlay - Schedule 20

Part of Planning Scheme Map 1DDO

AMENDMENT GC45



Appendix E

Draft changes to Schedules to clauses 52.03, 61.01 and 81.01 of the Melbourne, Port Phillip, Stonnington and Maribyrnong Planning Schemes and clause 66.04 of the Melbourne, Port Phillip and Stonnington Planning Schemes

SCHEDULE TO CLAUSE 52.03

Address of land	Title of incorporated document
Kensington Banks Redevelopment Site, Kensington	Kensington Banks Development Plan (Subdivisions)
42 Clarendon Street, South Melbourne	Sky sign - 42 Clarendon Street, South Melbourne
766 Elizabeth Street, Carlton	High wall signs - 766 Elizabeth Street, Carlton
Former Queen Victoria Hospital Site, Melbourne	Former Queen Victoria Hospital Site, Open Lot Car Park, Melbourne
346-376 Queen Street, 334-346 La Trobe Street and 142-171 A'Beckett Street	346-376 Queen Street, 334-346 La Trobe Street and 142-171 A'Beckett Street Open Lot Car Park, Melbourne
218 Berkeley Street, 243, 249, 251 and 253 Grattan Street, Vol 9586 Fol 585 153 Barry Street, Vol 8277 Fol 993 155 Barry Street, Vol 8277 Fol 994 157 Barry Street, Vol 8733 Fol 185 159 Barry Street, Vol 8252 Fol 839 161-163 Barry Street, Vol 8273 Fol 464 95 Barry Street, Vol 8651 Fol 154 97 Barry Street, Vol 4454 Fol 890686 99 Barry Street, Vol 9310 Fol 338 101 Barry Street, Vol 990 Fol 598 103-105 Barry Street, Vol 2659 Fol 700 107 Barry Street, Vol 9605 Fol 235 109 Barry Street, Vol 9605 Fol 236 111-117 Barry Street, Vol 9968 Fol 851, Vol 4744 Fol 948694 and Vol 6549 Fol 1309658 119-129 Barry Street, Vol 10042 Fol 777 Part (combined with 131-137 Barry Street and 200 Berkeley) 179-187 Pelham Street, Vol 8149 Fol 784 Leicester Street, Vol 4164 Fol 832756 149 Leicester Street, Vol 8369 Fol 589 and Vol 8369 Fol 320 62 Barry Street, Vol 8041 Fol 082 239-241 Bouverie Street, Vol 9955 Fol 707 Victorian Bowling Club, Grattan Street, Part Vol 0600 Fol 912 216-222 Leicester Street, Graduate Union, subterranean rights for carpark access, Vol 9767 Fol 292 202-216 Pelham Street also identified as 162-178 Berkeley Street, Vol 8986 Fol 351, Vol 9254 Fol 506, Vol 4152 Fol 341, Vol 1167 Fol 332, Vol 8986 Fol 350, Vol 8965 Fol 641, Vol 8390 Fol 463, Vol 8965 Fol 640	University of Melbourne, University Square Campus, Carlton, November 1999

Address of land	Title of incorporated document
Spencer Street Station redevelopment precinct generally bounded by Spencer Street, Collins Street, Wurundjeri Way and La Trobe Street Melbourne, (excluding the Melbourne City Mail Centre)	Spencer Street Station redevelopment, June 2013
Crown Allotment 21D, Power Street, Southbank	Promotional Panel sign, Crown Allotment 21D, Power Street, Southbank, July 1999
29 Simpson Street, East Melbourne	Cliveden Hill Private Hospital, 29 Simpson Street, East Melbourne, July 1999
236-254 St Kilda Road, Southbank	Mirvac, Residential Towers, 236-254 St Kilda Road, Southbank
95-129 Bourke Street, 113-149 Exhibition Street, and 78-120 Little Collins Street, Melbourne	Former Southern Cross Hotel site, Melbourne, March 2002
172-192 Flinders Street and 189-195 Flinders Lane, Melbourne	Flinders Gate car park, Melbourne, July 1999
Land comprising public lands and sports and entertainment facilities within the area bounded generally by Flinders Street, Wellington Parade, Punt Road, South-Eastern Freeway, Batman Avenue and Exhibition Street Extension, Melbourne	Sports and Entertainment Precinct, Melbourne, August 2007
1 Swanston Street, Melbourne	Young and Jackson's Hotel, Promotional Panel Sky sign, Melbourne, July 1999
Land comprising public lands and sports facilities for the State Netball and Hockey Centre, Brens Drive Royal Park, Parkville	State Netball and Hockey Centre, Brens Drive Royal Park, Parkville, May 2000
St Kilda Road adjacent to Princes Bridge Melbourne; Sports and Entertainment Precinct, (Batman Avenue and Swan Street), Melbourne	Federation Arch and Sports and Entertainment Precinct Signs, April 2002
Road reservations of Victoria Parade, East Melbourne, Gisborne Street, Macarthur Street, Collins Street and Spencer Street, Melbourne, and Clarendon Street and Normanby Road, South Melbourne	Tram Route 109 Disability Discrimination Act compliant Platform Tram Stops, August 2007
Melbourne Aquarium, Enterprise Park/Batman Park	Melbourne Aquarium Signs, July 2001
2-26 and 30-50 Southbank Boulevard, 17-23 Queensbridge Street and 127-131 and 133-141 Queensbridge Square, Southbank	Freshwater Place, Southbank, August 2001 (Amended 2012)
4 Lloyd Street, Kensington	Simplot Australia head office, Kensington, October 2001
Bio 21 Project area: land bounded by Flemington Road, Park Drive, Story Street, Parkville and abutting University High School and Royal Melbourne Hospital to the east, Title Vol 10565 Fol 172	University of Melbourne Bio21 Project Parkville, July 2015
349-373 Swanston Street, 183-265 and 214-252 La Trobe Street, 316-364 Elizabeth Street, 198-262 and 285-307 Little Lonsdale Street and 284-310 Lonsdale Street, Melbourne	Melbourne Central redevelopment March 2002

Address of land	Title of incorporated document
46-74 Flinders Street, Melbourne	Former Herald and Weekly Times Building, 46-74 Flinders Street, Melbourne, August 2002
South Tower -Rialto Towers, 525 Collins Street, Melbourne	Rialto South Tower Communications Facility Melbourne, November 2002
The 20.11 hectares of land included in the Games Village project as shown in plan 18698/GV Version A, generally bounded by Oak Street to the east, Park Street to the north, the City Link Freeway to the west and Royal Park to the south-east, excluding the Mental Health Research Institute, in Parkville	The Games Village Project, Parkville, September 2006
412-442 Victoria Parade, 167-225 Powlett Street and 148-178 Albert Street, East Melbourne	former Victoria Brewery site, East Melbourne – ‘Tribeca’ Redevelopment October 2003
Corner Swan Street and Batman Avenue, Melbourne	former Olympic Swimming Stadium, Collingwood Football Club signage, April 2004
Royal Melbourne Showgrounds, Epsom Road, Ascot Vale	Royal Melbourne Showgrounds Redevelopment Project - December 2004
110 Jeffcott Street, West Melbourne (Crown Allotment 19, Section 35, at West Melbourne, Parish of Melbourne North, City of Melbourne)	Judy Lazarus Transition Centre, March 2005
134-144 Southbank Boulevard, 21-43 Sturt Street, and part of Southbank Boulevard, adjacent to the northern boundary of the site, Southbank	Melbourne Recital Hall and MTC Theatre project, August 2005
Land at Princes Park, North Carlton (parkland area generally defined by Royal Parade, Cemetery Road West, Princes Park Drive and the pedestrian path connecting Princes Park Drive and Royal Parade located to the south of Optus Oval)	Big Day Out Music Festival, January 2006
Land comprising public lands and sports and entertainment facilities within the area bounded generally by Swan Street, Punt Road, Batman Avenue and Boulton Parade, Melbourne	Rectangular Pitch Stadium Project: Olympic Park and Gosch's Paddock, Melbourne, August 2007
135-149 Kings Way, Southbank	Advertising Signs - Mercedes-Benz, 135-149 Kings Way, Southbank
Land comprising the Melbourne Convention Centre Development Southbank and associated Northbank redevelopment Docklands, Precinct Plan area, generally bounded by Wurundjeri Way, the north-south alignment of Siddeley Street and its prolongation south to the Yarra River, Charles Grimes Bridge, Montague Street, the southern alignment of the West Gate Freeway, Normanby Road and Clarendon Street, the Yarra River southbank including south wharf and Dukes Dock and Orrs Dock, and parts of the northbank of the Yarra River in the vicinity of the western end of Siddeley Street, and part of the intervening Yarra River	Melbourne Convention Centre Development, Southbank and North Wharf redevelopment, Docklands, April 2006

Address of land	Title of incorporated document
Land comprising the Dynon Port Rail Link Project area generally bounded by Footscray Road (west of the City Link off ramp) and land to the north	Dynon Port Rail Link Project
Land between Yarraville and Doveton adjacent to and encompassing the West Gate Freeway, the City Link Southern Link and Western Link south of the Bolte Bridge, the Monash Freeway and the South Gippsland Freeway, insofar as the land is in the City of Melbourne	M1 Redevelopment Project, October 2006
Land at 167-177 and 181-191 Little Collins Street and 97-101, 103-107 and 109-113 Russell Street. Melbourne	Scots Church Site Redevelopment, Melbourne, May 2013
57-83 Kavanagh Street, Southbank	State Coronial Services Centre Redevelopment Project, August 2007
Land at 47 Whiteman Street, 25-31 Haig Street, 28 Haig Street, 35-39 Haig Street, 57-69 Clarendon Street, 71-77 Clarendon Street and 79-91 Clarendon Street, and 93 Clarendon Street, Southbank and roads bounded by the land	Crown Casino Third Hotel, September 2007
Land at 314-336 Bourke Street, 297-309 Little Bourke Street and 315-321 Little Bourke Street, Melbourne	Myer Melbourne Bourke Street store redevelopment, Melbourne, October 2007
The New Royal Children's Hospital Project Area, Flemington Road Parkville, generally bounded by Royal Park, Flemington Road, the tramway and the existing Royal Children's Hospital on the corner of Gatehouse Street and Flemington Road, Parkville	The New Royal Children's Hospital Project, Parkville, October 2007
Land at: 65-71 Haig Street, Southbank 9-15 Moray Street, South Melbourne 1-3 Cobden Street, South Melbourne	Major Promotion Signs, December 2008
Land at: 269, 271-73 and 275-321 Lonsdale Street, 266-78, 280-84, 286-88 and 290-316 Little Bourke Street (including Lynch Place), Melbourne, and Arcade Alley, Melbourne (Corporation Lane 63). The land generally bound by Little Bourke Street to the south, Caledonian Lane to the east, Lonsdale Street to the north and the Strand Central Arcade at 323-345 Lonsdale Street and the Pacific International Apartments building at 318-320 Little Bourke Street to the west	Emporium Melbourne Development, July 2009
Melbourne Park Redevelopment Area - All land bounded generally by Olympic Boulevard between Batman Avenue and Punt Road to the south, Punt Road to the east, the rail corridor and William Barak Bridge to the north and Batman Avenue between William Barak Bridge and Olympic Boulevard to the west. The Area includes the proposed pedestrian bridge alignment and landings over Batman Avenue linking Birrarung Marr and Melbourne Park and the constructed pedestrian bridge over Olympic Boulevard linking Melbourne	Melbourne Park Redevelopment February 2014

Address of land	Title of incorporated document
Park and AAMI Park	
Hamer Hall Redevelopment Area comprising Hamer Hall and land bound by Princes Bridge, St Kilda Road, Yarra River and Southgate Avenue and the Arts Centre lawn	Hamer Hall Redevelopment July 2010
The land required for the Regional Rail Link Project as identified in clause 3 of the incorporated document	Regional Rail Link Project Section 1 Incorporated Document, March 2015
Yarra Park Master Plan Area – The area includes the Yarra Park Reserve, the Melbourne Cricket Ground and the Richmond Cricket Ground/Punt Road Oval in Precinct 1. Precinct 1 is generally bordered by Brunton Avenue to the south, Punt Road to the east, Vale Street South and Vale Street to the north-east, the railway line running parallel to Wellington Parade to the north and Jolimont Street and Jolimont Terrace, East Melbourne, to the west. Precinct 2 on the Area Plan includes part of Wellington Parade South and parts of Wellington Park and Jolimont Reserve that correspond to the alignment of external infrastructure required to connect the source of wastewater to the water recycling facility to be constructed in Yarra Park	Yarra Park Master Plan Implementation September 2010
The '80 Collins Street Development Project' located at the combined property address of 72-74, 76-80, 82 and 84 Collins Street, Melbourne. The land includes Benson Lane, identified as the former Council owned Corporation Lane no.1405, the air space above the former Commercial Bank of Australia at 68-72 Collins Street, Melbourne and the bluestone Lane to the rear of 68-72 Collins Street Melbourne	80 Collins Street Melbourne Development, May 2013
Land on the northern bank of the Yarra River to the east and west of the Charles Grimes Bridge, and over the Yarra River under the Charles Grimes Bridge, as detailed in the "Charles Grimes Bridge Underpass Concept Plan"	Charles Grimes Bridge Underpass, December 2011
Visy Park, Royal Parade, Carlton North	"Visy Park Signage, 2012"
North Melbourne Recreation Reserve, Arden Street, North Melbourne	"North Melbourne Recreation Reserve Signage 2012"
Land north of the Howe Parade reservation corresponding to the indicative alignment of new roads and intersections as detailed in the "Port Capacity Project, Webb Dock Precinct Concept Plan, October 2012"	Port Capacity Project, Webb Dock Precinct, October 2012
Land known as 70 Southbank Boulevard, Southbank, with a site address of 115-221 City Road, across three titles, being Lot 1 and Lot 2 on Plan of Subdivision 334458M and Crown Allotment 45 to 50A, Section 81 of PC354099Q	70 Southbank Blvd, Southbank, June 2014
555 Collins Street, Melbourne	Shadow Controls, 555 Collins Street, Melbourne, February 2013

Address of land	Title of incorporated document
120-130 Southbank Boulevard and 102-118 Sturt Street, Southbank	ABC Melbourne New Office and Studio Accommodation Project (Southbank), December 2013
The Cranbourne Pakenham Rail Corridor Project land as shown on the project area maps and identified in the incorporated document	Cranbourne Pakenham Rail Corridor Project Incorporated Document, September 2014
<u>The land required for the Melbourne Metro Rail Project as identified in the incorporated document.</u>	<u>Melbourne Metro Rail Project Incorporated Document, April 2016.</u>

SCHEDULE TO CLAUSE 52.03

Address of land	Title of incorporated document
12 Acland Street, St Kilda	12 Acland Street, St Kilda
315-317 Beaconsfield Parade and 109-111 Park Street, St Kilda	315-317 Beaconsfield Parade and 109-111 Park Street, St Kilda
29 Fitzroy Street, St Kilda	29 Fitzroy Street, St Kilda
14-16 The Esplanade, St Kilda	14-16 The Esplanade, St Kilda
1-29 Albert Road, South Melbourne	1-29 Albert Road, South Melbourne
132-134 Bank Street and 223-227 Moray Street, South Melbourne	132-134 Bank Street and 223-227 Moray Street, South Melbourne
400-410 City Road, 2-48 Cecil Street and 127-135 Whiteman Street, South Melbourne	400-410 City Road, 2-48 Cecil Street and 127-135 Whiteman Street, South Melbourne
582-584 St Kilda Road, South Melbourne	582-584 St Kilda Road, South Melbourne
360-370 St Kilda Road, South Melbourne	360-370 St Kilda Road, South Melbourne
414-416 and 418 St Kilda Road, South Melbourne	414-416 and 418 St Kilda Road, South Melbourne
114-124 Albert Road, South Melbourne	114-124 Albert Road, South Melbourne
Melbourne Sports & Aquatic Centre, Albert Park	Melbourne Sports & Aquatic Centre,
Land zoned CDZ1, Beacon Cove, Port Melbourne.	Beacon Cove Development, Port Melbourne including Bayside Concept Plan No. 1, Bayside Precinct Plan No. 1, Bayside Residential Component Guidelines No. 1 (dated October 1994) and Plan named Bayside Port Melbourne showing areas subject to an environmental audit, drawing number 1255z4, dated 3 November, 1994
89 Fitzroy Street, St Kilda	89 Fitzroy Street, St Kilda
167 Fitzroy Street, St Kilda	167 Fitzroy Street, St Kilda
Albert Park	Albert Park Masterplan
61 Bertie Street, Port Melbourne	Part 61 Bertie Street, Port Melbourne, November 2001
Land comprising Melbourne Convention Centre Development Southbank and associated Northbank redevelopment Docklands, Precinct Plan area, generally bounded by the southern alignment of the West Gate Freeway, Ford Street, Munro Street, Doran Street and Normanby Road, South Melbourne.	Melbourne Convention Centre Development, Southbank and North Wharf redevelopment, Docklands, April 2006
Land between Yarraville and Doveton adjacent to and encompassing the West Gate Freeway, the City Link Southern Link and Western Link south of the Bolte Bridge, the Monash Freeway and the South Gippsland	M1 Redevelopment Project, October 2006

Address of land	Title of incorporated document
Freeway, insofar as the land is in the City of Port Phillip	
<p>Land at</p> <ul style="list-style-type: none"> ▪ 313-317 Kingsway, South Melbourne ▪ 312 Kingsway, South Melbourne ▪ 278-282 Kingsway and 1-5 Fitzpatrick Street, South Melbourne ▪ 380 City Road, South Melbourne 	Major Promotional Signs
400-430 City Road, 10-24 Cecil Street and 115-131 Whiteman Street, Southbank	400-430 City Road, Southbank, February 2010
Land within Albert Park including the Lakeside Oval precinct on Albert Road Drive and the Sports Fields Precinct on Aughtie Drive, Albert Park.	State Sports Facilities Projects Albert Park, September 2009 (amended May 2012).
12B Chapel Street, St Kilda	12B Chapel Street, St Kilda, September 2013
29 Fitzroy Street, St Kilda	Prince Apartments Stage 2 Development Plans – 29 Fitzroy Street, St Kilda, December 2013
30 Jacka Boulevard, St Kilda	Stokehouse – 30 Jacka Boulevard, St Kilda, July 2014
Land required for the Acland Street Upgrade Project as shown on the project area map in the incorporated document.	Acland Street Upgrade Project Incorporated Document, December 2015
<u>The land required for the Melbourne Metro Rail Project as identified in the incorporated document.</u>	<u>Melbourne Metro Rail Project Incorporated Document, April 2016.</u>

SCHEDULE TO CLAUSE 52.03

Address of land	Title of incorporated document
266-274 Glenferrie Road, Malvern	266-274 Glenferrie Road, Malvern Document incorporated under Clause 52.03 (Specific Sites and Exclusions) of the Stonnington Planning Scheme – Existing Provision No. 3, 5 August 2004.
159 Commercial Road, South Yarra	159 Commercial Road, South Yarra – Document incorporated under Clause 52.03 (Specific Sites and Exclusions) of the Stonnington Planning Scheme - Existing Provision No.4, 5 June 2006.
Land between Yarraville and Doveton adjacent to and encompassing the West Gate Freeway, the City Link Southern Link and Western Link south of the Bolte Bridge, the Monash Freeway and the South Gippsland Freeway, insofar as the land is in the City of Stonnington	M1 Redevelopment Project, October 2006.
943 Dandenong Road, Malvern East	Document incorporated under Clause 52.03 (Specific Sites and Exclusions) of the Stonnington Planning Scheme – “Major Promotion Sign - Permit Provisions 943 Dandenong Road, Malvern East, December 2008”.
267-271 Malvern Road and 1 Surrey Road, South Yarra	Prahran Precinct Redevelopment - September 2010.
661 Chapel Street, South Yarra	661 Chapel Street, South Yarra – Document incorporated under Clause 52.03 (Specific Sites and Exclusions) of the Stonnington Planning Scheme – “Integrated development at 661 Chapel Street, South Yarra – January 2014”.
The Cranbourne Pakenham Rail Corridor Project land as shown on the project area maps and identified in the incorporated document.	Cranbourne Pakenham Rail Corridor Project Incorporated Document, September 2014
The Burke Road Glen Iris Level Crossing Removal Project land as shown on the project area maps and identified in the incorporated document.	Burke Road Glen Iris Level Crossing Removal Project Incorporated Document, July 2015
<u>The land required for the Melbourne Metro Rail Project as identified in the incorporated document.</u>	<u>Melbourne Metro Rail Project Incorporated Document, April 2016.</u>

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GC45

SCHEDULE TO CLAUSE 52.03

Address of land	Title of incorporated document
23 Frederick Street, Yarraville	23 Frederick Street, Yarraville
Land between Yarraville and Doveton adjacent to and encompassing the West Gate Freeway, the City Link Southern Link and Western Link south of the Bolte Bridge, the Monash Freeway and the South Gippsland Freeway, insofar as the land is in the City of Maribyrnong	M1 Redevelopment Project, October 2006
170 and 180 Ashley Street, Maidstone	170 & 180 Ashley Street, Maidstone
The land required for the Regional Rail Link Project as identified in clause 3 of the incorporated document	Regional Rail Link Project Section 1 Incorporated Document, March 2015
72-74 Napier Street, Footscray	Business Identification Signage, 72-74 Napier Street, Footscray, September 2013
<u>The land required for the Melbourne Metro Rail Project as identified in the incorporated document.</u>	<u>Melbourne Metro Rail Project Incorporated Document, April 2016.</u>

—/—/20—
GC45

SCHEDULE TO CLAUSE 61.01

1.0

Responsible authority for administering and enforcing this scheme:

15/03/2011
VC78

The Council of the City of Melbourne is the responsible authority for administering and enforcing the scheme, except for matters specified in Clause 61.01-1 and matters listed in this schedule.

2.0

Responsible authority for administering and enforcing a provision of this scheme:

—/—/20—
GC45

The Minister for Planning is the responsible authority for administering and enforcing the scheme for:

- The Melbourne Casino Area as delineated in Schedule 1 of the *Casino Control Act 1991* as amended.
- The Special Use Zone - Schedule 1 Flemington Racecourse.
- The Special Use Zone - Schedule 2 Royal Melbourne Showgrounds
- Land at 235-249 A'Beckett Street, Melbourne, described in Title Vol. 5809 Fol. 796.
- Bio21 project area: land bounded by Flemington Road, Park Drive, Story Street, Parkville and abutting University High School and Royal Melbourne Hospital to the east, Title Vol.10565 Fol.172.
- Spencer Street Station redevelopment precinct generally bounded by Spencer Street, Collins Street, Wurundjeri Way and La Trobe Street Melbourne (excluding the Melbourne City Mail Centre).
- Land comprising public lands and sports and entertainment facilities within the area bounded generally by Swan Street, Punt Road, Batman Avenue and Boulton Parade, Melbourne.
- Land comprising the Melbourne Convention Centre Development Southbank and associated Northbank redevelopment Docklands, Precinct Plan area generally bounded by Wurundjeri Way, the north-south alignment of Siddeley Street and its prolongation south to the Yarra River, Charles Grimes Bridge, Montague Street, the southern alignment of the West Gate Freeway, Normanby Road and Clarendon Street, the Yarra River southbank including south wharf and Dukes Dock and Orrs Dock, and parts of the northbank of the Yarra River in the vicinity of the western end of Siddeley Street, and part of the intervening Yarra River.
- Land included in the Games Village project as shown in plan 18698/GV Version A, generally bounded by Oak Street to the east, Park Street to the north, the City Link Freeway to the west and Royal Park to the south-east, excluding the Mental Health Research Institute, in Parkville. This includes applications for subdivision or consolidation of land including buildings and airspace and other applications made under the *Subdivision Act 1988*.
- Land included in the 'The New Royal Children's Hospital Project Area', Flemington Road Parkville, generally bounded by Royal Park, Flemington Road, the tramway and the existing Royal Children's Hospital on the corner of Gatehouse Street and Flemington Road, Parkville.
- Land included in the Development Plan Overlay, Schedule 8 – Carlton Housing Precincts, comprising the following three areas:
 - Lygon/Rathdowne Precinct comprising the area generally bounded by Lygon Street, Princes Street, Drummond Street, Rathdowne Street and Neill Street, Carlton;

- Elgin/Nicholson Precinct comprising the area bounded by Elgin Street, Nicholson Street, Canning Street and Palmerston Street, Carlton;
- Keppel/Cardigan Precinct comprising the area bounded by Keppel Street, Cardigan Street, Cemetery Road East and Swanston Street, Carlton.
- Land included in the Melbourne Park Redevelopment Area - All land bounded generally by Olympic Boulevard between Batman Avenue and Punt Road to the south, Punt Road to the east, the rail corridor and William Barak Bridge to the north and Batman Avenue between William Barak Bridge and Olympic Boulevard to the west. The Area includes the proposed pedestrian bridge alignment and landings over Batman Avenue linking Birrarung Marr and Melbourne Park and the constructed pedestrian bridge over Olympic Boulevard linking Melbourne Park and AAMI Park.
- Hamer Hall Redevelopment Area comprising Hamer Hall and land bound by Princes Bridge, St Kilda Road, Yarra River and Southgate Avenue and the Arts Centre lawn.
- Land included in the Yarra Park Master Plan Area (Precinct 1 & Precinct 2) as hatched in Figure 1.
- Land comprising the northern bank of the Yarra River to the east and west of the Charles Grimes Bridge, and above the Yarra River under the Charles Grimes Bridge, as shown in Figure 2.

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2, and 3 of Part 4 and Part 4AA of the Act and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority in relation to:

- Developments with a gross floor area exceeding 25,000 square metres.
- Development and use of land for or on behalf of a Minister of the Crown.
- Comprehensive Development Zone; Schedule 2 – Carlton Brewery.
- The approval and amendment of any development plan, pursuant to clause 43.04-3, in relation to Schedule 8 to the Development Plan Overlay (Carlton Housing Precincts).

The Growth Areas Authority, now known as the Metropolitan Planning Authority, is the responsible authority for matters under Division 2 of Part 9 of the Act in relation to any agreement that makes provision for development contributions for land in the Fishermans Bend Urban Renewal Area as identified in Figure 3.

Despite anything to the contrary in this schedule, the Minister for Planning is the responsible authority for the purposes of clause 43.04 (schedules 2 to 7) where the total gross floor area of the buildings in the development plan exceeds 25,000 square metres.

Despite anything to the contrary stated in this schedule, the Council of the City of Melbourne is the responsible authority for administering and enforcing the scheme for applications for subdivision or consolidation of land including buildings or airspace and other applications made under the *Subdivision Act 1988* within the municipal district of the City of Melbourne, except for the 20.11 hectares of land included in the Games Village project as shown in plan 18698/GV Version A, generally bounded by Oak Street to the east, Park Street to the north, the City Link Freeway to the west and Royal Park to the south-east, excluding the Mental Health Research Institute, in Parkville.

The Minister for Planning is the responsible authority for administering and enforcing:

- Clause 52.03 of the scheme in respect of the “Regional Rail Link Project Section 1 Incorporated Document, March 2015”.
- Any other provision of the scheme as it applies to the use or development of land authorised by the Victorian Government for the Regional Rail Link Project.
- Clause 52.03 of the scheme in respect of the “Melbourne Metro Rail Project Incorporated Document, April 2016”.

- Any other provision of the scheme as it applies to the use or development of land authorised by the Victorian Government for the Melbourne Metro Rail Project.

3.0

24/07/2014
GC16

Person or responsible authority for issuing planning certificates:

Minister for Planning

19/09/2014
VC114

Responsible authority for VicSmart applications:

The Chief Executive Officer of the City of Melbourne Council is the responsible authority for considering and determining VicSmart applications to which Clause 91 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

Figure 1 – Yarra Park Master Plan Area

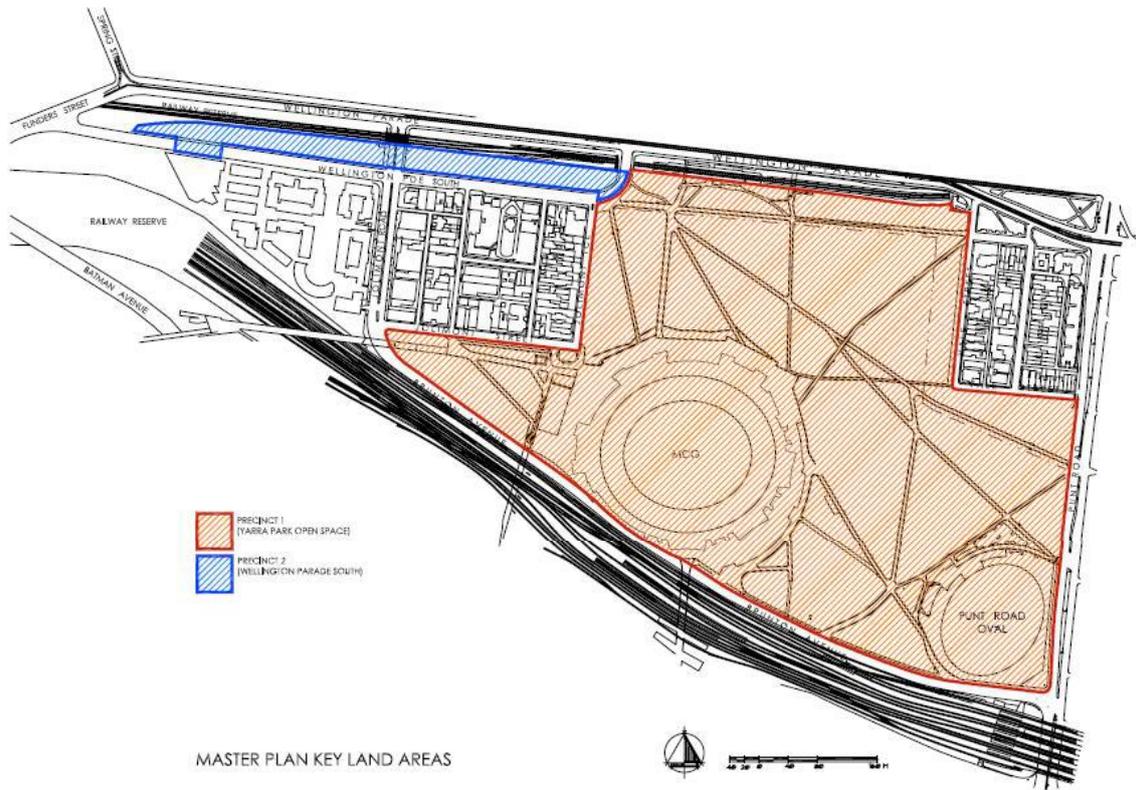


Figure 2 – Charles Grimes Bridge Underpass

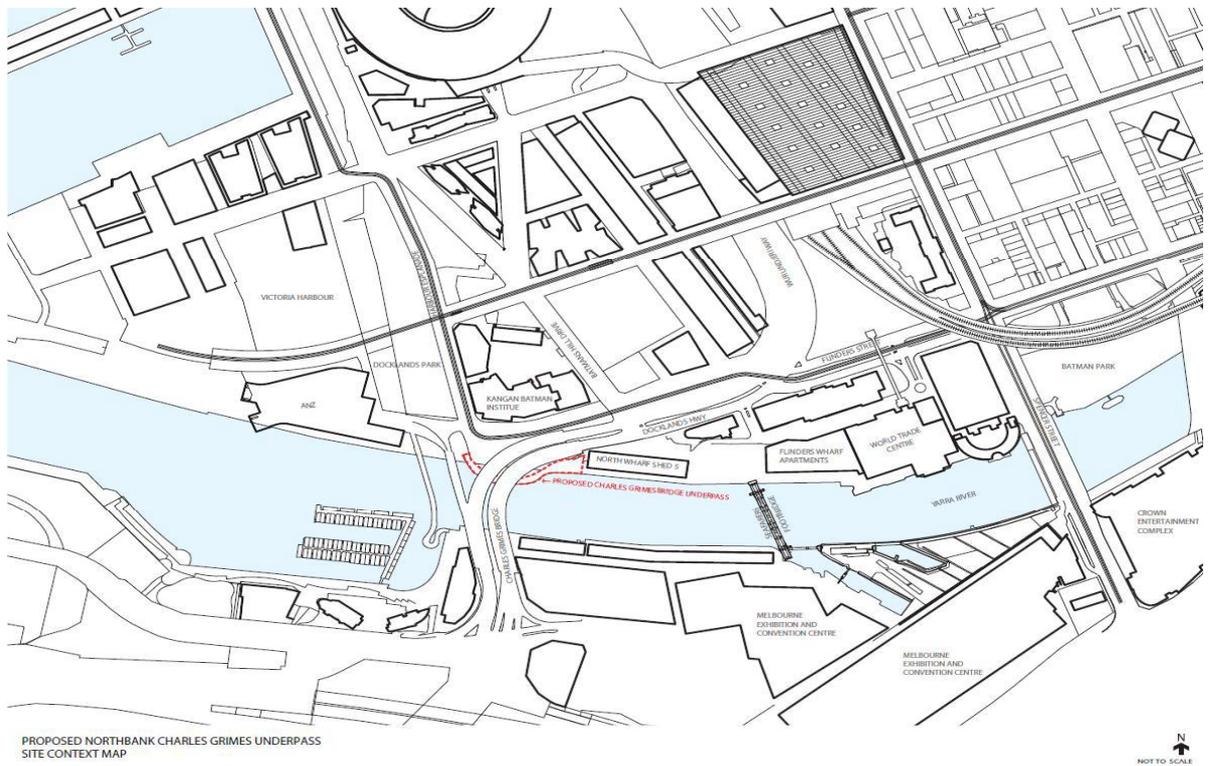
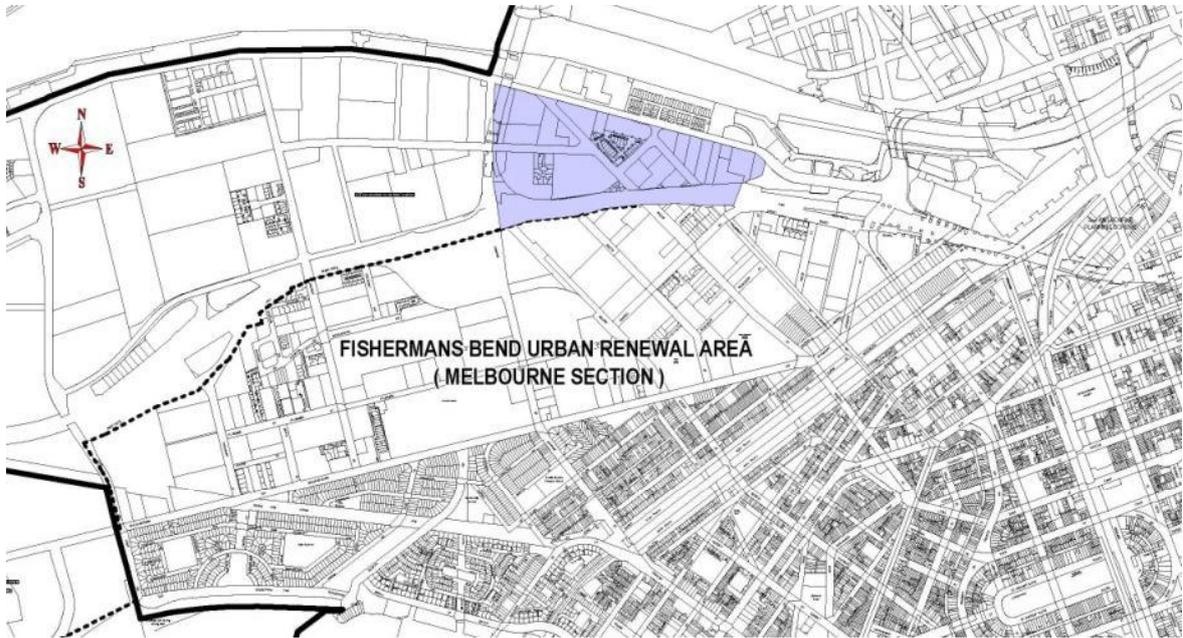


Figure 3 – Fishermans Bend Urban Renewal Area



—/—/20—
GC45

SCHEDULE TO CLAUSE 61.01

1.0

Responsible authority for administering and enforcing this scheme:

15/03/2011
VC78

The Port Phillip City Council is the responsible authority for administering and enforcing the scheme, except for matters specified in Clause 61.01-1 and matters listed in this schedule.

2.0

Responsible authority for administering and enforcing a provision of this scheme:

—/—/20—
GC45

The Minister for Planning is the responsible authority for administering and enforcing the scheme for:

- Land comprising Melbourne Convention Centre Development Southbank and associated Northbank redevelopment Docklands, Precinct Plan area, generally bounded by the southern alignment of the West Gate Freeway, Ford Street, Munro Street, Doran Street, and Normanby Road, South Melbourne.
- Land within Albert Park including the Lakeside Oval precinct on Albert Road Drive and the Sports Fields Precinct on Aughtie Drive, Albert Park to be developed for the purposes of the State Sport Facility.

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2, and 3 of Part 4 and Part 4AA of the Act and for matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority in relation to:

- Land in the Fishermans Bend Urban Renewal Area as shown in Figures 1 and 2 for matters limited to one or more of the following:
 - Development with a building height of 4 storeys or greater.
 - Use and/or development for 60 or more dwellings.
 - Use and/or development with a gross floor area exceeding 10,000 square metres.
 - Use and/or development where any part of the land is owned by a public authority and/or municipal council and the estimated cost of development is more than \$10,000,000.

The Growth Areas Authority, now known as the Metropolitan Planning Authority is the responsible authority for matters under Division 2 of Part 9 of the Act in relation to any agreement that makes provision for development contributions for land in the Fishermans Bend Urban Renewal Area as shown in Figure 3.

Despite anything to the contrary stated in this schedule, the Port Phillip City Council is the responsible authority for administering and enforcing the scheme for applications for subdivision or consolidation of land including buildings or airspace and other applications made under the *Subdivision Act 1988* within the municipal district of the City of Port Phillip and is the responsible authority in relation to all permits that were issued by Port Phillip City Council prior to 5 July 2012 in relation to land that is included in the Fishermans Bend Urban Renewal Area as shown in Figure 3.

The Minister for Planning is the responsible authority for administering and enforcing:

- Clause 52.03 of the scheme in respect of the “Melbourne Metro Rail Project Incorporated Document, April 2016”.
- Any other provision of the scheme as it applies to the use or development of land authorised by the Victorian Government for the Melbourne Metro Rail Project.

3.0 Person or responsible authority for issuing planning certificates:

07/08/2014
GC7
Minister for Planning

Responsible authority for VicSmart applications:

19/09/2014
VC114

The Chief Executive Officer of Port Phillip City Council is the responsible authority for considering and determining VicSmart applications to which Clause 91 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act

Figure 1 – Fishermans Bend Urban Renewal Area - Sandridge and Wirraway

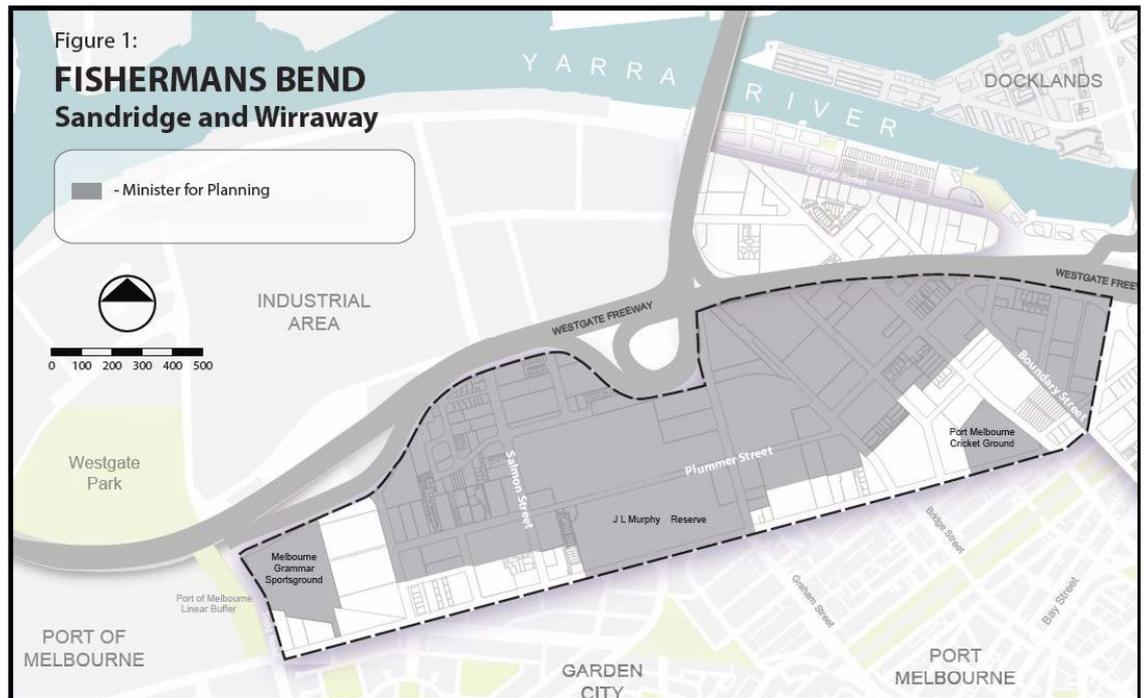


Figure 2 – Fishermans Bend Urban Renewal Area – Montague

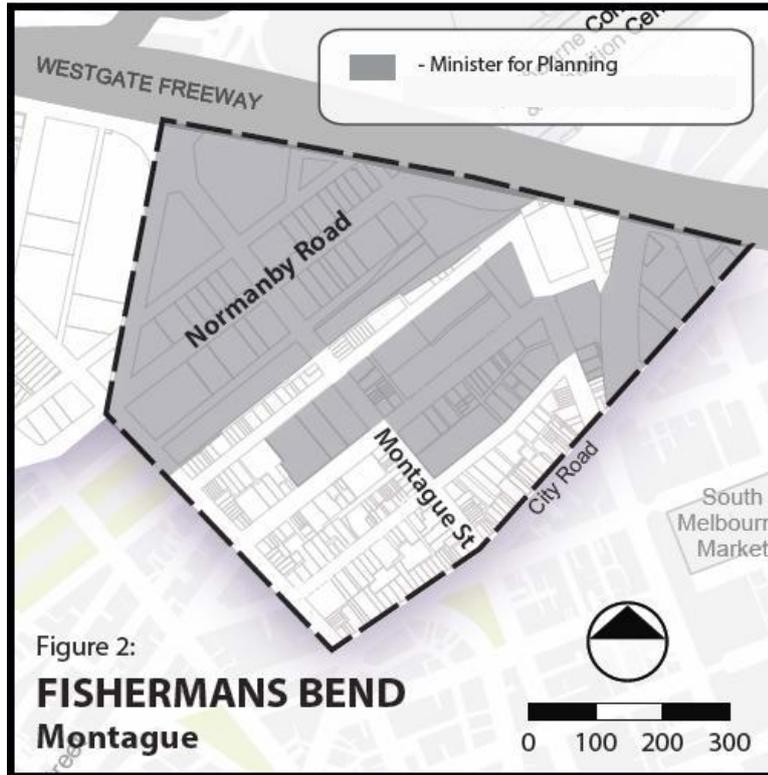
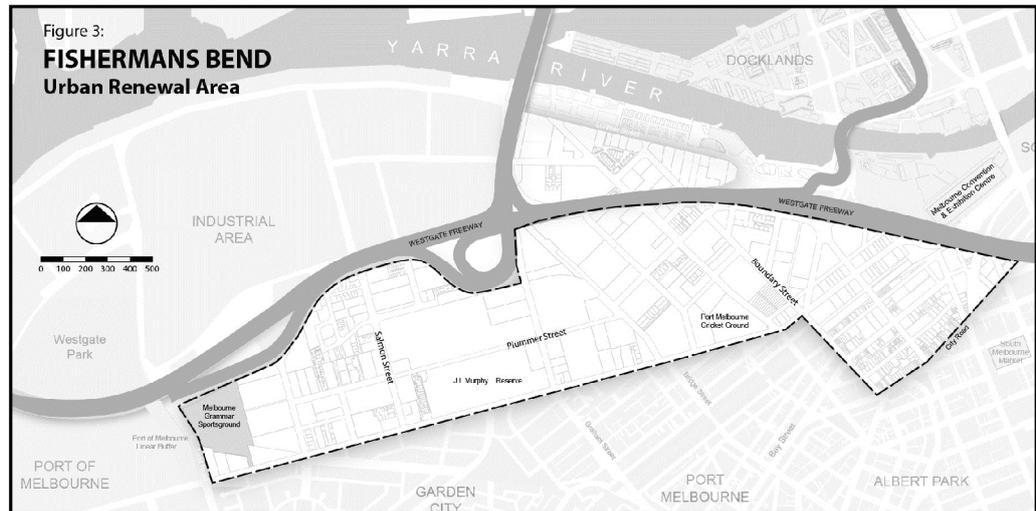


Figure 3 – Fishermans Bend Urban Renewal Area



—/—/20—
GC45

SCHEDULE TO CLAUSE 61.01

1.0

15/03/2011
VC78

Responsible authority for administering and enforcing this scheme:

The Stonnington City Council is the responsible authority for administering and enforcing the scheme, except for matters specified in Clause 61.01-1 and matters listed in this schedule.

2.0

—/—/20—
GC45

Responsible authority for administering and enforcing a provision of this scheme:

The Minister for Planning is the responsible authority for considering and determining applications, in accordance with Divisions 1, 1A, 2, and 3 of Part 4 and exercising the powers set out in Section 171 and under Division 2 of Part 9 of the *Planning and Environment Act 1987* and for approving matters required by the scheme or a condition of a permit to be done to the satisfaction of the responsible authority in relation to the use and development of land:

- Within the area known as Horace Petty Estate, South Yarra, more particularly being the areas affected by Schedule 5 to the Development Plan Overlay.

The Minister for Planning is the responsible authority for administering and enforcing:

- Clause 52.03 of the scheme in respect of the “Melbourne Metro Rail Project Incorporated Document, April 2016”.
- Any other provision of the scheme as it applies to the use or development of land authorised by the Victorian Government for the Melbourne Metro Rail Project.

3.0

15/03/2011
VC78

Person or responsible authority for issuing planning certificates:

Minister for Planning

4.0

19/09/2014
VC114

Responsible authority for VicSmart applications:

The Chief Executive Officer of Stonnington City Council is the responsible authority for considering and determining VicSmart applications to which Clause 91 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act

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GC45

SCHEDULE TO CLAUSE 61.01

1.0

Responsible authority for administering and enforcing this scheme:

15/03/2011
VC78

The Maribyrnong City Council is the responsible authority for administering and enforcing the scheme, except for matters specified in Clause 61.01-1 and matters listed in this schedule.

2.0

Responsible authority for administering and enforcing a provision of this scheme:

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GC45

For the purposes of Divisions 1 and 2 of Part 4 of the *Planning and Environment Act 1987*, the Minister for Planning is the responsible authority in respect of:

- permit application number 2012/006036 for land at 1 Warde Street, Footscray
 - permit application number 2013/002736 for land at 4 Hopkins Street, Footscray; and
 - permit application number 2013/009824 for land at 26-34 Buckley Street, Footscray
- and any permit that issues in respect of those applications.

The Minister for Planning is the responsible authority for:

- considering and determining applications in accordance with Divisions 1, 1A, 2, and 3 of Part 4 of the *Planning and Environment Act 1987*;
- exercising the powers in s171 of the *Planning and Environment Act 1987*;
- in relation to agreements under Division 2, Part 9 of the *Planning and Environment Act 1987*; and
- approving matters required by the scheme or a permit to be done to the satisfaction of the responsible authority;

in relation to the following land:

- Lot 1 on Title Plan 952760C; Lot 1 on Title Plan 952766P; Lot 2 on Title Plan 898222G, being land contained in Certificates of Title Volume 11444 Folios 024, 025 and 026 (2A Hopkins Street, Footscray);
- Certificates of Title Volume 11073 Folio 328; Volume 11073 Folio 557; Volume 11073 Folio 298; Volume 11073 Folio 346; Volume 11073 Folio 358; Volume 11073 Folio 162; Volume 11073 Folio 186; Volume 11073 Folio 245; Volume 11074 Folio 105; Volume 11073 Folio 250; Volume 11073 Folio 294; Volume 11074 Folio 060; Volume 11074 Folio 064; Volume 11074 Folio 113; Volume 11074 Folio 229; Volume 11165 Folio 956, 27-67 Irving Street, Footscray; and
- Lot 1, Lot 1A and Lot A on Plan of Subdivision 700472E, being the land contained in Certificates of Title Volume 11333 Folios 145, 146 and 147 (McNab Avenue, Footscray).

Where the Minister, as responsible authority, enters into a Section 173 agreement with an owner of land, the Maribyrnong City Council shall be a party to that agreement for enforcement purposes.

The Minister for Planning is the responsible authority for the approval of the Development Plan and Environmental Management Plan required under Schedule 11 to the Development Plan Overlay and for planning permits required under the Heritage Overlay and Schedule 3 to the Design and Development Overlay which relate to the Melbourne Airport Rail Link project.

The Minister for Planning is the responsible authority for administering and enforcing:

- Clause 52.03 of the scheme in respect of the “Regional Rail Link Project Section 1 Incorporated Document, March 2015”.
- Any other provision of the scheme as it applies to the use or development of land authorised by the Victorian Government for the Regional Rail Link Project.
- Clause 52.03 of the scheme in respect of the “Melbourne Metro Rail Project Incorporated Document, April 2016”.
- Any other provision of the scheme as it applies to the use or development of land authorised by the Victorian Government for the Melbourne Metro Rail Project.

3.0

15/03/2011
VC78

Person or responsible authority for issuing planning certificates:

Minister for Planning

4.0

19/09/2014
VC114

Responsible authority for VicSmart applications:

The Chief Executive Officer of the Maribyrnong City Council is the responsible authority for considering and determining VicSmart applications to which Clause 91 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

SCHEDULE TO CLAUSE 81.01

Name of document	Introduced by:
70 Southbank Blvd, June 2014	C239
80 Collins Street Melbourne Development, May 2013	C219
346-376 Queen Street, 334-346 La Trobe Street and 142-171 A'Beckett Street Open Lot Car Park, Melbourne	NPS1
ABC Melbourne New Office and Studio Accommodation Project (Southbank), December 2013	C226
Advertising Signs - Mercedes-Benz, 135-149 Kings Way, Southbank	C103
Big Day Out Music Festival, January 2006	C112
Building Envelope Plan – Replacement Plan No.1, DDO 20 Area 45	NPS1
Carlton Brewery Comprehensive Development Plan October 2007	C126
Central City (Hoddle Grid) Heritage Review: Statements of Significance June 2013	C186(Part 1)
Charles Grimes Bridge Underpass, December 2011	C191
City North Heritage Review 2013: Statements of Significance (Revised June 2015)	C198
Cliveden Hill Private Hospital, 29 Simpson Street, East Melbourne, July 1999	C6
Cranbourne Pakenham Rail Corridor Project Incorporated Document, September 2014	GC15
Crown Casino Third Hotel, September 2007	C136
David Jones Melbourne City Store Redevelopment, May 2008	C139
Dynon Port Rail Link Project	C113
Emporium Melbourne Development, July 2009	C148
Federation Arch and Sports and Entertainment Precinct Signs, April 2002	C66
Fishermans Bend Strategic Framework Plan, July 2014 (amended April 2015)	GC29
Flinders Gate car park, Melbourne, July 1999	C6
Former Fishmarket Site, Flinders Street Melbourne, September 2002	C68
Former Herald and Weekly Times building, 46-74 Flinders Street, Melbourne, August 2002	C69
Former Olympic Swimming Stadium, Collingwood Football Club signage, April 2004	C91
Former Queen Victoria Hospital Site - Open Lot Car Park, Melbourne	NPS1
Former Southern Cross Hotel site, Melbourne, March 2002	C64
Former Victoria Brewery site, East Melbourne – 'Tribeca' Redevelopment October 2003	C86
Freshwater Place, Southbank, August 2001 (Amended 2012)	C193
Hamer Hall Redevelopment July 2010	C166
Heritage Places Inventory June 2015	C269
High wall signs - 766 Elizabeth Street, Carlton	NPS1
Hilton on the Park Complex Redevelopment, December 2004	C101

Name of document	Introduced by:
Hobsons Road Precinct Incorporated Plan, March 2008	C124
Hotham Estate	C134
Incorporated Plan Overlay No. 1 – 236-254 St Kilda Road	NPS1
Judy Lazarus Transition Centre, March 2005	C102
Kensington Heritage Review Statements of Significance October 2014	C215
M1 Redevelopment Project, October 2006	C120
Major Promotion Signs, December 2008	C147
Melbourne Aquarium Signs, July 2001	C11
Melbourne Central redevelopment, March 2002	C62
Melbourne City Link Project – Advertising Sign Locations, November 2003	VC20
Melbourne Convention Centre Development, Southbank and North Wharf redevelopment, Docklands, April 2006	C116
Melbourne Girls Grammar – Merton Hall Campus Master Plan, June 2002	C22
Melbourne Grammar School Master Plan - Volume One, Senior School South Yarra Campus, Issue Date 14 October 2003.	C90
Melbourne Metro Rail Project Incorporated Document, April 2016	GC45
Melbourne Park Redevelopment February 2014	C229
Melbourne Recital Hall and MTC Theatre project , August 2005	C111
Mirvac, Residential Towers, 236-254 St. Kilda Road, Southbank	NPS1
Moonee Ponds Creek Concept Plan	C134
Myer Melbourne Bourke Street store redevelopment, Melbourne, October 2007	C137
North Melbourne Recreation Reserve Signage, 2012	C172
North West Corner of Mark and Melrose Street, North Melbourne	C134
Port Capacity Project, Webb Dock Precinct, October 2012	C204
Promotional Panel sign, Crown Allotment 21D, Power Street, Southbank, July 1999	C6
Rectangular Pitch Stadium Project: Olympic Park and Gosch's Paddock, Melbourne, August 2007	C130
Regional Rail Link Project Section 1 Incorporated Document, March 2015	GC26
Rialto South Tower Communications Facility Melbourne, November 2002	C57
Royal Melbourne Showgrounds Redevelopment Master Plan – December 2004	C100
Royal Melbourne Showgrounds Redevelopment Project – December 2004	C100
Scots Church Site Redevelopment, Melbourne, May 2013	C202
Shadow Controls, 555 Collins Street, Melbourne, February 2013	C216
Shrine of Remembrance Vista Control April 2014	C220
Simplot Australia head office, Kensington, October 2001	C52
Sky sign - 42 Clarendon Street, South Melbourne	NPS1
Spencer Street Station redevelopment, June 2013	C218

Name of document	Introduced by:
Sports and Entertainment Precinct, Melbourne, August 2007	C130
State Coronial Services Centre Redevelopment Project, August 2007	C130
State Netball and Hockey Centre, Brens Drive Royal Park, Parkville, May 2000	C26
The Games Village Project, Parkville, September 2006	C115
The New Royal Children's Hospital Project, Parkville, October 2007	C128
Tram Route 109 Disability Discrimination Act compliant Platform Tram Stops, August 2007	C130
University of Melbourne Bio 21 Project Parkville, July 2015	C261
University of Melbourne, University Square Campus, Carlton, November 1999	C17
Visy Park Signage, 2012	C172
Yarra Park Master Plan Implementation September 2010	C158
Young and Jackson's Hotel, Promotional Panel Sky sign, Melbourne, July 1999	C6

SCHEDULE TO CLAUSE 81.01

Name of document	Introduced by:
114-124 Albert Road, South Melbourne	NPS1
12 Acland Street, St Kilda	NPS1
12B Chapel Street, St Kilda, September 2013	C96
1-29 Albert Road, South Melbourne	NPS1
132-134 Bank Street and 223-227 Moray Street, South Melbourne	NPS1
14-16 The Esplanade, St Kilda	NPS1
167 Fitzroy Street, St Kilda	NPS1
29 Fitzroy Street, St Kilda	NPS1
315-317 Beaconsfield Parade and 109-111 Park Street, St Kilda	NPS1
360-370 St Kilda Road, Melbourne, Revised November 2001	C33
400 - 430 City Road, Southbank, December 2010	C85
400-410 City Road, 2-48 Cecil Street and 127-135 Whiteman Street, South Melbourne	NPS1
414-416 and 418 St Kilda Road, Melbourne	NPS1
582-584 St Kilda Road, Melbourne	NPS1
89 Fitzroy Street, St Kilda	NPS1
Acland Courtyard Development Plan	NPS1
Acland Street Upgrade Project Incorporated Document, December 2015	C124
Albert Park Master Plan	NPS1
Beacon Cove Development, Port Melbourne (revised) 2013 <i>(including Beacon Cove Concept Plan No.1, Beacon Cove Precinct Plan No. 1, Beacon Cove Residential Component Guidelines No.1 and Plan named Beacon Cove Port Melbourne showing areas subject to an environmental audit)</i>	C104
Becton, Port Melbourne Development Concept Plan and Building Envelope Plan	NPS1
City of Port Phillip Heritage Policy Map (Updated September 2015) (Part of Port Phillip Heritage Review)	C115
City of Port Phillip Neighbourhood Character Map (Updated September 2015) (Part of Port Phillip Heritage Review)	C115
Fishermans Bend Strategic Framework Plan, July 2014 (amended April 2015)	GC29
Incorporated Plan - Sea Wall and Promenade - September 2008	C70
Luna Park	NPS1
M1 Redevelopment Project, October 2006	C58
Major Promotion Signs – Permit Provisions December 2008	C100
Melbourne CityLink Project – Advertising Sign Locations, November 2003	VC20
Melbourne Convention Centre Development, Southbank and North Wharf redevelopment, Docklands, April 2006	C56
<u>Melbourne Metro Rail Project Incorporated Document, April 2016</u>	<u>GC45</u>
Melbourne Sports & Aquatic Centre, Albert Park	NPS1

Name of document	Introduced by:
Part 61 Bertie Street, Port Melbourne, November 2001	C33
Port Melbourne Mixed Use Area Development Contributions Plan (Streetscape Works) July 1999	C13
Port Phillip Heritage Review - Volumes 1-6 (Version 17, September 2015)	C115
Prince Apartments Stage 2 Development Plans – 29 Fitzroy Street, St Kilda (December 2013)	C94
Shrine of Remembrance Vista Controls, April 2014	C140
St Kilda Foreshore Urban Design Framework, 2002	C36
St Kilda Seabaths	NPS1
St Kilda Station Redevelopment plans prepared by Billard Leece Partnership dated July 1999	C9
State Sports Facilities Project Albert Park, September 2009 (amended May 2012)	C120
Stokehouse – 30 Jacka Boulevard, St Kilda, July 2014	C110
West Beach Pavilion Precinct Incorporated Plan, 2004	C36

SCHEDULE TO CLAUSE 81.01

Name of document	Introduced by:
159 Commercial Road Prahran - Document incorporated under Clause 52.03 (Specific Sites and Exclusions) of the Stonnington Planning Scheme - Existing Provision No. 4, 5 June 2006	C49
266-274 Glenferrie Road, Malvern Document incorporated under Clause 52.03 (Specific Sites and Exclusions) of the Stonnington Planning Scheme - Existing Provision No. 3, 5 August 2004.	C164
661 Chapel Street, South Yarra – Document incorporated under Clause 52.03 (Specific Sites and Exclusions) of the Stonnington Planning Scheme – "Integrated development at 661 Chapel Street, South Yarra – January 2014".	C190
Burke Road Glen Iris Level Crossing Removal Project, Incorporated Document July 2015	GC30
Chadstone Shopping Centre Incorporated Plan, August 2012	C154
Cranbourne Pakenham Rail Corridor Project Incorporated Document, September 2014	GC15
Kooyong Lawn tennis Centre 489 Glenferrie Road, Kooyong City of Stonnington Noise Control Notice of 29 September 1987 issued by the Environment Protection Authority to the LTAV.	C164
Kooyong Tennis Stadium at 489 Glenferrie Road, Kooyong – Incorporated Plan, 16 February 2004	C5(Part 2)
Loreto Mandeville Hall Master Plan, October 1999.	NPS1
M1 Redevelopment Project, October 2006	C66
Major Promotion Sign – Permit Provisions 943 Dandenong Road, Malvern East, December 2008	C99
Melbourne City Link Project – Advertising Sign Locations, November 2003.	VC20
<u>Melbourne Metro Rail Project Incorporated Document, April 2016</u>	<u>GC45</u>
Prahran Precinct Redevelopment – September 2010	C140
Salter house at 16A & house at 16 Glyndebourne Avenue, Toorak – Incorporated Plan, 16 February 2004	C5(Part 2)
Woodside, 19 Woodside Crescent, Toorak – Incorporated Plan, 19 July 2004	C6(Part 2B)
Shrine of Remembrance Vista Controls, April 2014	C200

SCHEDULE TO CLAUSE 81.01

Name of document	Introduced by:
170 & 180 Ashley Street, Maidstone	C99
23 Frederick Street, Yarraville	C55
Bradmill Site, 341-351 Francis Street, Yarraville: HO 125 Incorporated Plan	C31
Business Identification Signage, 72-74 Napier Street, Footscray, September 2013	C127
DCP2 Maribyrnong, North Maidstone and North Footscray Community Infrastructure Development Contribution Plan, adopted by Council on 24 August 1998 (amended October 2011)	C97
DCP6 Maribyrnong City (south of Ballarat Road) Community Infrastructure Development Contribution Plan adopted by Council on 24 January 2000 (amended October 2011)	C97
Elm street tree avenue, Ballarat Road Maidstone: HO88 Incorporated Plan	C31
Footscray Station Precinct Development Plan (2004)	C51
Former Cuming Smith site, 221A Whitehall Street, Yarraville: HO179 Incorporated Plan	C31
Former Mt Lyell site, 295 Whitehall Street, Yarraville: HO184 Incorporated Plan	C31
Graham Campbell Ferrum, 260 Geelong Road, West Footscray: HO128 Incorporated Plan	C31
Highpoint Shopping Centre, Concept Plan and Building Envelope Plan - Highpoint Plan No.2, MP-9611, February 1996	NPS1
Highpoint Shopping Centre, Indicative Plans dated 29 February 1996 prepared by the Buchan Group being plans with reference No.'s MP9601 to MP9610	NPS1
Historical Archaeological Management Plan, 2006 (amended 2013).	C125
Lower Maribyrnong Concept Plan 1984 approved by the State Government on 17 December 1986	NPS1
M1 Redevelopment Project, October 2006	C61
<u>Melbourne Metro Rail Project Incorporated Document, April 2016</u>	<u>GC45</u>
Peppercorn tree avenues, railway reserve north of Seddon Station: HO98 Incorporated Plan	C31
Regional Rail Link Project Section 1 Incorporated Document, March 2015	GC26
Riverside Physical Framework Plan No 1, 10 November 1992	NPS1
Riverside Physical Framework Plan No 2, 10 November 1992	NPS1
Whitten Oval Redevelopment Victoria University, July 2008	C75
Whitten Oval Redevelopment, October 2007	C68
Yarraville Terminal Station, 308 Hyde Street, Yarraville: HO 130 Incorporated Plan	C31

SCHEDULE TO CLAUSE 66.04**Referral of permit applications under local provisions**

Clause	Kind of application	Referral authority	Type of referral authority
Clause 5.0 of Schedules 1-6 and Clause 4.0 of Schedule 7 to Clause 37.05	Any permit application for use or development within the Docklands Zone.	Places Victoria	Determining referral authority
Clause 3.0 of Schedule 7 to Clause 37.05	Any permit application for jetties, moorings or other works in the Schedule 7 to the Docklands Zone - Waterways.	Parks Victoria	Determining referral authority
Clause 2.0 of Schedule 55 to Clause 43.02	Any permit application for use or development within the area defined by the plan to the schedule.	Energy Safe Victoria	Determining referral authority
Clause 5.0 of Schedule 3 to Clause 37.05	Any permit application that involves the creation or alteration of access, subdivision adjacent or building over the arterial road – Wurundjeri Way.	Roads Corporation	Determining referral authority
Clause 6.0 of Schedule 1 to Clause 37.04	Any permit application that involves the creation or alteration of access to the arterial road – Wurundjeri Way.	Roads Corporation	Determining referral authority
Clause 7.0 of Schedule 1 and Clause 6.0 of Schedule 2 and 3 to Clause 37.04	Any permit application for development with a gross floor area exceeding 25,000 square metres within the Capital City Zone.	City of Melbourne	Recommending referral authority
Clause 4.0 of Schedule 65 to Clause 43.02 (DDO)	An application for buildings and works.	Department of Health and Human Services	Determining referral authority
Clause 4.0 of Schedule 66 to Clause 43.02 (DDO)	An application for buildings and works.	Department of Health and Human Services	Determining referral authority
Clause 5.0 of Schedule 67 to Clause 43.02 (DDO)	Any permit application for development within the area defined by the plan to the schedule	Secretary to the Department of Economic Development, Jobs, Transport and Resources until 31 December 2026, and thereafter VicTrack	Determining referral authority

SCHEDULE TO CLAUSE 66.04**Referral of permit applications under local provisions**

Clause	Kind of application	Referral authority	Type of referral authority
Clause 3.0 of Schedule 1 to Clause 42.01 (ESO)	All applications.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 3.0 of Schedule 2 to Clause 42.01 (ESO)	All applications.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 3.0 of Schedule 3 to Clause 42.01(ESO)	All applications.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 2.0 of Schedule 10 to Clause 43.02 (DDO)	All applications. This does not apply to: <ul style="list-style-type: none"> ▪ Navigation beacons. ▪ Indigenous planting and landscaping. 	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 5.0 of Schedule 30 to Clause 43.02 (DDO)	Any permit application for development within the area defined by the plan to the schedule	Secretary to the Department of Economic Development, Jobs, Transport and Resources until 31 December 2026, and thereafter VicTrack	Determining referral authority
Clause 4.0 of Schedule 28 to Clause 43.02 (DDO)	An application for buildings and works.	Department of Health and Human Services	Determining referral authority
Clause 4.0 of Schedule 29 to Clause 43.02 (DDO)	An application for buildings and works.	Department of Health and Human Services	Determining referral authority

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GC45

SCHEDULE TO CLAUSE 66.04

Referral of permit applications under local provisions

Clause	Kind of application	Referral authority	Type of referral authority
Clause 4.0 of Schedule 17 to Clause 43.02 (DDO)	An application for buildings and works.	Department of Health and Human Services	Determining referral authority
Clause 4.0 of Schedule 18 to Clause 43.02 (DDO)	An application for buildings and works.	Department of Health and Human Services	Determining referral authority
<u>Clause 5.0 of Schedule 20 to Clause 43.02 (DDO)</u>	<u>Any permit application for development within the area defined by the plan to the schedule</u>	<u>Secretary to the Department of Economic Development, Jobs, Transport and Resources until 31 December 2026, and thereafter VicTrack</u>	<u>Determining referral authority</u>

