

COM EDITS TO MINISTER FOR PLANNING PART C CHANGES  
PORT PHILLIP [PPPS] MELBOURNE [MPS] PLANNING SCHEME  
COMBINED LPP

BASED ON MINISTER'S PART A VERSIONS WITH PARAGRAPH NUMBERS ADDED

## 22. XX FISHERMANS BEND URBAN RENEWAL AREA

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

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

### 22.XX-1 Policy basis

--/20--  
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This policy implements the vision for Fishermans Bend, as set out in the *Fishermans Bend Framework, XX 2018* as a 'thriving place that is a leading example for environmental sustainability, liveability, connectivity, diversity and innovation' that will accommodate 80,000 residents, 40,000 jobs and be Australia's largest Green Star – Community. [LPP-1 p1]

### 22.XX-2 Objectives

--/20--  
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To implement the *Fishermans Bend Vision, September 2016* and *Fishermans Bend Framework, XX 2018*. [LPP-2 p1]

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

To promote employment generating floor space in all precincts to create a prosperous and sustainable mixed use community that supports growth in the knowledge, creative, design, innovation, engineering, and service sectors. [LPP-2 p3]

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

~~To create~~ thriving, lively mixed-use neighbourhoods that have a distinct identity and character consistent with the Vision for each precinct. [LPP-2 p5]

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

To ensure development is carried out in accordance with ecologically sustainable development principles.

To encourage the transition from a primarily industrial area to a high density mixed use area over time and to support the continued operation of existing industrial uses which facilitate the urban renewal of Fishermans Bend. ~~To encourage the transition of industrial land use into a series of thriving mixed-use neighbourhoods in a manner which supports growth of Fishermans Bend and protects existing and future land uses from adverse impacts.~~

### 22.XX-4 Definitions [LPP 4 p0]

--/20--  
Proposed  
GC81

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

**Core Area** means an area identified as a Core Area in the relevant Map in schedule # to the CCZ.

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

**Floor area ratio** means the gross floor area divided by the gross developable area. [LPP 4 p4]

**Gross developable area** means the total site area, including any proposed road, laneway, public open space or land to be set aside for a Public Benefit. [LPP 4 p5]

Commented [A1]: Consolidated with objective below

Commented [A2]: Not found in body of policy

Commented [A3]: This has come out of the policy

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~~Gross floor area means the area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies. Dedicated communal residential facilities and recreation spaces are excluded from the calculations of gross floor area. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3 metres if there is no adjacent floor. [LPP 4 p6]~~

~~Public Benefit means the provision of the following for the benefit of the community to the satisfaction of the Responsible Authority:~~

- ~~• Social Housing;~~

~~Social Housing has the same meaning as in the Housing Act 1983.~~

**Commented [A4]:** Only relevant if minimum commercial floorspace is left in this policy rather than in CCZ

**Commented [A5]:** No longer in policy so definitions can be deleted

22.XX-3

-f-20-  
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GC81

Policy

Providing for employment floor area

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

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

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

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

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

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

- ~~Where development [in the core areas [PPPS]] provides less than the minimum floor area ratio set out in Table 1 to this policy, consideration will be given to: [LPP 3 p4]~~
- ~~Whether the built form envelope available on the site makes it impractical to provide the minimum floor area ratios. [LPP 3 p5]~~
- ~~Whether the application is associated with the continued operation or expansion of an existing employment or residential use on site that is currently less than the minimum floor area ratio. [LPP 3 p6]~~
- ~~Whether the building floor to floor heights, layout and design will facilitate future residential to commercial use or for car parking areas to be converted to alternate uses. [LPP 3 p7]~~
- ~~Whether the development can demonstrate that it is contributing to the employment objectives of this policy while providing less than the minimum floor area ratio. [LPP 3 p8]~~

**Commented [A6]:** CoM has put this in the CCZ, with revisions to define dwelling and non-dwelling FAR and to split Lorimer into north and south. If this section of the policy is to be retained, it should be strengthened.

**COM EDITS TO MINISTER FOR PLANNING PART C CHANGES**  
PORT PHILLIP [PPPS] MELBOURNE [MPS] PLANNING SCHEME  
COMBINED LPP

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### Community and diversity

It is policy to deliver a range of housing opportunities for a diverse community, including for households with children, older people, and households with ~~low to moderate~~ a range of incomes and key workers in Fishermans Bend by: [LPP-3 p15]

- Supporting the provision of ~~twenty~~ 15 per cent affordable housing across Fishermans Bend ~~of which 6% is provided as Social Housing to be delivered by a range of mechanisms including as social housing through a capped floor area uplift, State government initiatives and affordable housing delivered through private development.~~ [LPP-3 p16]
- Encouraging a diversity of dwelling typologies and sizes within each precinct and within individual development sites.
- ~~Encouraging any affordable housing provided to comprise a range of built form typologies.~~ [LPP-3 p17] Encouraging proposals of more than 100 dwellings to provide the following percentage of 3 bedroom dwellings: [LPP-3 p18]
  - [Lorimer: 20 per cent [MPS]] [LPP-3 p19]
  - [Wirraway: 30 per cent [LPP-3 p20]]
  - [Sandridge: 20 per cent [LPP-3 p21]]
  - [Montague: 25 per cent [PPPS]] [LPP-3 p22]
- Encouraging design that delivers a range of housing types for different households through: [LPP-3 p23]
  - The development of mid-rise housing with access to private open space. [LPP-3 p24]
  - Living room sizes that exceed minimum requirements to enable multiple uses and/or areas. [LPP-3 p26]
  - Access to outdoor communal green space including children's play spaces on ground level, podium levels or roof tops and locating some dwellings to achieve direct visual access to those play spaces. [LPP-3 p25] [LPP-3 p27]
  - Providing children's communal active indoor play or recreation space as part of indoor communal spaces. [LPP-3 p28]
  - Locating sufficient storage areas in areas with easy access to dwellings. [LPP-3 p29]
- Encouraging the delivery of adaptable floor plates including the opportunity to combine 1 and 2 bedroom units to form larger apartments.
- Encouraging communal open spaces within residential development to create opportunities for social interaction and a sense of community. This includes facilities, garden and recreation areas, with consideration given to opportunities for a range of users. [LPP-3 p30]
- Encouraging the early delivery of community infrastructure hubs. [LPP-3 p31]

**Commented [A7]:** No – it should be integrated in other development.

### Design excellence

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

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

**Commented [A8]:** Re-instated – remains a relevant policy despite CI not an FAU item.

**Commented [A9]:** Not confined to PPPS

**COM EDITS TO MINISTER FOR PLANNING PART C CHANGES**  
PORT PHILLIP [PPPS] MELBOURNE [MPS] PLANNING SCHEME  
**COMBINED LPP**

**BASED ON MINISTER'S PART A VERSIONS WITH PARAGRAPH NUMBERS ADDED**

- Delivering variation in massing, building height, and roof forms and staggering or offsetting of tower footprints where there are multiple towers. [LPP-3 p39]
- Encouraging design to respond to architectural and cultural heritage including ~~aboriginal~~-Aboriginal cultural heritage through interpretive design. [LPP-3 p40]
- Encouraging the building design to respond to the existing industrial built form. [LPP-3 p41]
- Encouraging the retention or re-use of existing industrial building elements. [LPP-3 p42]
- Ensuring materials palettes and building finishes respond to the industrial context and social history of the area. [LPP-3 p43]

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

It is policy to create a benchmark for sustainable and resilient urban transformation that supports the creation of a climate adept, water sensitive, low carbon, low waste community. This will be achieved through precinct wide measures to achieve a 6 Star Green Star Community, the application of the conditions required by the Capital City Zone [schedule 4 [MPS]] [schedule 1 [PPPS]], the application of clause 22.23 (Stormwater Management (Water Sensitive Urban Design) [MPS]) [22.13 [PPPS]] and the following measures: [LPP-3 p45]

**Energy**

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

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

**Urban heat island**

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

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

**Sea level rise, flooding and water recycling and management**

Creating resilience to the impacts of sea level rise and flooding from storm events through a combination of physical and management measures without compromising the urban form at the ground level by:

- Addressing the potential ~~f~~lood impacts in the first instance with measures which maintain activity at ground level. This includes:
  - The construction of a levy adequate to ensure that the expected rise in sea levels does not impact on the new urban areas;

**COM EDITS TO MINISTER FOR PLANNING PART C CHANGES**

PORT PHILLIP [PPPS] MELBOURNE [MPS] PLANNING SCHEME

**COMBINED LPP**

**BASED ON MINISTER'S PART A VERSIONS WITH PARAGRAPH NUMBERS ADDED**

- Giving primary consideration to mitigating the risk to human life and property damage;
- Encouraging design elements and materials resilient in flood events including water proof doors and windows, elevated power outlets and the like;
- Facilitating land uses at ground floor level that are able to easily recover from the impacts of temporary flooding.
- The raising of internal ground floor level above street level should only be considered as a last resort where the implementation of other measures coupled with an evidence based approach to risk management reasonably necessitates raising internal floor levels above street level.
- Where level changes are required between street level and internal ground floor, the level changes should be integrated into the design of the building to maintain good physical and visual connection between the street and internal ground floor. This may include:
  - The use of footpath level building entries with internal level changes
  - Ramp structures located internal to buildings. Where external ramps are necessary, they should be well integrated with the building and contribute to the quality and character of the public realm. [LPP-3 p61]
- The location of essential services, such as power connections, switchboards and other critical services should address and be responsive to potential flooding events. [LPP-3 p62]
- Development and public realm layout and design should integrate best practice Water Sensitive Urban Design. [LPP-3 p69]

**Waste management**

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

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

**Public and communal open spaces**

It is policy to:

- Create publicly accessible, private and communal open spaces within developments to supplement the public open space network. [LPP-3 p77]
- Encourage development with an interface to existing or proposed open space to:
  - Avoid unreasonable amenity or microclimate impacts to the open space. [LPP-3 p82]
  - Ensure pedestrian and vehicle movement to or from the development does not unreasonably impact on the function, useability or amenity of the open space. [LPP-3 p83]
  - Integrate any publicly accessible open space within the development with adjoining areas of open space. [LPP-3 p84]
- Ensure any communal open space, including rooftop and podium spaces are designed to meet the needs of a range of potential users. [LPP-3 p85]

**COM EDITS TO MINISTER FOR PLANNING PART C CHANGES**  
PORT PHILLIP [PPPS] MELBOURNE [MPS] PLANNING SCHEME  
**COMBINED LPP**

**BASED ON MINISTER'S PART A VERSIONS WITH PARAGRAPH NUMBERS ADDED**

- Encourage internal and external communal open spaces within the same development to connect to one another and be designed as multifunctional, adaptable spaces. [LPP-3 p86]
- Encourage the provision of **additional** publicly accessible areas at ground level and ensure the location, design and layout of these areas contribute to the creation of a network of passive, ~~in~~ formal and informal recreational spaces. [LPP-3 p87]
- Encourage new publicly accessible **open spaces** areas to have direct street access and where possible to be co-located with other existing or proposed open spaces. [LPP-3 p88]

**New streets, laneways and pedestrian connections**

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

- Ensuring new streets, laneways and pedestrian connections: [LPP-3 p91]
  - ~~Are not more than 100 metres apart in one direction and not more than 50 -70 metres apart in the opposite direction within a block~~ **Are not more than generally 50-70 metres apart** [in core areas as shown on the relevant Maps in the schedule ## to the Capital City Zone, or within 200 metres of public transport routes [PPPS]].
  - [Are not more than 100 metres apart in non-core areas [PPPS]]. [LPP-3 p92]
  - Are aligned with and connected to existing and proposed streets **generally** as shown in the relevant Maps in the schedule ## to the Capital City Zone and other laneways and paths. [LPP-3 p93]
  - Provide direct access to existing or proposed public transport **stops**, [stations [PPPS]] and routes and existing or proposed public open space. [LPP-3 p94]
- Ensuring any new shared streets or shared laneways are designed to prioritise pedestrian movement and safety and designed to: [LPP-3 p95]
  - A maximum design speed of 10km/hr in accordance with the 9 metre road cross section. [LPP-3 p96]
  - A maximum design speed of 5km/hr in accordance with the 6 metre road cross section. [LPP-3 p97]
- Encouraging on sites more than 3000 square metres, new streets, laneways or paths to create mid-block through links and define and separate buildings. [LPP-3 p98]
- Locating new streets, laneways or paths along a side boundary on sites with a street frontage of less than 100 metres. [LPP-3 p99]
- Encouraging new streets and laneways to be designed to: [LPP-3 p100]
  - Enable views through the street block. [LPP-3 p101]
  - Have active frontages **[in a core area [PPPS]]**. [LPP-3 p102]
  - Be open to the sky.
  - Allow for ~~the~~ canopy tree planting. [LPP-3 p103]

**Commented [A10]:** Reflects Hodyl recommendation, accepted by CoM

**Smart cities**

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

- Embedding smart technology and installing digital sensors and actuators into built form to collect digital data. [LPP-3 p105]
- Embedding opportunities for 'smart' and responsive urban management and practices into the design and operation of infrastructure and buildings and services. [LPP-3 p106]
- Encouraging smart infrastructure to be installed on existing infrastructure. [LPP-3 p107]

**COM EDITS TO MINISTER FOR PLANNING PART C CHANGES**  
PORT PHILLIP [PPPS] MELBOURNE [MPS] PLANNING SCHEME  
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- Integrating 'smart' management and design of energy, water, and waste infrastructure that supports efficient use of resources. [LPP-3 p108]
- Ensuring developments make provision for the delivery of high speed data networks. [LPP-3 p109]
- Ensuring that all technology and data systems meet best practices. [LPP-3 p110]

### Sustainable transport

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

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

### Floor area uplift

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

- ~~▪ Whether the public benefit(s) is consistent with state and local policy, strategic initiatives.~~ [LPP-3 p120]
- ~~▪ Whether the grant of the uplift will result in the early delivery of community infrastructure hubs.~~ [LPP-3 p31]
- ~~▪ Whether the quantity and value of the floor area uplift has been appropriately calculated.~~ [LPP-3 p121]
- ~~▪ Whether the proposed public benefit(s) can be realistically delivered and secured by a suitable legal agreement, and~~ [LPP-3 p122]
- ~~▪ Whether the proposed public benefit is supported by the proposed receiving agency and can be maintained.~~ [LPP-3 p123]
- ~~▪ Whether the uplift will have acceptable consequences, having regard to the level of public transport and other infrastructure available in the area.~~

### Land use transition

It is policy to ensure:

- where a new ~~sensitive use or development~~ is sought the amenity impact from ~~[the existing concrete batching plants]~~ [MPS] ~~[pre-existing uses that support the urban renewal of Fishermans Bend]~~ [PPPS] is considered by:

**COM EDITS TO MINISTER FOR PLANNING PART C CHANGES**

PORT PHILLIP [PPPS] MELBOURNE [MPS] PLANNING SCHEME  
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- ~~Requiring the preparation ofing an Aamenity Iimpact Pplan that that identifies existing industrial activities and contains~~ measures to mitigate adverse amenity impacts ~~from those activities.~~
- ~~that new uses and the expensaion~~ expansion of existing uses with potential adverse amenity impacts do not prejudice the future renewal of Fisherman's Bend. ~~Encouraging new uses and developments to implements~~ measures to mitigate against adverse amenity impacts ~~from existing industrial uses.~~

**22.XX -5 Reference documents**

--f-20--  
Proposed  
GC81

*Fishermans Bend Vision, September 2016 [LPP 5 p1]*

*Fishermans Bend Framework, XX 2018 [LPP 5 p2]*

*Fishermans Bend Community Infrastructure Plan 2017 [LPP 5 p3]*

*Fishermans Bend Urban Design Strategy 2017 [LPP 5 p4]*

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

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

*GHD Fishermans Bend Buffer Assessment October 2016*