What the planning controls do?
The draft planning controls translate the objectives and strategies of the draft Framework into the relevant Planning Scheme.
The previous Minister for Planning approved Melbourne Planning Scheme Amendment C170 and Port Phillip Planning Scheme Amendment C102 on 29 June 2012, which rezoned land within the Fishermans Bend Urban Renewal Area to the Capital City Zone. The land was rezoned without any framework or development guidelines. The amendments also revised the Development Contributions Plan Overlay, removed the Design and Development Overlay and introduced the Parking Overlay.

The Fishermans Bend Urban Renewal Area Draft Vision was released in September 2013 by Places Victoria, in collaboration with the state government, City of Port Phillip, City of Melbourne and the Office of the Victorian Government Architect.

The first planning permits for residential development were approved by the former Minister, in January 2014.

In July 2014, Amendment GC7 was approved by the former Minister, which introduced the Fishermans Bend Strategic Framework Plan (July 2014) as an incorporated document to the Melbourne and Port Phillip Planning Schemes which provided design guidance, but contained limited information regarding appropriate heights. More than 50% of the precinct had a ‘discretionary’ height limit.

In April 2015, the current Minister for Planning approved planning scheme Amendment GC29, to make the Minister for Planning the responsible authority (previously this was the then MPA) for determining permit applications within Fishermans Bend over a certain threshold; introduced interim mandatory height controls of between 4 and 40 storeys (for new planning permit applications), with transitional provisions; and updated the Fishermans Bend Strategic Framework Plan (July 2014) to the Fishermans Bend Strategic Framework Plan July 2014 (amended April 2015). The revised plan removed reference to the discretionary height limits and sustainable transport plan.

In November 2016 the current Minister approved Amendment GC50 to the Melbourne and Port Phillip Planning Schemes with exemption under section 20(4) of the Act. The amendment introduced interim mandatory built form controls and policy changes to encourage employment uses, dwelling diversity and affordable housing in the Fishermans Bend Urban Renewal area, while these new permanent built form controls are being developed by the Fishermans Bend Taskforce. The interim controls expire on 31 March 2018.
Melbourne Planning Scheme (Lorimer)

- Capital City Zone Schedule 4
- Road Zone Category 1
- Design and Development Overlay Schedule 67
- Parking Overlay Schedule 13
- Development Contributions Plan Schedule 1
- City Link Project Overlay (part)
- Special Building Overlay (part)

- The *Fishermans Bend Strategic Framework Plan July 2014 (amended September 2016)* is incorporated into both Schemes

Port Phillip Planning Scheme

- Capital City Zone Schedule 1
- Public Use Zone Schedule 6
- Public Park and Recreation Zone
- Road Zone Category 1
- Design and Development Overlay Schedule 30
- Parking Overlay Schedule 1
- Development Contributions Plan Schedule 1
- City Link Project Overlay (part)
- Special Building Overlay (part)
- Heritage Overlay (various)
Core and Non Core land

LEGEND
- Core activity
- Non-core activity
- Proposed streets and setbacks
- Precinct boundary
Melbourne Planning Scheme – proposed changes

- Updates to the Municipal Strategic Statement
- Replace the existing Local Planning Policy Clause 22.27 Employment and Dwelling Diversity within the Fishermans Bend Urban Renewal Area with a new policy ‘Fishermans Bend Urban Renewal Area’
- Replace the existing Capital City Zone Schedule 4 with a new Schedule
- Replace the existing interim Design and Development Overlay Schedule 67 with a permanent Schedule 67
- Replace the existing Parking Overlay Schedule 13 with a new Schedule 13
- Introduce an Environmental Audit Overlay to the Lorimer precinct
Port Phillip Planning Scheme - proposed changes

- Updates to the Municipal Strategic Statement
- Replace the existing Local Planning Policy Clause 22.15 Employment and Dwelling Diversity within the Fishermans Bend Urban Renewal Area with a new policy ‘Fishermans Bend Urban Renewal Area’
- Replace the existing Capital City Zone Schedule 1 with a new Schedule 1
- Replace the existing interim Design and Development Overlay Schedule 30 with a permanent Schedule 30
- Introduce Development Plan Overlay Schedule 2
- Replace the existing Parking Overlay Schedule 1 with a new Schedule 1
- Apply the Environmental Audit Overlay to all precincts
- Extension of the existing Environmental Significance Overlay Schedule 4 to part of the Wirraway precinct
What the controls seek to achieve

- Provide for 80,000 new jobs across Fishermans Bend, including 40,000 in the four precincts, predominately within ‘core’ areas
- Provide for a range of well-serviced, medium and high density housing options for 80,000 people (40,000 new dwellings)
- Provision of land for new public open space and roads
- Ability to capture additional public benefits
- Support the key aspiration of the Framework to become Australia’s largest urban renewal Green Star Community
- Mange built form outcomes
- Manage land contamination
- Reduce car parking provision
How the controls are drafted to achieve the outcomes

Provide for 40,000 new jobs within the four precincts, predominately within ‘core’ areas
Use the zone to require a permit for Dwelling use within the core areas
Use the local policy to set a desired floor area ratio not to be used for Dwelling
Use the Design and Development Overlay and Local Policy to encourage active frontages

Provide for a range of well-serviced, medium and high density housing options for 80,000 people (40,000 new dwellings)
Use the zone to encourage Dwellings to be provided within the non core areas by making Dwelling a Section 1 use in non core areas
Use the local policy to guide maximum Dwelling Density to assist in the provision of a range of dwelling types and to encourage the provision of 3 bedroom dwellings

Maximum Floor Area Ratio (FAR) scheme
Use the zone to mandate a maximum FAR which can be exceeded in the core areas if the additional floor area is not used for Dwelling, or a public benefit is provided, or a combination of both. In the non core a public benefit is provided.
How the FAR and FAU work together with the LPP

Additional FAR not used for a dwelling

FAU - AH, CI, OS

Dwelling density

3 Bedroom Dwellings

Min FAR not used for Dwelling

Core Area
How the controls are drafted to achieve the outcomes

Provision of land for new public open space and roads

Using the zone, local policy and reference document to provide for a Floor Area Ratio scheme, rather than the traditional approach of using Development Contributions Plans and Public Acquisition Overlays, to provide for land for public open space and roads.

Use the zone to requires the provision of streets, laneways and open space generally in accordance with the relevant maps within the schedule. A permit cannot be issued for subdivision of land which is not consistent with the relevant maps.

Ability to capture additional public benefits

Use the zone to outline a Floor Area Uplift scheme to provide for additional public open space, community infrastructure and affordable housing.
How the FAR scheme is used to provide for land

- Red dashed line shows proposed road
- Grey shading shows where the road will go over an existing property boundary
- The green line shows the entire site area which is used to calculate the total maximum FAR
- The orange shading shows the area that can be developed using the FAR calculated using the area identified with the green line
How the controls are drafted to achieve the outcomes

Support the key aspiration of the Framework to become Australia’s largest urban renewal Green Star Community

Use the zone to require that all permits for buildings and works, other than alterations and additions to existing buildings, must include conditions requiring it meets minimum 4 star Green Star requirements.

Manage built form outcomes

Use the Design and Development Overlay to set mandatory street wall, building separation and side setback controls as well as discretionary height controls, with the exception of a mandatory four storey limit for sites adjacent to existing residential areas south of Williamstown Road. Provision of mandatory requirements to prevent overshadowing of existing and future open space and to prohibit unsafe wind conditions.

Manage land contamination

Apply an Environmental Audit Overlay will be applied across the entire urban renewal area to manage known contamination.

Reduce car parking provision

Use the Parking Overlay to set maximum parking rates