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SCHEDULE [NUMBER] TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO[number]**.

FISHERMANS BEND – LORIMER PRECINCT

1.0

Design objectives

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To encourage development that optimises the strategic location of Fishermans Bend as an urban renewal precinct of State significance.

To encourage a diversity of mid and high-rise scale developments, including hybrid developments on larger sites that incorporate communal open space, with taller buildings located along the interface to the West Gate Freeway. [DDO L 1.0p2]

To ensure the scale, height and setbacks of development protect sunlight penetration to the Lorimer Parkway and other identified public open spaces, streets and laneways, and facilitate comfortable wind conditions, to deliver a high quality public realm. [DDO L 1.0p3]

To ensure building separation and setbacks achieve high levels of internal amenity for all development. [DDO L 1.0p4]

To encourage buildings to be designed so that they are capable of being adapted to facilitate a reduction in car dependence, an increase in commercial floor space, and to ensure that flood protection measures do not detract from the public realm. [DDO L 1.0p5]

2.0

Buildings and works

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Buildings and works for which no permit is required

A permit is not required to construct or carry out works for a new or modified verandah, awning, sunblind or canopy to an existing building. [DDO L 2.0p1]

Requirements

The following requirements apply to an application to construct a building or construct or carry out works. [DDO L 2.0p2]

The following requirements do not apply to: [DDO L 2.0p3]

- An application for buildings and works associated with an existing industrial use which facilitates the urban renewal of Fishermans Bend. [DDO L 2.0p4]
- An application to amend an existing permit granted before the approval date which does not increase the extent of non-compliance with the requirements. [DDO L 2.0p5]

A built form requirement expressed with the term ‘must’ is a mandatory requirement. A permit cannot be granted to vary a mandatory built form requirement. [DDO L 2.0p6]

A built form requirement expressed with the term ‘should’ is a discretionary requirement. A permit may be granted to vary a discretionary built form requirement. [DDO L 2.0p7]

An application for buildings and works must achieve the relevant built form outcomes. [DDO L 2.0p8]

Definitions

For the purpose of this schedule: [DDO L 2.0p9]

Building height means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building excluding: [DDO L 2.0p10]

- Non-habitable architectural features not more than 3.0 metres in height. [DDO L 2.0p11]

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- Building services and communal recreation facilities setback at least 3.0 metres behind the building façade. [DDO L 2.0p12]

Comfortable wind conditions means a mean wind speed from any wind direction (minimum 16 wind direction sectors) combined with probability of exceedance of 0.1%, equal to or less than: [DDO L 2.0p13]

- 5 metres/second for sitting areas. [DDO L 2.0p14]
- 7 metres/second for standing areas. [DDO L 2.0p15]
- 9 metres/second for walking areas. [DDO L 2.0p16]

Unsafe wind conditions means the hourly maximum 3 second wind gust which exceeds 23 metres/second from any wind direction (minimum 16 wind direction sectors) with the corresponding probability of 0.1%. [DDO L 2.0p17]

Laneway means a road reserve of 9 metres or less in width. [DDO L 2.0p18]

Mean wind speed means the maximum of: [DDO L 2.0p19]

- Hourly mean wind speed, or [DDO L 2.0p20]
- Gust equivalent mean speed (3 second gust wind speed divided by 1.85). [DDO L 2.0p21]

Street means a road reserve of greater than 9 metres in width. [DDO L 2.0p22]

Street wall means any part of the building constructed within 0.3 metres of a lot boundary fronting the street or laneway. [DDO L 2.0p23]

Street wall height means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the street wall excluding non-habitable architectural features not more than 3 metres in height. [DDO L 2.0p24]

Building typologies

Table 1: Building typologies

PRECINCT	BUILT FORM OUTCOMES
Area L1 on Map 1	<p>Predominantly mid-rise buildings. On larger sites, a hybrid of mid-rise perimeter blocks (with communal open space) and slender towers that create fast moving shadows to minimise overshadowing of the Lorimer Parkway (Turner Street).</p> <p>Lower street wall heights along Lorimer Parkway (Turner Street) to minimise overshadowing impacts.</p> <p>Developments that incorporate north-south laneways that provide activated pedestrian connections towards the Yarra River.</p>
Area L2 on Map 1	<p>Mid-rise developments with opportunities for some additional upper levels that are visually recessive from the street and within Lorimer Central and do not result in tower-podium building types.</p> <p>Developments that incorporate north-south laneways that provide activated pedestrian connections towards the Yarra River.</p> <p>Lower scale development to interface with Lorimer Central.</p>
Area L3 on Map 1	<p>Predominantly mid-rise developments that incorporate slender towers to minimise overshadowing of the Lorimer Parkway (Turner Street).</p> <p>Upper levels of mid-rise buildings are visually recessive from the street and</p>

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PRECINCT	BUILT FORM OUTCOMES
	Lorimer Parkway (Turner Street). Developments that incorporate north-south laneways that provide activated pedestrian connections towards the Yarra River.
Area L4 on Map 1	Predominantly tower developments interspersed with some mid-rise perimeter blocks and courtyard buildings. A variety of street wall heights between 4 and 8 storeys to contribute to architectural diversity within the street. Well-spaced, slender towers that avoid a wall-of-towers effect through appropriate massing, differentiation of materials and architectural detailing when viewed from the Yarra River, Lorimer Parkway (Turner Street), streets in Lorimer and the West Gate Freeway. Well-spaced slender towers that minimise overshadowing of the Sandridge precinct.

Building height

Table 2: Building height

BUILT FORM REQUIREMENTS	BUILT FORM OUTCOMES
A new building or works should not exceed the building heights shown in Map 2 to this schedule.	The height of new buildings in all areas must: <ul style="list-style-type: none"> ▪ Respond to the preferred future precinct character and building typologies in Table 1 and Map 1. ▪ Contribute to a varied and architecturally interesting skyline. ▪ Contribute to a diversity of building typologies and avoid repetitive built form outcomes for the precinct. ▪ Limit impacts on the amenity of the public realm and Lorimer Central open space as a result of overshadowing and wind effects. ▪ Consider outlook to the north towards the Yarra River and access to sunlight and views by locating lower buildings north of Lorimer Parkway (Turner Street) and taller buildings south of the Parkway along the West Gate Freeway.

Street wall height

ADD – Minimum street wall heights ranging from 2 storeys in 12m wide streets up to 5 storeys in 40m wide streets.

Table 3: Street wall height

BUILT FORM REQUIREMENTS	BUILT FORM OUTCOMES
Street width	Street wall height

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BUILT FORM REQUIREMENTS		BUILT FORM OUTCOMES
Street width	Street wall height	
<p>For streets 18m or less in width</p> <p>For streets between 18m and 30m in width</p> <p>For streets 30m or greater in width</p> <p>Where a site lies on the corner of two principal streets of 30m in width</p>	<p>shouldshould</p> <p>7.5m – 23m (approx 2-6 storeys)</p> <p>11m - 23m (approx 3-6 storeys)</p> <p>15m – 30m (approx 4-8 storeys)</p> <p>60m (approx 17 – 18 storeys) for a distance of 30m along each street frontage</p>	<p>With the exception of street walls to the West Gate Freeway and City Link overpass, street walls that ensure:</p> <ul style="list-style-type: none"> ▪ An appropriately scaled and distinct street wall effect. ▪ A human scale. ▪ An appropriate level of street enclosure having regard to the width of the street with lower street wall heights to narrower streets. ▪ Skyviews from the street or laneway and do not overwhelm the public realm. ▪ An appropriate transition to adjoining heritage places when viewed from the street. ▪ Adequate daylight and sunlight in the street or laneway. <p>Street walls on a corner site to make an appropriate transition back to the preferred street wall height.</p> <p>Higher street walls along the interface with the West Gate Freeway and City Link overpass, designed to assist with mitigating noise impacts from the freeway into the Lorimer Precinct.</p> <p>Street wall heights along the northern side of the Lorimer Parkway (Turner Street) enable a high degree of sunlight access to the Parkway.</p>

Diagram 1 (amend diagrams in accordance with above)

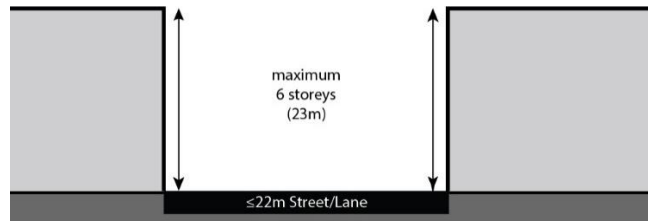


Diagram 2

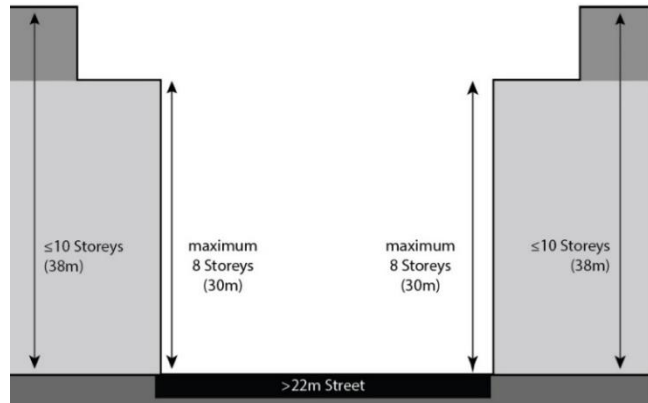
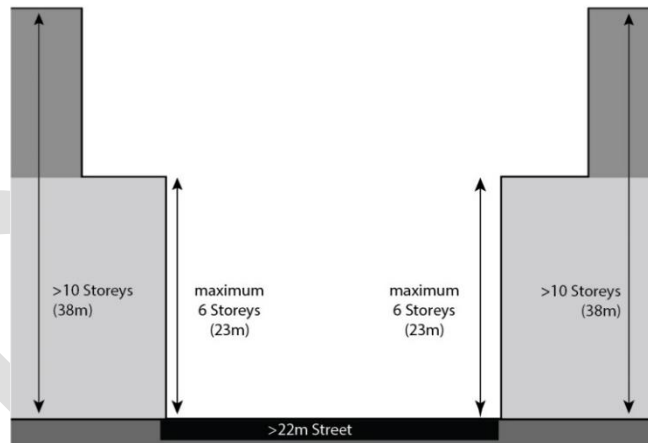


Diagram 3



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

Table 4: Setbacks above the street wall

BUILT FORM REQUIREMENTS		BUILT FORM OUTCOMES
Preferred Setback	Minimum Setback	
Any part of the building above the street wall should be setback: <ul style="list-style-type: none"> A minimum of 5m if the building height is ≤ 8 storeys. A minimum of 10m if the building height is > 8 storeys. 	Any part of a building above the street wall must be setback: <ul style="list-style-type: none"> A minimum of 3m if the building height is ≤ 8 storeys as shown in Diagram 4. A minimum of 5m if the building height is > 8 	<ul style="list-style-type: none"> Delete if mandatory setbacks

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BUILT FORM REQUIREMENTS		BUILT FORM OUTCOMES
Preferred Setback	Minimum Setback	
	storeys and ≤ 20 storeys as shown in Diagram 5. <ul style="list-style-type: none"> ▪ A minimum of 10m if the overall building height is > 20 storeys as shown in Diagram 6, except where the building has direct interface with: <ul style="list-style-type: none"> • Westgate Freeway; • City Link overpass; in which case a minimum of 5m applies as shown in Diagram 7. 	

Note:

For the purpose of Table 4: [DDO L 2.0p25]

The setback of a building above a street wall from a laneway is the shortest horizontal distance from the building façade to the centreline of the laneway. [DDO L 2.0p26]

The setback of a building above a street wall from a street is the shortest horizontal distance from the building façade to the street boundary. [DDO L 2.0p27]

Diagram 4

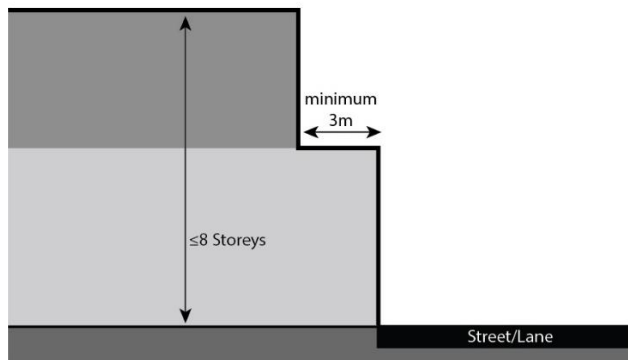


Diagram 5

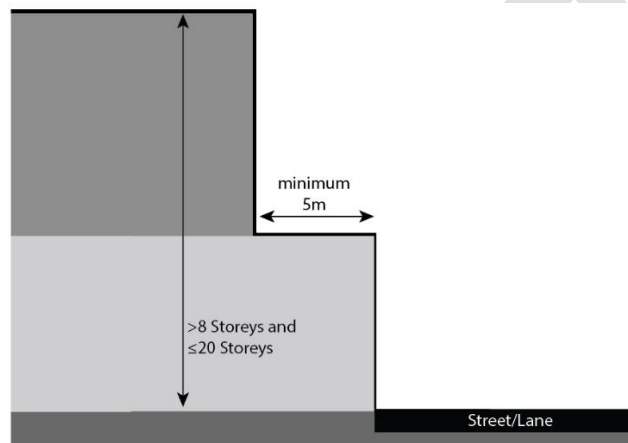


Diagram 6

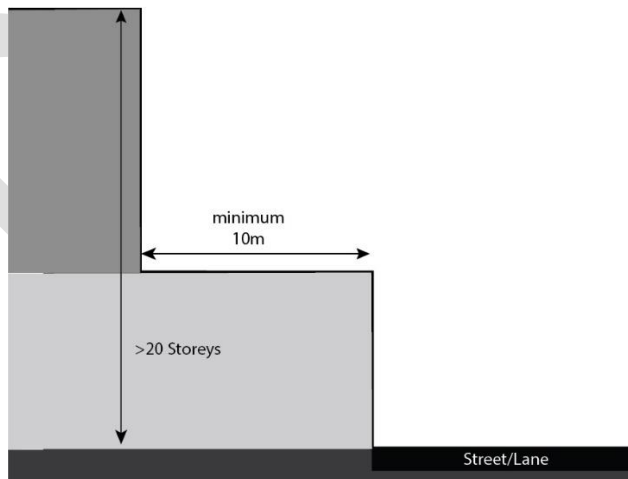
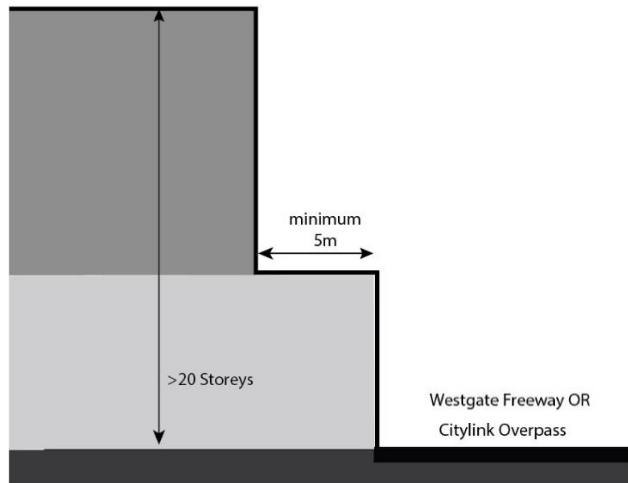


Diagram 7



Side and rear setbacks

Side and rear setbacks should be a minimum 6m up to a height of 36m and a formula above that which gradually increases the setbacks as the building rises to 10m at a height of 100m with performance outcomes.

Table 5: Side and rear setbacks

BUILT FORM REQUIREMENTS		BUILT FORM OUTCOMES
Preferred Setback	Minimum Setback	
		To create a continuous street wall along all site frontages. New buildings (above and below the street wall) are setback to ensure: <ul style="list-style-type: none"> ▪ Adequate daylight and sunlight into streets and laneways. ▪ Sunlight, daylight and privacy to and outlook from habitable rooms, for both existing and potential developments on adjoining sites. ▪ Wind effects on the public realm are mitigated. ▪ Tall buildings do not appear as a continuous wall when viewed from street level and on the northern side of the Yarra River. ▪ Skyviews between buildings. ▪ Visual bulk is minimised. Internal amenity is

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BUILT FORM REQUIREMENTS		BUILT FORM OUTCOMES
Preferred Setback	Minimum Setback	
		<p>achieved by setbacks rather than privacy screening.</p> <p>To provide opportunities for buildings in the south of Lorimer to have views to the water through building separation that is created by setbacks.</p>

Building separation within a site

Table 6: Minimum building separation within a site

BUILT FORM REQUIREMENTS		BUILT FORM OUTCOMES
Preferred building separation	Minimum building separation	
<p>Below the street wall:</p> <ul style="list-style-type: none"> ▪ Buildings within the same site should be separated from each other by at least 12m. <p>Above the street wall:</p> <ul style="list-style-type: none"> ▪ Buildings within the same site should be separated from each other by at least 20m. 	<p>Below the street wall:</p> <ul style="list-style-type: none"> ▪ Buildings within the same site should be separated from each other by at least 6m. <p>Above the street wall:</p> <ul style="list-style-type: none"> ▪ A new building up to 20 storeys in height should be separated from any other building on the same site by at least 10m as shown in Diagram 8. ▪ A new building over 20 storeys in height should be separated from any other building on the same site by at least 20m as shown in Diagram 9. 	<p>To ensure high quality internal amenity outcomes within buildings having regard to outlook, daylight, overlooking, and offsetting direct views between buildings within the same site.</p> <p>Internal amenity is achieved by building separation rather than screening.</p> <p>To ensure tall buildings do not appear as a continuous wall when viewed from street level or the northern side of the Yarra River.</p> <p>To ensure building separation of tall buildings is adequate to allow sunlight penetration to areas of identified open space and to streets.</p>

Note: For the purpose of Table 6 building separation distance within a site is to be measured from the face of each building. [DDO L 2.0p28]

Diagram 8

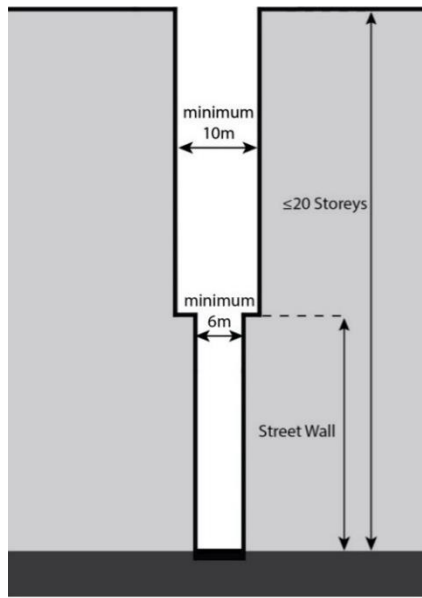
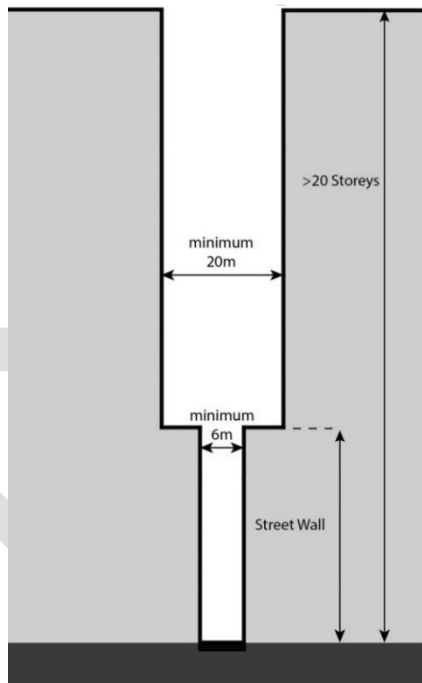


Diagram 9



Overshadowing

Buildings and works should not cast any additional shadow above the maximum street wall height over the existing or proposed public open spaces or streets shown in the relevant maps of this schedule for the hours specified on the same map. [DDO L 2.0p29]

Wind effects on the public realm

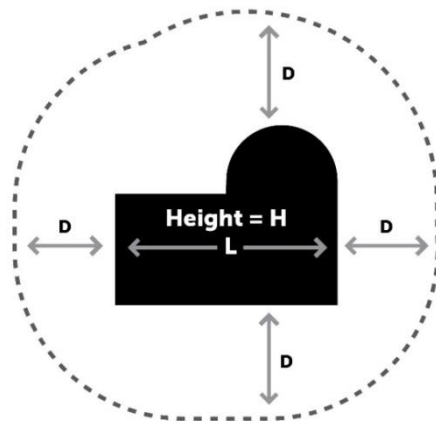
Table 7: Wind effects on the public realm

BUILT FORM REQUIREMENTS	BUILT FORM OUTCOMES
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Buildings and works with a total building height in excess of 40 metres:

- Must not cause unsafe wind conditions;
- Should achieve comfortable wind conditions;

in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half the total height of the building, whichever is greater as shown in the figure below, demonstrated by a wind analysis report prepared by a suitably qualified person



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

To ensure that the ground-level wind gust speeds do not cause unsafe wind conditions to pedestrians adjacent to the development or to pedestrians adjacent to public spaces.

To ensure that the proposed development achieves comfortable wind conditions commensurate to the identified principal role of publicly accessible areas for sitting, standing or walking.

Active street frontages

Table 8: Active street frontages

BUILT FORM REQUIREMENTS	BUILT FORM OUTCOMES
<p>Buildings fronting the Primary and Secondary active streets on Map 3 to this schedule, should be designed to achieve a diversity of fine-grain frontages.</p> <p>On streets marked as Primary active frontages on the relevant maps to this schedule:</p> <p>Buildings should provide:</p> <ul style="list-style-type: none"> ▪ At least 80 per cent visual permeability along the ground level of the building to a height of 2.5m, allowing for a solid plinth or base. ▪ Pedestrian entries at least every 10m. ▪ The frontage to a residential lobby at ground level should not exceed 4m. <p>On streets marked as Secondary active frontages (Type 1) on the relevant maps to this schedule, buildings should provide:</p> <ul style="list-style-type: none"> ▪ At least 60 per cent visual 	<p>Development designed to enhance access to the Yarra River through the provision of north-south activated streets and laneways that maximise connectivity into and through the Yarra's Edge development .</p> <p>Buildings designed to:</p> <ul style="list-style-type: none"> ▪ Address and define existing or proposed streets or open space and provide direct pedestrian access from the street to ground floor uses. ▪ Address both street frontages if the building is on a corner. ▪ Create activated building facades with windows and regularly spaced and legible entries. ▪ Consolidate services within sites and within buildings, and ensure any externally accessible services or substations are integrated into the façade design. <p>Buildings with residential development at</p>

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BUILT FORM REQUIREMENTS	BUILT FORM OUTCOMES
<p>permeability along the ground level of the building to a height of 2.5m, allowing for a solid plinth or base.</p> <ul style="list-style-type: none"> ▪ Pedestrian entries at least every 15m. <p>On streets marked as Secondary active frontages (Type 2) on the relevant maps to this schedule, buildings should provide:</p> <ul style="list-style-type: none"> ▪ At least 20 per cent visual permeability along the ground level of the building to a height of 2.5 m, allowing for a solid plinth or base. <p>All buildings should provide:</p> <ul style="list-style-type: none"> ▪ Openable windows and balconies within the street wall along streets and laneways. ▪ Entrances that are no deeper than one third of the width of the entrance. ▪ Canopies over footpaths on primary or secondary active streets where retail uses are proposed. <p>Car parking should:</p> <ul style="list-style-type: none"> ▪ Be sleeved with active uses so that it is not visible from the public realm or adjoining sites. ▪ Not be located at ground floor level. ▪ Not be visible from the street. ▪ Be contained within a building. <p>The area of any ground floor of a building occupied by building services, including waste, loading and parking should be less than 40% of the total site area.</p>	<p>ground level designed to:</p> <ul style="list-style-type: none"> ▪ Create a sense of address by providing direct individual street entries to dwellings or home offices. ▪ Achieve a degree of privacy through permeable screening and level changes. <p>Buildings are designed to avoid unsafe indents with limited visibility.</p> <p>Car parking and building services that do not detract from the public realm.</p> <p>Service areas are consolidated and located to maximise activation of the public realm.</p> <p>Any externally accessible services or substations are integrated into the façade design.</p> <p>A safe and high quality interface between the public and private realm through the arrangement of uses internal to a building.</p>

Adaptable buildings

Table 9: Adaptable buildings

BUILT FORM REQUIREMENTS	BUILT FORM OUTCOMES
<p>Buildings should be designed with minimum floor to floor heights of:</p> <ul style="list-style-type: none"> ▪ At least 4.0 metres at ground level; ▪ At least 3.8 metres for other lower levels up to the height of the street wall. <p>Car parking areas not within a basement should have level floors and a floor-to-floor height not less than 3.8 metres.</p> <p>Mechanical systems should be utilised to reduce the footprint of car parking areas.</p> <p>Internal layouts should be designed and arranged to enable adaptable floorplates to accommodate change of uses over time.</p>	<p>Buildings are designed to accommodate employment uses and provide for future adaptation or conversion of parts of a building accommodating non-employment generating uses (including car parking) to employment generating uses over time.</p> <p>Car parking is designed:</p> <ul style="list-style-type: none"> ▪ So that it can be adapted to other uses over time. ▪ To minimise its footprint within a building. <p>Dwellings are designed to enable the consolidation or reconfiguration over time to alter the number of bedrooms.</p> <p>Internal layouts and floor plates should be flexible and adaptable with minimal load bearing walls that maximise flexibility for retail or commercial refits.</p> <p>Floorplate layout designed to enable one and two bedroom dwellings to be</p>

BUILT FORM REQUIREMENTS	BUILT FORM OUTCOMES
	combined or adapted into three or more bedroom dwellings.

Building finishes

Table 10: Building finishes

BUILT FORM REQUIREMENTS	BUILT FORM OUTCOMES
<p>Building materials and finishes for buildings fronting main roads should not exceed 15 per cent perpendicular reflectivity, measured at 90 degrees to the façade surface.</p> <p>Buildings should be designed to emphasise internal uses within the façade design (below the street wall) and reduce visual bulk.</p>	<p>Buildings are not designed in a manner that creates blank facades.</p> <p>Internal uses of the buildings are expressed within the external building design creating a relationship between the private and public realm.</p>

Exemption from notice and review

An application for construction of a building or to construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. [\[DDO L 2.0p30\]](#)

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Subdivision

None specified. [\[DDO L 3.0p1\]](#)

Exemption from notice and review

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. [\[DDO L 3.0p2\]](#)

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Advertising signs

None specified. [\[DDO L 4.0p1\]](#)

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which should be considered, as appropriate, by the responsible authority: [\[DDO L 5.0p1\]](#)

- The preferred built form outcomes identified in this schedule. [\[DDO L 5.0p2\]](#)
- Whether the cumulative impact of the proposed development and any existing adjoining development supports achievement of a high quality pedestrian amenity in the public realm, in relation to scale, visual bulk, overshadowing and wind effects. [\[DDO L 5.0p3\]](#)
- Whether the proposed building setbacks and separation distances allow equitable access to privacy, sunlight, daylight and outlook. Consideration of this issue should have regard to the proposed internal use/s within a new building and the height of any existing or proposed adjoining built form. [\[DDO L 5.0p4\]](#)
- The effect of the proposed buildings and works on solar access to existing and proposed public spaces having regard to: [\[DDO L 5.0p5\]](#)

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- the area of additional shadow cast over the public space relative to the total area of public space and the area which will remain sunlit; [DDO L 5.0p6]
 - any adverse impact on soft landscaping in public space; and [DDO L 5.0p7]
 - whether allowing additional shadows to be cast on public spaces other than open space, is reasonable having regard to the function and orientation of the space and shadows cast by adjacent buildings. [DDO L 5.0p8]
- Whether the proposal delivers design excellence, and contributes to creating a range of built form typologies. [DDO L 5.0p9]
 - The impacts of built form and visual bulk on daylight, sunlight and sky views from within public spaces or on adjoining heritage places. [DDO L 5.0p10]
 - The internal amenity of the development and the amenity and equitable development opportunities of adjoining properties. [DDO L 5.0p11]
 - The impacts of wind on the amenity and useability of nearby public open spaces, streetscapes or the public realm. [DDO L 5.0p12]

Land Subject to the Development Plan Overlay

The provisions of this policy do not apply to an application to use, develop or subdivide land (or any part of that land) that is subject to:

- the Development Plan Overlay; and
- a development plan that has been approved under that Overlay, provided the proposed use, development or subdivision is generally in accordance with that approved development plan to the satisfaction of the responsible authority.

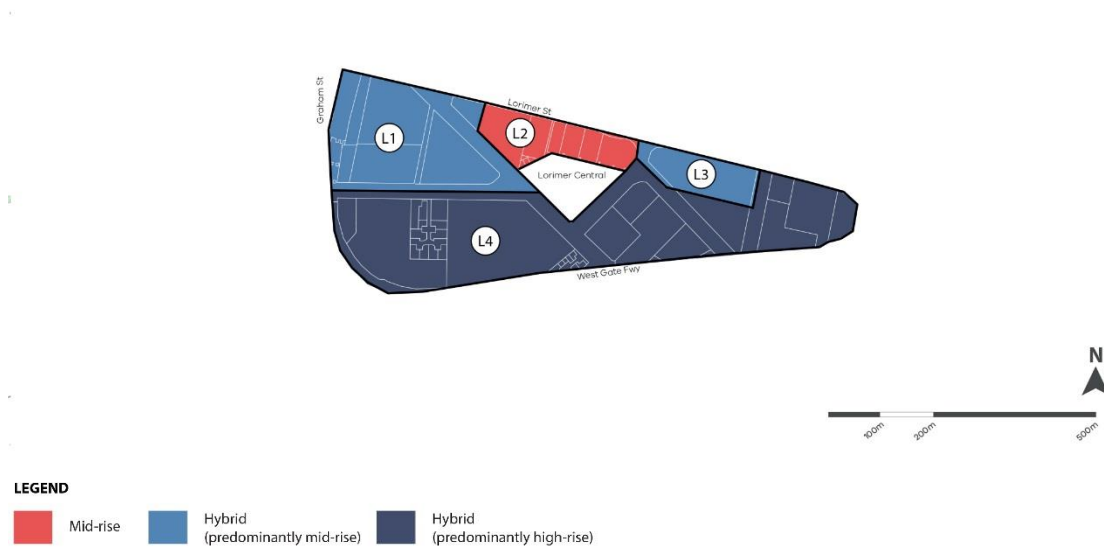
Transitional Provisions

The provisions of this policy do not apply to:

- any application for a planning permit that was lodged before the approval of Amendment GC 81; or
- any application or request for the amendment of a planning permit issued before the approval of Amendment GC81; or
- the use or development of land that was either permitted by or was able to be lawfully undertaken in accordance with a planning permit issued before the approval of Amendment GC81 (including any as of right use that able to be accommodated within any development approved by such a permit.

The provisions of the planning scheme that applied at the time of the grant of the relevant permit, or (in this case of an application for a permit) immediately prior to the approval of Amendment GC81 are to be taken to apply to the relevant application for permit, or to the application or request for amendment of permit respectively

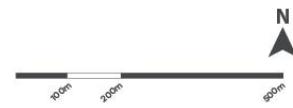
Map 1: Building typologies



Locations for landmark and civic buildings should be included

Map 2: Building heights

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No height limits in Lorimer

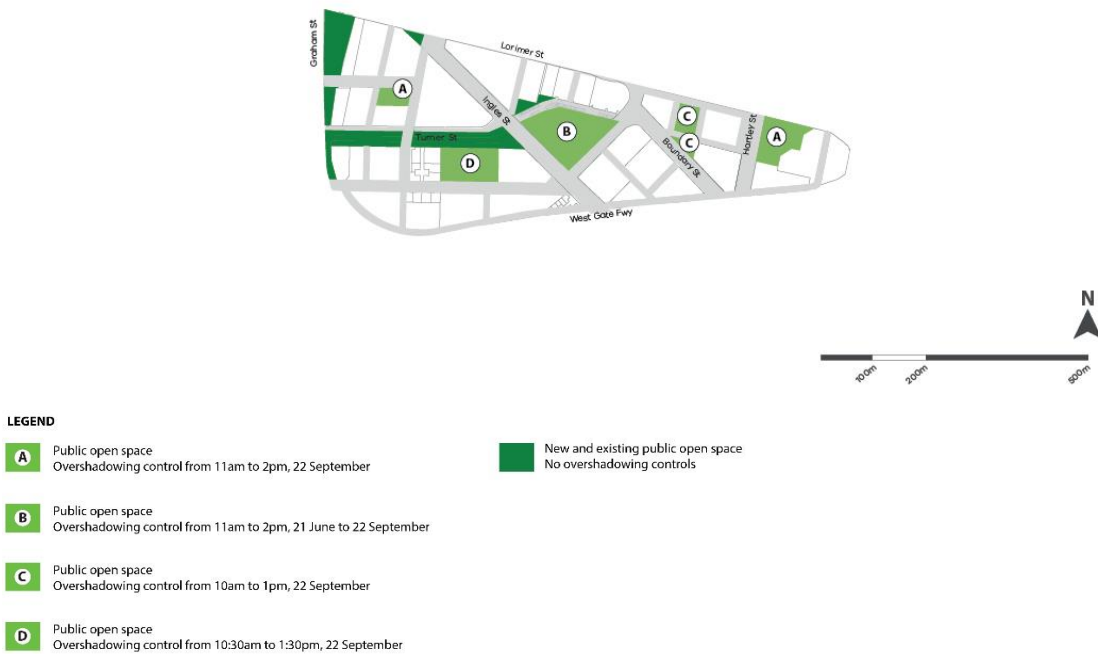
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Map 3: Active street frontages



Map 4: Overshadowing



Shadow should be assessed at 22 September and controls should be discretionary