

## **MELBOURNE PLANNING SCHEME**

Incorporated Document

### **THE GAMES VILLAGE PROJECT, PARKVILLE, SEPTEMBER 2015**

#### **Site Description**

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.

This document is an incorporated document in the Melbourne Planning Scheme, pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987* (Vic).

## **1.0 INTRODUCTION**

This document is an incorporated document in the schedule to clauses 52.03 and 81 of the Melbourne Planning Scheme.

This incorporated document applies to all of the Land shaded on the plan in clause 16 of this incorporated document.

The controls and provisions in the Melbourne Planning Scheme, other than this incorporated document, do not apply to the subdivision, use or development of the Land for any purpose associated with the Games Village project, except for clauses 54, 55 and 56 of the Melbourne Planning Scheme, which apply only to the extent provided for in this incorporated document.

## **2.0 PURPOSE**

The purpose of this incorporated document is:

- to facilitate the use and development of the Land as the Commonwealth Games Athletes Village for the Commonwealth Games in March 2006
- to ensure the orderly and timely provision of facilities required for, convenient for, or ancillary to, the hosting of the Commonwealth Games
- to allow for the development of the Games Village project in the period before, during and after the Commonwealth Games.

## **3.0 DEFINITIONS**

In this incorporated document:

- “Commonwealth Games”, “facilities”, and “Games Village project” have the same meaning as in the *Commonwealth Games Arrangements Act 2001* (Vic). For the purposes of determining whether a use, development or subdivision is part of the “Games Village project”, the responsible authority may refer to the Project Delivery Agreement between the State and the ‘developer’.
- “Land” means the 20.11 hectares of land included in the Games Village project shown in Plan 18698/GV Version A in clause 16 of this incorporated document; and
- any reference to “Minister” means:
  - the Minister for Planning or such other Minister as may from time to time administer section 48B of the *Commonwealth Games Arrangements Act 2001* (Vic) in the period until the expiry of this incorporated document.

## **4.0 ADDRESS OF THE LAND**

This incorporated document applies to the Land. The Land is 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.

## **5.0 SUBDIVISION, USE AND DEVELOPMENT ALLOWED UNDER THIS DOCUMENT**

This incorporated document allows the subdivision, use or development of the Land without a permit for any purpose associated with the construction and operation of the Games Village project, subject to the subdivision, use or development being in accordance with this incorporated document.

Any use or development of the Land for any purpose not associated with the Games Village project may be allowed by a permit granted under clause 13 of this incorporated document.

No subdivision, use or development of the Land may take place other than in accordance with this incorporated document.

Any consent, approval or permit given or granted under this incorporated document may be given subject to any conditions the decision maker deems fit.

## **6.0 STAGED DEVELOPMENT AND WAIVER OF REQUIREMENTS**

Despite any provision of this incorporated document, the Minister may:

- waive, vary or defer the requirement to prepare an integrated plan or siting and design guidelines under clauses 8 or 9 of this incorporated document, or any requirement as to the content of such plan on such terms as the Minister deems fit, and to grant any consent or give any approval under this incorporated document notwithstanding such waiver, variation or deferment.
- approve any integrated plan under clause 8 of this incorporated document in stages, provided the Minister is satisfied that the plan for the individual stage integrates, or is capable of integrating, with the whole of the Land.
- grant any consent or give any approval under clauses 11, 12 or 13 of this incorporated document for the demolition, subdivision, use or development of the Land in stages.
- grant any consent or give any approval under this incorporated document that extends beyond the expiry of this incorporated document for a specified period not exceeding a period which would provide for the substantial commencement of the use or development by the expiry date or completion by 31 December 2023.

## **7.0 MASTER PLAN**

Before the Minister may approve any plan required under clause 8 of this incorporated document, siting and design guidelines under clause 9 of this incorporated document or provide any approval, consent or permit under this incorporated document, other than a consent under clause 11, a master plan must be prepared that is generally in accordance with the indicative site layout plan in clause 15 of this incorporated document to the satisfaction of the Minister. The master plan must:

- identify all buildings that may be demolished
- provide details of the indicative staging and timing of development
- describe the possible indicative use and development of each part of the Land, and identify the general location of commercial, retail and community facilities and the location of public open space

- include a site layout plan, generally in accordance with the indicative site layout plan in clause 15 of this incorporated document, that adopts a primary north-south road network layout that promotes the integration of the site with surrounding communities and parkland and identifies all footpaths and cycling paths and lanes and public transport routes and facilities, all of which must be located to encourage non-car transport. The path and road widths and features must accord with the design objectives in clause 10 of this incorporated document
- provide for the use of the part of the Land immediately south of the Mental Health Research Institute and the part of the Land fronting Oak Street for a mix of uses including residential, commercial, community, retail and café uses
- provide for the use of the part of the Land in the heritage precinct for a mix of uses including residential, commercial, community (eg aged care and child care facilities), recreation (eg gymnasium), retail and café
- provide an open space corridor which generally links the north and south of the site and links the site with Royal Park to the south and provides a wedge between the apartments on the western boundary of the site and the houses and townhouses to the east of the open space corridor
- provide other areas of open space, including the part of the Land immediately to the south of the Mental Health Research Institute
- provide a tree retention plan
- provide for an aged care facility in the aged care precinct in the north west corner of the site not exceeding four habitable storeys in height
- provide for at least 900 dwellings comprising a modulated line of freeway apartments on the western boundary (not exceeding seventeen habitable storeys in height) and a mix of houses, townhouses and other apartments elsewhere on the site
- describe indicative building envelopes and the proposed number of habitable storeys for apartment buildings and the aged care facility. The habitable storeys do not include car parking levels, roof mounted building services, architectural features and similar structures.

The master plan may be amended to the satisfaction of the Minister at any time.

The Minister may only approve a plan under the conditions of this incorporated document that is generally in accordance with the approved master plan, except for a plan prepared for the purposes of demolition or site preparation works under clause 11 of the incorporated document.

## **7.1 Decision guidelines**

The Minister must, in considering whether to approve the master plan to the Minister's satisfaction under this incorporated document, have regard to the following matters:

- the indicative site layout plan in clause 15 of this incorporated document;
- the need to ensure the orderly and timely provision of facilities required for, convenient for, or ancillary to, the hosting of the Commonwealth Games;
- the extent to which any demolition, subdivision, use or development proposed in the master plan will impact upon any land or buildings in the heritage precinct or trees to be retained;
- the design objectives in clause 10 of this incorporated document, as appropriate; and

- the extent to which the use or development proposed in the master plan will facilitate, or impact upon, the development or re-development and use of the Land as part of the Games Village project after the Commonwealth Games.

## **8.0 INTEGRATED PLANS**

Before the Minister may give any approval or consent under this incorporated document, the applicant for approval or consent must prepare the integrated plans in this clause 8 to the satisfaction of the Minister.

For the purposes of clause 12.1, the Minister must not approve a plan of subdivision until after the Minister has approved the integrated plans in clauses 8.1 to 8.4.

For the purposes of clause 13.1, the Minister must not consent to a use or development, except for the use or development of the Land for a display home or display village and sales information centre, until after the Minister has approved all the relevant integrated plans in clause 8.

The plans prepared under this clause 8 must address the whole of the Land in an integrated manner to the satisfaction of the Minister.

Any of the integrated plans prepared under this clause 8 of this incorporated document may be amended to the satisfaction of the Minister at any time.

### **8.1 Traffic management plan**

The traffic management plan must:

- show the internal road layout and circulation including an identified road hierarchy, proposed cross sections for road reserves, road designs, physical traffic management devices (if required), the location and treatment of connection points to the external road network and anticipated flows and volumes of traffic
- show the proposed public transport routes
- show the indicative location of pedestrian and cycling paths or lanes and links to adjoining land and networks
- promote Oak Street/Manningham Street as the priority route for cyclists and pedestrians to access public transport
- adopt the relevant design objectives in clause 10 of this incorporated document.

### **8.2 Landscape plan**

The landscape plan must indicate areas of public open space, retained trees, proposed facilities (including barbeques, tables and benches, children's playground equipment etc), planting themes, fence details and a management and maintenance regime and must:

- identify proposed linkages between the open space network and the pedestrian paths within the Land to adjoining parklands
- ensure no net loss of trees on the site, and identify those trees to be retained
- include tree protection guidelines to protect the trees to be retained
- provide for the selection of vegetation which will integrate with vegetation in surrounding areas, enhance flora and fauna diversity and will include a majority of

species native to Australia with low water use, including species indigenous to northern Melbourne

- minimise irrigation and chemical control, adopt water sensitive design techniques and complement the integrated water management plan
- address the long term maintenance of the landscape design and components
- encourage the installation of energy efficient outdoor lighting in public areas with minimal light spill
- retain the group of River Red Gums on the corner of Oak and Park Streets with no pedestrian paths amongst them
- recreate a small River Red Gum community with a wide range of native and indigenous species that reflects the original ecosystem.

### **8.3 Integrated water management plan**

The integrated water management plan, prepared in conjunction with Melbourne Water, must:

- incorporate reduced water consumption, stormwater management and greywater recycling
- aim to achieve greater reductions in phosphorus, suspended solids, nitrogen, hydrocarbons and litter relative to stormwater quality targets specified in the Urban Stormwater Best Practice Environmental Management Guidelines (1999)
- aim to significantly reduce potable water use below 2000 metropolitan Melbourne per capita water levels
- use MUSIC modelling to calculate stormwater quantity and quality options
- provide for irrigation of public open space from recycled water
- provide for the treatment of stormwater and greywater on site before reuse or discharge
- adopt water sensitive urban design techniques.

### **8.4 Construction management plan**

The construction management plan must:

- provide details of access arrangements to the site
- include hours of operation
- provide a strategy to manage vehicle parking for building contractors and employees to minimise the impact on surrounding uses
- provide details of the stormwater management system to be installed during construction
- implement the practices described in the EPA publication “*Protecting Stormwater Quality for Building Construction Sites*”
- include appropriate techniques for dust control
- address building waste management

- implement the relevant actions of the environmental management plan approved under clause 8.6 of this incorporated document
- provide a communication strategy directed at surrounding residents and uses.

## **8.5 Community plan**

The community plan, must:

- identify proposed community facilities to be provided based on an audit of the capacity of existing facilities in the locality and a needs assessment for the Games Village project and surrounding communities
- propose funding, management and maintenance arrangements for any recommended community and recreation facilities
- recommend community and recreation facilities on the Land that can be accessed by the broader community as well as Games village residents. Recreation facilities provided in individual apartment complexes may be restricted to use by occupants of those apartments
- demonstrate how public transport access will be provided for the community living in the Games Village project
- investigate the modification of retained buildings and construction of new buildings or facilities for community and recreation use on the Land, particularly in the mixed use precincts.

## **8.6 Environmental management plan**

The environmental management plan must address each stage of demolition, design, construction and operation of the Games Village project, and must:

- support and implement the objectives of the integrated water management plan
- support and implement the landscape plan
- incorporate energy efficiency objectives in the design of the Games Village project, including the energy efficiency ratings for dwellings referred to in the design objectives in clause 10 of this incorporated document
- investigate the possibility of providing the Games Village project with renewable energy
- aim to achieve effective waste management, resource recovery and reuse of materials during the demolition and construction phases of the Games Village project in consultation with EcoRecycle Victoria
- provide an appropriate waste management, tracking, monitoring and reporting system
- incorporate a waste management and litter reduction plan, that encourages waste separation and recycling by residents and visitors
- encourage the use of sustainable materials in the construction of the Games Village project
- set a target of recycling 95% of all demolition and construction waste
- provide for information to be given to prospective purchasers about the environmental features of the Games Village project.

## **8.7 Heritage precinct plan**

The heritage precinct plan must be prepared in consultation with a qualified heritage architect for the part of the Land in the heritage precinct and must:

- include an urban design framework to provide detailed guidance for the development of the heritage precinct. The urban design framework must address sightlines and appropriate building heights and setbacks
- identify heritage buildings to be retained and reused
- incorporate heritage conservation guidelines for the adaptive reuse of the buildings and infill development, which allows for new development within the context of the heritage values of the precinct
- delineate public and private open space in front of the heritage buildings and include measures to make this delineation clear to the public
- show any proposed external modification of buildings in the heritage precinct for a mix of uses, including residential, commercial, institutional and recreational uses
- consider the requirements for car parking and the impact of car parking facilities on the heritage values
- include a landscape theme for the heritage precinct
- provide for the creation of an appropriate contemporary “marker” that visually ties the flanking ward buildings together
- adopt the relevant design objectives in clause 10 of this incorporated document.

## **8.8 Parking precinct plan**

The parking precinct plan must:

- implement the recommendations of a car parking study to determine the appropriate car parking provision rates for residents and visitors for a range of uses in the context of public transport and on street car parking availability
- provide for the installation of secure or lockable bicycle storage generally in accordance with the following levels:
  - 1 space per dwelling; plus
  - 0.25 spaces per 100 square metres for apartment visitor use; plus
  - 5 spaces per 1000 square metres for non-residential uses.

## **8.9 Games mode plan**

The Games mode plan must describe the proposed use, layout and access arrangements for the Land during the Commonwealth Games in text and in a plan.

## **8.10 Decision guidelines**

The Minister must, in considering whether to approve any integrated plan under clause 8 of this incorporated document, have regard to the following matters:

- the need to ensure the orderly and timely provision of facilities required for, convenient for, or ancillary to, the hosting of the Commonwealth Games
- the approved master plan under clause 7 of this incorporated document

- the extent to which any use or development proposed under the integrated plan will impact upon any land or buildings in the heritage precinct or trees to be retained
- the design objectives in clause 10 of this incorporated document, as appropriate
- the extent to which the use or development proposed under the integrated plans will facilitate, or impact upon, the development or re-development and use of the Land as part of the Games Village project after the Commonwealth Games
- where the development proposed under the integrated plan will form part of, or be later modified or re-developed as part of, the Games Village project after the Commonwealth Games, the extent to which the development complies with, or can be later modified or re-developed to be generally consistent with the objectives and principles in clauses 54, 55 and 56 of the Melbourne Planning Scheme, where relevant.

## **9.0 SITING AND DESIGN GUIDELINES**

Before any development is commenced or any application for the consent of the Minister for any development under clause 13 of this incorporated document is made in the:

- houses and townhouses precinct
- freeway apartment precinct
- other apartment precincts
- aged care precinct
- mixed use precinct,

as shown on the indicative site layout plan in clause 15 of this incorporated document, siting and design guidelines must be prepared and approved to the satisfaction of the Minister for that precinct.

The siting and design guidelines must address, as appropriate for each precinct:

- relevant design objectives for built form in each precinct, including height, setbacks, massing and roof form
- materials and finishes
- design and integration of building services including environmental features
- fencing
- location of garages and carports
- acoustic performance in habitable rooms
- accessibility requirements
- views from key vantage points external to the site including the CityLink Freeway, Travencore, Royal Park, Oak Street and Park Street
- the applicable design objectives in clause 10 of this incorporated document.

## **10.0 DESIGN OBJECTIVES**

### **10.1 For the overall development**

- To encourage the provision of accommodation suitable for older members of the community in addition to the aged care facility and the social housing.
- To provide at least 20% of housing with internal layouts that can be modified or adapted at a later date to enable wheelchair access.
- To ensure that dwellings allocated for social housing are designed and constructed to be visually integrated with the surrounding development.
- To design all dwellings to meet the appropriate noise standards
- To protect the amenity of adjacent residential uses with respect to overlooking, privacy, access to sunlight, access to daylight for habitable room windows, useable private open space, visual bulk and opportunities for solar collection and passive solar access.
- To incorporate measures where necessary to manage the impact of non-residential uses on the amenity of residential uses.
- To ensure that roads to be used by public buses are designed to accommodate low floor buses.
- To provide footpaths that are at least 1.5 metres wide.
- To design roads where required to accommodate bus access, adequate on-street parking, service vehicles and bicycle lanes.
- To provide disabled and safe access to public areas, including the road and path network.
- To provide disabled access to all houses, townhouses and apartments (where lifted).
- To incorporate water sensitive design techniques into the design of roads, landscaping, public open space and other developments having regard to the integrated water management plan and stormwater management systems for the site.
- To protect the structural integrity and access to the Royal Park Main Drain, the Moonee Ponds Sewer Main and the Moonee Ponds Sewer Main Deviation.
- To acknowledge the pre-settlement cultural heritage of the Land in the development of the Village (landscaping, public art or public places).
- To encourage the use of sustainable building materials, including plantation timbers for houses and townhouses.
- To avoid uniform development and encourage diversity of design.
- To provide high quality residential development including integrated social housing, community facilities and public open space.
- To apply the principles of sustainable development.
- To adapt and re-use the retained heritage buildings.
- To protect trees identified for retention.
- To create an attractive, park-like setting.
- To create a safe, pedestrian oriented, primarily residential environment that integrates with the surrounding area, particularly the residential neighbourhood to the north.

- To encourage the use of public transport.
- To develop a community hub with a mix of uses, including residential use, within the heritage precinct and the proposed neighbourhood centre on Oak Street.
- To provide attractive, useable public open space that caters for a range of age groups and provides for a variety of recreational experiences.
- To provide appropriate built form, landscape treatment and interface conditions along Oak Street, Park Street and City Link and with other uses that adjoin the Land.
- To integrate the Games Village project with surrounding communities and parkland.
- To provide appropriate traffic management works and techniques in order to accommodate additional traffic generated by the development.
- To implement the recommendations of an accessibility audit.
- To implement the recommendations of a road safety audit.
- To encourage the use of public transport, walking and cycling, including encouraging the use of the Flemington Bridge public transport node.
- To implement the integrated plans approved under clause 8 of this incorporated document.

## **10.2 For houses and townhouses**

- To achieve a high quality residential development with appropriate siting and design guidelines as approved under clause 9.
- To aim to achieve a six star energy efficiency rating, as rated by First Rate Software.
- To install gas boosted solar hot water systems.
- To aim to achieve a minimum 60% solar contribution in hot water systems.
- To orientate lots and dwellings to take advantage of solar access.

## **10.3 For apartments generally**

- To design apartment buildings that respond to their context taking into account sightlines external to the site.
- To provide appropriate access to the apartments for service, emergency and delivery vehicles and adequate parking for tradespeople and removalists.
- To design all apartments to achieve the minimum energy efficiency rating prescribed at the time of construction, and to aim to achieve an overall energy efficiency rating for the apartments higher than the minimum prescribed.
- To promote high quality apartment developments that make a positive contribution to the built form of the area, provide architecturally interesting facades and provide a high level of internal amenity for residents.
- To conceal external plumbing pipes and fixtures, excluding downpipes.
- To integrate roof-mounted structures into the design of the buildings.
- To provide a diversity of architectural expression in the design of the apartment buildings.
- To provide a clearly identified pedestrian entry at street level.

- To provide adequate, safe and efficient car parking for residents and visitors. Car parking for residents should not dominate the streetscape.
- To provide bicycle storage facilities for residents and visitors in accordance with the rates set out in the parking precinct plan under clause 8.8 of this incorporated document.
- To achieve an average apartment height of approximately six habitable storeys.

#### **10.4 Freeway apartments**

In addition to the general apartment design objectives in clause 10.3, above:

- To create an apartment layout along the western boundary of the site that is dynamic, articulated curvilinear and highly modulated and enhances the existing Melbourne Gateway.
- To create a modulated layout from three habitable storeys up to, but not exceeding, seventeen habitable storeys in height with the tallest elements representing urban markers for the Games Village project.
- To restrict the apartment buildings adjacent to the retained heritage buildings within the heritage precinct to a maximum of five habitable storeys in height.
- To develop a high quality apartment at the southern end of the freeway apartment precinct that aims to provide:
  - an acoustic buffer
  - passive surveillance over the wetlands and pedestrian routes
  - an urban marker; and
  - a visual and physical link between the open space network within the Games Village Project to both the wetlands and Royal Park.
- To ensure that the façade of the apartments facing the western boundary of the site is of a high architectural standard and does not include any advertising.
- To minimise any increase in traffic noise in Travencore through the design and use of materials on the western façade.
- To respect the integrity and significance of the retained heritage buildings.
- To reserve three metres of land between the apartment building and the noise wall along City Link to provide access between the wall and the apartment buildings.
- To provide an effective acoustic barrier for the balance of the Land.
- To respect the architectural integrity of the International Gateway Sculpture along the City Link Freeway.

#### **10.5 For the aged care precinct**

In addition to the general apartment design objectives in clause 10.3, above:

- To restrict the height of buildings in the aged care precinct to a maximum of four habitable storeys.
- To provide disabled access throughout the aged care precinct.
- To provide convenient access to community and recreation facilities and public transport within the Land.

## **10.6 For any part of the Land in a mixed use precinct**

- To encourage a mix of retail, café, commercial and residential uses.
- To manage the impact of non-residential uses on residential use and to develop appropriate means to mitigate these effects.
- To provide adequate car and bicycle parking for proposed uses within a mixed use precinct.
- To create attractive north-facing public spaces.

## **10.7 For any part of the Land in the heritage precinct**

- To develop the heritage precinct as a fine-grained, closely settled urban precinct generally developed around the existing road alignment to the west of the ward and dining room buildings.
- To encourage more intense infill development around the existing buildings.
- To respect the heritage values of the retained heritage buildings and achieve an appropriate built form outcome.
- To encourage a diverse mix of uses, including residential, community (eg childcare), retail, café, commercial, education and recreation uses.
- To provide an appropriate public open space setting for the retained heritage buildings.

## **11.0 DEMOLITION, SITE PREPARATION AND MAINTENANCE WORKS**

### **11.1 Works allowed**

A permit is not required to undertake:

- routine maintenance or temporary refurbishment works;
- demolition works; or
- site preparation works (including earthworks reasonably required for development on the Land).

The consent of the Minister is required to undertake:

- demolition or site preparation works in the heritage precinct; or
- any site preparation works, if those works are proposed to be undertaken before the Minister has approved the master plan in accordance with clause 7 and the landscape plan, construction management plan and environmental management plan in accordance with clauses 8.2, 8.4 and 8.6.

### **11.2 Consent application requirements**

For demolition or site preparation works in the heritage precinct

Before the Minister consents to any demolition or site preparation works in the heritage precinct, the applicant for consent must prepare, as appropriate, to the satisfaction of the Minister:

- a tree retention plan, including an assessment of the proposed works prepared by a qualified arborist and appropriate tree protection guidelines
- a photographic and historical record to be lodged with the State Library of any building in the heritage precinct to be demolished

- a demolition and site preparation plan, which identifies the buildings to be demolished, the works proposed to be undertaken, details the access arrangements to the site and hours of operations, and includes appropriate techniques for dust control, stormwater management and addresses building waste management.

For site preparation works to be undertaken before the Minister has approved master and integrated plans

Before the Minister consents to any site preparation works on the Land proposed to be undertaken before the Minister has approved the master plan in accordance with clause 7 and the landscape plan, construction management plan and environmental management plan in accordance with clauses 8.2, 8.4 and 8.6, the applicant for consent must prepare the following, as appropriate, to the satisfaction of the Minister:

- a tree retention plan, including an assessment of the proposed works prepared by a qualified arborist and appropriate tree protection guidelines
- an outline construction management plan and outline environment management plan which describe the works proposed to be undertaken, details the access arrangements to the site and hours of operations, and includes appropriate techniques for dust control, stormwater management and addresses building waste management.

### **11.3 Decision guidelines**

The Minister must, in considering whether to give consent or to approve plans to the Minister's satisfaction under this incorporated document, have regard to the following matters:

- the need to ensure the orderly and timely provision of facilities required for, convenient for, or ancillary to, the hosting of the Commonwealth Games
- the extent to which the demolition or site preparation work under this provision will impact upon any or trees identified to be retained
- the extent to which the plans satisfy the requirements of this incorporated document, particularly clauses 8.2, 8.4 and 8.6.

## **12.0 SUBDIVISION**

### **12.1 Subdivision allowed**

A permit is not required to subdivide any part of the Land or building within the Land provided that the plan of subdivision is approved by the Minister.

The Minister must not approve a plan of subdivision under this clause 12, until after the Minister has approved the integrated plans in clauses 8.1 to 8.4, unless the Minister is satisfied that:

- the approval is necessary to facilitate the orderly and timely development of the Commonwealth Games Athletes Village; and
- the subdivision will not prejudice any future subdivision, use or development of the Land from complying with this incorporated document and the objectives of clause 56 of the Melbourne Planning Scheme, where relevant.

## **12.2 Approval application requirements**

Before the Minister approves a plan of subdivision, the applicant for approval must prepare the following information, as appropriate, to the satisfaction of the Minister:

- evidence that the applicant has consulted with the relevant servicing authorities and has made arrangements for the supply of services to all lots created within the Land
- survey plans with dimensions and specifications of subdivision identifying lots, retained trees with tree protection zones, servicing connection points, easements, all roads and reserves
- details of the alignment, design and construction or installation of all roads, footpaths, bicycle paths, drainage and all utility services.

## **12.3 Decision guidelines**

The Minister, in considering whether to approve a plan of a subdivision under this incorporated document, must have regard to the following matters:

- the need to ensure the orderly and timely provision of facilities required for, or ancillary to, the hosting of the Commonwealth Games
- general consistency with the objectives of clause 56 of the Melbourne Planning Scheme
- the extent to which the subdivision accords with the relevant integrated plans, if any, approved by the Minister under clause 8 of this incorporated document
- the extent to which the subdivision will facilitate, or impact on, the development or re-development and use of the Land as part of the Games Village project after the Commonwealth Games
- the design objectives in clause 10 of this incorporated document
- the views of any relevant servicing authority.

## **12.4 Conditional approval**

The Minister may approve the plan of subdivision subject to any terms the Minister deems fit and may impose conditions with respect to, but not limited to, the following:

- works near, and the protection of, retained trees
- details of lighting in public areas and signage
- materials to be used for the construction of roads and paths
- landscaping of road reserves and public open space
- detailed engineering construction plans of public assets
- maintenance
- the location of services to be provided
- conditions required by any servicing authorities
- a requirement for a bond or agreement to secure the provision of services or facilities to be provided after the plan of subdivision is certified or registered.

## **13.0 USE OR DEVELOPMENT**

### **13.1 Use or development allowed**

#### **Permit not required**

A permit is not required to use or develop the Land for:

- any purpose associated with the construction and development of the Games Village project;
- the provision of facilities required for, convenient for, or ancillary to, the hosting of the Commonwealth Games;
- the display of a temporary outdoor advertising sign for a specified period expiring on or before 31 December 2006; or
- a display home, display village, or a sales and information centre associated with the Games Village project,

provided the use or development is carried on with the consent of the Minister and in accordance with plans prepared to the satisfaction of the Minister. The use and development must also comply with the conditions of this incorporated document.

Without limiting this provision, a use or development which may be authorised by the Minister without a permit under this provision may include:

- Accommodation, including temporary accommodation for competitors, officials and members of the media which may not otherwise comply with clauses 54 or 55 of the Melbourne Planning Scheme, provided that the temporary accommodation is removed on or before 31 December 2006. All accommodation that may be retained as part of the Games Village project after the Commonwealth Games must comply with the objectives in clauses 54 and 55 of the Melbourne Planning Scheme or be capable of being modified or re-developed to comply with the objectives of those clauses.
- Infrastructure and services, including roads, car parking, transport terminal, warehouse, and utility installation.
- General services for the purposes of the staging of the Commonwealth Games, including temporary catering and entertainment facilities; education centre; place of assembly; office; media and communication facilities; retail premises including food and drink premises; leisure and recreation including training facilities.
- Support services such as a medical centre, child-care centre, mail centre, dry cleaning, laundromat and home occupation.

The Minister may consent to a use or development under this provision being carried on for a specified period or on such terms or conditions as the Minister may deem fit. Any temporary use of the Land for the purpose of staging the Commonwealth Games must cease on or before 31 December 2006.

If the Minister consents to any temporary use of the Land, no existing use right under clause 63 of the Melbourne Planning Scheme is established for that temporary use.

The Minister must not consent to any use or development under this clause 13, until after the Minister has approved the integrated plans in clauses 8.1 to 8.9 and the siting and design guidelines under clause 9 of this incorporated document, unless:

- the use or development is for a display home or display village and sales information centre,

or the Minister is satisfied that:

- the consent is necessary to facilitate the orderly and timely development of the Commonwealth Games Athletes Village; and
- the use or development will not prejudice any future subdivision, use or development of the Land from complying with this incorporated document, and if the development may be retained after 31 December 2006, the objectives of clauses 54, 55 and 56 of the Melbourne Planning Scheme, where relevant.

### Permit required

A permit is required for any use or development of the Land not associated with the Games Village project. The consent application requirements in clause 13.2 apply, as appropriate, to an application for a permit for use or development. The Minister, in deciding whether to grant a permit, must consider the decision guidelines in clause 13.3, as appropriate, and must also have regard to:

- whether the use or development would unduly affect the Games Village project; and
- the underlying zoning of the part of the Land the subject of the permit application, and the controls and provisions of the Melbourne Planning Scheme (other than this incorporated document) which would otherwise apply.

If the Minister grants a permit for any temporary use of the Land:

- the temporary use must cease on or before the expiry of this incorporated document; and
- no existing use rights under clause 63 of the Melbourne Planning Scheme are established for that temporary use,

unless the use complies with the controls and provisions of the Melbourne Planning Scheme (other than this incorporated document) after the expiry date.

An application for a permit for a temporary use of the building known as the Clinical Services building 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.

## 13.2 Consent application requirements

### Any use or development

Before the Minister consents to or grants a permit for any use or development on the Land, the applicant for consent must prepare the following information, as appropriate, to the satisfaction of the Minister:

- a proposed site layout plan to scale and dimensioned showing the details of the use and development subject to the application
- detailed landscape plans relevant to the specific part of the Land to which the application relates, including details of the area set aside for landscaping, open space, a schedule of proposed vegetation, information on irrigation in accordance with the integrated water management plan, fencing details, lighting, paving, seating and signage

- a statement explaining how the proposal addresses the design objectives and guidelines, if relevant
- specific details of how the particular works comply with any plans approved by the Minister under clause 8 of this incorporated document
- an assessment prepared by a qualified arborist and tree protection guidelines for during and after construction, if buildings and works encroach on a tree protection zone around a retained tree
- existing and proposed levels to Australian Height Datum and the location and extent of cut and fill
- a servicing plan identifying services necessary for the operation of the Land as the Commonwealth Games Athletes Village and those services required for the modification or redevelopment of the Land after the Commonwealth Games as part of the Games Village project.

**Particular use or development: display home or display village and sales information centre**

An application for the consent of the Minister or for a permit to use or develop the Land as a display home, display village or a sales and information centre must include provision for car parking for staff and visitors and nominate the hours of operation.

**Particular use or development: residential development**

In addition to information required under any other provision in this incorporated document, any application for residential use or development must include the following information, as appropriate:

- how, if at all, the development will be used for the purposes of the Commonwealth Games
- proposed layout plan to scale and dimensioned including the location of dwellings, access and driveways, the location and area of private open space, garage/car port and boundary set backs
- elevations
- floor plans and architectural plans showing the design and heights of external walls and the overall building measured from natural ground level
- indicative schedule of external materials, finishes and colours
- sill heights of windows measured from the finished floor level
- shadow diagrams for 9 AM, 12 Noon and 3 PM as at 22 September, relative to open space and habitable room windows on adjacent properties
- a statement of the environmental features of the development
- location and provision of bicycle storage at a rate set out in the parking precinct plan approved in accordance with clause 8.8 of this incorporated document
- extent of provision for disabled access
- a development schedule detailing site area, number of dwellings, building site coverage and percentage of impervious surface

- a development schedule detailing for each dwelling the type (1, 2, 3 bedroom), the amount of floor area, number of car spaces, number of bicycle parking spaces, area of private open space.

#### Particular use or development: apartment dwelling development

In addition to information required under any other provision in this incorporated document, including the requirements for residential development generally, an application for use or development of an apartment building must include the following information, as appropriate:

- a scaled and dimensioned car parking plan showing the number of car parking spaces for residents and visitors, aisle widths, ramps, access points, traffic management devices etc. The information must include a statement justifying the number of car parking spaces provided
- arrangements for the storage and collection of garbage including details of any loading area
- plans showing vehicular and pedestrian ingress and egress points to the building
- details of any external services (eg piping, roof mounted building services), architectural features or similar structures
- an assessment of the impact of the proposal on the amenity of adjacent residential uses with respect to overlooking, access to sunlight, access to daylight for habitable room windows, visual bulk and opportunities for passive solar energy collection.

#### Particular use or development: freeway apartments

In addition to information required under any other provision in this incorporated document, including the requirements for residential development and apartments generally, an application for use or development of apartments on the western boundary of the site must include the following information, as appropriate:

- an assessment prepared by a qualified architect on the impact of the proposal on the architectural integrity of the International Gateway Sculpture (City Link). The assessment must include a photomontage or other appropriate means to demonstrate the visual impact of the proposal on the Gateway Sculpture and views from Travencore
- a plan showing the proposed treatment of the ground level area between the apartment building and the noise wall along City Link.

#### Particular use or development: any part of the Land in a mixed use precinct

In addition to information required under any other provision in this incorporated document, an application for use or development of any part of the Land in a mixed use precinct must include the following information, as appropriate:

- a full description of the proposed use
- measures to manage the impact of the proposed non-residential use on the amenity of residential uses
- a full description of the type of use proposed including hours of operation, number of staff and other persons on the premises at any time, signage, external lighting etc relevant to the consideration of the application

- a scaled and dimensioned car and bicycle parking plan in accordance with the parking precinct plan in clause 8.8.

Particular use or development: any part of the Land in the heritage precinct

In addition to information required under any other provision in this incorporated document, an application for use or development of any part of the Land in the heritage precinct must include a statement prepared by a qualified heritage architect explaining how the proposal responds to urban design framework for the heritage precinct and achieves the design objectives in clause 10 of this incorporated document and the guidelines for the heritage precinct identified in the heritage precinct plan approved under clause 8.7.

### **13.3 Decision guidelines**

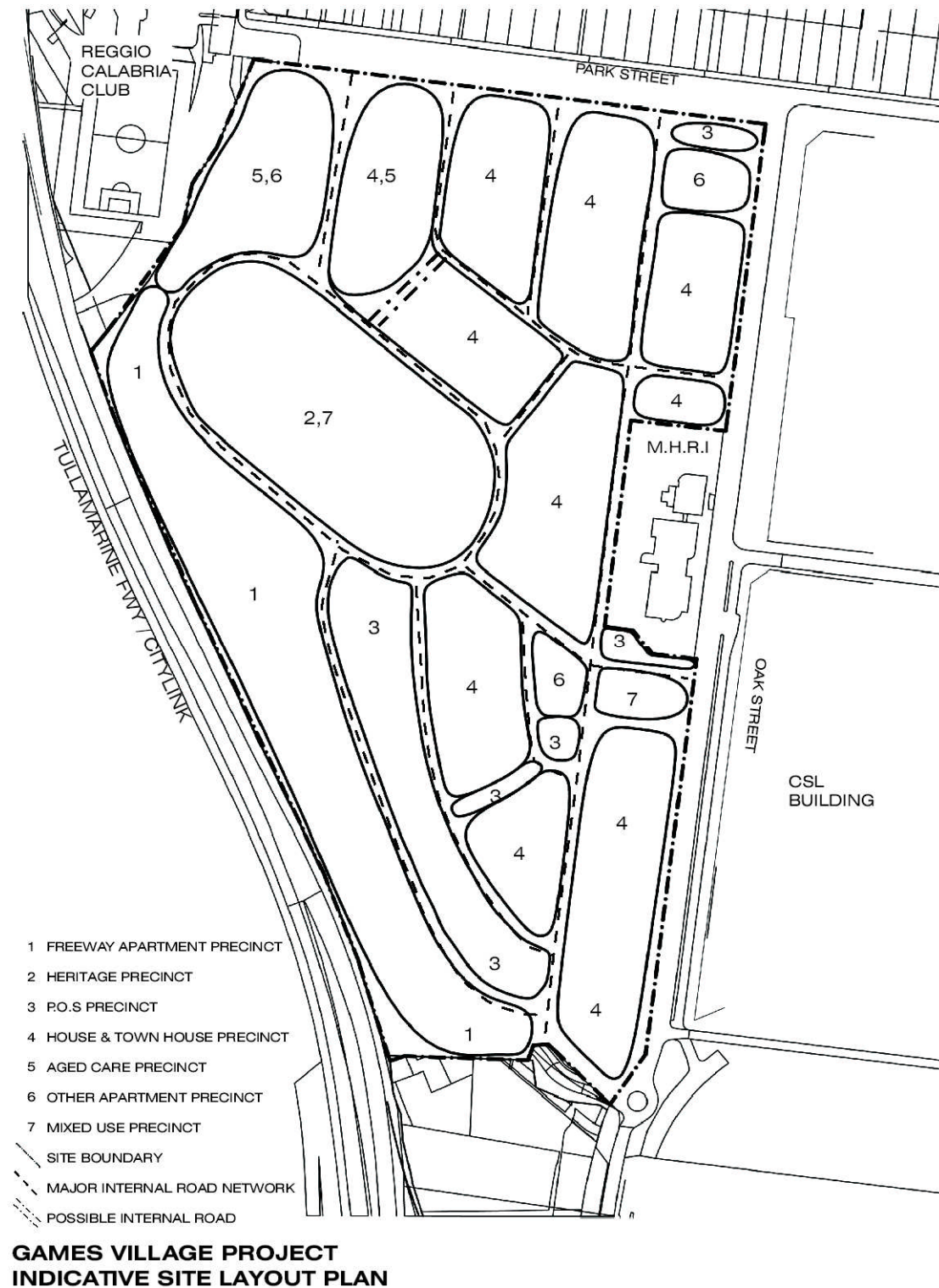
The Minister must, in considering whether to give consent, to grant a permit or to approve plans to the Minister's satisfaction under this clause 13, have regard to the following matters:

- the master plan approved in accordance with clause 7 of this incorporated document
- the integrated plans approved in accordance with clause 8 of this incorporated document
- the siting and design guidelines approved in accordance with clause 9 of this incorporated document
- the design objectives in clause 10 of this incorporated document
- the need to ensure the orderly and timely provision of facilities required for, convenient for, or ancillary to, the hosting of the Commonwealth Games
- the extent to which the use or development under this provision will impact upon any land or buildings in the heritage precinct or trees identified to be retained
- the extent to which the plans satisfy the requirements in the conditions of this incorporated document
- the views of any relevant servicing authority
- the extent to which the use or development authorised under this provision will facilitate, or impact upon, the development or re-development and use of the Land as part of the Games Village project after the Commonwealth Games
- where the development authorised under this provision will form part of, or be later modified or re-developed as part of, the Games Village project after the Commonwealth Games, the extent to which the development complies with, or can be later modified or re-developed to be generally consistent with the objectives and principles in clauses 54, 55 and 56 of the Melbourne Planning Scheme, where relevant.

### **14.0 EXPIRY**

This site specific control under Clause 52.03 expires on 31 December 2021.

## 15.0 INDICATIVE SITE LAYOUT PLAN



## 16.0 PLAN OF THE GAMES VILLAGE PROJECT LAND

