

DD/MM/YYYY  
PROPOSED  
GC40**SCHEDULE 3 TO THE COMPREHENSIVE DEVELOPMENT ZONE**Shown on the planning scheme map as **CDZ 3****FLEMINGTON GREEN COMPREHENSIVE DEVELOPMENT****Purpose**

To develop the Flemington Green comprehensive development area for high density urban living supported by a mix of limited complementary uses including commercial, retail and a range of community facilities.

To provide for exemplary urban design outcomes for the built form and the public realm.

To support the ongoing operation of the Flemington Racecourse and Melbourne Showgrounds by ensuring Flemington Green accommodates access to these important facilities on event days.

To provide for best practice sustainability outcomes in the design, construction and ongoing management of development on the site.

To provide for development of the land in accordance with the *Flemington Green Comprehensive Development Plan, March 2016*.

**1.0**DD/MM/YYYY  
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<b>USE</b>	<b>CONDITION</b>
<b>Animal Keeping (other than animal boarding)</b>	Must be no more than 2 animals
<b>Dependent person's unit</b>	Must be the only dependent person's unit on the lot
<b>Dwelling (other than Bed and Breakfast)</b>	The total number of dwellings must be no more than 740
<b>Food and drink premises (excluding Hotel and Tavern)</b>	The leasable floor area must not exceed 150m <sup>2</sup> . Must be in Precinct B or Precinct C in the Comprehensive Development Plan.
<b>Home occupation</b>	
<b>Informal outdoor recreation</b>	
<b>Medical centre</b>	The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under clause 52.06-3.
<b>Minor utility installation</b>	
<b>Office (other than medical centre)</b>	The combined leasable floor area must not exceed 250m <sup>2</sup> . Must be in Precinct B or Precinct C in the Comprehensive Development Plan.
<b>Place of worship</b>	The gross floor area of all buildings must not exceed 250 m <sup>2</sup> . Must be in Precinct B or Precinct C in the Comprehensive Development Plan.
<b>Railway</b>	

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**Residential aged care facility**

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**Shop (other than Adult sex bookshop)**

The combined leasable floor area must not exceed 2,000m<sup>2</sup>.  
Must be in Precinct B or Precinct C in the Comprehensive Development Plan.

**Tramway**

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**Section 2 - Permit required**

<b>USE</b>	<b>CONDITION</b>
Accommodation (other than Corrective institution, Dependent Person's unit, Dwelling)	
Bed and Breakfast	
Leisure and recreation (other than Informal outdoor recreation, Major Sports and Recreation Facility, Motor Racing Track)	
Place of assembly (other than Amusement Parlour, Carnival, Circus and Nightclub)	
Retail premises (other than Food and drink premises, Gambling premises, Hotel and Shop)	
Tavern	
Utility installation (other than Minor utility installation and Telecommunications facility)	
<b>Any other use not in Section 1 or 3</b>	

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**Section 3 - Prohibited**

<b>USE</b>	<b>CONDITION</b>
Adult sex bookshop	
Amusement Parlour	
Agriculture	
Brothel	
Corrective institution	
Gambling premises	
Hotel	
Industry	
Major Sports and Recreation Facility	
Motor Racing Track	
Nightclub	

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**Saleyard****Stone extraction****Warehouse**

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**2.0**DD/MM/YYYY  
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Before deciding on an application, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider, as appropriate:

- The effect of the use on the amenity of the area and the means of addressing any unreasonable impacts.
- The adequacy of carparking provision associated with the use.
- Safety and efficiency of vehicle access arrangements and pedestrian movements.
- The impact of the use on the surrounding road, bicycle and pedestrian network, and whether additional mitigation measures are required
- Whether the use is complimentary to the primary residential use of the land.

**3.0**DD/MM/YYYY  
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A permit is required to subdivide land.

**Exemption from notice and appeal**

An application for subdivision 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.

**4.0**DD/MM/YYYY  
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A permit is required to construct a building or construct or carry out works.

This does not apply to:

- Buildings or works directly associated with the Victoria Racing Club Ltd and /or management of the Flemington Racecourse provided they do not undermine the purposes of the CDZ
- An alteration to an existing building façade for a commercial use in Precinct B or Precinct C provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

**4.1**DD/MM/YYYY  
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An application for buildings and works should include the following information, as appropriate:

- A site context and existing conditions plan, showing levels at AHD, existing land uses and building footprints, adjoining roads and access points.

- Plans drawn to scale which show:
  - The boundaries and dimensions of the site.
  - Detailed land use plan.
  - Locations of areas for public use and the intended use, including public open space,
  - Any areas of private open space.
  - Vehicle access and the location and layout of all carparking and loading areas and all pedestrian and cyclist ingress, egress and access way locations consistent with the approved Integrated Transport and Access Plan.
  - Links between proposed pedestrian and cyclist access ways and the existing public transport network.
  - All external storage and waste treatment areas.
  - The location of all external plant, building services and equipment including lift over runs.
  - Details of drainage works.
  - Fully dimensioned floor plans and elevations for all proposed buildings
  - Cross sections, including level changes across the site
  - Stages, if any, of development and the proposed treatment of areas not required for immediate use.
- A report describing the evolution of the design including a description of any design review process and having regard to the significance of the racecourse precinct.
- Proposed external materials, finishes and colours.
- A floor schedule which describes the size and number of proposed dwellings and other uses and demonstrating a reasonable range of dwelling types and bedroom numbers.
- A landscape concept plan consistent with the approved Public Realm and Streetscape Design Document.
- A Plan showing existing vegetation to be retained and/or removed.
- Shadow diagrams for 22 September on the hour between 9am and 3pm and for 22 June (winter solstice)..
- Cross-sections of all proposed built form.
- A photomontage of the proposal from key public vantage points including the Maribyrnong River (from Cumberland Drive), Fisher Parade (at its intersection with Leonard Crescent) and the Flemington Racecourse Rail Station (from the southern end of the platform).
- A Wind Assessment which addresses;
  - Short term stationary wind exposure for any proposed outdoor cafes and restaurants (should they be proposed);
  - Short term wind exposure for street frontages and trafficable areas used as a thoroughfare;
  - Design measures to minimise the effect of wind to streets and public open spaces and ensure that adverse wind effects over and above the conditions that are currently experienced at present are not created.
- An Environmentally Sustainable Development (ESD) report which demonstrates best practice ESD and outlines the ESD strategy for the proposed development including sustainability requirements or performance targets which the development must meet and the means by which the sustainability requirements or performance targets will be met
- A Traffic Management Plan which includes but is not limited to:
  - Estimated traffic generation (based on the indicative built form and land use

- mix) and the impact on the existing road network;
  - Carparking assessment;
  - Preferred location for vehicle egress and ingress; and
  - A strategy to encourage walking, cycling and public transport use to guide the preparation of a Green Travel Plan.
- An Acoustic Report prepared by a suitably qualified engineer which addresses;
  - The likely noise sources to impact the proposed development.
  - The maximum permissible noise from the nearby noise sources.
  - The necessary measures to attenuate these noise impacts, including how the proposal will meet the following requirement:
 

Habitable rooms of new dwellings adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45dB Laeq, 15 minutes, in accordance with the relevant Australian Standards for acoustic control.

## **4.2 Built Form**

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Except in accordance with Clause 10, new development must not exceed the Building Heights specified in the building envelopes contained in Clause 6.1.2. New development should also provide the minimum setbacks specified in the building envelopes contained in Clause 6.1.2.

### **Exemption from notice and appeal**

An application under any other provision of the planning scheme 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, if it is generally consistent with the *Building Envelope Plan* at Clause 5.2 and the approved Comprehensive Development Plan.

## **4.3 Decision Guidelines**

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Before deciding on an application the responsible authority must consider, as appropriate:

- The purpose of the zone, overlays and any other relevant provisions of the planning scheme.
- The relevant Objectives of this Schedule.
- The Incorporated Document titled Flemington Green Comprehensive Development Plan, March 2016.
- The amenity of future residents of the site.
- Whether the development will provide for best practice sustainability outcomes.
- The development's contribution to the neighbourhood and sense of place.
- The impact on internal and external traffic movements.
- The quality of the pedestrian and bicycle connections through the site and beyond.
- The impact on the heritage bluestone wall.
- The ability for the proposal to not prejudice future development of the development area in an integrated manner.
- The views of the City of Melbourne and City of Moonee Valley.

- For works on public land including traffic works, the views of the City of Maribyrnong if appropriate.
- The views of the Office of the Victorian Government Architect, if any, or any other independent reviewer as to the architectural expression and materiality of the proposal having regard to the significance of the racecourse precinct.
- Impacts on existing community infrastructure.

## **5.0**

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### **Flemington Green Comprehensive Development Area**

## **5.1**

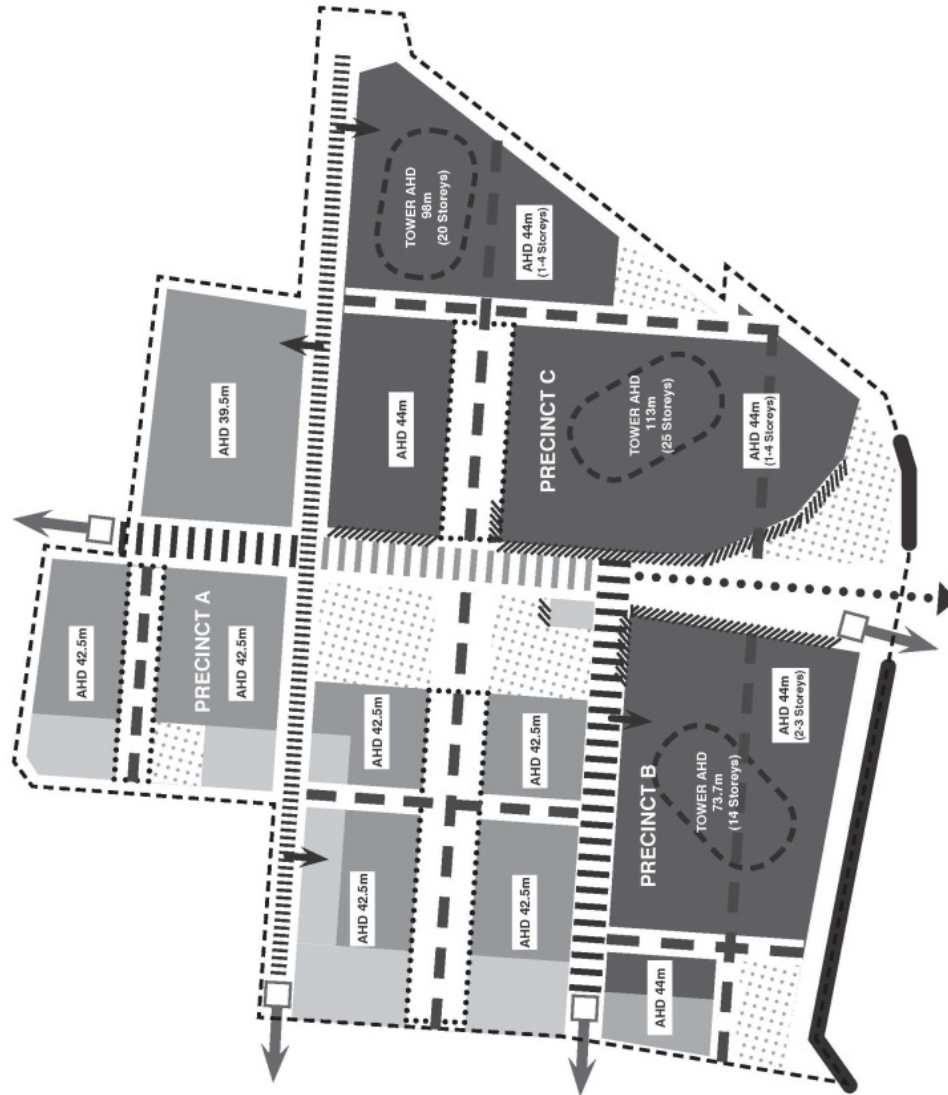
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### **Flemington Green Comprehensive Development Area Objectives**

- To promote high density residential living that encourages both day and evening activity through the provision of complementary community, convenience and service uses.
- To provide for community facilities and other non-residential uses that support the current and future residential community and provide opportunities for social interaction.
- To provide ground level uses (including residential, community and retail) that promote activity to the street.
- To provide for a mix of residential accommodation including dwelling sizes and densities.
- To create a composition of varied building forms and heights across the development area.
- Materials, finishes to be of a high quality and generally consistent throughout the development, drawing design cues from the Flemington Racecourse precinct
- To provide high quality internal amenity for future residents, including the provision of communal spaces for the overall development.
- To optimise solar access and minimise the effect of wind to public open spaces to enhance amenity and function throughout the year
- To avoid overshadowing the Maribyrnong River between 9am-3pm at the equinox (22 September)
- To avoid overshadowing of the Flemington Racecourse betting ring, which is a key heritage component of the racecourse activities, before 3.00pm during the Melbourne Cup Carnival (1 November).
- To contribute to the character and identity of Flemington Racecourse whilst defining a new character for the emerging new urban renewal precinct.
- To protect and enhance existing heritage elements.
- To provide sufficient car parking and utilise, where possible, the fall across the site to minimise the view of car parking areas from the street frontage.
- To provide a highly pedestrianised precinct, with attractive streets, well-located and useable public open space, and passive amenity for the community and local residents.
- To provide for an efficient movement network within the site with an emphasis on pedestrian and bicycle networks and promotion of public transport use.
- To provide a layout and design that caters for large crowds during Flemington Racecourse events.
- To provide pedestrian and bike paths to connect to the surrounding neighbourhoods, the principal pedestrian, bicycle and public transport networks and the Maribyrnong River.

- To ensure that the land is developed in an orderly and proper manner and that public realm improvements are provided at appropriate times relative to the staging of development.
- To ensure buildings achieve high environmental performance standards.
- To improve the water efficiency of buildings and encourage the use of alternative water sources.
- To explore opportunities for innovative precinct scale environmentally sustainable initiatives
- To minimise the impacts of waste on the community.

**5.2 Precincts A (Low-rise), B (Residential Towers, South) and C (Residential Towers, East) Building Envelopes**  
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- Precinct A
- Precinct B
- Precinct C
- Development Area
- Potential Active Frontage
- Key Vehicular Linkage
- Bluestone Wall (6M setback required)
- Active Transport Connections
- Key Pedestrian Link
- Proposed New Road
- Leonard Crescent
- Leonard Crescent (Shared Zone)
- Public Open Space (Park)
- Public Open Space (Mews)
- 2-4 Storeys at Interface with Existing (Precinct A)
- 2-4 Storeys at Interface with Existing (Precinct B)
- Tower Location
- Through Site Connections

The tower locations shown are indicative and alternative design proposals can be considered, provided the objectives are still met.

The building height for the tower includes the podium, it does not apply to the architectural features and building service equipment including plant rooms, lift overruns, solar collectors and the like.



**6.0 Integrated Transport and Access Plan**DD/MM/YYYY  
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A permit cannot be granted for use, development and/or subdivision of the whole or any part of the Flemington Green Comprehensive Development Area until an Integrated Transport and Access Plan is prepared to the satisfaction of the Responsible Authority in consultation with the Cities of Moonee Valley and Melbourne, VicRoads and Public Transport Victoria.

The Integrated Transport and Access Plan must show the mitigating road works shown in diagrams for developments up to 740 dwellings:

- Ballarat Road/Farnsworth Roadworks, generally in accordance with drawing number 14M9014011-09P5, prepared by GTA and dated 13 November 2015
- Fisher Parade/Leonard Crescent Roadworks, generally in accordance with drawing number 14M9014011-11-SKO1P7, prepared by GTA and dated 24 March 2016
- Leonard Crescent/Langs Road Roadworks, generally in accordance with drawing number 14M9014011-07P5, prepared by GTA and dated 13 November 2015
- Epsom Road /Langs Road Roadworks, generally in accordance with drawing number 14M901411-08P4, prepared by GTA and dated 13 November 2016

The ITAP must address any further mitigation works necessary as a consequence of a Section 2 use if proposed.

Any permit granted must include the mitigating works approved in the Integrated Transport and Access Plan. The mitigating works may be staged to the satisfaction of the Responsible Authority and must be implemented at the cost of the developer.

**7.0 Public Realm and Streetscape Design Document**DD/MM/YYYY  
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A permit cannot be granted for use, development and/or subdivision of the whole or any part of the Flemington Green Comprehensive Development Area until a Public Realm and Streetscape Design Document is prepared to the satisfaction of the Responsible Authority in consultation with the Cities of Moonee Valley and Melbourne.

The Public Realm and Streetscape Design Document must be prepared and include the following information:

- Details of proposed street furniture including lighting, seating, bins etc.
- Details of proposed kerb and channel details, pit covers and pavement surfaces.
- Details of plant species.

Any permit granted must be generally in accordance with the approved Public Realm and Streetscape Design Document.

**8.0 Public Open Space Plan**DD/MM/YYYY  
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A permit cannot be granted for use, development and/or subdivision of the whole or any part of the Flemington Green Comprehensive Development Area until a Public Open Space Plan is prepared to the satisfaction of the Responsible Authority in consultation with the Cities of Moonee Valley and Melbourne.

The Public Open Space Plan must be prepared and include the following information:

- Details of how the development will facilitate delivery of no less than 7.06% of the land governed by this overlay being set aside and ultimately zoned for public open space, generally consistent with the Comprehensive Development Plan.
- Details of how the proposal achieves the objective of receiving a minimum of 3 hours of direct sunlight between 9am and 3pm during the winter solstice (22

June)

Any permit granted must be generally in accordance with the approved Public Open Space Plan.

#### **9.0 Community infrastructure contribution**

Before a permit is granted for any use, development or subdivision, the owner of the land must enter into an agreement with the [relevant municipality] and the responsible authority, to the satisfaction of the responsible authority under Section 173 of the Planning and Environment Act 1987, requiring:

- a. Construction at the cost of the owner of all improvements to any public and publically accessible open space to be provided within the site;
- b. Payment by the owner to the [relevant municipality] of a community infrastructure contribution of \$1,877.92 per dwelling (indexed 1 July each year according to the Building Price Index, June Quarter, Melbourne, in Rawlinsons Australian Construction Handbook), such contribution to be paid prior to a certificate of occupancy being granted;
- c. Provision of 15 dwellings to be held in Trust and managed as affordable housing for the purpose of housing low-income staff working at the Flemington Racecourse;
- d. Provision of bicycle and pedestrian connections (plans to be prepared that show):
  - a. A shared path link between the site and the existing cycle path on the northern side of the Maribyrnong river shown on the GTA “Active Travel Improvements Plan” dated 17 April 2014;
  - b. Improvements, as required, for that part of the pedestrian/cyclist link on the northern side of the Maribyrnong River between the Fisher Parade Bridge and Smithfield Road Bridge.
- e. Payment by the owner of all of the [relevant municipality's] and the responsible authority's reasonable legal costs and expenses of the agreement, including preparation, execution and registration on title.

#### **10.0 Affordable Housing**

If a planning permit authorises a building that exceeds the preferred maximum building height of XX storeys, the permit must show (either by words or diagrammatically), the equivalent of 10% of the gross floor area above XX storeys, authorised by the permit as set aside in the building (or with consent of the Responsible Authority in another part of the land governed by the *Flemington Green Comprehensive Development Plan December 2015*) for affordable housing. The housing is to be acquired at nil cost by the housing provider.