SCHEDULE 6 TO THE CAPITAL CITY ZONE

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Shown on the planning scheme map as CCZ6.

CARLTON CONNECT SITE – FORMER ROYAL WOMEN’S HOSPITAL SITE

Purpose

To provide for a range of uses including research and development, commercial, community, education, residential, and other uses that complement the Carlton Connect sustainability initiative and the capital city function of the locality.

1.0 Table of uses

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Section 1 - Permit not required

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| --- | --- | --- | --- | --- |
| Use | Condition | | | |
| Dwelling  Any use permitted under the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975 or the Forest Act 1958. | | The ground floor of the building has a floor to ceiling height of at least 4 metres. |
| Apiculture | | Must meet the requirements of the Apiary Code of Practice, May 1997. |
| Child care centre  Education centre  Home occupation  Informal outdoor recreation  Mineral exploration | |  |
| Mining | | Must meet the requirements of Clause 52.08-2. |
| Minor utility installation  Office  Place of assembly (other than Function centre, Amusement parlour and Nightclub)  Railway  Railway station  Research and Development Centre  Residential building (other than Residential hotel)  Retail premises (other than Adult sex bookshop, Hotel, and Tavern)  Road | |  | |
| Search for stone | | Must not be costeaning or bulk sampling. | |
| Tramway | |  | |

Section 2 - Permit required

|  |  |  |  |
| --- | --- | --- | --- |
| Use | Condition | | |
| Accommodation (other than Dwelling and Residential Building)  Amusement parlour | |  |
| Car park | | Must meet the requirements of Clause 52.06.  Must not be an open lot car park. |
| Function Centre  Hotel | |  |
| Industry (other than Research and Development Centre) | | Must not be a purpose listed in the table to Clause 52.10 (other than Materials Recycling) |
| Leisure and recreation (other than Informal outdoor recreation)  Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)  Nightclub  Tavern  Utility installation (other than Minor utility installation)  Warehouse (other than Freezing and cool storage, and Liquid fuel depot) | |  |
| Any other use not in Section 1 or 3 | |  |

Section 3 - Prohibited

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| Use |
| Adult sex bookshop  Brothel  Cold store  Extractive industry  Freezing and cool storage  Liquid fuel depot |

2.0 Use of land

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Exemption from notice and review

An application to use land is exemptfrom 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.

This exemption does not apply to an application to use land for a Function Centre, Nightclub, Tavern, Amusement Parlour or Hotel.

**Decision Guidelines**

Before deciding on a permit application under this schedule the responsible authority must consider as appropriate:

* The State Planning Policy Framework and the Local Planning Policy Framework.
* The comments and requirements of relevant authorities.
* The existing and future use and amenity of the land and the locality.
* The impact the use will have on the amenity of existing dwellings and adjacent and nearby sites including noise emissions and how this impact is to be minimised.
* The provision of physical infrastructure and community services sufficient to meet the needs of the proposed use.
* The effect that existing uses may have on the proposed use.

3.0 Subdivision

**Exemption from notice and review**

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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.

3.0 Buildings and works

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Permit Requirement

A permit is not required for:

* Buildings or works carried out by or on behalf of Melbourne Parks and Waterways or Parks Victoria under the Water Industry Act 1994, the Water Act 1989, the Marine Act, the Port of Melbourne Authority Act 1958, the Parks Victoria Act 1998 or the Crown Land (Reserves) Act 1978.
* Buildings or works for Railway purposes.
* Buildings and works associated with the 3AW building, including: Demolition of the façade wall.
* Installation of a new curtain wall.
* Alterations to a building authorised under the Heritage Act, provided the works do not alter the existing building envelope or floor area.
* Footpath vehicle crossovers provided they are constructed to the satisfaction of the responsible authority.
* Bus and tram shelters required for public purposes by or for the Crown or a public authority in accordance with plans and siting to the satisfaction of the responsible authority.
* Decorations, gardens and planting required for public purposes by or for the Crown, a public authority or the City of Melbourne.
* Street furniture.
* A work of art, statue, fountain or similar civic works required for public purposes by or for the Crown, a public authority or the City of Melbourne.
* The erection of information booths and kiosks required for public purposes by or for the Crown, a public authority or the City of Melbourne.
* Traffic control works required by or for the Crown, a public authority or the City of Melbourne.
* The construction, or modification, of a waste pipe, flue, vent, duct, exhaust fan, air conditioning plant, lift motor room, skylight, security camera, street heater or similar minor works provided they are to the satisfaction of the responsible authority.
* A flagpole.
* A modification to the shop front window or entranceway of a building to the satisfaction of the responsible authority having regard to the architectural character of the building.
* An addition or modification to a verandah, awning, sunblind or canopy of a building to the satisfaction of the responsible authority.
* The painting, plastering and external finishing of a building or works to the satisfaction of the responsible authority.
* Changes to glazing of existing windows to not more than 15% reflectivity.
* External works to provide disabled access that complies with all legislative requirements to the satisfaction of the responsible authority.

Application Requirements

An application for permit must be accompanied by a written urban context report documenting the key planning influences on the development and how it relates to its surroundings. The urban context report must identify the development opportunities and constraints, and document the effect of the development, as appropriate, in terms of:

* State Planning Policy Framework and the Local Planning Policy Framework, zone and overlay objectives.
* Built form and character of adjacent and nearby buildings.
* Heritage character of adjacent and nearby heritage places.
* Microclimate, including sunlight, daylight and wind effects on streets and other public spaces.
* Energy efficiency and waste management.
* Ground floor street frontages, including visual impacts and pedestrian safety.
* Public infrastructure, including reticulated services, traffic and car parking impact.
* Vistas.

An application to construct a building or to construct or carry out works must include, as appropriate, upgrading of adjacent footpaths or laneways to the satisfaction of the responsible authority.

An Application to construct a building or to construct or carry out works must be accompanied by a Wind Analysis which must show how the proposal meets the following requirements:

* Developments fronting Swanston Street or internal lanesways should be designed to be generally acceptable for stationary long term wind exposure (where the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5o wind direction sector must not exceed 10 ms-1).
* All other areas should be designed to be generally acceptable for short term wind exposure (where the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5o wind direction sector must not exceed 13ms-1). However, if it can be demonstrated that the street frontage or trafficable area is only likely to be used as a thoroughfare for the life of the development, the building interface should be designed to be generally acceptable for walking (where the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5o wind direction sector must not exceed 16ms1).
* Developments should not rely on street trees for wind protection.

An application to construct a building or to construct or carry out works for a residential use must be accompanied by an Acoustic Assessment which must show how the proposal meets the following requirements:

* 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 in accordance with relevant Australian Standards for acoustic control.

Exemption from notice and review

An application to construct a building or construct or carry out works for a use in Section 1 of Clause 37.04-1 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.

Decision guidelines

Before deciding on a permit application under this schedule the responsible authority must consider, as appropriate:

* The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
* The comments and requirements of relevant authorities.
* The size and shape of the parcel of land to which the application relates, the siting of the proposed development and the area to be occupied by the development in relation to the size and shape of the land, adjoining land and adjoining development.
* The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
* The provision of car parking, loading of vehicles and access to parking spaces and loading bays.
* The adequacy of pedestrian, cycling and vehicular entrances to and egress from the site.
* The impact on the existing and future use and amenity of the land, adjacent sites and the locality.
* The location, area, dimensions and suitability of use of land proposed for public use.
* The provision of landscaping.
* The effect of the proposed works on solar access to existing open spaces and public places.
* The pedestrian comfort and the amenity of public places in terms of the potential for ground-level wind.
* The responsibility for the maintenance of buildings, landscaping and paved areas.
* The development potential of adjacent sites and whether this will cause an unreasonable loss of amenity to the subject site.
* The design of buildings to provide for solar access, energy efficiency and waste management.
* The ability to establish a visual relationship between occupants of upper floors and pedestrians, and better surveillance of the street by developing the first five levels of buildings with a “casing” of active uses or other design mechanisms.
* The impact the proposal will have on street amenity if on-site parking occupies more than 20% of the length of the street frontages at ground level and in the first five levels of the building.

4.0 Demolition or Removal of Buildings

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A permit is required to demolish or remove a building or works.

This does not include:

* Demolition or removal of temporary structures.
* Demolition ordered or undertaken by the responsible authority in accordance with the relevant legislation and/or local law.

Before deciding on an application to demolish or remove a building, the responsible authority may require an agreement pursuant to Section 173 of the Planning and Environment Act 1987 between the landowner and the responsible authority requiring, as appropriate:

* Temporary works on the vacant site should it remain vacant for 6 months after completion of the demolition.
* Temporary works on the vacant site where demolition or construction activity has ceased for 6 months, or an aggregate of 6 months, after commencement of the construction.

Temporary works must be constructed to the satisfaction of the responsible authority. Temporary works may include:

* The construction of temporary buildings for short-term retail or commercial use. Such structures shall include the provision of an active street frontage.
* Landscaping of the site for the purpose of public recreation and open space.

Exemption from notice and review

An application to demolish or remove a building or 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.

Decision Guidelines

Before deciding on a permit application for demolition or removal of buildings, in addition

to the decision guidelines in Clause 65, the responsible authority must consider, as

appropriate:

* The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
* Whether the demolition or removal of buildings gives effect to a permit or prior approval for the redevelopment of land.
* Whether the demolition or removal of buildings is required for environmental remediation of contaminated land.
* The provision of temporary works or landscaping to avoid vacant sites in perpetuity

5.0 Advertising signs

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A permit is required to erect an advertising sign, except for:

* Advertising signs exempted by Clause 52.05.4.
* An under-verandah business sign if:
* It does not exceed 2.5 metres measured horizontally, 0.5 metres vertically and 0.3 metres between the faces of the sign;
* It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
* It does not contain any animation or intermittent lighting.
* A ground floor business sign cantilevered from a building if:
* It does not exceed 0.84 metres measured horizontally, 0.61 metres vertically and 0.3 metres between the faces of the sign;
* It is located between 2.7 metres and 3.5 metres above ground level and perpendicular to the building facade; and
* It does not contain any animation or intermittent lighting.
* A window display.
* A non-illuminated sign on a verandah fascia, provided no part of the sign protrudes above or below the fascia.
* Renewal or replacement of an existing internally illuminated business identification sign.

Exemption from notice and review

An application to erect or construct or carry out works for an advertising sign, 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.