

**Prepared for**  
City of Melbourne

**Prepared by**  
Stephen Hunt  
20 June 2019

**Melbourne Planning Scheme  
Amendment C309**  
West Melbourne Structure Plan

Schedule 14 to the Parking Overlay  
(PO14)

Schedule 6 to the Special use Zone  
(SUZ6)

Traffic :Evidence

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# 1 Statement of Witness:

## Reference

- 1.1.1 Amendment C309 Melbourne Planning Scheme
- 1.1.2 West Melbourne Structure Plan
- 1.1.3 Schedule 14 to the Parking Overlay (PO14)

## Name

- 1.1.4 Stephen John Hunt

## Position

- 1.1.5 Principal – Traffic, Ratio Consultants

## Address

- 1.1.6 8 Gwynne Street, Cremorne, VIC 3121

## Qualifications

- Bachelor of Engineering (Civil), 1975, Swinburne University of Technology.
- Graduate Diploma of Highway and Traffic Engineering, 1981, Chisholm Institute of Technology.

## Experience

- 2017 – Present: Principal – Traffic, Ratio Consultants.
- 2010 – 2016 :Group Manager – Cardno Victoria
- 2007 – 2010: Consultant, Cardno Grogan Richards.
- 1988 – 2006: Director, Grogan Richards.
- 1975 – 1988: Traffic Engineer with Cities of Doncaster and Templestowe, Caulfield and Prahran.

## Professional Expertise

- 1.1.7 I have worked in the area of Traffic and Transportation Engineering throughout my career. My area of expertise includes traffic and parking advice and assessment of a wide range of land use and development proposals for planning authorities, government agencies, corporations and developers.
- 1.1.8 My training, qualifications and experience including involvement with a wide variety of developments over a number of years, qualifies me to comment on the strategic implications of the proposed implementation of PO14.

## Instructions which define the scope of this report

- 1.1.9 I have been requested by Melbourne City Council to review Amendment C309 to the Melbourne Planning Scheme. The Amendment seeks to implement the built form and land use directions of the West Melbourne Structure Plan 2018, which has been endorsed by Council.
- 1.1.10 I was asked to provide my opinions on car parking controls which are proposed to be implemented in association with the Amendment, in particular a new schedule to the Parking Overlay (PO14) which, amongst other things, proposes to introduce a maximum parking rate of 0.3 spaces per dwelling.

1.1.11 I was specifically instructed to:

- Review the Amendment and relevant exhibited background documents;
- Review relevant submissions;
- Review the Amendment provisions updated by Council with changes in response to submissions (attachment 5 to the officers' report to the FMC meeting of 7 May 2019);
- Prepare a report setting out my expert opinion in relation to the parking controls proposed by the Amendment; and
- Attend the Panel hearing to present my opinion by way of expert evidence.

### **Facts, Matters and Assumptions Relied Upon**

1.1.12 In the course of preparing this report the facts, matters and assumptions I have relied upon are outlined as follows:

- West Melbourne Structure Plan (2018);
- Melbourne Planning Scheme Amendment C309 exhibited documents specifically:
  - o Explanatory Report
  - o Schedule 14 to the Parking Overlay;
  - o Schedule 6 to the Special Use Zone;
  - o West Melbourne Car Parking Plan – Phillip Boyle and Associates (February 2018);
  - o West Melbourne Parking Analysis – Phillip Boyle and Associates (17 February 2017);
- Submissions received in relation to the Amendment.
- Council officers report to the FMC regarding the amendment dated 7<sup>th</sup> May 2019, with attachments including Amendment provisions updated with recommended changes in response to submissions.
- ABS Census data 2011 and 2016 – Car Ownership (West Melbourne)

### **Identity of Persons Undertaking the Work**

1.1.13 Stephen Hunt of Ratio Consultants assisted by Brett Young and Satish Dangol, also of Ratio Consultants.

### **Declaration**

- 1.1.14 I confirm that I have read and that I understand the Planning Panels Victoria's 'Guide to Expert Evidence' and that I comply with the provisions of that guide.
- 1.1.15 I have no relationship with the client other than a business engagement to comment on this matter.
- 1.1.16 My involvement in this project commenced in June 2019 and I was not involved directly in the preparation of the Amendment or the West Melbourne Structure Plan.
- 1.1.17 I have made all the inquiries that I believe are desirable and appropriate and no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.

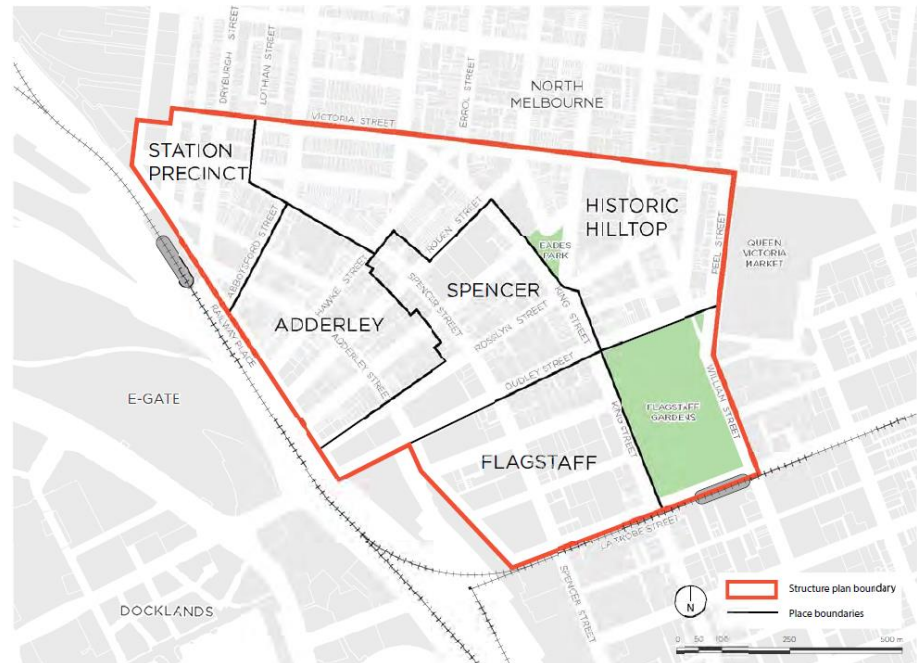


**Stephen Hunt**  
**Principal - Traffic**  
**Ratio Consultants**

## 2.1 West Melbourne Structure Plan 2018

- 2.1.1 The **West Melbourne Structure Plan** was endorsed by Council in February 2018.
- 2.1.2 The Structure Plan is intended to guide the planning and development of West Melbourne, as delineated on the plan below, which also shows the precincts within the plan area.

**Figure 2.1 West Melbourne Structure Plan Area**



- 2.1.3 Objective 13 of the Structure Plan identifies a need to update off-street private car parking requirements to support less dependent transport systems.
- 2.1.4 The Structure Plan proposes that:
  - A maximum car parking rate is applied.
  - Any new off-street car parking should be publicly accessible and not strata titled to allow spaces to be rented to anyone as required and include provision for car share.
  - Any new off-street car parking should be delivered in larger precinct-based facilities with 50 spaces or more to manage negative impacts of vehicle movements within the public realm.
  - An evidence-based case will be required to support any new off street parking, including examination of walking catchments to existing available off-street parking and public transport.
- 2.1.5 Action 29 of the Structure Plan as adopted proposes that the parking requirements in the Planning Scheme be amended to:
  - Minimise the unnecessary construction of parking spaces in buildings by introducing a maximum parking rate of less than one space per dwelling.
  - Encourage any new car parking to be provided through precinct-based facilities of over 50 spaces. These spaces should be publicly accessible and include provision for car share.

- Support the retrofitting of existing buildings to add security systems and payment methods to allow public access to existing unused spaces.

## 2.2 Amendment C309

- 2.2.1 Amendment C309 to the Melbourne Planning Scheme seeks to implement the built form and land use directions of the **West Melbourne Structure Plan 2018**.
- 2.2.2 The Amendment affects the same area as the Structure Plan.
- 2.2.3 The Amendment:
  - seeks to deliver a true mix of uses by rezoning most of the Mixed Use Zone in the Structure Plan area to a Special Use Zone (SUZ6). The SUZ6 includes provisions dealing with non-accommodation uses, affordable housing, and active ground floor frontages;
  - implements built form controls and design recommendations in the Structure Plan via amendment of existing and new Design and Development Overlay Schedules (existing: DDO28, DDO29 and DDO33; new: DDO72), including introduction of a mandatory floor area ratio as well as provisions to encourage the retention of buildings identified as character buildings. The schedules include recommended maximum heights;
  - applies a new schedule to the Parking Overlay (PO14) to introduce a maximum parking rate of 0.3 spaces per dwelling;
  - applies an Environmental Audit Overlay (EAO) to the Structure Plan area to ensure that potentially contaminated land is suitable for a sensitive use; and
  - rezones recently expanded and existing new public open spaces to the Public Park and Recreation Zone.

## 2.3 Parking Overlay – Schedule 14

- 2.3.1 New parking controls are proposed in association with the Amendment which will seek to encourage sustainable transport and more efficient use of unused parking spaces.
- 2.3.2 Schedule 14 to the Parking Overlay as exhibited is attached in Appendix A.

### Parking Objectives to be Achieved

- 2.3.3 Objectives of Schedule 14 are as follows:
  - To support long term sustainable transport patterns and minimize road congestion in West Melbourne.
  - To identify appropriate car parking rates within the **West Melbourne Structure Plan 2018** area.
  - To ensure parking facilities are provided efficiently and flexibly to meet changing community needs.
  - To minimize the negative impacts of parking facilities on the public realm and transport networks,
  - To provide for the future adaption of car parking to other uses and innovation in transport technology.

## Number of Parking Spaces Required

- 2.3.4 Clause 3 to the Schedule specifies that the maximum number of car parking spaces which can be provided in association with a planning permit application will be as shown in Table 2.1.

**Table 2.1 Schedule 14 – Maximum Car Parking Provision**

| Use            | Rate  | Measure                            |
|----------------|-------|------------------------------------|
| Dwelling       | 0.3   | Per dwelling                       |
| All Other Uses | 0.005 | Per net sqm floor area of building |

- 2.3.5 Clause 2.0 of the schedule states that a permit is not required to reduce the number of spaces
- 2.3.6 Schedule 14 to the Parking Overlay must be read in conjunction with both **Clause 52.06 - Car Parking** and **Clause 45.9 - Parking Overlay** of the Melbourne Planning Scheme.
- 2.3.7 **Clause 52.06-3** of the Scheme provides that a permit is required to *provide more than the maximum parking provision specified in a schedule to the Parking Overlay*.
- 2.3.8 In addition, **Clause 52.06-7** requires that an application to provide more than the maximum parking provision in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment, addressing the following matters to the satisfaction of the responsible authority:
- *The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.*
  - *The variation of car parking demand likely to be generated by the proposed use over time.*
  - *The short-stay and long-stay car parking demand likely to be generated by the proposed use.*
  - *The availability of public transport in the locality of the land.*
  - *The convenience of pedestrian and cyclist access to the land.*
  - *The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.*
  - *The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.*
  - *Any empirical assessment or case study.*

## Application Requirements and Decision Guidelines

- 2.3.9 **Clause 45.09-5** of the Scheme states, in relation to application requirements and decision guidelines for permit applications, that before deciding on an application under **Clause 52.06-3**, in addition to the relevant *decision guidelines* in **Clause 52.06-7**, the responsible authority must consider as appropriate:
- The parking objectives of the relevant schedule to the overlay.
  - Any application requirements and decision guidelines specified in a schedule to an overlay.

- 2.3.10 Clause 4.0 of Schedule 14 includes an additional **application requirement** for a permit to increase parking provisions beyond the maximum rate specified in Table 2.1 as follows:
- *A car parking demand assessment, which investigates the current usage patterns of all car parking facilities within a 400m radius of the site, including daytime and evening occupancy rates.*
- 2.3.11 Clause 4.0 of Schedule 14 also includes the following **decision guidelines** for an application for a permit under Clause 45.09-5, in addition to those specified in Clause 45.09 listed in 2.3.10 above, as follows:
- *Whether the development provides parking facilities for bicycles and motorcycles.*
  - *Whether the development provides infrastructure or programs to incentivise the use of transport modes other than private cars within the development.*
  - *The extent to which the development provides for a car parking arrangement on site which could be adapted to allow for other uses of car parking in the future.*
- 2.3.12 It is noted that, Clause 52.06 does not specify any decision guidelines in relation to an application to provide more than the maximum provision in a schedule to a Parking Overlay, with the guidelines listed under 52.06-7 only applying to applications to reduce the number of spaces below the rates listed in Table 1 to Clause 52.06-5.

#### **Requirements for a Car Parking Plan**

- 2.3.13 **Clause 52.06-8** of the Scheme requires a car parking plan to be prepared to the satisfaction of the responsible authority which must show, as appropriate:
- All car parking spaces that are proposed to be provided (whether on the land or on other land).
  - Access lanes, driveways and associated works.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Any landscaping and water sensitive urban design treatments.
  - Finished levels, if required by the responsible authority.
  - Any other matter specified in a schedule to the Parking Overlay.
- 2.3.14 In addition to these requirements, Clause 6.0 to Schedule 14 specifies that a car parking plan must contain *an indicative car park management framework detailing how communal car parking facilities will operate to facilitate shared use arrangements.*

#### **Design Standards for Car Parking**

- 2.3.15 **Clause 52.06-9** of the Scheme requires that plans prepared in accordance with Clause 52.06-8 must meet design standards set out in Clause 52.06-9, unless the responsible authority agrees otherwise.
- 2.3.16 In addition to these requirements, Clause 7.0 to Schedule 14 specifies that car parking facilities must be designed in accordance to the following Design Standards.



- *Car parking spaces designated for disabled permit holders, delivery vehicles and car share vehicles must be provided in the most convenient location for each user group*
- *Security systems must be designed to cater to 24-hour access to the car park by off-site users for a mixed use development and in the event that a car park within a residential development is made publicly accessible in future, without compromising the security of the main building.*
- *Any facility proposed with fewer than 50 car parking spaces must prioritise provision of spaces for disabled parking, car share scheme vehicles, motorcycles and bicycle facilities designed in accordance with the requirements of Clause 52.34.*
- *Where a facility is proposed with 50 car parking spaces or more, the design, layout (including secure areas) and marking must allow for:*
  - *At least 5% of the total number of car parking spaces must be set aside for use by irregular visitors to the building including service and delivery vehicles;*
  - *At least 5% of the total number of car parking spaces must be set aside for use by people with a disability.*
  - *At least 5% of the total number of car parking spaces must be set aside for the storage of car share scheme vehicles.*
  - *The remaining 85% of spaces must be capable of being converted to publicly accessible car parking spaces in the event that they are not required by residents/users of the development, and separate permission is obtained under the zone (if required) to use the land for a Car Park.*

#### **Decision Guidelines for Car Parking Plans**

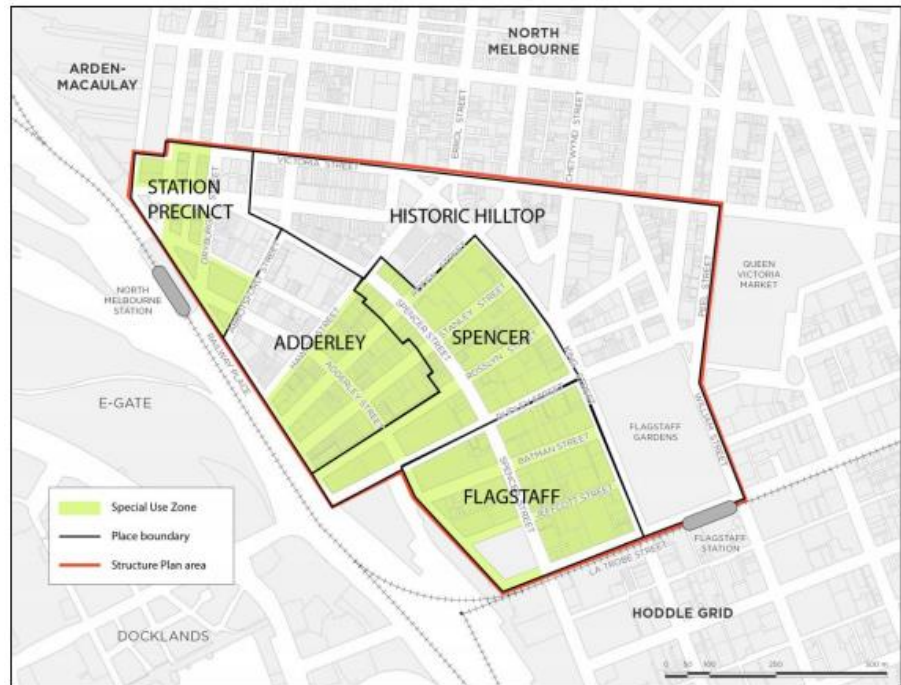
- 2.3.17 **Clause 52.06-10** of the Scheme sets out a series of decision guidelines which must be considered by the Responsible Authority, as appropriate, in relation to a Car Parking Plan required under clause 52.06-8.
- 2.3.18 The guidelines listed in Clause 52.06-10 include reference to other matters which may be specified in a Schedule to the Parking Overlay. This is also specified in **Clause 45.09-9**.
- 2.3.19 Clause 8.0 to Schedule 14 specifies decision guidelines, in addition to those specified in Clause 45.09-9 (and hence Clause 52.06-10) as follows:
- *The safety and convenience of pedestrians moving to, from and within the car parking facility, including lighting levels, surveillance systems, signage, ease of orientation and visibility.*
  - *Whether any new vehicular access points are limited to the minimum size necessary to facilitate the safe access requirements of the development.*
  - *Any impacts posed by the number, width, location and design of new vehicular access points on the safety and quality of the pedestrian environment, pedestrian amenity and kerbside space for outdoor seating areas.*
  - *Any impacts posed by the number, width, location and design of new vehicular access points on the cycling, public transport networks and traffic movement. This includes the impact of car park access points on existing bicycle infrastructure, public transport infrastructure, on-street parking and loading and unloading facilities.*
  - *The extent to which the proposed access points would conflict with any proposal to limit or prohibit traffic in certain roads.*



## 2.4 Special Use Zone – Schedule 6

- 2.4.1 The Amendment proposes the introduction of Schedule 6 to the Special Use Zone which apply to the West Melbourne Structure Plan area as shown in Figure 2.2.

**Figure 2.2 – Special Use Zone Schedule 6**



- 2.4.2 Schedule 6 to Clause 37.01 Special Use Zone as exhibited is attached in Appendix B.

### Purpose of the Zone

- 2.4.3 The Purpose of Schedule 6, as is relevant to my expertise, is as follows:
- *To support a less car dependent transport system by ensuring that opportunities to adapt and repurpose car parks are protected, and to facilitate the adaption of sustainable transport alternatives.*

### Development of a Car Park

- 2.4.4 Clause 1 to Schedule 6 identifies **Car Park** as a Section 2 use requiring a planning permit, with the following mandatory condition applying:

*Must be located on land occupied by a residential or commercial (other than Car Park) land use (i.e. the land must not be solely used for a Car Park)*

### Subdivision

- 2.4.5 Clause 3 to Schedule 6 provides for the following with respect to subdivision:

*An application to subdivide land, whether or not in accordance with an approved development, must ensure that all car parking spaces are retained as common property. This requirement does not apply to enclosed garages forming part of a townhouse.*

- 2.4.6 In addition, an application for subdivision must be accompanied by, to the satisfaction of the responsible authority:
- *A report which addresses whether a subdivision provides for the transition of car parks and car spaces on common property to alternative uses over time.*
- 2.4.7 In assessing an application for subdivision under the provisions of **Clause 37.01**, Clause 3 to Schedule 6 requires that the responsible authority must consider, as appropriate, a series of guidelines including:
- *Whether the proposed car parking area is designed for future adaption or repurposing as an alternative use.*

### **Buildings and Works**

- 2.4.8 Clause 4 to Schedule 6 requires the following in relation to motorcycle parking in association with an application for Buildings and Works.

#### **Motorcycle Parking**

*The following requirements apply to construct a building or construct or carry out works:*

- *All buildings that provide on-site parking must provide motorcycle parking for the use of occupants and visitors, at a minimum rate of one motorcycle parking space for every 100 car parking spaces, unless the responsible authority is satisfied that a lesser number is sufficient.*

### 3.1 Exhibition of Amendment

- 3.1.1 Amendment C305 to the Melbourne Planning Scheme was exhibited from 22 November 2018 to 4 February 2019. Fifty-four submissions were received, 22 of which related to specific sites within the Structure Plan area.
- 3.1.2 Ten submissions raised concerns with respect to the proposed Special Use Zone (Schedule 6 – SUZ6) and Parking Overlay (Schedule 14).
- 3.1.3 Specific issues related to car parking and the implications of implementation of Schedule 14 to the parking overlay are summarised as follows:
  - 1. Confusion with respect to wording of the controls, references to Clause 52.06 and Clause 45.09, and whether a permit is required to exceed the maximum car parking rates.
  - 2. A maximum provision of 0.3 spaces per dwelling does not represent the level of car ownership and is unrealistic and may lead to flow-on effects such as increased demand for on-street parking.
  - 3. The maximum rate of 0.3 spaces per dwelling should be increased to 1 space per dwelling, in line with the existing maximum applying in (PO1) Capital City Zone and (PO12) City North which includes part of the West Melbourne Structure Plan area.
  - 4. The proposed parking overlay requirements are too restrictive, and the planning scheme should contemplate a rate for the provision of dwellings that varies according to the size of the dwellings.
  - 5. The maximum provision of 0.005 per “net sqm of floor area of building” should be changed to “net sqm of floor area” to avoid confusion with definition of net floor area in the Planning Scheme.
  - 6. The appropriateness of the design standard requiring car parking areas to be designed to enable future adaption to a public car park, when the propose Special Use Zone requires a permit for a public car park.
  - 7. The mandatory requirement for car parking to be retained as common property following subdivision.
  - 8. The mandatory nature of the Design Standards contained in Section 7.0 of Schedule 14.

### 3.2 Consideration of Submissions

- 3.2.1 Submissions to the Amendment were considered by Council Officers, with a report responding to the issues presented to the Future Melbourne (Planning) Committee on 7<sup>th</sup> May 2019.
- 3.2.2 The Council officers’ report includes a detailed response to submissions, including issues raised with respect to car parking.
- 3.2.3 The officers recommended in response to the issue in relation to definitions of floor area, as follows:
  - “Rewording the Measure; ‘Per net sqm floor area of building’, in the Table of proposed Schedule 14 to the Parking Overlay to; ‘Per net sqm floor area”.

3.2.4 No further changes were recommended in response to other issues raised in relation to PO14. No changes to were recommended to the parking provisions of SZ06.

3.2.5 The FMC resolved, having considered the submissions and officers report resolved as follows:

*“The Future Melbourne Committee:*

- 1. Notes management’s assessment of the submissions as set out in Attachments 2 and 3.*
- 2. Requests the Minister for Planning appoint an Independent Panel to consider submissions to Melbourne Planning Scheme C309.*
- 3. Refers all submissions to the Independent Panel.*
- 4. Notes that the preferred form of the Amendment to be presented to the Independent Panel as part of the City of Melbourne Part A submission will be in accordance with Attachment 5.*
- 5. Notes that the final version of the preferred Amendment, which will be presented to the Independent Panel in response to expert evidence and submissions made during the Panel process, may suggest further changes to the Amendment, so long as any further changes are generally in accordance with the West Melbourne Structure Plan.*
- 6. Authorises the Director City Strategy and Place to make any further minor editorial changes to the documents if required.”*

## 4.1 Residential Parking Rate

### EXISTING STATUTORY REQUIREMENTS

- 4.1.1 With the exception of a small section of the Historic Hilltop Precinct north of Dudley Street and east of King Street and Chetwynd Street which is within the area covered by PO12, the West Melbourne Structure Plan area is not within an existing Parking Overlay and hence car parking requirements for new developments are specified under the provisions of Clause 52.06 of the Victorian Planning Provisions.
- 4.1.2 Table 1 to Clause 52.06-5 specifies the minimum parking provision which is required to be provided in association with the development of new land uses, with the following rates prescribed in Table 1 to Clause 52.06-5 for dwellings

**Table 4.1 Clause 52-06 Dwelling Parking Requirement**

| Measure                | Column A                | Column B              |
|------------------------|-------------------------|-----------------------|
| One or Two Bedroom     | 1 space per dwelling    | 1 space per dwelling  |
| Three Bedroom Dwelling | 2 spaces per dwelling   | 2 spaces per dwelling |
| Visitors               | 0.2 spaces per dwelling | Nil                   |

- 4.1.3 West Melbourne is located within the Principal Public Transport Network and as such, Column B rates apply.
- 4.1.4 Accordingly, residential development in West Melbourne currently has a statutory requirement to provide at least one parking space for each dwelling, with two spaces required for dwellings of three bedrooms or more.
- 4.1.5 Under Column B, onsite residential visitor parking is not required,
- 4.1.6 PO12, which applies to specific areas of the inner north, includes the area of West Melbourne to the east of King Street and Chetwynd Street.
- 4.1.7 PO12, which was implemented in April 2013 has the stated objective to identify appropriate car parking rates for residential development in specific inner areas of Melbourne.
- 4.1.8 The Table to Clause 3.0 to Schedule 12 specifies a maximum rate of **1 car parking spaces per dwelling**, with a permit required to provide parking in excess of the maximum rate.

### WEST MELBOURNE CAR PARKING PLAN (2018)

- 4.1.9 The West Melbourne Structure Plan was informed by a number of background studies including the **West Melbourne Car Parking Plan (February 2018)** prepared by Phillip Boyle and Associates.
- 4.1.10 The West Melbourne Car Parking Plan carried out data research by investigating the City of Melbourne C.L.U.E. data base, augmented by statistics from the 2011 and 2016 ABS census in relation to car ownership levels and population levels.

4.1.11 Amongst other things the data was used to estimate the supply of residential off-street parking, and increases that have occurred over the 15 year period between 2001 and 2016. Data for increases in off-street parking spaces for the last five years was also assessed against the population and car ownership increases taken from the Census data.

4.1.12 The **West Melbourne Car Parking Plan** identifies the following with respect to population growth and car ownership levels in West Melbourne for the five year period between the 2011 and 2016 ABS Census’.

*“In West Melbourne, the relationship between people and dwellings has remained consistent over the last five years. In 2016, there were 2.1 people per dwelling in the precinct.*

*The relationship between residents and car ownership has changed:*

- A 47% growth in population (2011-2106) (1767 people)
- A 32% growth in the resident vehicle fleet (424 vehicles).

*Over the last five years, every 100 new residents brought 23 additional cars into the precinct. As a result, motorisation in the precinct fell from 34 cars per 100 people to **31 cars per 100 people.**”*

4.1.13 The research suggested that off-street car parking supply is increasing significantly, and with commensurate reduced car ownership levels, the overall increase in supply of parking is significantly outstripping demands.

4.1.14 The study concluded that the oversupply has occurred, at least in part, as a consequence of the Clause 52.06 statutory minimum car parking rate applying throughout most of West Melbourne.

#### WEST MELBOURNE STRUCTURE PLAN

4.1.15 Objective 13 of the West Melbourne Structure Plan seeks to update off-street private parking requirements to support a less car dependent transport system, stating as follows:

*“By amending the parking requirements in the planning scheme and enabling more efficient use of existing off - street spaces, West Melbourne’s mobility needs can be met while achieving a lower rate of private vehicle ownership and reducing total vehicle kilometres travelled.*

*It is proposed that:*

- *A maximum car parking rate is applied.*
- *Any new off -street car parking should be publicly accessible and not strata titled to allow spaces to be rented to anyone as required and include provision for car share.*
- *Any new off -street car parking should be delivered in larger precinct-based facilities with 50 spaces or more to manage negative impacts of vehicle movements within the public realm.*
- *An evidence-based case will be required to support any new off street parking, including examination of walking catchments to existing available off -street parking and public transport”.*

4.1.16 Action 29 of the Structure Plan proposes amendment to the parking requirements in the planning scheme to:

- Minimise the unnecessary construction of car spaces in buildings by introducing a maximum parking rate of less than one space per dwelling.
- Encourage any new car parking to be provided through precinct-based facilities over 50 spaces. These spaces should be publicly accessible and include provision for car share.
- Support the retrofitting of existing buildings to add security systems and payment methods to allow public access to existing unused spaces.

4.1.17 It is noted that neither the **West Melbourne Structure Plan** or the **West Melbourne Car Parking Plan** nominate a rate for the maximum parking rate per dwelling which would achieve the nominated objectives, other than the nomination of a rate “less than 1” in Action 29.

#### EXISTING CAR OWNERSHIP STATISTICS IN WEST MELBOURNE

4.1.18 In order to understand the level of car ownership associated with residential dwellings within West Melbourne, I have extracted data from the 2016 ABS Census related to car ownership by various dwelling types and sizes (ie number of bedrooms).

4.1.19 The results are shown in the following table.

**Table 4.2 – West Melbourne Average Car Ownership Data (2016 ABS Census)**

| Dwelling type           | Dwelling Size |            |                   |             |
|-------------------------|---------------|------------|-------------------|-------------|
|                         | 1 bedroom     | 2 bedroom  | 3 or more bedroom | Total       |
| Separate House          | 0.00 (6)      | 0.75 (32)  | 1.00 (42)         | 0.83 (80)   |
| Semi Detached / Terrace | 1.04 (23)     | 1.13 (214) | 1.42 (239)        | 1.27 (476)  |
| Apartment / Flat        | 0.54 (475)    | 0.70 (727) | 0.93 (273)        | 0.69 (1475) |
| Total                   | 0.56 (504)    | 0.79 (973) | 1.14 (554)        | 0.83 (2031) |

**0.83 = Average Car Ownership (2031) = Number of Dwellings**

4.1.20 The data shows that overall, the average car ownership within the West Melbourne Structure Plan area is **0.83** cars per dwelling, considerably higher than the maximum rate of 0.30 spaces per dwelling contemplated in Schedule 14.

4.1.21 The lowest levels of car ownership are occupants of 1 bedroom flats and apartments, with an average car ownership of **0.54** cars per dwelling.

4.1.22 The **West Melbourne Car Parking Plan**, with reference to Councils C.L.U.E. database and comparative data from the 2011 and 2016 ABS Census' that recent apartment development within West Melbourne has demonstrated reducing levels of resident car ownership.

4.1.23 This is confirmed in the following table, comparing average car ownership data between the 2011 and 2016 for flat / apartment dwellings in West Melbourne.



**Table 4.3 – Flats / Apartments Car Ownership 2011 to 2016 (ABS Census)**

| Dwelling Size     | 2011       |            |                                | 2016        |             |                                | Increase (2011-2016) |            |                                |
|-------------------|------------|------------|--------------------------------|-------------|-------------|--------------------------------|----------------------|------------|--------------------------------|
|                   | Dwellings  | Cars       | Average<br>(Cars per dwelling) | Dwellings   | Cars        | Average<br>(Cars per dwelling) | Dwellings            | Cars       | Average<br>(Cars per dwelling) |
| <b>1 bedroom</b>  | 127        | 113        | 0.89                           | 475         | 257         | 0.54                           | 348                  | 144        | 0.41                           |
| <b>2 bedroom</b>  | 237        | 224        | 0.94                           | 727         | 507         | 0.70                           | 490                  | 283        | 0.58                           |
| <b>3+ bedroom</b> | 105        | 121        | 1.15                           | 259         | 253         | 0.98                           | 154                  | 132        | 0.86                           |
| <b>Total</b>      | <b>469</b> | <b>458</b> | <b>0.98</b>                    | <b>1461</b> | <b>1017</b> | <b>0.70</b>                    | <b>992</b>           | <b>559</b> | <b>0.56</b>                    |

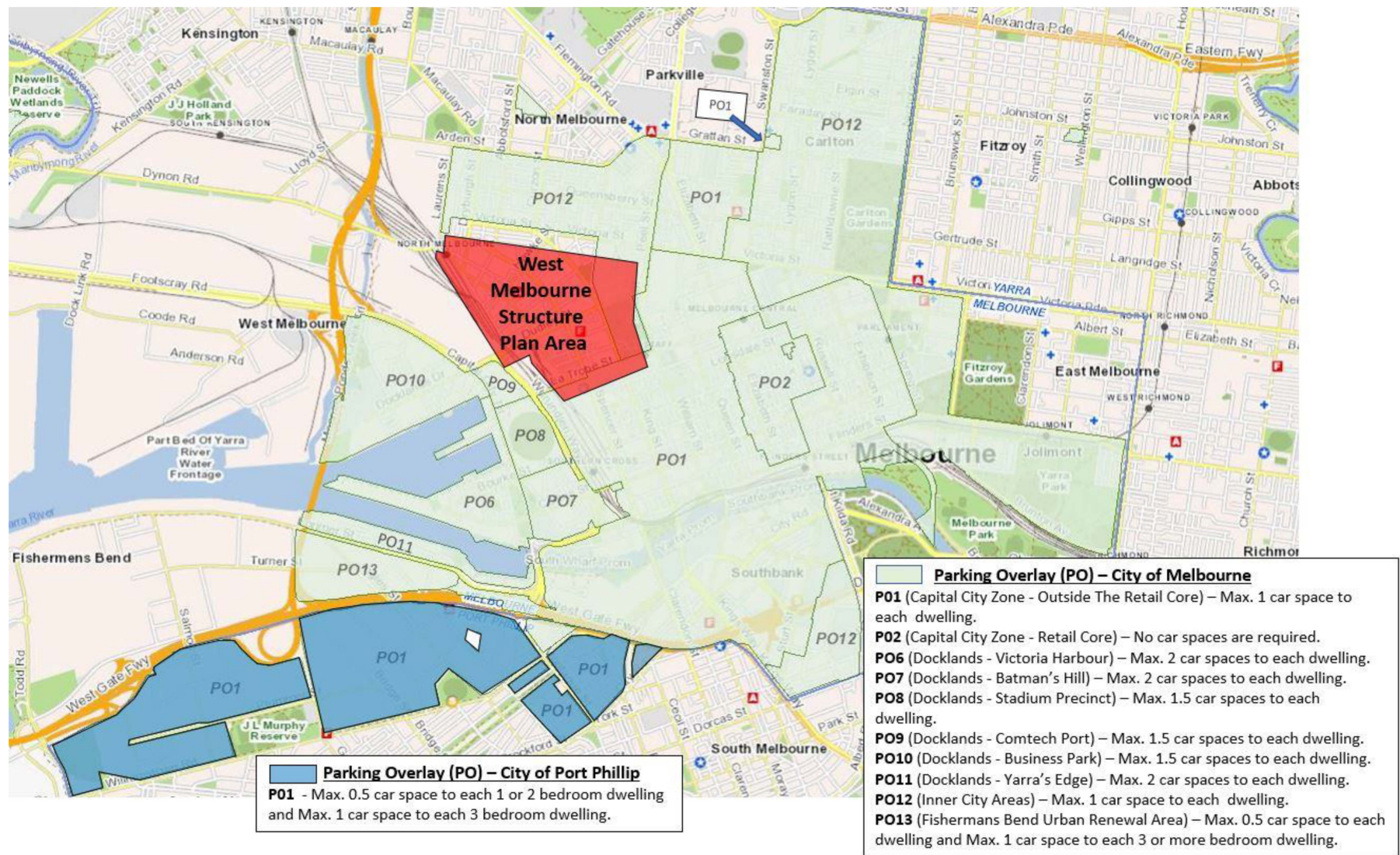


- 4.1.24 The data confirms the significant decrease in car ownership levels, reducing from **0.98** cars per dwelling in 2011 to **0.70** cars per dwelling in 2016.
- 4.1.25 Between 2011 and 2016 a total of **992** additional apartments were constructed and occupied in West Melbourne, of which 85% were 1 or 2 bedroom. The additional apartments had an average car ownership of **0.56** cars per dwelling, with 348 one bedroom apartments having a car ownership of 0.41 cars per dwelling.

## **4.2 Review of Proposed Maximum Rate**

- 4.2.1 The proposed maximum rate of 0.30 car spaces per dwelling proposed in PO14 is significantly lower than existing car ownership levels in the West Melbourne area and clearly is designed to reduce ongoing car parking provision in response to analysis suggesting an oversupply of residential parking spaces over recent years.
- 4.2.2 I support the objective of PO14 to support sustainable transport patterns.
- 4.2.3 Reduction in car parking provision through designation of a maximum rate is an effective means of promoting a reduced reliance on private motor vehicle transport. The generic minimum rates specified in Clause 52.06 are clearly not appropriate or necessary in areas such as West Melbourne, which enjoys excellent access to public transport and to planned facilities within walkable neighborhoods.
- 4.2.4 The dilemma is the selection of a rate which, while achieving sustainable transport and urban design objectives, is not overly onerous such that appropriate development is not discouraged due to statutory car parking provision reasons.
- 4.2.5 As shown in Figure 4.1, existing Parking Overlays which apply in inner areas of Melbourne, including the Central City (Capital City Zone) have adopted a maximum parking rate of 1 space per dwelling, with higher a maximum of 1.5 to 2.0 spaces per dwelling applying in Docklands.
- 4.2.6 The maximum rate of 0.3 spaces per dwelling proposed for West Melbourne is significantly lower than
- maximum rates applying in comparable nearby areas;
  - the average car ownership of existing residents in West Melbourne; and
  - ownership rates derived for apartment style dwelling developed in the West Melbourne area between 2011 and 2016.
- 4.2.7 The adoption of the rate can be expected to result in suppression of parking provision below exhibited current demands.

**Figure 4.1 Inner Melbourne – Existing Parking Overlay Maximum Rates (Residential Dwellings)**



- 4.2.8 Strategically, I am comfortable with the adoption of a car parking rate which suppresses potential unconstrained demand; however the level of constraint needs to be appropriate having regard to the potential flow on effects including:
- Disincentive for apartment development in the area, particularly for larger 2 or 3 bedroom dwellings,
  - Impacts on on-street parking pressures, and
  - The additional development cost required to satisfy the permit requirements for exceeding the maximum provision, should additional parking be perceived as a commercial imperative by developers.
- 4.2.9 There is a clear direction within the Schedule to redress the identified oversupply of residential car parking which has developed over time.
- 4.2.10 Application Requirements and Decision Guidelines for permit applications in Clause 4.0, promote and encourage the “reuse” of existing nearby underutilized parking areas to facilitate, at least in part, parking demands of new developments. Additionally, Clause 7.0 requires design standard for proposed parking areas in excess of 50 spaces to allow for 85% of spaces to be capable of being converted to publicly accessible car parking spaces in the event that they are not required.
- 4.2.11 The adoption of a rate of a maximum rate of 0.3 spaces per dwelling, empirically representing an undersupply against demand, will be an active mechanism to at least encourage redress of the existing oversupply.

### **4.3 Possible Modification to Maximum Rate**

- 4.3.1 There is a clear strategic justification for establishing a Schedule to the Parking Overlay applying to West Melbourne, which adopts a maximum rate for provision of car parking beyond which a permit is required.
- 4.3.2 Adoption of a maximum rate of 1 space per dwelling as applies in adjacent areas including PO12 and the Capital City PO01 Zone would more closely match existing car ownership levels for varying dwelling types and sizes and, in my opinion, satisfy the main objectives sought to be achieved by the West Melbourne Structure Plan and PO14.
- 4.3.3 As shown in Table 4.3, one bedroom apartments developed in West Melbourne have an average car ownership of 0.41 cars per dwelling, such that the proposed rate of 0.3 spaces per dwelling, represents a suppression rate of approximately 25% of current demand. As shown in Table 4.4, the suppression rate for larger apartments, which exhibit higher level of car ownership, is greater.

**Table 4.4 – PO14 Car Parking Suppression Rates (Apartments)**

| Apartment Size | Proposed Rate           | 2011-2016<br>Average Car<br>Ownership | Supply<br>Demand / | Suppression<br>Rate of<br>Demand |
|----------------|-------------------------|---------------------------------------|--------------------|----------------------------------|
| 1 bedroom      | 0.3 spaces per dwelling | 0.41 cars per dwelling                | 0.73               | 27%                              |
| 2 bedroom      | 0.3 space per dwelling  | 0.58 cars per dwelling                | 0.52               | 48%                              |
| 3 bedroom      | 0.3 spaces per dwelling | 0.86 cars per dwelling                | 0.35               | 65%                              |

- 4.3.4 An option could be to consider a variable scale of parking provision which reflects the marginally higher car ownership levels associated with larger apartments, while maintaining a consistent suppression rate of approximately 25% of demand.
- 4.3.5 I recommend that the following scale of rates be considered which, while retaining the maximum rate of 0.3 spaces per dwelling for 1 bedroom apartments, allows an increased rate for larger apartments, recognising the higher car ownership levels, as follows:
- 1 bedroom - 0.30 spaces per dwelling
  - 2 bedroom - 0.45 spaces per dwelling
  - 3 or more bedroom - 0.60 spaces per dwelling.
- 4.3.6 The scaling of the rates is designed to reflect a maximum supply equivalent to approximately 75% of current average car ownership levels.

## 4.4 Parking Rate for Other Uses

### EXISTING STATUTORY REQUIRMENTS

- 4.4.1 Schedule 14 proposes that, for all possible land uses other than dwellings, parking at a maximum rate 0.005 spaces per net sqm of floor area (0.5 spaces per 100sqm) can be provided, with a provision beyond that rate requiring a planning permit.
- 4.4.2 At present, minimum parking requirements for non-residential developments in West Melbourne are specified under the provisions of Clause 52.06 of the Victorian Planning Provisions, noting that Schedule 12, to the Parking Overlay which operates I east of King Street and Chetwynd Street, only applies to residential development.
- 4.4.3 The following table shows the relative changes to parking requirements for selected land uses resulting from the proposed Amendment.



**Table 4.5 Non Residential Parking Requirements**

| Land Use                                                                                                                                    | Existing Minimum Requirement<br>(Clause 52.06 Cloumn B) | Proposed Maximum Requirement<br>(Schedule 14) |
|---------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|-----------------------------------------------|
| Shop<br>Restaurant<br>Food and Drink Premises<br>Medical Centre<br>Convenience Restaurant<br>Convenience Shop<br>Hotel<br>Gambling Premises | 3.5 spaces per 100sqm                                   | 0.5 spaces per 100sqm                         |
| Office                                                                                                                                      | 3.0 spaces per 100sqm                                   | 0.5 spaces per 100sqm                         |
| Supermarket                                                                                                                                 | 5.0 spaces per 100sqm                                   | 0.5 spaces per 100sqm                         |
| Restricted Retail Premises                                                                                                                  | 2.5 spaces per 100sqm                                   | 0.5 spaces per 100sqm                         |

- 4.4.4 The proposed maximum rate of 0.5 spaces per 100sqm across the board is effectively limiting onsite car parking provision to staff parking, equivalent to one staff space for each 200sqm of floor area.
- 4.4.5 No onsite customer or visitor parking is included.
- 4.4.6 In my experience, the rate proposed matches current expectations and demands for shop / café type uses in inner areas, with most developments already seeking to provide minimal parking associated with these uses. Dispensation is often sought (and granted) under the existing Clause 52.06 controls,
- 4.4.7 As such I am entirely comfortable with the proposed maximum rates applying to these uses.
- 4.4.8 Supermarket uses typically generate parking at rates up to 5.0 spaces per 100sqm and the major chains usually seek to provide parking at this rate (or above) to accommodate traditional customer requirements.
- 4.4.9 Over recent years, small supermarket tenancies have been developed in inner areas which operate successfully with limited or no car parking, effectively serving walk up trade. Such a model is likely to be attractive in West Melbourne, with the proposed maximum parking rate being appropriate.
- 4.4.10 It is conceivable that a larger, full line supermarket may be developed to serve the West Melbourne, and potentially broader area, and in these circumstances, I would anticipate that a higher parking rate would be sought. The proposed controls provide the mechanism for a permit to be granted to increase parking provision in these circumstances.
- 4.4.11 Office developments in inner areas, will, in an unconstrained situation, generate staff parking demands higher than the proposed maximum rate of 0.5 spaces per 100qm. Historically areas such as St Kilda Road,

Collingwood and Fitzroy generate parking demands of around 1.5 spaces per 100sqm, when onsite parking is available.

- 4.4.12 The limitation of parking for office / employment type uses in West Melbourne as proposed, while likely to suppress unconstrained car parking demands, is considered appropriate and consistent with the objectives of the West Melbourne Structure Plan.
- 4.4.13 A permit can be granted to increase the parking provision subject to the application requirements and decision guidelines contained in Clause 52.06-7 and the additional controls in Clause 4.0 to Schedule 14.
- 4.4.14 I support the initiative in the **West Melbourne Structure Plan** to promote sharing of car parking facilities increase efficiencies and to reduce overall supply. In the case of office development, the sharing of spaces with residential uses with varying temporal demand profiles is theoretically a very attractive mechanism to maximise efficiencies, having regard to the obvious temporal variations in car parking demands.
- 4.4.15 Having regard to the above, the proposed office rate of 0.5 spaces per 100sqm is supported.

## 5.1 Legibility of Controls

- 5.1.1 The proposed introduction of PO14 to apply to the West Melbourne area, requires, under the Victorian Planning Provisions, for Schedule 14 to be read in conjunction with Clause 45.09 of the Planning Scheme as well the overarching provisions of Clause 52.06.
- 5.1.2 Submissions to the Amendment have raised concerns with respect to the wording of Section 2.0 and Section 3.0 and the legibility of the controls to identify:
  - If a permit needs to be granted to provide parking at a rate higher than the maximum rate.
  - Is so, what are the application requirements for an increase in parking to be considered beyond the maximum rate.
  - Decision guidelines which are to be taken into account by the responsible authority in assessing an application for a permit to increase car parking.
- 5.1.3 It is understood that the amendment was drafted in consultation with the Department of Environment, Land, Water and Planning and is consistent with the Ministerial Direction on the form and content of Planning Schemes.
- 5.1.4 Schedule 14 must be read in conjunction with both the head provision of Clause 45.09 Parking Overlay and Clause 52.06.
- 5.1.5 Clause 52.06-3 states that a permit is required to provide more than the maximum parking provision specified in a schedule to the Parking Overlay. The Ministerial Direction is that the requirements of Clause 52.06-3 cannot be duplicated in a Schedule to the Parking Overlay.
- 5.1.6 I have been a practitioner working in the planning and traffic fields for in excess of 40 years and I am very familiar with the various clauses within the scheme related to car parking requirements
- 5.1.7 Even so, I find it difficult and at times confusing to carry out the various “cross-checks” needed between Parking Overlays and the overarching provisions of Clause 52.06.
- 5.1.8 In my opinion, while duplication of the requirements of Clause 52.06-3 is not permitted within the Schedule, it would be helpful for an introductory clause to be inserted advising:

***This Schedule to Clause 45.09 Parking Overlay must be read in conjunction with Clause 45.09 and Clause 52.06 of the Melbourne Planning Scheme, together with any other relevant section of the scheme.***

## 5.2 Requirements for a Permit Application

- 5.2.1 Under the provisions of Clause 52.06-7, an application for a permit to provide more than the maximum parking provision specified in Schedule 14 requires a Car Parking Demand assessment to be prepared which must address a number of factors as listed in 0 of this report.
- 5.2.2 In addition, Clause 4.0 to Schedule 14 proposes to specifically require the Car Parking Demand Assessment to also investigate the current usage

patterns of all car parking facilities within a 400m radius of the site, including daytime and evening occupancy rates.

- 5.2.3 The proposed investigation of all parking facilities within 400m as sought, is likely to be particularly onerous, requiring an applicant to gain access to private car parks, measure temporal occupancy rates and presumably draw conclusions as to existing (and ongoing) utilisation of spaces.
- 5.2.4 The purpose of the investigation is not specified, although it appears designed to trigger an investigation as to vacancy levels within nearby off street parking facilities, with the intention that the new development could potentially seek to utilise existing vacant (or underutilised) spaces.
- 5.2.5 While I support these objective and the considerable utilisation efficiencies which would result, it is unclear how the investigation as to usage patterns of nearby parking facilities contributes to an assessment of the merits or otherwise of granting a permit to increase car parking above the prescribed maximum.
- 5.2.6 It is noted that decision guidelines for considering an application, either under Clause 52.06-7 or within the additional guidelines proposed in Schedule 4.0 to Schedule 14, do not provide insight as to how the investigation of nearby parking facilities should be considered by the responsible authority in association with a permit application to increase parking above the maximum rate.
- 5.2.7 In my opinion, if the requirement is to be included, an additional decision guideline should also be included under Schedule 14, potentially as follows:
- ***Whether the result of the car parking demand assessment of current usage patterns of all parking facilities within a 400m radius of the site demonstrate that additional spaces as sought by the application, cannot feasibly or practically be provided elsewhere.***

### **5.3 Decision Guidelines in Considering Permit Application**

- 5.3.1 Clause 4.0 to Schedule 14 proposes the following decision guidelines applying to an application for a permit to increase the maximum parking rate.
- *Whether the development provides parking facilities for bicycles and motorcycles.*
  - *Whether the development provides infrastructure or programs to incentivise the use of transport modes other than private cars within the development.*
  - *The extent to which the development provides for a car parking arrangement on site which could be adapted to allow for other uses of car parking in the future.*
- 5.3.2 I am satisfied that these decision guidelines are relevant and should be included in the schedule.
- 5.3.3 I recommend that the additional guideline detailed in 5.2.7 also be included, to clarify the purpose of the mandatory assessment of nearby parking facilities.



- 5.3.4 It is noted that Clause 52.06 does not specify any decision guidelines in relation to an application to provide more than the maximum provision in a schedule to a Parking Overlay, such that these will be the only decision guidelines related to Schedule 14.
- 5.3.5 Further guidelines which are considered relevant and which could be considered for inclusion in Clause 4.0 are as follows:
- *The Car Parking Demand Assessment.*
  - *The availability of alternative car parking in the locality of the land, including efficiencies gained from the consolidation of shared car parking spaces.*
  - *The impact of additional car parking spaces on local amenity, including pedestrian amenity.*
  - *The character of the surrounding area and whether increasing the car parking provision would result in a negative urban design outcome.*

### 6.1 Requirements for a Car Parking Plan

- 6.1.1 **Clause 52.06-8** of the Scheme requires a car parking plan to be prepared to the satisfaction of the responsible authority which must show, as appropriate:
- All car parking spaces that are proposed to be provided (whether on the land or on other land).
  - Access lanes, driveways and associated works.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Any landscaping and water sensitive urban design treatments.
  - Finished levels, if required by the responsible authority.
  - Any other matter specified in a schedule to the Parking Overlay.
- 6.1.2 In addition to the requirements of Clause 52.06-8, Clause 6.0 to Schedule 14 specifies that a car parking plan must contain
- an indicative car park management framework detailing how communal car parking facilities will operate to facilitate shared use arrangements.
- 6.1.3 It is my understanding that, for communal parking to be provided within a residential development, then resident car spaces would need to be managed by the Body Corporate as common property and not sold as ancillary units. The impact of this on development viability or management of the car park is beyond my expertise.
- 6.1.4 In traffic engineering terms however, I support the promotion of communal car parking and the efficiencies gained through the sharing of spaces.
- 6.1.5 The requirement of the Car Park Plan to demonstrate how the car park will be managed, including allocation of use of spaces and parking security measures is appropriate in this context.

### 6.2 Design Standards for Car Parking

- 6.2.1 My comments on the proposed design standards for car parking, proposed in Clause 7.0 of Schedule 14 are provided in the following table.

**Table 6.1 Design Standards for Car Parking**

| Design Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Comment / Recommendation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Car parking spaces designated for disabled permit holders, delivery vehicles and car share vehicles must be provided in the most convenient location for each user group                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Agreed</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Security systems must be designed to cater to 24-hour access to the car park by off-site users for a mixed-use development and in the event that a car park within a residential development is made publicly accessible in future, without compromising the security of the main building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Agreed in principle.</b> In my opinion this is a design detail largely related to entry / exit control arrangements and internal security measures required.                                                                                                                                                                                                                                                                                                                                                                                           |
| Any facility proposed with fewer than 50 car parking spaces must prioritise provision of spaces for disabled parking, car share scheme vehicles, motorcycles and bicycle facilities designed in accordance with the requirements of Clause 52.34.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p><b>Agreed.</b></p> <p>In my opinion this should also apply to all car parks not just those with less than 50 spaces.</p> <p>I recommend rewording as follows:</p> <p><b><i>Any parking facility proposed must prioritise provision of spaces for disabled parking, car share scheme vehicles, motorcycles and bicycle facilities designed in accordance with the requirements of Clause 52.34, with the balance of spaces being available for use, on a shared basis, where possible.</i></b></p>                                                      |
| <p>Where a facility is proposed with 50 car parking spaces or more, the design, layout (including secure areas) and marking must allow for:</p> <ul style="list-style-type: none"> <li>o At least 5% of the total number of car parking spaces must be set aside for use by irregular visitors to the building including service and delivery vehicles;</li> <li>o At least 5% of the total number of car parking spaces must be set aside for use by people with a disability.</li> <li>o At least 5% of the total number of car parking spaces must be set aside for the storage of car share scheme vehicles.</li> <li>o The remaining 85% of spaces must be capable of being converted to publicly accessible car parking spaces in the event that they are not required by residents/users of the development, and separate permission is obtained under the zone (if required) to use the land for a Car Park.</li> </ul> | <p><b>Agree with the intent and the allocation percentages proposed.</b></p> <p>In my opinion, it is sufficient for the “remaining 85%” of spaces to be designated as communal spaces under the management of the Body Corporate which could facilitate external usage in conjunction with security controls required in Design Standard 2.</p> <p>I recommend rewording the last bullet point as follows:</p> <p><b><i>o The remaining 85% of spaces must be available for use on a shared basis under the management of the Body Corporate.</i></b></p> |

### **6.3 Decision Guidelines for Car Parking Plans**

- 6.3.1 I agree with the Decision Guidelines for Car Parking Plans as proposed in Clause 8.0 of Schedule 14.
- 6.3.2 I do not recommend any changes to these guidelines.

## 7.1 Car Parking Adaptability

- 7.1.1 Schedule 6 to the Special Use Zone (SUZ6) seeks within the purposes of the zone, to preserve opportunities to adapt and repurpose car parking areas in the future, having regard to an expectation that, over time car parking demands will reduce.
- 7.1.2 This is sought to be achieved through two mechanisms as follows:
- A requirement in association with an application for subdivision, that all car parking spaces are retained as common property.
  - A requirement that an application for subdivision is accompanied by a report that addresses how car parking areas and / or spaces can be converted to alternative uses over time.

### Car Parking in Common Property

- 7.1.3 The retention of car parking areas as common property is consistent with the objectives and application requirements for a permit under Schedule 14 to the Parking Overlay, which forms part of the Amendment.
- 7.1.4 As discussed in Section 5.2 and 5.3 above, from the viewpoint of car parking efficiencies which can be gained through the sharing of car parking spaces, I support the initiative to require parking spaces to be not sold as ancillary units and hence to be retained in common ownership.
- 7.1.5 It is noted that, as well as potentially facilitating efficiencies of shared use, the retention of spaces as common property does allow for a Body Corporate to consider in the future, reuse of parking areas if demands for use by residents decline over time.

### Leasing of Car Parking Spaces

- 7.1.6 The Table of Uses listed in Clause 1 of SUZ6, lists “**Car Park**” as a Section 2 use, with a permit required for use of land for commercial car parking purposes.
- 7.1.7 Use of land within the SUZ6 zone for the purposes of a (commercial) car park is conditional on the proposed car park being “*located on land occupied by a residential or commercial use*”.
- 7.1.8 The intent of the condition, which states that “*the land is not to be solely used for a car park*” is to facilitate the use of car parking areas provided in association with residential or commercial development, where it is found that spaces as provided exceed demand. The strategy flows from the findings of the **West Melbourne Parking Plan 2018** which identifies that recent parking provision in association with development has exceeded apparent demands.
- 7.1.9 I am comfortable with the concept of joint use of car parking as proposed and the strategy does provide the option for nearby new developments to reduce or avoid car parking provision if suitable leasing arrangements can be negotiated with sites with identified parking surplus.
- 7.1.10 I interpret the proposed strategy as requiring a planning permit to be issued for the “reuse” of existing spaces as a commercial Car Park, allowing for any sharing of spaces between uses to be formalized by conditions on permit.
- 7.1.11 In my opinion, to ensure that spaces are being utilised efficiently and that existing resident requirements are not compromised by an external commercial arrangement, it is desirable for appropriate application requirements to be specified under the provisions of Schedule 6.

- 7.1.12 I recommend that this be achieved by insertion of an additional clause under **Clause 2.0 - Use of Land** with the following application requirement:

***Use for Car Park***

- ***An application to use land for a car park, must be accompanied by the following information:***
  - ***Details of the intended use of the car park.***
  - ***Maximum or permitted parking provision associated with existing use of the land where the proposed car park is located,***
  - ***Surveys of existing utilisation of the car park to demonstrate that the existing provision is surplus to demands.***
  - ***Details as to the number of spaces to be made available for external usage, and***
  - ***If parking spaces sought to be made available are intended for use by a nearby new development, how the number of spaces proposed within the car park relates to the maximum number of spaces required for the proposed development, under the provisions of the Table to Clause 3 of Schedule 14 to Clause 45.09 Parking Overlay.***

- 7.1.13 An additional Decision Guideline could also be considered:

***Use for Car Park***

- ***The extent that the proposed provision of car parking for external uses reduces the need for additional car parking to be provided in association with a nearby proposed development.***

**Alternate Use of Car Parking Areas**

- 7.1.14 The ability to adapt and potentially reuse car parking spaces for alternate (non-carparking) use is included as a decision guideline to be considered by the responsible authority in association with a subdivision application.
- 7.1.15 I support the concept of ensuring that the design of car parks, including column grids and floor to ceiling heights, allows for potential adaption to alternate land use, should parking requirements diminish in the future such that part or all of the parking provision becomes redundant.

## **7.2 Motorcycle Parking**

- 7.2.1 The requirement for the provision of motorcycle parking in association with permit for buildings and works for construction of a car park is supported.
- 7.2.2 The proposed rate of a minimum of one motorcycle space 100 car spaces is considered an appropriate level and, in my experience, can be readily incorporated into a car parking design without compromise on the number of car spaces, accessibility or the efficiency of the car park.

## 8.1 Schedule 14 – Parking Overlay (PO14)

### Legibility Of Controls

- 8.1.1 Submissions to the Amendment raise concerns with respect to the wording of Section 2.0 and Section 3.0 of the Schedule 14 and the legibility of the controls to identify:
- If a permit needs to be granted to provide parking at a rate higher than the maximum rate.
  - Is so, what are the application requirements for an increase in parking to be considered beyond the maximum rate.
  - Decision guidelines which are to be taken into account by the responsible authority in assessing an application for a permit to increase car parking.
- 8.1.2 To avoid confusion and to ensure that PO14 is read in conjunction with Clause 52.06 and 45.09, It is recommended that an introductory paragraph be inserted at the start of the Schedule, advising:

***This Schedule to Clause 45.09 Parking Overlay must be read in conjunction with Clause 45.09 and Clause 52.06 of the Melbourne Planning Scheme, together with any other relevant section of the scheme.***

### Maximum Residential Parking Rate

- 8.1.3 There is a clear strategic justification for establishing a Schedule to the Parking Overlay applying to West Melbourne, which adopts a maximum rate for provision of car parking beyond which a permit is required.
- 8.1.4 The proposed maximum rate for residential parking of 0.3 spaces per dwelling is designed to reduce future car parking provision and is consistent with objectives of the West Melbourne Structure Plan to minimize the unnecessary construction of car parking spaces by introducing a rate of less than 1 space per dwelling and is consistent with broader sustainable transport policies.
- 8.1.5 Provision of residential parking at the proposed rate represents a suppression against demands, apparent from car ownership levels changes in recent years, with a rate of 0.3 spaces per dwelling approximately 25% below current ownership levels for one bedroom apartments.
- 8.1.6 The adoption of a car parking rate which suppresses potential unconstrained demand is supported however the level of constraint needs to be appropriate having regard to the potential flow on effects including the potential disincentive for apartment development in the area, particularly for larger 2 or 3 bedroom dwellings, and impacts on on-street parking demands.
- 8.1.7 I recommend that consideration be given to intruding a variable scale of parking provision, based on the number of bedrooms, which reflects the marginally higher car ownership levels associated with larger apartments as follows:
- ***1 bedroom - 0.30 spaces per dwelling***
  - ***2 bedroom - 0.45 spaces per dwelling***
  - ***3 or more bedroom - 0.60 spaces per dwelling***

### Maximum Non Residential Parking Rate

- 8.1.8 The proposed maximum rate of 0.5 spaces per 100 sqm for all non-residential uses is designed to limit car parking supply for commercial uses to provide staff parking at a level which is reflective of the high level of public transport access available. No provision for customer or visitor parking is contemplated.
- 8.1.9 I support the proposed rate as an appropriate provision for shop and commercial uses within the precinct, suppressing unconstrained demand for staff parking to an appropriate level.
- 8.1.10 I also agree with the proposed rewording of the measure to 0.005 spaces per net sqm floor area (rather than building area).

### Recommended Additional Decision Guideline

- 8.1.11 Clause 4.0 to Schedule 14 proposes specific decision guidelines applying to an application for a permit to increase the maximum parking rate.
- 8.1.12 I am satisfied that the decision guidelines as proposed are relevant and should be included in the Schedule.
- 8.1.13 I recommend however that an additional guideline be also included, to clarify the purpose of the mandatory assessment of nearby parking facilities as follows:
- ***Whether the result of the car parking demand assessment of current usage patterns of all parking facilities within a 400m radius of the site demonstrate that additional spaces as sought by the application, cannot feasibly or practically be provided elsewhere.***

### Communal Car Parking

- 8.1.14 Clause 6.0 to Schedule 14 specifies that a car parking plan must contain
- an indicative car park management framework detailing how communal car parking facilities will operate to facilitate shared use arrangements.
- 8.1.15 In traffic engineering terms, I support the promotion of communal car parking and the efficiencies gained through the sharing of spaces.

The requirement of the Car Park Plan to demonstrate how the car park will be managed, including allocation of use of spaces and parking security measures is appropriate in this context.

- 8.1.16 Clause 7.0 to PO14 sets out design standards for car parking which must be met, in addition to Design Standards listed in Clause 52.06-9.
- 8.1.17 I recommend that the third design standard (bullet point 3 of Clause 7.0) be modified as follows removing the reference to 50 or fewer spaces, encouraging establishment of communal car parking use in all car parks, where possible.
- ***Any parking facility proposed must prioritise provision of spaces for disabled parking, car share scheme vehicles, motorcycles and bicycle facilities designed in accordance with the requirements of Clause 52.34, with the balance of spaces being available for use, on a shared basis, where possible.***



- 8.1.18 In my opinion, within bullet point 4 of Clause 7, it is sufficient for the “remaining 85%” of spaces to be designated as communal spaces under the management of the Body Corporate which could facilitate external usage in conjunction with security controls required in Design Standard 2.
- 8.1.19 I recommend rewording the last sub-bullet point be modified as follows:
- o ***The remaining 85% of spaces must be available for use on a shared basis under the management of the Body Corporate.***
- 8.1.20 I agree with the Decision Guidelines for Car Parking Plans as proposed in Clause 8.0 of Schedule 14. And do not recommend any changes to these guidelines.

## **8.2 Schedule 6 – Special Use Zone (SUZ6)**

### **Communal Parking**

- 8.2.1 Schedule 6 to the Special Use Zone (SUZ6) seeks within the purposes of the zone, to preserve opportunities to adapt and repurpose car parking areas in the future, by implementing a requirement in association with an application for subdivision within the zone, that all car parking spaces are retained as common property.
- 8.2.2 The retention of car parking areas as common property is consistent with the objectives and application requirements for a permit under Schedule 14 to the Parking Overlay, which forms part of the Amendment.
- 8.2.3 From the viewpoint of car parking efficiencies which can be gained through the sharing of car parking spaces, I support the initiative to require parking spaces to be not sold as ancillary units and hence to be retained in common ownership.
- 8.2.4 It is noted that, as well as potentially facilitating efficiencies of shared use, the retention of spaces as common property does allow for a Body Corporate to consider in the future, reuse of parking areas if demands for use by residents decline over time.

### **Leasing of Car Parking Spaces**

- 8.2.5 The Table of Uses listed in Clause 1 of SUZ6, lists “***Car Park***” as a Section 2 use, with a permit required for use of land for commercial car parking purposes.
- 8.2.6 Use of land within the SUZ6 zone for the purposes of a (commercial) car park is conditional on the proposed car park being “*located on land occupied by a residential or commercial use*”.
- 8.2.7 The intent of the condition, which states that “*the land is not to be solely used for a car park*” is to facilitate the use of car parking areas provided in association with residential or commercial development.
- 8.2.8 I support the concept of joint use of car parking as proposed, providing the option for nearby new developments to reduce or avoid car parking provision if suitable leasing arrangements can be negotiated with existing sites with identified parking surplus.
- 8.2.9 In my opinion, to ensure that spaces are being utilised efficiently and that existing resident requirements are not compromised by an external commercial arrangement, it is desirable for appropriate application requirements to be specified under the provisions of Schedule 6.

8.2.10 I recommend that this be achieved by insertion of an additional clause under **Clause 2.0 - Use of Land** with the following application requirement:

***Use for Car Park***

- ***An application to use land for a car park, must be accompanied by the following information:***
  - ***Details of the intended use of the car park.***
  - ***Maximum or permitted parking provision associated with existing use of the land where the proposed car park is located,***
  - ***Surveys of existing utilisation of the car park to demonstrate that the existing provision is surplus to demands.***
  - ***Details as to the number of spaces to be made available for external usage, and***
  - ***If parking spaces sought to be made available are intended for use by a nearby new development, how the number of spaces proposed within the car park relates to the maximum number of spaces required for the proposed development, under the provisions of the Table to Clause 3 of Schedule 14 to Clause 45.09 Parking Overlay.***

8.2.11 An additional Decision Guideline under Clause 8.0 to Schedule 6 is also recommend as follows:

***Use for Car Park***

- ***The extent that the proposed provision of car parking for external uses reduces the need for additional car parking to be provided in association with a nearby proposed development.***

**Alternate Use of Car Parking Areas**

8.2.12 I support the principal that the design of car parks, including column grids and floor to ceiling heights, should allow for potential adaption to alternate land use, should parking requirements diminish in the future such that part or all of the parking provision becomes redundant.

**Motorcycle Parking**

8.2.13 The requirement for the provision of motorcycle parking in association with permit for buildings and works for construction of a car park is supported, with a minimum rate of one motorcycle space per 100 car spaces considered appropriate.

## Appendix A Schedule 14 to Clause 45.09

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## SCHEDULE 14 TO CLAUSE 45.09 PARKING OVERLAY

Shown on the planning scheme map as **PO14**.

### WEST MELBOURNE

#### 1.0 Parking objectives to be achieved

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To support long term sustainable transport patterns and minimise road congestion in West Melbourne.

To identify appropriate car parking rates within the *West Melbourne Structure Plan 2018* area.

To ensure parking facilities are provided efficiently and flexibly to meet changing community needs.

To minimise the negative impacts of parking facilities on the public realm and transport networks.

To provide for the future adaptation of car parking to other uses and innovations in transport technology.

#### 2.0 Permit requirement

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A permit is not required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in the Table to this schedule.

#### 3.0 Number of car parking spaces required

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If a use is specified in the Table below, the maximum number of car parking spaces that can be provided for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

**Table: Car parking spaces**

| Use            | Rate  | Measure                            |
|----------------|-------|------------------------------------|
| Dwelling       | 0.3   | Per dwelling                       |
| All other uses | 0.005 | Per net sqm floor area of building |

#### 4.0 Application requirements and decision guidelines for permit applications

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The following application requirements apply to an application for a permit under Clause 45.09, in addition to those specified in Clause 45.09 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A car parking demand assessment, which investigates the current usage patterns, of all parking facilities within a 400m radius of the site, including daytime, evening and nighttime occupancy rates.

The following decision guidelines apply to an application for a permit under Clause 45.09, in addition to those specified in Clause 45.09 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development provides parking facilities for bicycles and motorcycles.
- Whether the development provides infrastructure or programs to incentivise the use of transport modes other than private cars within the development.
- The extent to which the development provides for a car parking arrangement on site which could be adapted to allow for other uses of car parking areas in future.

## 5.0 Financial contribution requirement

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None specified.

## 6.0 Requirements for a car parking plan

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In addition to the requirements of Clause 52.06-8, a car parking plan must contain the following:

- An indicative car park management framework detailing how communal car parking facilities will operate to facilitate shared use arrangements.

## 7.0 Design standards for car parking

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In addition to the Design Standards of Clause 52.06-9, car parking facilities must be designed in accordance with the following Design Standards:

- Car parking spaces designated for disabled permit holders, delivery vehicles and car share vehicles must be provided in the most convenient location for each user group
- Security systems must be designed to cater to 24-hour access to the car park by off-site users for a mixed use development and in the event that a car park within a residential development is made publicly accessible in future, without compromising the security of the main building.
- Any facility proposed with fewer than 50 car parking spaces must prioritise provision of spaces for disabled parking, car share scheme vehicles, motorcycles and bicycle facilities designed in accordance with the requirements of Clause 52.34.
- Where a facility is proposed with 50 car parking spaces or more, the design, layout (including secure areas) and marking must allow for:
  - At least 5% of the total number of car parking spaces must be set aside for use by irregular visitors to the building including service and delivery vehicles;
  - At least 5% of the total number of car parking spaces must be set aside for use by people with a disability.
  - At least 5% of the total number of car parking spaces must be set aside for the storage of car share scheme vehicles.
  - The remaining 85% of spaces must be capable of being converted to publicly accessible car parking spaces in the event that they are not required by residents/users of the development, and separate permission is obtained under the zone (if required) to use the land for a Car Park.

## 8.0 Decision guidelines for car parking plans

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The following decision guidelines apply to car parking plans under Clause 45.09, in addition to those specified in Clause 45.09, and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The safety and convenience of pedestrians moving to, from and within the car parking facility, including lighting levels, surveillance systems, signage, ease of orientation and visibility.
- Whether any new vehicular access points are limited to the minimum size necessary to facilitate the safe access requirements of the development.
- Any impacts posed by the number, width, location and design of new vehicular access points on the safety and quality of the pedestrian environment, pedestrian amenity and kerbside space for outdoor seating areas.

- Any impacts posed by the number, width, location and design of new vehicular access points on the cycling, public transport networks and traffic movement. This includes the impact of car park access points on existing bicycle infrastructure, public transport infrastructure, on-street parking and loading and unloading facilities.
- The extent to which the proposed access points would conflict with any proposal to limit or prohibit traffic in certain roads.

## 9.0

### Reference document

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- *West Melbourne Car Parking Plan February 2018*

## Appendix B Schedule 6 to Clause 37.01



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## SCHEDULE 6 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ6**.

### WEST MELBOURNE

#### Purpose

To implement the West Melbourne Structure Plan 2018 and support the development of West Melbourne as a vibrant, mixed use inner city neighbourhood with a genuine mix of retail, commercial and residential uses and affordable housing.

To retain and increase local employment and facilitate an increase in jobs in West Melbourne.

To support a less car dependent transport system by ensuring that opportunities to adapt and repurpose car parks are protected, and to facilitate the adoption of sustainable transport alternatives.

To encourage provision of new public open spaces throughout West Melbourne to meet the different needs of the growing community.

To develop the Spencer Street Village as a local activity centre with a mix of commercial, retail, residential and community uses to complement its activity centre function.

#### 1.0

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#### Table of uses

##### Section 1 - Permit not required

| Use                                                | Condition                                                                                                                                                                                                                               |
|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Animal Keeping (other than animal boarding)</b> | Must be no more than 2 animals                                                                                                                                                                                                          |
| <b>Bed and Breakfast</b>                           | No more than 10 persons may be accommodated away from their normal place of residence                                                                                                                                                   |
| <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 not exceed 9<br><br>Must not have a ground floor frontage to Spencer Street between Hawke Street and Dudley Street (this does not include a shared residential entry providing access to a dwelling) |
| <b>Food and drink premises</b>                     | Except for properties fronting Spencer Street between Hawke Street and Dudley Street, the leasable floor area must not exceed 150 square metres                                                                                         |
| <b>Home based business</b>                         |                                                                                                                                                                                                                                         |
| <b>Informal outdoor recreation</b>                 |                                                                                                                                                                                                                                         |
| <b>Medical centre</b>                              | The gross floor area must not exceed 250 square metres                                                                                                                                                                                  |
| <b>Office (other than Medical centre)</b>          | Except for properties fronting Spencer Street between Hawke Street and Dudley Street, the leasable floor area must not exceed 250 square metres                                                                                         |

|                                             |                                                                                                                                                 |
|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Place of worship</b>                     | The gross floor area must not exceed 250 square metres                                                                                          |
| <b>Railway</b>                              |                                                                                                                                                 |
| <b>Residential aged care facility</b>       | For properties fronting Spencer Street, between Hawke Street and Dudley Street must not be located at the ground floor                          |
| <b>Shop (other than Adult sex bookshop)</b> | Except for properties fronting Spencer Street between Hawke Street and Dudley Street, the leasable floor area must not exceed 150 square metres |
| <b>Tramway</b>                              |                                                                                                                                                 |
| <b>Any use listed in Clause 62.01</b>       | Must meet the requirements of Clause 62.01                                                                                                      |

**Section 2 - Permit required**

| <b>Use</b>                                                                                          | <b>Condition</b>                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Accommodation (other than Dependent person's unit and Residential aged care facility)</b>        | Must not have a ground floor frontage to Spencer Street between Hawke Street and Dudley Street (this does not include a shared residential entry)     |
| <b>Agriculture (other than Animal keeping and Apiculture)</b>                                       |                                                                                                                                                       |
| <b>Animal boarding</b>                                                                              |                                                                                                                                                       |
| <b>Animal keeping (other than Animal boarding) – if the Section 1 condition is not met</b>          | Must be no more than 5 animals.                                                                                                                       |
| <b>Car Park</b>                                                                                     | Must be located on land occupied by a residential or commercial (other than Car Park) land use (i.e. the land must not be solely used for a Car Park) |
| <b>Industry (other than Materials recycling and Transfer station)</b>                               | Must not be a purpose listed in the table to Clause 53.10.                                                                                            |
| <b>Leisure and recreation (other than Informal outdoor recreation)</b>                              |                                                                                                                                                       |
| <b>Place of assembly (other than Carnival, Circus and Place of worship)</b>                         |                                                                                                                                                       |
| <b>Retail premises (other than Food and drink premises and Shop)</b>                                |                                                                                                                                                       |
| <b>Utility installation (other than Minor utility installation and Telecommunications facility)</b> |                                                                                                                                                       |
| <b>Warehouse</b>                                                                                    | Must not be a purpose listed in the table to Clause 53.10.                                                                                            |
| <b>Any other use not in Section 1 or 3</b>                                                          |                                                                                                                                                       |

**Section 3 - Prohibited****Use****Adult sex bookshop****Brothel****Materials recycling****Transfer station****Stone extraction****2.0**

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**Use of land****Use for Dwellings – Affordable Housing**

For land located in the Flagstaff, Spencer and Station Precincts, as shown on Figure 1, where a permit is required to use land for Dwellings, one in sixteen dwellings within the development (at least 6%) should be an affordable housing dwelling unless otherwise agreed to by the Responsible Authority.

This should be provided to a Housing Provider at no cost or to be held in an affordable housing Trust and managed for the sole purpose of affordable housing, unless otherwise agreed to by the Responsible Authority.

If in calculating the affordable housing requirement the result is not a whole number, the affordable housing requirement is to be rounded up to the nearest whole number.

**Use for Accommodation – Minimum Floor Area Requirement for Use Other than Accommodation**

A permit cannot be granted to use land for Accommodation unless:

For land located in the **Spencer Precinct** as shown on Figure 1:

- A minimum of 25 per cent of the gross floor area of a development is allocated to a use other than Accommodation (excluding carparking, bicycle and loading and unloading facilities, and any bonus floor area under an applicable Design and Development Overlay).

For land located in the **Flagstaff** and **Adderley Precincts** as shown on Figure 1:

- A minimum of 16.6 per cent of the gross floor area of a development is allocated to a use other than Accommodation (excluding carparking, bicycle and loading and unloading facilities, and any bonus floor area under an applicable Design and Development Overlay).

For land located in the **Station Precinct** as shown on Figure 1:

- A minimum of 20 per cent of the gross floor area of a development is allocated to a use other than Accommodation (excluding carparking, bicycle and loading and unloading facilities, and any bonus floor area under an applicable Design and Development Overlay).

The above requirement does not apply to:

- An application that seeks to increase the gross floor area of an existing development that is to be allocated to a use other than Accommodation, which does not increase the gross floor area of any existing Accommodation land use (excluding carparking, bicycle and loading and unloading facilities).

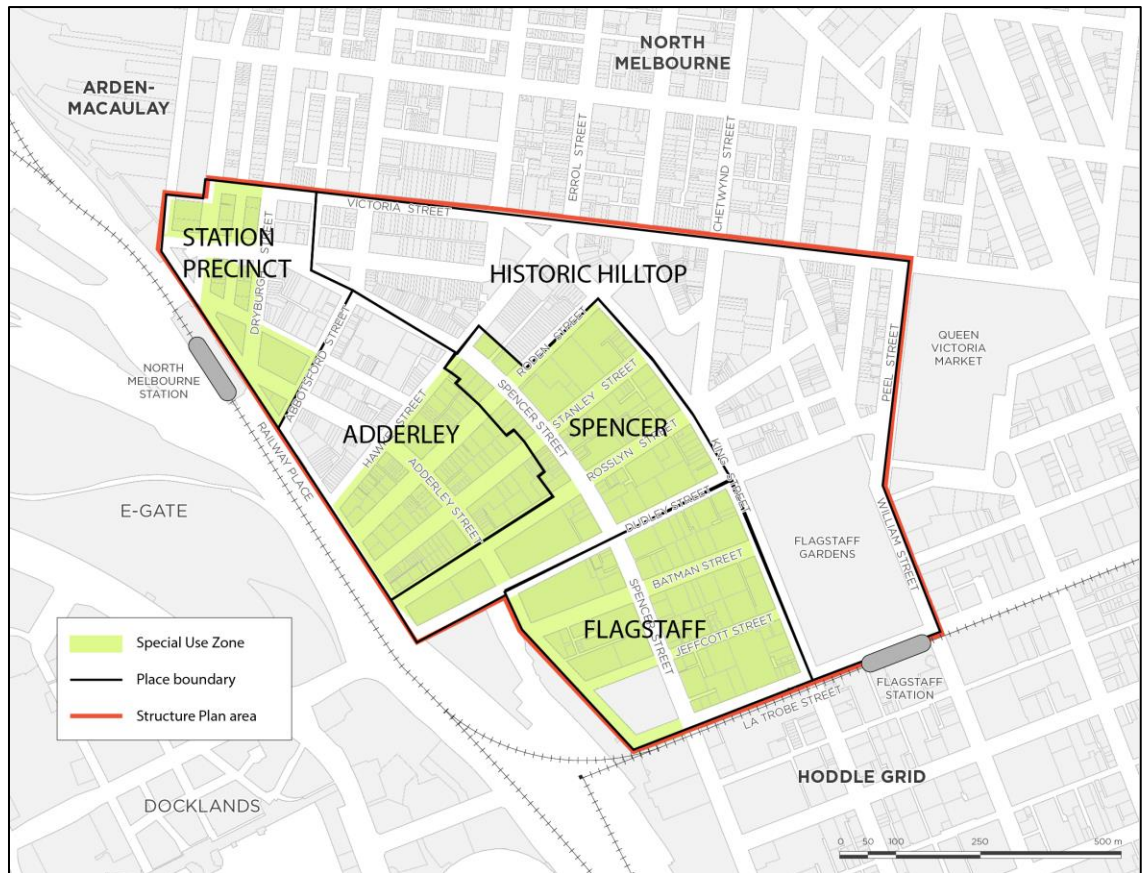


Figure 1 - Special Use Zone Schedule 6 and West Melbourne Structure Plan 2018 Precincts

#### Use for industry, service station and warehouse - Amenity of the neighbourhood

The use of land for an industry, services station or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

#### Application Requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

#### Use for Dwellings

- An application to use land for Dwellings must be accompanied by a report which addresses how the proposal contributes to the goal of delivering 6% of housing as affordable housing in West Melbourne.
- An application to use land for a Dwelling that does not achieve at least 6% affordable housing, must be accompanied by a detailed report prepared by a Quantity Surveyor or other suitably qualified professional to the satisfaction of the Responsible Authority. The report must set out indicative profit margins for the project, and substantiated findings demonstrating why the proposed number of affordable housing dwellings within the development, to satisfy the applicable requirement, cannot be delivered without rendering the project economically non-viable. The Responsible Authority may

require this report to be analysed by a suitably qualified independent third party at the applicant's cost.

#### **Use for industry, service station or warehouse**

- An application to use land for an industry, service station or warehouse must be accompanied by the following information:
  - The purpose of the use and the types of activities to be carried out.
  - The type and quantity of materials and goods to be stored, processed or produced.
  - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.
  - How land not required for immediate use is to be maintained.
  - The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

#### **Decision Guidelines**

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

#### **Use for Dwellings**

- The extent to which the proposal provides floor space for uses other than dwellings.
- Whether the proposal delivers an activated ground floor along Spencer Street between Hawke Street and Dudley Street.
- The extent to which the proposal contributes to the provision of at least 6% affordable housing in West Melbourne.
- The views of the relevant housing provider.

#### **Use for industry, service station or warehouse**

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.

### **3.0**

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#### **Subdivision**

An application to subdivide land, whether or not in accordance with an approved development, must ensure that all car parking spaces are retained as common property. This requirement does not apply to an enclosed garage forming part of a townhouse.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

| Class of subdivision | Objectives and standards to be met                                                     |
|----------------------|----------------------------------------------------------------------------------------|
| 60 or more lots      | All except Clause 56.03-5.                                                             |
| 16 – 59 lots         | All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.                   |
| 3 – 15 lots          | All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6. |
| 2 lots               | Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2                         |

### Application Requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report which addresses whether the subdivision provides for the transition of car parks and car spaces on common property to alternative uses over time.

### Exemption from notice and review

An application for subdivision of the 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.

### Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.
- The contribution the proposed subdivision makes to a fine grain precinct, and pedestrian and bicycle permeability
- Whether the proposed car parking area is designed for future adaptation or repurposing as an alternative use.

## 4.0

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### Buildings and works

#### Construction and extension of one dwelling on a lot

No permit is required to construct or carry out works for the following:

- Construct or extend one dwelling on a lot of greater than 300 square metres.
- 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.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

The following requirements apply to the construction and extension of one dwelling on a lot:

- A development must meet the requirements of Clause 54.

### **Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

No permit is required to construct or carry out works for the following:

- To construct one dependent person's unit on a lot.

The following requirements apply to the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings:

- A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.
- An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

### **Motorcycle parking**

The following requirements apply to construct a building or construct or carry out works:

- All buildings that provide on-site car parking must provide motorcycle parking for the use of occupants and visitors, at a minimum rate of one motor cycle parking space for every 100 car parking spaces, unless the responsible authority is satisfied that a lesser number is sufficient.

### **Buildings on lots that abut another residential zone**

The following requirements apply to construct a building or construct or carry out works on a lot that abuts another residential zone:

- Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone or Township Zone must meet the requirements of Clauses 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

### **Application Requirements**

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
- The layout of proposed buildings and works.
- An elevation of the building design and height.
- Setbacks to property boundaries.
- All proposed access and pedestrian areas.
- All proposed driveway, car parking and loading areas.
- Existing vegetation and proposed landscape areas.
- The location of easements and services.

### **Decision Guidelines**

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

### **Construction and extension of one dwelling on a lot**

- The objectives, standards and decision guidelines of Clause 54.



**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

**5.0**

**Signs**

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Sign requirements are at Clause 52.05. All land located within SUZ6 is in Category 3.