

02/03/2017  
C290**SCHEDULE 4 TO THE COMPREHENSIVE DEVELOPMENT ZONE**

Shown on the planning scheme map as **CDZ4**.

**550 Epsom Road Comprehensive Development Plan****Land**

This Schedule applies to land at 550 Epsom Road, Flemington.

**Purpose**

To develop 550 Epsom Road for medium and/or high density urban living incorporating a variety of residential uses and dwelling types with a high quality of internal amenity, supported by a limited mix of complementary uses including commercial and retail.

To provide for an exemplary standard of architecture and urban design, having regard to the site's premier location close to both a major intersection and main entrance to the Flemington Racecourse.

To ensure that the design of buildings respect and enhance the heritage significance of the former Jockey's Convalescent Lodge and its landscape setting, which is identified in the statement of significance for the Flemington Racecourse Heritage citation within the Victorian Heritage Database (H220).

To support the ongoing operation of the Flemington Racecourse and Melbourne Showgrounds.

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

To provide for development of the land in accordance with the approved Comprehensive Development Plan, as required by this Schedule.

**1.0**02/03/2017  
C290**Table of uses****Section 1 - Permit not required**

<b>Use</b>	<b>Condition</b>
<b>Animal keeping (other than Animal boarding)</b>	Must be no more than 2 animals
<b>Dependent person's unit</b>	Must be the only dependent person's unit on the lot.
<b>Dwelling (other than Bed and breakfast)</b>	The total number of dwellings must be no more than 300.
<b>Food and drink premises ( other than Hotel and Tavern)</b>	The leasable floor area must not exceed 150m <sup>2</sup> .
<b>Home occupation</b>	
<b>Informal outdoor recreation</b>	
<b>Minor utility installation</b>	
<b>Railway</b>	
<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 Dwelling)</b>	
<b>Bed and breakfast</b>	
<b>Leisure and recreation (other than Informal outdoor recreation and Major sports and recreation facility)</b>	
<b>Place of assembly (other than Amusement parlour, Carnival, Circus and Nightclub)</b>	
<b>Retail premises (other than Food and drink premises, Gambling premises, Hotel, Tavern and Shop)</b>	
<b>Utility installation (other than Minor utility installation and Telecommunications facility)</b>	
<b>Any other use not in Section 1 or 3</b>	

**Section 3 - Prohibited**

<b>Use</b>
<b>Adult sex bookshop</b>
<b>Agriculture</b>
<b>Amusement Parlour</b>
<b>Brothel</b>
<b>Corrective Institution</b>
<b>Gambling Premises</b>
<b>Hotel</b>
<b>Industry</b>
<b>Major sports and recreation facility</b>
<b>Nightclub</b>
<b>Stone extraction</b>
<b>Tavern</b>

**2.0**02/03/2017  
C290**Use of land**

The use of land must be generally in accordance with the approved Comprehensive Development Plan required by this Schedule.

**Application Requirements**

An application for use of the land must be generally in accordance with the Comprehensive Development Plan and must include the following information, as relevant,

- Plans drawn to scale which show:
  - The boundaries and dimensions of the site
  - Detailed land use plan
- A Traffic Management Plan which includes but is not limited to:

- Compliance with the Integrated Transport and Access Plan.
- Estimated traffic generation (based on the indicative built form and land use mix) and the impact on the existing road network;
  - Car parking assessment;
  - Preferred location for vehicle egress and ingress; and
  - Estimated pedestrian traffic generation and a strategy to ensure safe and efficient pedestrian movement.
- A Green Travel Plan, including a strategy to encourage walking, cycling and public transport use.
- Details of how the use addresses the objectives and requirements of the approved Comprehensive Development Plan.
- Hours of operation for any non-residential uses

### **Exemption from notice and review**

An application for use of 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, if it is generally consistent with the approved Comprehensive Development Plan.

### **Decision Guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The approved Comprehensive Development Plan
- The effect of the use on the amenity of the area and the means of addressing any unreasonable impacts
- Any impact on the ongoing operation of the Flemington Racecourse and Melbourne Showgrounds.
- The adequacy of car parking provision associated with the use
- Safety and efficiency of vehicle access arrangements and pedestrian movements
- The impact of the use on the surrounding road, bicycle and pedestrian network, adjacent open spaces, and whether mitigation measures are required
- Whether the use is complementary to the primary residential use of the land

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### **Subdivision**

### **Exemption from notice and review**

An application for subdivision is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

### **Decision Guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The approved Comprehensive Development Plan.

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#### **Buildings and works**

A permit is not required for:

- Buildings or works directly associated the continued use and operation of the Flemington Racecourse provided they do not undermine the purposes of this Comprehensive Development Zone Schedule.
- 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.
- Alterations to a building authorised under the Heritage Act 1995 provided the works do not alter the existing building envelope or floor area.

#### **Building Height**

A permit must not be granted to construct a building or construct or carry out works which exceeds 15 storeys in height above natural ground level, with the exception of non-habitable architectural features and building services.

#### **Application Requirements**

An application for buildings and works must be generally in accordance with the approved Comprehensive Development Plan and must include the following information, as relevant:

- A site context and existing conditions plan, showing levels at AHD, existing land uses and building footprints, adjoining roads and access points.
- A written report in support of the proposal which includes, but is not limited to, the following:
  - How the proposal is consistent with the Comprehensive Development Plan.
  - The evolution of the design including a description of any design review process and having regard to the significance of the Racecourse precinct.
  - How the proposal minimises impacts of the ongoing operation of the Flemington Racecourse and Melbourne Showgrounds.
- Plans drawn to scale which show:
  - The boundaries and dimensions of the site
  - Detailed land use plan
  - Locations of areas for public use and the intended use, including public open space
  - Any areas of private open space
  - Maximum building heights, building setbacks and building depths
  - Vehicle access and the location and layout of all car parking and loading areas and all pedestrian and cyclist ingress, egress and access way locations consistent with the approved Integrated Transport and Access Plan.
  - All external storage and waste treatment areas
  - The location of all external plant, building services and equipment including lift over runs.
  - Details of drainage works.

- Fully dimensioned floor plans and elevations for all proposed buildings
- Cross sections, including level changes across the site
- Stages, if any, of development and the proposed treatment of areas not required for immediate use.
- Proposed external materials, finishes and colours.
- Existing vegetation to be retained and/or removed.
- Landscaping, including how the development will integrate with the area surrounding the Jockeys Convalescent Lodge.
- Any mitigating works required by the Integrated Transport and Access Plan.
- A floor area schedule which describes the size and number of proposed dwellings and other uses and demonstrating a reasonable range of dwelling typographies and bedroom numbers.
- Shadow diagrams for 22 September and 22 June (winter solstice) for each hour between 9am and 3pm.
- Cross-sections of all proposed built form, indicating level changes across the site.
- A photomontage of the proposal from key public vantage points, including the intersection of Racecourse Road and Ascot Vale Road, the intersection of Epsom Road and Smithfield Road, and the Flemington Racecourse Members Grandstand.
- A Wind Assessment which addresses.
  - Short term stationary wind exposure for any proposed outdoor cafes and restaurants (should they be proposed).
  - Short term wind exposure for street frontages and trafficable areas used as a thoroughfare.
  - Design measures to minimise the effect of wind to streets and public open spaces and ensure that adverse wind effects over and above the conditions that are currently experienced at present are not created.
- An Environmentally Sustainable Development (ESD) report which demonstrates best practice ESD and outlines the ESD strategy for the proposed development including sustainability requirements or performance targets which the development must meet and the means by which the sustainability requirements or performance targets will be met.
- A Traffic Management Plan which includes but is not limited to:
  - Estimated traffic generation (based on the indicative built form and land use mix) and the impact on the existing road network,
  - Car parking assessment,
  - Preferred location for vehicle egress and ingress,
  - Estimated pedestrian traffic generation and a strategy to ensure safe and efficient pedestrian movement, and
  - A Green Travel Plan, which encourages walking, cycling and public transport use.
- An Acoustic Report prepared by a suitably qualified engineer which addresses;
  - The likely noise sources to impact the proposed development;
  - The maximum permissible noise from the nearby noise sources; and
  - The necessary measures to attenuate these noise impacts.

- The necessary measures to attenuate these noise impacts, including how the proposal will meet the following requirement:
  - Habitable rooms of new dwellings adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45dB Laeq, 15 minutes, in accordance with the relevant Australian Standards for acoustic control.
- A Waste Management Plan including details of waste collection, storage and removal facilities and areas.
- A Construction Management Plan (CMP) prepared in accordance with Melbourne City Council's construction management guidelines. The CMP must:
  - Consider traffic and amenity impacts during the construction period
  - Set out how the community reference group will be involved in the drafting of the CMP and its ongoing role through implementation of the CMP.
- If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

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

An application to construct a building or construct or carry out works under any other provision of the planning scheme is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act, if it is generally consistent with the approved Comprehensive Development Plan.

### **Decision Guidelines**

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

- The purpose of the zone, overlays and any other relevant provisions of the planning scheme.
- The approved Comprehensive Development Plan, as required by this Schedule
- The amenity of existing residents and future residents of the site.
- Any impact on the ongoing operation of the Flemington Racecourse and Melbourne Showgrounds.
- Whether the development will provide for best practice sustainability outcomes
- The development's contribution to the neighbourhood and sense of place.
- The impact on internal and external traffic movements.
- The quality and safety of the pedestrian and bicycle connections through the site and beyond.
- The impacts on existing community infrastructure.
- The impact on the heritage aspects of the former Jockey's Convalescent Lodge and its landscape setting.
- The views of Melbourne City Council and Moonee Valley City Council.
- The views of the Office of the Victorian Government Architect, if any, or any other independent reviewer as to the architectural expression and materiality of the proposal having regard to the significance of the racecourse precinct.

**5.0**02/03/2017  
C290**550 Epsom Road Comprehensive Development Plan**

Before a permit can be granted under any provision of this Schedule a Comprehensive Development Plan must be prepared in accordance with the requirements of this Schedule and be approved by the responsible authority.

Prior to approving, or amending, a Comprehensive Development Plan:

- The responsible authority must consider the views of:
  - Melbourne City Council,
  - Moonee Valley City Council, and
  - The Office of the Victorian Government Architect, or any other independent reviewer, as to the architectural expression and materiality of the proposal having regard to the significance of the racecourse precinct.
- The owner of the land must enter into an agreement with the City of Melbourne and the responsible authority, to the satisfaction of the responsible authority under Section 173 of the *Planning and Environment Act 1987*, requiring:
  - Payment by the owner to the City of Melbourne of a contribution of \$3,000.00 per dwelling (indexed 1 July each year according to the Building Price Index, June Quarter, Melbourne, in Rawlinsons Australian Construction Handbook), such contribution to be paid prior to a certificate of occupancy being granted;
  - Provision of 5% of new dwellings to be held in Trust and managed as affordable housing.
  - Contribution towards the shared path between the site and the Showgrounds Village Shopping Centre on the west side of Epsom Road and a shared path from the site to connect to the existing bicycle path on Smithfield Road.
  - Payment by the owner of all of the City of Melbourne and the responsible authority's reasonable legal costs and expenses of the agreement, including preparation, execution and registration on title.

**Comprehensive Development Plan Objectives**

- To promote medium and/or high density residential living that encourages both day and evening activity though the provision of limited complementary community, convenience and service uses.
- To provide for limited community facilities and other non-residential uses that support the current and future residential community and provide opportunities for social interaction.
- To provide ground level uses (including residential, community and commercial) that promote activity to Epsom Road.
- To provide for a mix of residential accommodation, dwelling typographies and apartment sizes.
- Materials and finishes to be of a high quality and generally consistent throughout the development.
- To provide high quality internal amenity for future residents, including the provision of communal spaces for the overall development.
- To optimise solar access and minimise the effect of wind to streets and public open spaces to enhance amenity and function throughout the year
- To limit minimise the extent of overshadowing of the Newmarket Reserve between 9am-3pm at the equinox (22 September) and to allow a minimum of 3 hours of direct sunlight between 9 am and 3 pm at the winter solstice (22 June).

- To protect and enhance the former Jockey’s Convalescent Lodge including retaining a visual relationship between the Lodge and the Racecourse
- To provide sufficient car parking and utilise, where possible, the fall across the site to minimise the view of car parking areas from the street frontage
- To provide safe pedestrian and bike paths to connect to the principal pedestrian bicycle and public transport networks.
- To ensure buildings achieve high environmental performance standards at the design, construction and operation phases.
- To improve the water and energy efficiency of buildings and encourage the use of alternative water and energy (such as on-site solar generation) sources.
- To explore opportunities for innovative precinct scale environmentally sustainable initiatives.
- To minimise the impacts of waste on the community.

**Comprehensive Development Plan Requirements**

The Comprehensive Development Plan must be prepared to address the Objectives and include the following:

- A site context and existing conditions plan, showing levels at AHD, existing land uses and building footprints, adjoining roads and access points.
- A site master plan which includes:
  - indicative building locations, including a single tower form with a maximum building height of 15 storeys.
  - A building envelope with minimum setbacks of no less than 4m from all site boundaries.
  - A minimum curtilage of 25m surrounding the former Jockey’s Convalescent Lodge, within which no development is to occur, with the exception of landscaping.
  - No more than two indicative vehicle entry points to the site from Epsom Road.
  - A maximum of 300 dwellings.
- A landscape plan which:
  - promotes the reinstatement of the original garden and planting of the Jockey’s Convalescent lodge to its original early configuration (being an area of 19m from the edge of the building).
  - retains existing significant vegetation where practicable.
  - sets the buildings in a landscaped setting.
- An Integrated Transport and Access Plan showing:
  - mitigating works shown in diagrams for developments up to 300 dwellings:
    - Epsom Road, Racecourse Road & Ascot Vale Road, generally in accordance with drawing number 14M9014011-14-P4, prepared by GTA and dated 24 March 2016 (noting this plan includes intersection works at the roundabout, the signalised pedestrian crossing of Epsom Road, the pedestrian crossing of Racecourse Road to provide access to the tram stops on racecourse road).
  - any further mitigation works necessary as a consequence of a Section 2 uses proposed.
  - any conditions to be included on permits granted for use, subdivision or buildings and works as required by the Integrated Transport and Access Plan.



- a requirement that mitigating works may be staged to the satisfaction of the responsible authority and must be implemented at the cost of the developer.
- a requirement for the Integrated Transport and Access Plan to be prepared to the satisfaction of the responsible authority in consultation with Moonee Valley City Council, Melbourne City Council, VicRoads and Public Transport Victoria
- An assessment of how the CDP addresses the recommendations of the *Flemington Hill and Epsom Road Advisory Committee - Advisory Committee Stage 4 Report, 3 June 2016*.