

13/09/2010
VC63**SCHEDULE 3 TO THE COMPREHENSIVE DEVELOPMENT ZONE**Shown on the planning scheme map as **CDZ3**.**RICHMOND MALTINGS, 2 GOUGH STREET, CREMORNE****Land**

This clause applies to land known as Richmond Maltings, generally bounded by Harcourt Parade to the south, Gough Street to the north, and Cremorne Street to the east, as defined by the incorporated document "Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007".

Purpose

- To allow a comprehensively staged, mixed use development on the site which will create activity during the day and evening and generate local employment opportunities.
- To conserve and enhance key heritage buildings through refurbishment and reuse.
- To allow the continuation of limited major advertising in the precinct.
- To ensure that development on the site will complement and enhance the Yarra River environs.
- To ensure the combination of uses, their density and the scale and character of development does not prejudice the amenity of the surrounding area.
- To retain the visual dominance and preservation of views of the landmark Nylex sign and associated silos through the sensitive siting of new building envelopes on the site.
- To provide a well designed, attractive open plaza space within the development which is accessible to the surrounding community.
- To ensure a high quality architectural response to the site that acknowledges and is respectful of the scale and form of buildings within the site and its immediate environs.

1.013/09/2010
VC63**Table of uses****Section 1 - Permit not required**

USE	CONDITION
Informal outdoor recreation	
Office	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2
Minor utility installation	
Motor vehicle, boat, or caravan sales	Must be located within the ground floor of buildings B4 & B5, as detailed on the comprehensive development plan "Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007"..

USE	CONDITION
Restricted retail premises	Must be located within the ground floor of buildings B4 & B5, as detailed on the comprehensive development plan "Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007".
Rural store	
Search for stone	Must not be costeaning or bulk sampling
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19.
Warehouse (other than Fuel depot, Milk depot, Mail centre, Rural store and Shipping container storage)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a Residential zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> • The threshold distance, for a purpose listed in the table to Clause 52.10. • 30 metres, for a purpose not listed in the table to Clause 52.10.

Section 2 - Permit required

USE	CONDITION
Accommodation (other than Camping and caravan park, Corrective institution, Dependent person's unit and Host farm)	
Mail centre	
Industry (other than Materials recycling, Refuse disposal, Rural industry and Transfer station)	
Mining	If the Section 1 condition is not met.
Motel	
Outdoor recreation facility	
Retail premises (other than Motor vehicle, boat, or caravan sales)	
Search for stone	If the Section 1 condition is not meet.
Shop (other than Restricted retail premises)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

USE

- Agriculture**
- Brothel**
- Camping and caravan park**
- Cemetery**
- Corrective institution**
- Crematorium**
- Dependent person’s unit**
- Freeway service centre**
- Fuel depot**
- Hospital**
- Host Farm**
- Materials recycling**
- Major sports and recreation facility**
- Milk depot**
- Motor racing track**
- Pleasure boat facility**
- Refuse disposal**
- Rural industry**
- Saleyard**
- Service station**
- Shipping container storage**
- Tramway**
- Transport terminal**
- Utility installation (other than telecommunications facility)**
- Winery**

2.0

20/11/2008
C101

Use of land

Amenity of the neighbourhood

Use of land must be in accordance with the Table of uses to this Clause and the comprehensive development plan: “Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007”.

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.

- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.
 - Whether a Works Approval, or Waste Discharge Licence is required from the Environment Protection Authority.
 - Whether a licence under the Dangerous Goods Act 1985 is required.
 - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.
- If a sensitive use is proposed an Environmental Audit is required to ensure that the land/ buildings are free of any contamination prior to a sensitive use commencing.

Exemptions from notice and review

None specified.

Decision guidelines

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

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The design principles outlined on the incorporated plan “Planning and Design Principles for the Richmond Malting Site, Cremorne – November 2007”.

3.0

20/11/2008
C101

Subdivision

Application requirement

None specified.

Exemption from notice and appeal

An application 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. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

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

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- The interface with adjoining zones, especially the relationship with residential areas.

4.0

20/11/2008
C101

Buildings and works

Permit requirement

A permit is not required to make minor variations to the comprehensive development plan “Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007” if such variations are to the satisfaction of the responsible authority. A permit may be granted for development which is not generally in accordance with the comprehensive development plan: “Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007” or for variations to the comprehensive development plan which are not minor.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information as appropriate:

- The boundaries and dimensions of the site.
- Adjoining roads.
- Relevant ground levels.
- The layout of existing and proposed buildings and works.
- Driveway and vehicle parking and loading areas.
- Proposed landscaped areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Details of proposed acoustic measures to attenuate freeway noise within new residential development.
- Construction details of drainage works, driveways and vehicle parking and loading areas.

- A landscape plan.

Exemption from notice and appeal

None specified.

Decision guidelines

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- Consistency with the building envelopes and design principles detailed on the comprehensive development plan: “Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007”.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with nearby areas.
- Parking and site access.
- Lighting.
- The preservation of the amenity of nearby residents.
- The orderly management of vehicular and pedestrian traffic.
- The visual impact of the building or works on the impact of the area.
- The inclusion of appropriate acoustic measures to attenuate noise levels internally within new or refurbished / converted buildings for residential and other noise sensitive uses, located on the southern part of the site directly adjacent to the Monash Freeway.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

5.0

20/11/2008
C101

Car parking control

Car parking shall be allocated in accordance with the following table:

USE	NO. OF SPACES
Café	0.3 car spaces/ seat
Car sales	2.0 spaces per 100m ²
Industry	2.1 spaces per 100m ²
Office	2.6 spaces per 100 m ²
Shop (other than Restricted retail premises)	4.0 spaces per 100m ²
Restricted retail premises	2.1 spaces per 100m ²
Residential (1-2 bedroom apartment)	1 resident car space per apartment
Residential (3+ bedroom apartment)	2 resident car spaces per apartment
Residential (general)	0.12 visitor car spaces per apartment
Restaurant	0.3 car spaces/ seat
Shop (other than Restricted retail premises)	4.0 spaces per 100m ²

A permit may be granted to reduce the number of car spaces required for a particular use if the responsible authority is satisfied that the number of spaces required:

- Is unnecessary in the circumstances;
- Can be provided on nearby land; or
- If the proposal is to achieve a heritage outcome.

Before deciding on the application, the responsible authority must consider:

- The likely demand for car parking spaces.
- The extent to which the various uses of the land are likely to generate different levels of demand for parking at different times.
- The possible multi-use of car spaces.
- The demand for car spaces generated by the uses established in previous stages of the development.
- The accessibility of the site to vehicle traffic;
- The proposed layout of parking areas.

6.0

20/11/2008
C101

Car space dimensions

The dimensions of the car spaces, access lanes and driveways and layout of parking areas must meet the requirements of Clause 52.06, unless the responsible authority agrees otherwise.

7.0

20/11/2008
C101

Advertising Signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 2.