

## AMENDMENT C376MELB TO THE MELBOURNE PLANNING SCHEME

### MELBOURNE CITY COUNCIL

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#### BRIEF TO EXPERT – ECONOMICS

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#### INTRODUCTION

1. Amendment C376melb to the Melbourne Planning Scheme (**Amendment**) has been prepared by Melbourne City Council (**Council**).
2. Council is the Planning Authority for the Amendment.
3. The Amendment was on public exhibition from 2 March 2023 – 17 April 2023. Seventy three (73) submissions have been received.
4. Pre-set Panel/Advisory Committee hearing dates are scheduled as follows:<sup>1</sup>
  - 4.1 Directions Hearing in the week commencing Monday 2 October 2023;
  - 4.2 Panel Hearing in the week commencing Monday 13 November 2023 (anticipated to extend for 2-4 weeks) (**Hearing**).
5. Subject to your preliminary opinion, we may engage you to prepare an expert evidence statement and appear at the Hearing of this matter in November 2023.

#### AMENDMENT C376

##### Amendment Land

6. All land in the municipality is proposed to be affected by the Amendment<sup>2</sup>.

##### Contents of Amendment C376

7. In terms of what the Amendment does:<sup>3</sup>

This amendment implements sustainability and green infrastructure policy into the Melbourne Planning Scheme, and new mandatory and discretionary sustainable building design standards and requirements.
8. The Amendment uses the schedule 73 to the Design and Development Overlay (**DDO73**) as the key planning control to achieve sustainable outcomes and the schedules to the Capital City Zone and Docklands Zone to achieve sustainable transport outcomes.
9. The strategic assessment of the Amendment is set out in the Explanatory Report, stating:<sup>4</sup>

Climate change is happening now.

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<sup>1</sup> See Planning Panels Victoria letter, dated 22 December 2022, in Folder #2.

<sup>2</sup> Amendment C376melb, *Explanatory Report*, at page 1 (see Folder #4).

<sup>3</sup> Ibid.

<sup>4</sup> Amendment C376melb, *Explanatory Report*, at page 2, in Folder #4.

Melbourne is already dealing with a hotter climate, and our climate in Victoria has already warmed by 1°C. Our city currently averages 11 days greater than 35 degrees. By 2050 we will experience an average 16 days greater than 35 degrees (Department of Environment, Land, Water and Planning, 2019).

Victoria has had longer fire seasons since the mid-1990s and fire days are projected to increase by 42 per cent per year in Melbourne by 2050. The deadly bushfires of 2019-2020 across Australia destroyed more than 10 million hectares (Rumpf, Legge, van Leeuwen, Wintle & Woinarski, 2023), damaging thousands of homes and properties and killing at least 34 people. Professor Dickman estimated one billion animals were killed (University of Sydney, 2020), and many more bats and insects are likely to die as a result of lost habitat and food sources.

By 2050, there will be 20 per cent less spring rainfall. We are also facing far more severe rainfall events, flooding and storm surges. The 2016 thunderstorm asthma events in Melbourne resulted in serious health impacts for thousands and some fatalities. The Victorian Government estimates that by 2050 sea levels will rise by 24 cm on 1990s levels (DELWP, 2019).

Temperature increases mean we could lose 35 per cent of the city's trees in the next 20 years (Kendal & Baumann, 2016). Elms and some species of indigenous eucalypts won't survive. Melbourne is home to many threatened species including the powerful owl, grey-headed flying fox and the swift parrot.

Climate change could cost our local economy \$12.6 billion by 2050 (City of Melbourne, 2018), impacting agriculture, tourism, insurance and finance.

The Intergovernmental Panel on Climate Change (IPCC) 2022 report found that even more urgent action to adapt to climate change and to cut greenhouse gas emissions is required - including by amending planning regulations to stop dangerous development. The IPCC also found that if emissions remain high, deaths caused by climate change related heat are estimated at 600 people each year in Melbourne, Sydney and Brisbane between 2031 and 2080, totalling 30,000 people over 50 years.

On 16 July 2019, the City of Melbourne declared a climate and biodiversity emergency, recognising that a temperature rise above 1.5°C would cause major and irreversible damage to the City and its ecosystem. On 18 February 2020, the City of Melbourne endorsed the acceleration of the ten priority actions to respond to the climate and biodiversity emergency including mandating greening and zero emission buildings through the Planning Scheme.

Currently the Melbourne Planning Scheme encourages sustainable development at clause 2.03-4 of the Scheme. While sustainability outcomes are being negotiated through the development application process, the current planning framework requires updating to achieve the baseline needed for Council to reach its target of zero net emissions by 2040, to improve biodiversity, to reduce the urban heat island effect, to manage water effectively, and to reduce the amount of waste going to landfill.

10. In explaining why the Amendment is required, the Explanatory report outlines:<sup>5</sup>

The amendment is required to introduce new sustainable building design standards into the Planning Scheme and will apply to new buildings as well as substantial alterations and additions that meet a specified size threshold. The standards address environmentally sustainable design, energy efficiency and renewables, waste and resource recovery, urban heat island response, urban ecology, integrated water management and for the Central City and Docklands, sustainable transport. The standards draw on established and industry accepted rating tools (Green Star, NatHERS, NABERS and BESS) as well as the Green Factor Tool which has been developed by the City of Melbourne.

The amendment will introduce minimum mandatory requirements for certain standards and preferred requirements. The preferred requirements provide a greater contribution towards Council's sustainability, greening and emissions goals.

Sustainable building design requires current generations to choose how they meet their needs without compromising the ability of future generations to be able to do the same. The City of

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<sup>5</sup> Amendment C376melb, *Explanatory Report*, at page 2.

Melbourne owns and controls less than one third of the municipality's land area, with the majority of the land in private ownership or other government ownership.

In terms of built form, City of Melbourne owns less than 2 per cent of the buildings in the municipality. Private development is therefore a critical contributor to any overarching municipal goals or targets. While the City, in partnership with other public entities, can drive change on public land, the planning system remains a key tool in facilitating changed practices on private land for public benefit.

11. At an ordinance level, the Amendment proposes to:<sup>6</sup>

- 11.1 Amend the Municipal Planning Strategy (MPS) to ensure alignment between the MPS and the purpose of the amendment, by making changes to Clauses: 02.03-2 Environment and landscape values; 02.03-4 Built environment and heritage; and 02.03-7 Transport.
- 11.2 Amend the Planning Policy Framework (PPF) to ensure alignment between the PPF and the purpose of the amendment, by making changes to Clauses: 15.01-2L Sustainable development and 19.03-3L Stormwater management (Water Sensitive Urban Design).
- 11.3 Insert Schedule 73 to Clause 43.02 (Design and Development Overlay – Sustainable Building Design) to include provisions for:
  - environmentally sustainable design;
  - energy efficiency and renewables;
  - waste and resource recovery;
  - urban heat island response;
  - urban ecology; and
  - integrated water management.
- 11.4 Amend Schedules 1, 2, 3, 4, 5 and 7 to Clause 37.04 (Capital City Zone) and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 (Docklands Zone) to include provisions for:
  - bicycle, motorcycle and car share parking;
  - electric vehicle infrastructure;
  - the design of car parking facilities; and
  - the retention of car parking spaces as common property.
- 11.5 Amend the Schedule to Clause 72.03 (What does this Planning Scheme consist of?) to include reference to the new map sheets for Schedule 73 to Clause 43.02 (Design and Development Overlay – Sustainable Building Design).
- 11.6 Amend the Schedule to Clause 72.04 (Incorporated Documents) to include:
  - 11.6.1 the Guidelines for Waste Management Plans, (City of Melbourne, June 2021).

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<sup>6</sup> Amendment C376melb, *Explanatory Report*, at page 1.

- 11.7 Amend the Schedule to Clause 72.08 (Background Documents) to include relevant background documents as listed below:
  - 11.7.1 Climate Change Adaptation Strategy Refresh (City of Melbourne, 2017)
  - 11.7.2 Climate Change Mitigation Strategy to 2050 (City of Melbourne, 2018)
  - 11.7.3 Climate Emergency Response (City of Melbourne, 2020)
  - 11.7.4 Fishermans Bend Water Sensitive City Strategy (DJPR, 2022)
  - 11.7.5 Green Our City Strategic Action Plan 2017-2021 (City of Melbourne, 2017)
  - 11.7.6 Green Our City Strategic Action Plan: Strategic justification for C376melb regulatory requirements for sustainability (Arup, 2019)
  - 11.7.7 Growing Green Guide (City of Melbourne, 2014)
  - 11.7.8 Municipal Integrated Water Management Plan (City of Melbourne, 2017)
  - 11.7.9 Sustainable Building Design: Planning Scheme Amendment C376 (Hansen Partnership, September 2020)
  - 11.7.10 Transport Strategy 2030 (City of Melbourne, 2019)
  - 11.7.11 Waste and Resource Recovery Strategy 2030 (City of Melbourne, 2019)
12. The following documents are 'supporting documents' to the Amendment:
 

*Supporting*

  - 12.1 Green Our City Action Plan – Draft Planning Requirements, Economic Feasibility Testing, HillPDA, November 2020;
    - 12.1.1 Attachment 1 – GOCAP Standards Testing, Breathe Architecture, Rev 0, 4 November 2020
    - 12.1.2 Attachment 2 – GOCAP – Cost Summary, Rider Levett Bucknall, May 2020
  - 12.2 Green Our City Action Plan – Draft Planning Requirements, Economic Feasibility Testing, Addendum (5 Additional Sites), HillPDA, January 2022
    - 12.2.1 Attachment 1 – GOCAP Standards Testing, Breathe Architecture, 24 January 2022;
    - 12.2.2 Attachment 2 – GOCAP – Cost Summary, Rider Levett Bucknall, 19 January 2022.
  - 12.3 Off-street Bicycle & Motorcycle Parking Review, Final Report, Phillip Boyle & Associates, 16 March 2016
  - 12.4 Transport Strategy refresh, Background paper, Increasing the Use of Bicycles for Transport, Phillip Boyle & Associates, May 2018
13. The Exhibition documentation, including the Explanatory Report, all background and supporting documents are provided in the OneDrive Brief at Folder #4.

14. A number of Planning Panels have considered, in part, aspects sought to be advanced by the Amendment. We enclose a sample of Planning Panels reports at Folder #6 of the OneDrive Brief.

### **Exhibition & Submissions**

15. The Amendment was on public exhibition from 2 March 2023 – 17 April 2023.
16. Exhibition attracted 73 submissions<sup>7</sup>.
17. A number of submissions are supportive of the Amendment, or parts of the Amendment. Other submissions raise concerns with the Amendment, or aspects of the Amendment, including economic issues such as:
- 17.1 concerns to project/planning permit application delays;
  - 17.2 economic feasibility and implications for housing affordability;
  - 17.3 maintenance costs of green infrastructure;
  - 17.4 economic implications of the proposed car parking provisions.

### **Future Melbourne Committee (FMC) consideration**

*Future Melbourne Committee – 21 November 2017 (Green Our City Action Plan)*

18. At its meeting on 21 November 2017, the Future Melbourne Committee (**FMC**) resolved as follows<sup>8</sup>:

That the Future Melbourne Committee:

Endorses the Green Our City Strategic Action Plan to enhance the City of Melbourne's existing education and incentive-based approach whilst developing a business case for a future regulatory mechanism, for Council consideration.

Authorises the Director City Strategy and Place to make any further minor editorial changes to the Green Our City Strategic Action plan prior to publication.

19. The *Green Our City Action Plan (GOCAP)* is proposed as a Background Document in the schedule to Clause 72.08.<sup>9</sup>
20. One of the actions in the (GOCAP) is to:
- Pursue changes to the planning scheme to require all types of development in the City to play a part in achieving environmentally sustainable design targets, including green walls and vertical greening. Review the planning scheme to determine the most effective planning scheme tools to deliver improved green infrastructure outcomes. Include an economic feasibility study to ensure that green infrastructure can be delivered by developers without compromising feasibility. Economic analysis should include consideration of other planning requirements such as affordable housing provision and design requirements to understand the cumulative impact of all controls. Considerations will include: - how best to work with other Councils, including the work of CASBE, and the State and build on existing reforms - how to ensure that real change is delivered, while engaging productively with the development community and ensuring the commercial context is understood - how best to adapt world leading initiatives such as Seattle's Green Factor in a City of Melbourne context.

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<sup>7</sup> A copy of all submissions received to the Amendment can be found in Folder #5.

<sup>8</sup> The FMC report and minutes are provided in Folder #3a.

<sup>9</sup> A copy is provided at Folder #4aa of the OneDrive Brief.

*Future Melbourne Committee – 18 February 2020 (City of Melbourne’s response to the Climate and Biodiversity Emergency Declaration)*

21. At its meeting on 18 February 2020, the FMC resolved as follows<sup>10</sup>:

That the Future Melbourne Committee endorses management’s review and response to the Climate and Biodiversity Emergency, and the acceleration of the ten priority actions, subject to future annual plan and budget processes.

22. The document, *Responding to the Climate and Biodiversity Emergency, 18 February 2020*, is proposed to be listed as a Background Document in the schedule to Clause 72.08.<sup>11</sup>

23. One of the actions from *Responding to the Climate and Biodiversity Emergency, 18 February 2020*, is:

Mandate greening and zero emissions buildings through the Planning Scheme.

*Future Melbourne Committee – 15 September 2020 (Green Factor Tool)*

24. At its meeting on 15 September 2020, the Future Melbourne Committee resolved as follows<sup>12</sup>:

That the Future Melbourne Committee:

Endorses the Melbourne Green Factor Tool for use through the Melbourne Planning Scheme as the preferred approach for demonstrating urban ecology outcomes on new developments.

Authorises the establishment of a governance structure to oversee technical updates to the tool and to ensure the tool continues to meet its objectives.

25. Use of the Green Factor Tool is embedded in the DDO73 as a mandatory and discretionary requirement.

*Future Melbourne Committee – 15 September 2020 (Amendment C376 Sustainable Building Design)*

26. At its meeting on 15 September 2020, the Future Melbourne Committee resolved as follows<sup>13</sup>:

That the Future Melbourne Committee:

Seeks authorisation from the Minister for Planning to prepare and exhibit Melbourne Planning Scheme Amendment C376 Sustainable Building Design (refer to Attachment 2 of the report from management).

Requests that the Chief Executive Officer write to the Minister for Planning to request that he:

- introduce a state-wide planning provision to champion environmentally sustainable design, city greening and green infrastructure with a local schedule to enable mandatory requirements and allow tailoring by councils, attaching draft provision to assist (refer to Attachment 3 of the report from management);
- work with the City of Melbourne and Council Alliance for Sustainable Built Environments councils to finalise and implement the state-wide provision, enabling

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<sup>10</sup> The FMC report and minutes are provided in Folder #3b.

<sup>11</sup> A copy is provided at Folder #4aa of the OneDrive Brief.

<sup>12</sup> The FMC report and minutes are provided in Folder #3c.

<sup>13</sup> Ibid.

local governments to localise their requirements in line with their Council's endorsed positions.

Commends the development of the Green Factor tool, as a method to achieve and assess an urban ecology standard, and endorses its use through the Melbourne Planning Scheme.

Authorises the General Manager Strategy, Planning and Climate Change to make any minor and editorial and referencing changes and as required to accord with the Victorian Government's planning policy framework translation to Melbourne Planning Scheme Amendment C376 (refer to Attachment 2 of the report from management).

## INSTRUCTIONS

27. You are kindly instructed to:

27.1 Review the documents in the OneDrive brief including:

27.1.1 All exhibited documents in Folder #4;

27.1.2 Submissions received to the Amendment in Folder #5, particularly the following submissions:

- (a) #8 - Beulah
- (b) #15 – Emanuele Raffaele
- (c) #38 – Master Builders;
- (d) #42 – John Blake;
- (e) #43 – Housing Institute of Australia (HIA);
- (f) #45 – Urban Development Institute of Australia (UDIA);
- (g) #53 – MAB Corporation Pty Ltd;
- (h) #56 – Australian Pipelines and Gas Association Ltd (APGA)
- (i) #66 – Property Council of Australia (PCA);
- (j) #69 – ADP Consulting
- (k) #72 – Ausvest Holdings Pty Ltd.

27.2 Provide us with a preliminary opinion on the economic benefits and impacts of Amendment C376 within your area of expertise. In particular please consider the issues raised in the submissions (eg those regarding the implications of the Amendment on development feasibility and housing affordability), in addition to wider economic issues including the costs of responding to climate change through sustainable building design as contemplated by the Amendment.

28. We draw your attention in particular to the following documents which contain the results of development feasibility testing by HillPDA:

28.1 Background - GOCAP - Strategic Justification for Regulatory Requirements for Sustainability (Arup, 2019);

28.2 Supporting - GOCAP Draft Planning Requirements Economic Feasibility Testing November 2020;

- 28.3 Supporting - GOCAP - Draft Planning Requirements Economic Testing Addendum  
5 Sites February 2022.
29. Please also consider the literature review contained in Background - GOCAP - Strategic Justification for Regulatory Requirements for Sustainability (Arup, 2019) Appendix A, to the extent that it is relevant to the economic issues arising from the Amendment.
30. Please note that:
- 30.1 The feasibility testing by HillPDA was based upon a theoretical retrofit of building designs contained in existing planning applications, rather than a 'design from scratch' approach (see eg s5.3.3 of the Background - GOCAP - Strategic Justification for Regulatory Requirements for Sustainability (Arup, 2019)). Please let us know if you recommend further work based upon a 'design from scratch approach'. To that end, we would be pleased to set up a meeting between you and Breathe architects so that they can explain what they may do differently if asked to design from scratch rather than retrofit.
- 30.2 The feasibility testing by HillPDA was based upon a previous version of Green Star (Green Star Design & As Built rather than the newer Green Star Buildings tool). We wish to discuss with you the extent to which you consider it necessary to do further feasibility testing against the current Green Star Buildings v1. To that end, we would be pleased to set up a meeting with you and an ESD consultant to go through the differences between the Green Star versions, and relevant accreditation pathways.
- 30.3 The feasibility testing by HillPDA did not include an analysis of any cost savings arising from the proposed green infrastructure for future occupants and owners. To the extent you consider that issue to be relevant to an economic assessment of the Amendment, please address it in your report.
31. Please advise us if you require anything further to inform your views.
32. Please be clear if a particular issue or matter falls outside your area of expertise.
33. We would be grateful if we could meet to discuss your preliminary views on the Amendment in conference on 31 May 2023. We'll confirm the time closer to the date.
34. Subject to your preliminary opinion, we may engage you to prepare an expert evidence statement and appear at the Hearing of this matter in November 2023. We understand you are available to prepare an evidence report and give evidence at the Hearing which is scheduled to commence on **13 November 2023**.
35. Before starting any work, we kindly request you provide us with an electronic copy of your fee proposal for work to inform your preliminary opinion, as well for preparing an expert evidence report and appearing as an expert witness at the Hearing. Please also provide a schedule of fees and rates in the event that you are required to perform additional tasks in the future relating to this matter.
36. As an independent expert, it is important that you are free from any possible conflict of interest in providing your opinion. We understand you have no such conflict. If any conflict or potential conflict becomes apparent to you during your work on this matter, please advise without delay. Please also ensure that you are familiar with *Practice Note 1: Expert Evidence*, published by Planning Panels Victoria, a copy of which has been provided in your brief.
37. This instruction and any communications arising from this instruction are subject to legal professional privilege. Please treat all communications relating to the scope of works as confidential.

38. Link to OneDrive Brief [City of Melbourne C376 – Expert Briefing material](#)

Date delivered: **22 May 2023**

## Index – Brief to Expert

| No.                                                          | Document                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Folder #1 – Brief to Expert</b>                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                              | <ul style="list-style-type: none"> <li>Brief to expert</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Folder #2 – Panel related</b>                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| a                                                            | <ul style="list-style-type: none"> <li>Planning Panels Victoria – Practice Note PN01 – Expert Evidence</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| b                                                            | <ul style="list-style-type: none"> <li>Pre-set Panel hearing letter from Panel's Victoria (December 2022)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Folder #3 - Future Melbourne Committee (FMC) meetings</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| a                                                            | <b>Future Melbourne Committee, 21 November 2017</b> <ul style="list-style-type: none"> <li>Report – Green Our City Strategic Action Plan</li> <li>Minutes</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| b                                                            | <b>Future Melbourne Committee, 18 February 2020</b> <ul style="list-style-type: none"> <li>Report –Climate and Biodiversity Emergency 2020</li> <li>Minutes</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| c                                                            | <b>Future Melbourne Committee, 15 September 2020</b> <ul style="list-style-type: none"> <li>Report – Amendment C376: Sustainable Building Design</li> <li>Report – Melbourne Green Factor Tool</li> <li>Minutes</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Folder #4 – Exhibited documents</b>                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                              | <ul style="list-style-type: none"> <li>Amendment C376 Explanatory report</li> <li>Amendment C376 Instruction Sheet</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| a                                                            | <b>Exhibited Policy, Ordinance, Mapping and Incorporated Document</b> <ul style="list-style-type: none"> <li>Clause 2.03 Strategic Directions</li> <li>Clause 15.01-2L-01 Sustainable development</li> <li>Clause 19.03-3L Stormwater management (Water Sensitive Urban Design)</li> <li>Schedule 73 to the Design and Development Overlay (DD073);</li> <li>Schedule 1 to the Capital City Zone (CCZ1)</li> <li>Schedule 2 to the Capital City Zone (CCZ2)</li> <li>Schedule 3 to the Capital City Zone (CCZ3)</li> <li>Schedule 4 to the Capital City Zone (CCZ4)</li> <li>Schedule 5 to the Capital City Zone (CCZ5)</li> <li>Schedule 7 to the Capital City Zone (CCZ7)</li> <li>Schedule 1 to the Docklands Zone (DZ1)</li> <li>Schedule 2 to the Docklands Zone (DZ2)</li> <li>Schedule 3 to the Docklands Zone (DZ3)</li> <li>Schedule 4 to the Docklands Zone (DZ4)</li> <li>Schedule 5 to the Docklands Zone (DZ5)</li> <li>Schedule 6 to the Docklands Zone (DZ6)</li> <li>Schedule to Clause 72.03 What Does this Planning Scheme consist of?</li> <li>Schedule to Clause 72.04 Incorporated Documents</li> <li>Schedule to Clause 72.08 Background Documents</li> <li>Guidelines for Waste Management Plans, 2021, City of Melbourne (Proposed Incorporated document);</li> </ul> |

| No.                                                                                | Document                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| aa                                                                                 | <b>Background documents</b> <ul style="list-style-type: none"> <li>▪ Green Our City Strategic Action Plan: Strategic Justification for regulatory requirement for sustainability, Arup, 18 October 2019</li> <li>▪ Sustainable Building Design, Planning Scheme Amendment C376, Background Report, Hansen, September 2020</li> <li>▪ Climate Change Adaptation Strategy Refresh, City of Melbourne, 2017</li> <li>▪ Climate Change Mitigation Strategy to 2050, City of Melbourne, 2018</li> <li>▪ Climate Emergency Response, City of Melbourne, 2020</li> <li>▪ Fishermans Bend Water Sensitive City Strategy, DJPR, 2022 (Part 1)</li> <li>▪ Fishermans Bend Water Sensitive City Strategy, DJPR, 2022 (Part 2)</li> <li>▪ Green Our City Strategic Action Plan 2017-2021, City of Melbourne, 2017</li> <li>▪ Growing Green Guide, City of Melbourne 2014</li> <li>▪ Municipal Integrated Water Management Plan, City of Melbourne, 2017</li> <li>▪ Transport Strategy 2030, City of Melbourne, 2019</li> <li>▪ Waste and Resource Recovery Strategy 2030, City of Melbourne, 2019</li> </ul> |
| ab                                                                                 | <b>Supporting Documents</b> <ul style="list-style-type: none"> <li>▪ Green Our City Action Plan – Draft Planning Requirements, Economic Feasibility Testing, HillPDA, November 2020;</li> <li>▪ Green Our City Action Plan – Draft Planning Requirements, Economic Feasibility Testing, Addendum (5 Additional Sites), HillPDA, February 2022;</li> <li>▪ Off-street Bicycle &amp; Motorcycle Parking Review, Final Report, Phillip Boyle &amp; Associates, 16 March 2016;</li> <li>▪ Transport Strategy refresh, Background paper, Increasing the Use of Bicycles for Transport, Phillip Boyle &amp; Associates, May 2018.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Folder #5 – Submissions</b>                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <ul style="list-style-type: none"> <li>▪ Various (Submissions #1 - #73)</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Folder #6 – Panel Reports</b>                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| a                                                                                  | Victorian Planning Authority Projects Standing Advisory Committee - Referral 6 (AC) [2022] PPV 24 (2 May 2022)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| b                                                                                  | Melbourne C309 (PSA) [2019] PPV 55 (11 October 2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| c                                                                                  | Fishermans Bend Planning Review Panel (AC) [2018] PPV 71                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| d                                                                                  | Environmentally Efficient Design Local Policies (AC) [2014] PPV 40 (7 April 2014)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| e                                                                                  | Melbourne C187 (PSA) [2012] PPV 132 (7 November 2012)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

## CONSULTANT BRIEF

### ASSIGNMENT TITLE

Economic evidence and economic feasibility and cost benefit analysis work for Amendment C376 Sustainable Building Design

### OBJECTIVE

City of Melbourne (**Council**) has exhibited Amendment C376 to the Melbourne Planning Scheme (**the Amendment**). The Amendment implements sustainability and green infrastructure policy into the Melbourne Planning Scheme, and new mandatory and discretionary sustainable building design standards and requirements.

Further to Council's brief delivered to you on 22 May 2023 relating to expert evidence, Council seeks to engage you to undertake economic feasibility analysis and cost benefit analysis work.

### BACKGROUND

The Amendment uses Schedule 73 to the Design and Development Overlay (**DDO73**) as the key planning control to achieve sustainable building design outcomes, and schedules to the Capital City Zone and Docklands Zone to achieve sustainable transport outcomes. See **Attachment 1** for more details about the Amendment.

### EXHIBITION & SUBMISSIONS

The Amendment was on public exhibition from 2 March 2023 – 17 April 2023. The exhibition attracted 73 submissions.<sup>1</sup> A number of submissions are supportive of the Amendment, or parts of the Amendment.

Other submissions raise concerns with the Amendment, or aspects of the Amendment, including economic issues such as:

- concerns to project/planning permit application delays;
- economic feasibility and implications for housing affordability;
- maintenance costs of green infrastructure;
- economic implications of the proposed car parking provisions.

In response to the issues raised in the submissions, Council officers propose to make changes to the planning policies and provisions (**Proposed Amendment**), including to:

- Move the requirements to assess whether meeting the preferred ESD standard is technically achievable, and whether meeting the preferred Energy efficiency and renewables standard is technically achievable or economically feasible to a Decision Guideline. This will introduce more discretion into the control to respond to the particular facts and circumstances of individual developments.

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<sup>1</sup> A copy of all submissions received to the Amendment can be found in Folder #5.

# CONSULTANCY SERVICES

- Require car share and motorcycle parking rates only when car parking is proposed, rather than in all development, to prevent unnecessary parking areas and cross-overs
- Add a Decision Guideline about locating visitor bicycle parking within easy access of the street and building lobbies
- Clarify that NatHERS applies only to Dwellings
- Simplify the NABERS Energy pathway by requiring a NABERS Commitment Agreement, and aligning the required ratings with those specified by Green Star.
- For integrated water management requirements:
  - remove duplication, including where the achievement of ratings in Green Star or BESS tools results in the same outcome as a DDO requirement; and
  - explicitly direct large development (over 5000sqm), for which Green Star ratings are already required by the Schedule, to use a particular pathway for reducing water use within the Green Star tool.

## SCOPE OF WORK

- Review the Proposed Amendment contained at folder #9 of the OneDrive Brief.
- Undertake an economic feasibility analysis of the Proposed Amendment, and deliver an economic feasibility report, which includes an explanation of the methodology and assumptions relied upon, and any conclusions and recommendations that you consider appropriate. The economic feasibility report should be prepared by adopting the following process. If there is any aspect of this process that you consider ought be amended, please raise that issue with us as soon as practicable.
  - Working with an architectural firm and ESD Expert (appointed by Council), and quantity surveyor and valuer (appointed by you), assess the economic feasibility of:
    - six architectural studies of existing planning permit applications (Retrofit Permit Applications) modified, by the architectural firm to comply with the Proposed Amendment (Retrofit Plans); and
    - a new mixed use development (greater than 5000sqm GFA) specifically designed by the architectural firm to meet the Proposed Amendment (Design from Scratch). The Design from Scratch will aim to achieve the Gross Floor Area of the Retrofit Permit Application of the mixed-use building referred to below.
  - The Retrofit Permit Applications will comprise:
    - a new dwelling house;
    - a multi-storey residential building (less than 5000sqm GFA);
    - a multi-storey residential building (greater than 5000sqm GFA);
    - an office building (less than 5000sqm GFA);
    - an office building (greater than 5000sqm GFA); and
    - a mixed-use building, including residential use (greater than 5000sqm GFA)
  - The architect will be instructed that the Retrofit Plans are to:

# CONSULTANCY SERVICES

- be prepared in consultation with the quantity surveyor and valuer;
- seek to minimise costs of construction, while providing a product that would be attractive to the market; and
- achieve a similar floor area to the Retrofit Permit Applications.
- The architect will also be instructed that the Retrofit Plans and Design from Scratch:
  - must achieve the applicable mandatory provisions of DDO73;
  - should achieve the applicable discretionary provisions of the DDO73 (excluding the preferred standards in Table 1 and Table 2);
  - if the land subject to the application is located in the Capital City Zone or Docklands Zone, should achieve the sustainable transport provisions of the relevant schedule to the Capital City Zone or Docklands Zone; and
  - should make use of the Green Star Buildings Version 1, Revision C tool.
- The Retrofit Plans are to be prepared to comply with the relevant provisions of the Scheme at the time of the making of each of the Retrofit Permit Applications.
- For the Design from Scratch, the current Scheme provisions will be applied.
- The architect will be instructed by Council to produce designs which:
  - include annotations identifying modifications to the Retrofit Permit Applications required to meet the applicable planning provisions of the Proposed Amendment, which will be cross-referenced to a separate schedule of modifications;
  - comprise only of site and floor plan drawings, except where elevation drawings are considered to be necessary to explain a change made; and
  - not include detail of solely aesthetic design matters.
- The quantity surveyor and valuer will provide an estimate of the cost of the modifications required to meet the Proposed Amendment based on the contemporary market rates. You are expected to communicate with the quantity surveyor, valuer and architect regularly to discuss whether alternative design approaches are required to minimise costs of construction necessary for compliance with the Proposed Amendment.
- Produce a cost benefit analysis report of the Proposed Amendment which considers:
  - a literature review of the benefits of ESD interventions in development in Victoria, interstate and internationally;
  - the financial costs and benefits, both upfront and ongoing, of achieving the planning provisions of the Proposed Amendment;
  - upfront development cost and sales value;
  - future value, including carbon risk;
  - operational benefits;
  - societal benefits;
  - environmental benefits;

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- health benefits;
  - potential indirect and flow-on effects;
  - escalating ESD tool requirements over time;
  - building technology innovation over time; and
  - market preference and building practice trends over time.
- Provide a preliminary draft of the economic feasibility analysis report and the cost benefit analysis report for Council review (Stage 1), and a full and final report subsequently (Stage 2).
- Please advise us if you require anything further to complete your work.
  - We kindly request you provide us with an electronic copy of your fee proposal which takes into account the specific instructions of this Brief. Please also provide a schedule of fees and rates in the event that you are required to perform additional tasks in the future relating to this matter.
  - This instruction and any communications arising from this instruction are subject to legal professional privilege. You must as far as legally possible treat all communications relating to the scope of works as confidential.
- Link to OneDrive Brief [City of Melbourne C376 - SGS](#).

## Timing and Work Program

| Milestone                                       | Timeline                |
|-------------------------------------------------|-------------------------|
| Request for quote provided by City of Melbourne | Wednesday 1 May 2024    |
| Fee proposal received from consultant           | Wednesday 8 May 2024    |
| Acceptance of proposal by City of Melbourne     | Wednesday 15 May 2024   |
| Inception meeting                               | Thursday 16 May 2024    |
| Planning panel hearing commences (estimated)    | Monday 19 August 2024   |
| Planning panel hearing concludes (estimated)    | Friday 6 September 2024 |

## Submission Requirements

Written quotes are required to be a **maximum of 15 pages** and must include the following:

- Details of the consultant's or consultants' relevant experience and qualifications;
- A detailed work program including the proposed methodology and process for undertaking the tasks set out in this brief including milestones and a project timeline;

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- Total fee for the completion of the Services (inclusive of disbursements). The fee (including disbursements) cannot be exceeded without prior written authority from one of the Project Managers (listed on the following page) and ought to only occur in exceptional circumstances or where something unforeseen is being explored and Council endorses this path as soon as it emerges;
- The following insurances are to be held by the consultant;
  - professional indemnity insurance;
  - public liability insurance; and
  - a suitable insurance policy for employers' liability and workers or employers compensation.

# CONSULTANCY SERVICES

## PROJECT MANAGER CONTACTS

Alex Hill

Strategic Planner

[alex.hill@melbourne.vic.gov.au](mailto:alex.hill@melbourne.vic.gov.au)

Robyn Hellman

Principal Strategic Planner

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CITY OF MELBOURNE

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## Attachment 1

### Amendment C376 Sustainable Building Design

1. The Amendment proposes to make the following changes to the Melbourne Planning Scheme:
  - 1.1 Amend the Municipal Planning Strategy (MPS) to ensure alignment between the MPS and the purpose of the amendment, by making changes to Clauses: 02.03-2 Environment and landscape values; 02.03-4 Built environment and heritage; and 02.03-7 Transport.
  - 1.2 Amend the Planning Policy Framework (PPF) to ensure alignment between the PPF and the purpose of the amendment, by making changes to Clauses: 15.01-2L Sustainable development and 19.03-3L Stormwater management (Water Sensitive Urban Design).
  - 1.3 Insert Schedule 73 to Clause 43.02 (Design and Development Overlay – Sustainable Building Design) to include provisions for:
    - environmentally sustainable design;
    - energy efficiency and renewables;
    - waste and resource recovery;
    - urban heat island response;
    - urban ecology; and
    - integrated water management.
  - 1.4 Amend Schedules 1, 2, 3, 4, 5 and 7 to Clause 37.04 (Capital City Zone) and Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.05 (Docklands Zone) to include provisions for:
    - bicycle, motorcycle and car share parking;
    - electric vehicle infrastructure;
    - the design of car parking facilities; and
    - the retention of car parking spaces as common property.
  - 1.5 Amend the Schedule to Clause 72.03 (What does this Planning Scheme consist of?) to include reference to the new map sheets for Schedule 73 to Clause 43.02 (Design and Development Overlay – Sustainable Building Design).
  - 1.6 Amend the Schedule to Clause 72.04 (Incorporated Documents) to include:
    - 1.6.1 the Guidelines for Waste Management Plans, (City of Melbourne, June 2021).
2. The Exhibition documentation, including the Explanatory Report, are provided in the OneDrive Brief at Folder #4.

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## Attachment 2 OneDrive Brief Index

| No.                                                          | Document                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Folder #1 – Brief</b>                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| a                                                            | ▪ Brief (22 May 2023)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| b                                                            | ▪ Brief for economic feasibility and cost benefit analysis work - 25 January 2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Folder #2 – Panel related</b>                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| a                                                            | ▪ Planning Panels Victoria – Practice Note PN01 – Expert Evidence                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Folder #3 - Future Melbourne Committee (FMC) meetings</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| a                                                            | <b>Future Melbourne Committee, 21 November 2017</b> <ul style="list-style-type: none"> <li>▪ Report – Green Our City Strategic Action Plan</li> <li>▪ Minutes</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| b                                                            | <b>Future Melbourne Committee, 18 February 2020</b> <ul style="list-style-type: none"> <li>▪ Report –Climate and Biodiversity Emergency 2020</li> <li>▪ Minutes</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| c                                                            | <b>Future Melbourne Committee, 15 September 2020</b> <ul style="list-style-type: none"> <li>▪ Report – Amendment C376: Sustainable Building Design</li> <li>▪ Report – Melbourne Green Factor Tool</li> <li>▪ Minutes</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Folder #4 – Exhibited documents</b>                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                              | <ul style="list-style-type: none"> <li>▪ Amendment C376 Explanatory report</li> <li>▪ Amendment C376 Instruction Sheet</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| a                                                            | <b>Exhibited Policy, Ordinance, Mapping and Incorporated Document</b> <ul style="list-style-type: none"> <li>▪ Clause 2.03 Strategic Directions</li> <li>▪ Clause 15.01-2L-01 Sustainable development</li> <li>▪ Clause 19.03-3L Stormwater management (Water Sensitive Urban Design)</li> <li>▪ Schedule 73 to the Design and Development Overlay (DD073);</li> <li>▪ Schedule 1 to the Capital City Zone (CCZ1)</li> <li>▪ Schedule 2 to the Capital City Zone (CCZ2)</li> <li>▪ Schedule 3 to the Capital City Zone (CCZ3)</li> <li>▪ Schedule 4 to the Capital City Zone (CCZ4)</li> <li>▪ Schedule 5 to the Capital City Zone (CCZ5)</li> <li>▪ Schedule 7 to the Capital City Zone (CCZ7)</li> <li>▪ Schedule 1 to the Docklands Zone (DZ1)</li> <li>▪ Schedule 2 to the Docklands Zone (DZ2)</li> <li>▪ Schedule 3 to the Docklands Zone (DZ3)</li> <li>▪ Schedule 4 to the Docklands Zone (DZ4)</li> <li>▪ Schedule 5 to the Docklands Zone (DZ5)</li> <li>▪ Schedule 6 to the Docklands Zone (DZ6)</li> <li>▪ Schedule to Clause 72.03 What Does this Planning Scheme consist of?</li> <li>▪ Schedule to Clause 72.04 Incorporated Documents</li> <li>▪ Schedule to Clause 72.08 Background Documents</li> </ul> |

| No.                                    | Document                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                        | <ul style="list-style-type: none"> <li>Guidelines for Waste Management Plans, 2021, City of Melbourne (Proposed Incorporated document)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| aa                                     | <b>Background documents</b> <ul style="list-style-type: none"> <li>Green Our City Strategic Action Plan: Strategic Justification for regulatory requirement for sustainability, Arup, 18 October 2019</li> <li>Sustainable Building Design, Planning Scheme Amendment C376, Background Report, Hansen, September 2020</li> <li>Climate Change Adaptation Strategy Refresh, City of Melbourne, 2017</li> <li>Climate Change Mitigation Strategy to 2050, City of Melbourne, 2018</li> <li>Climate Emergency Response, City of Melbourne, 2020</li> <li>Fishermans Bend Water Sensitive City Strategy, DJPR, 2022 (Part 1)</li> <li>Fishermans Bend Water Sensitive City Strategy, DJPR, 2022 (Part 2)</li> <li>Green Our City Strategic Action Plan 2017-2021, City of Melbourne, 2017</li> <li>Growing Green Guide, City of Melbourne 2014</li> <li>Municipal Integrated Water Management Plan, City of Melbourne, 2017</li> <li>Transport Strategy 2030, City of Melbourne, 2019</li> <li>Waste and Resource Recovery Strategy 2030, City of Melbourne, 2019</li> </ul> |
| ab                                     | <b>Supporting Documents</b> <ul style="list-style-type: none"> <li>Green Our City Action Plan – Draft Planning Requirements, Economic Feasibility Testing, HillPDA, November 2020;</li> <li>Green Our City Action Plan – Draft Planning Requirements, Economic Feasibility Testing, Addendum (5 Additional Sites), HillPDA, February 2022;</li> <li>Off-street Bicycle &amp; Motorcycle Parking Review, Final Report, Phillip Boyle &amp; Associates, 16 March 2016;</li> <li>Transport Strategy refresh, Background paper, Increasing the Use of Bicycles for Transport, Phillip Boyle &amp; Associates, May 2018.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Folder #5 – Submissions</b>         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                        | <ul style="list-style-type: none"> <li>Various (Submissions #1 - #73)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Folder #6 – Panel Reports</b>       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| a                                      | Victorian Planning Authority Projects Standing Advisory Committee - Referral 6 (AC) [2022] PPV 24 (2 May 2022)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| b                                      | Melbourne C309 (PSA) [2019] PPV 55 (11 October 2019)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| c                                      | Fishermans Bend Planning Review Panel (AC) [2018] PPV 71                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| d                                      | Environmentally Efficient Design Local Policies (AC) [2014] PPV 40 (7 April 2014)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| e                                      | Melbourne C187 (PSA) [2012] PPV 132 (7 November 2012)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Folder #7 – Other reports</b>       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| a                                      | <ul style="list-style-type: none"> <li>Financial Transparency (July 2016) Research Paper, GBCA, 2016</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| b                                      | <ul style="list-style-type: none"> <li>Scenario Testing Report Green Infrastructure Assessment Tool, HIP V. HYPE, 2020</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| c                                      | <ul style="list-style-type: none"> <li>Integrating Green Infrastructure into Urban Planning: Developing Melbourne's Green Factor Tool, Judy Bush, Gavin Ashley, Ben Foster &amp; Gail Hall, Urban Planning, Volume 6, Issue 1, 26 January 2021</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| d                                      | <ul style="list-style-type: none"> <li>Amendment C376 Planning Application Case Studies, City of Melbourne, Draft, 2 August 2023</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Folder #8 – Modelling documents</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

| No. | Document                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a.  | <b>22 Leveson Street, NORTH MELBOURNE</b> <ul style="list-style-type: none"> <li>Assessed plans (NOT ENDORSED) – TP-2021-617 – 22 Leveson Street, NORTH MELBOURNE</li> <li>Planning Permit – TP – 2021-617 – 22 Leveson Street, NORTH MELBOURNE</li> <li>STORM Rating Report</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| b.  | <b>205-211 Roden Street, WEST MELBOURNE</b> <ul style="list-style-type: none"> <li>Endorsed Facade Strategy and Material Schedule - TP-2018-799A - 205-211 Roden Street &amp; 218-228 Stanley Street, WEST MELBOURNE</li> <li>Endorsed Landscape Plan - TP-2018-799A - 205-211 Roden Street &amp; 218-228 Stanley Street, WEST MELBOURNE</li> <li>Endorsed Plans - TP-2018-799A - 205-211 Roden Street &amp; 218-228 Stanley Street, WEST MELBOURNE</li> <li>Planning Permit - TP-2018-799A - 205-211 Roden Street &amp; 218-228 Stanley Street, WEST MELBOURNE</li> <li>Sustainability Management Plan (NOT ENDORSED) - TP-2018-799A - 205-211 Roden Street &amp; 218-228 Stanley Street, WEST MELBOURNE</li> </ul>                                                       |
| c.  | <b>194-204 Lorimer Street, DOCKLANDS</b> <ul style="list-style-type: none"> <li>Assessed Plans (NOT ENDORSED) - TPM-2022-2 - 194-204 Lorimer Street, DOCKLANDS</li> <li>Landscape Report (NOT ENDORSED) - TPM-2022-2 - 194-204 Lorimer Street, DOCKLANDS</li> <li>Planning Permit (Ministerial Permit - PA2101476) - TPM-2022-2 - 194-204 Lorimer Street, DOCKLANDS</li> <li>Sustainability Management Plan (NOT ENDORSED) - TPM-2022-2 - 194-204 Lorimer Street, DOCKLANDS</li> </ul>                                                                                                                                                                                                                                                                                     |
| d.  | <b>435 Bourke Street, MELBOURNE</b> <ul style="list-style-type: none"> <li>Endorsed Area Schedule - Condition 1 - TPMR-2019-1D - 435 Bourke Street, MELBOURNE</li> <li>Endorsed ESD Statement - Condition 25 - TPMR-2019-1D - 435 Bourke Street, MELBOURNE</li> <li>Endorsed Facade Strategy - Condition 4 - TPMR-2019-1D - 435 Bourke Street, MELBOURNE</li> <li>Endorsed Landscape Plans - Condition 29 - TPMR-2019-1D - 435 Bourke Street, MELBOURNE</li> <li>Endorsed Plans - Condition 1 - TPMR-2019-1D - 435 Bourke Street, MELBOURNE</li> <li>Endorsed Stormwater Management Plan - Condition 28 - TPMR-2019-1D - 435 Bourke Street, MELBOURNE</li> <li>Planning Permit (Ministerial Permit - PA1800482-4) - TPMR-2019-1D - 435 Bourke Street, MELBOURNE</li> </ul> |
| e.  | <b>186-290 Lygon Street, CARLTON</b> <ul style="list-style-type: none"> <li>Endorsed ESD Statement - TP-2022-195 - 186-190 Lygon Street, CARLTON</li> <li>Endorsed Plans and Facade Strategy - TP-2022-195 - 186-190 Lygon Street, CARLTON</li> <li>Planning Permit - TP-2022-195 - 186-190 Lygon Street, CARLTON</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| f.  | <b>543-549 Elizabeth Street MELBOURNE</b> <ul style="list-style-type: none"> <li>Endorsed Facade Strategy - TP-2018-857A - 543-549 Elizabeth Street, MELBOURNE</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| No.                                   | Document                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                       | <ul style="list-style-type: none"> <li>▪ Endorsed Landscape Plans - TP-2018-857A - 543-549 Elizabeth Street, MELBOURNE</li> <li>▪ Endorsed Plans - TP-2018-857A - 543-549 Elizabeth Street, MELBOURNE</li> <li>▪ Endorsed SMP - TP-2018-857A - 543-549 Elizabeth Street, MELBOURNE</li> <li>▪ ESD Memo (as built verification report) - TP-2018-857A - 543-549 Elizabeth Street, MELBOURNE</li> <li>▪ Planning Permit - TP-2018-857A - 543-549 Elizabeth Street, MELBOURNE</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Folder #9 – Proposed Amendment</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| a.                                    | <b>Exhibited Policy, Ordinance, Mapping and Incorporated Document</b> <ul style="list-style-type: none"> <li>▪ Clause 19.03 Development Infrastructure</li> <li>▪ Dec 23 Preferred version of Clause 02.03 Strategic Directions</li> <li>▪ Dec 23 Preferred version of Clause 15.01 Built Environment</li> <li>▪ Dec 23 Preferred version of Schedule 73 to Clause 43.02 Design and Development Overlay</li> <li>▪ Incorporated - Guidelines for Waste Management Plans, City of Melbourne, 2021</li> <li>▪ Jan 24 Preferred version of Schedule 1 to Clause 37.04 Capital City Zone</li> <li>▪ Jan 24 Preferred version of Schedule 1 to the Docklands Zone (Yarra's Edge)</li> <li>▪ Jan 24 Preferred version of Schedule 3 to Clause 37.04 Capital City Zone</li> <li>▪ Map sheets (combined)</li> <li>▪ Schedule to Clause 72.03 What does this Planning Scheme Consist of</li> <li>▪ Schedule to Clause 72.04 Documents incorporated in this Planning Scheme</li> <li>▪ Schedule to Clause 72.08 Background Documents</li> </ul>                                                            |
| b.                                    | <b>Background documents</b> <ul style="list-style-type: none"> <li>▪ Green Our City Strategic Action Plan: Strategic Justification for regulatory requirement for sustainability, Arup, 18 October 2019</li> <li>▪ Sustainable Building Design, Planning Scheme Amendment C376, Background Report, Hansen, September 2020</li> <li>▪ Climate Change Adaptation Strategy Refresh, City of Melbourne, 2017</li> <li>▪ Climate Change Mitigation Strategy to 2050, City of Melbourne, 2018</li> <li>▪ Climate Emergency Response, City of Melbourne, 2020</li> <li>▪ Fishermans Bend Water Sensitive City Strategy, DJPR, 2022 (Part 1)</li> <li>▪ Fishermans Bend Water Sensitive City Strategy, DJPR, 2022 (Part 2)</li> <li>▪ Green Our City Strategic Action Plan 2017-2021, City of Melbourne, 2017</li> <li>▪ Growing Green Guide, City of Melbourne 2014</li> <li>▪ Municipal Integrated Water Management Plan, City of Melbourne, 2017</li> <li>▪ Transport Strategy 2030, City of Melbourne, 2019</li> <li>▪ Waste and Resource Recovery Strategy 2030, City of Melbourne, 2019</li> </ul> |