

PORT PHILLIP PLANNING SCHEME

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INCORPORATED DOCUMENT

203-205 Normanby Road, South Melbourne

This document is an incorporated document in the Planning System pursuant to Section 6(2)(j) of the Planning and Environment Act 1987

INCORPORATED DOCUMENTS – CLAUSE 72.04– SCHEDULE

(DATE TO BE INSERTED)

INTRODUCTION:

This document is an Incorporated Document in the Schedule to Clause 72.04 of the Port Phillip Planning Scheme. Despite any provision to the contrary in the Scheme the land identified in this incorporated document may be developed and used in accordance with the specific controls contained in this document.

In the event of any inconsistency between the specific controls in this document and the general provisions of the Port Phillip Planning Scheme, the specific controls in this document will prevail.

PURPOSE:

The purpose of this document is to facilitate the redevelopment of the land for the demolition of existing buildings and construction of a multi-level mixed use development prepared by Hayball Architects Pty Ltd.

ADDRESS OF THE LAND:

This Incorporated Document applies to the land at:

203 – 205 Normanby Road South Melbourne, described as Volume 09630 Folio 211.

USE AND DEVELOPMENT OF THE LAND:

Despite any provisions of the Port Phillip Planning Scheme this Incorporated Document requires no permit for the use and development of the land known as 203-205 Normanby Road South Melbourne for the demolition of the existing building occupying the land, buildings and works associated with the construction of a multi-level mixed use development and use of the land for the purpose of multiple dwellings and the alteration of access to a road.

The use and development of the land must be generally in accordance with the Development Plans endorsed under the conditions of this document.

DEVELOPMENT PLANS:

The Development Plan may consist of a plan and other documents and may, with the agreement of the Responsible Authority, be prepared and implemented in future stages.

The Development Plan may be amended to the satisfaction of the Responsible Authority and is exempt from any notice requirement provided that any amendment is generally consistent with the above requirements, as applicable.

THE FOLLOWING CONDITIONS APPLY TO THE USE AND DEVELOPMENT PERMITTED BY THIS DOCUMENT: **

Amended Plans

1. Prior to the commencement of development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans and reports will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be generally in accordance with the Development Plan but modified to show:
 - a)
 - b)
 - c)

Use and Development

2. The use and development as shown on the endorsed Development Plans must not be altered without the written consent of the Responsible Authority.

Affordable housing

3. Before the development starts, excluding demolition, bulk excavation and site preparation works, the owner must:
 - a. enter into an agreement under Section 173 of the Planning & Environment Act 1987 to the satisfaction of the Responsible Authority;
 - b. register the agreement in the title(s) for the land in accordance with Section 181 of the Planning and Environment Act 1987; and
 - c. provide the Responsible Authority with the dealing number confirming the registration on the title(s).

The agreement must be in a form to the satisfaction of Responsible Authority, and the owner will be responsible for the expense of preparation and registration of the agreement, including the Responsible Authority's reasonable costs and expenses (including legal expenses) incidental thereto.

The agreement must contain covenants to be registered on the title(s) to the property, and must provide for the following scenarios:

1. by the time of residential occupation of the building, not less than 6% (in the form of one bedroom dwellings) of the total number of dwellings (rounded down to the nearest whole number) must be made available for affordable housing (within the meaning described in section 3AA of the Planning and Environment Act 1987), for a period of not less than 15 years, managed by a registered Housing Association, Housing Trust and/or Housing Provider, for the purposes of moderate income households (as defined); or
2. by the time of residential occupation of the building, not less than 6% (in the form of one bedroom dwellings) of the total number of dwellings (rounded down to the nearest whole number) must have been sold to a registered Housing Association, Housing Trust and/or Housing Provider, at a discount of 30% to market value of the dwellings as determined by an independent valuer, they being one bedroom dwellings with an allocated bicycle parking space; or
3. in the event the owner/developer elects not to make available the affordable housing outlined in scenario (1), or fails to sell 6% of the total number of dwellings contemplated in scenario (2), then 2% (in the form of one bedroom dwellings) of the total number of dwellings (rounded down to the nearest whole number) must by the time of residential occupation of the building have been gifted/transferred to a registered Housing Association, Housing Trust and/or Housing Provider, to be made available for affordable housing (as defined).

Permit Expiry

3. The specific controls contained in this document will expire if one of the following circumstances applies:
 - a) The development is not commenced by (insert date 5 years from date of approval);
 - b) The development is not completed by (insert date);

The Responsible Authority may extend these periods referred to if a request is made in writing before these controls expire or within six (6) month afterwards.

** Conditions to be prepared in-conjunction with DELWP officers and the Advisory Committee.