

MELBOURNE PLANNING SCHEME

AMENDMENT C380melb

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the City of Melbourne, which is the planning authority for this amendment.

The amendment has been made at the request of the City of Melbourne.

Land affected by the amendment

The amendment applies to thirty-one Council open spaces, 230 Rathdowne Street, Carlton, part of the Upfield Railway near Royal Park Station, fifty-four Victorian Government open spaces and 66, 68, 70 and 72 Manningham Street, Parkville.

Attachment 1 details the property addresses, each rezoning, and Planning Scheme map references.

What the amendment does

The amendment proposes to:

- Rezone and/or correct boundary alignments of thirty-one Council open spaces to the Public Park and Recreation Zone (PPRZ).
- Rezone 230 Rathdowne Street, Carlton from the General Residential Zone (Schedule 1) and Public Use Zone (Schedule 6) to the Public Use Zone (Schedule 6).
- Rezone part of the Upfield Railway near Royal Park Station from the PPRZ to the Public Use Zone (Schedule 4).
- Rezone fifty-four Victorian Government open spaces which are reserved under the *Crown Land (Reserves) Act 1978* to PPRZ and/or correct boundary alignments.
- Rezone 66, 68, 70 and 72 Manningham Street, Parkville from the PPRZ to the General Residential Zone (Schedule 1); and
- Amend Planning Scheme Map Nos. 2, 4, 5, 7, 8 & 9 to reflect the above changes.

Strategic assessment of the amendment

Why is the amendment required?

A review of open spaces across the municipality has identified thirty-one Council open spaces and fifty-four Victorian Government open spaces are not zoned correctly and require correction.

The amendment is required to:

- Rezone to the Public Park and Recreation Zone (PPRZ), Council land currently used for public open space, and Crown land vested in Council and the Victorian Government currently being used as public open space;
- Rezone 66, 68, 70 and 72 Manningham Street, Parkville from the PPRZ to the General Residential Zone (Schedule 1); and
- Correct boundary alignments and anomalies in the Melbourne Planning Scheme.

Amendment C380melb will remove confusion around existing and future use of land and improve the identification of open space in the planning scheme.

The amendment is required to correct a zoning anomaly at 230 Rathdowne Street, Carlton by rezoning the land from the General Residential Zone (Schedule 1) and Public Use Zone (Schedule 6) to the Public Use Zone (Schedule 6). The land is used as the Carlton Baths and Carlton Family Resource Centre, which is owned by the City of Melbourne. The rezoning to PUZ is appropriate given its public use and ownership. The rezoning ensures only one zone is applied to the land.

The amendment is required to correct a historical anomaly associated with the privately owned properties containing residential dwellings at 66, 68, 70 and 72 Manningham Street, Parkville. These properties are incorrectly zoned PPRZ and require rezoning to the General Residential Zone (Schedule 1) which is consistent with the predominant zoning of Manningham Street, Parkville. This will ensure the land can be developed for private purposes and assessed against the correct provisions in the planning scheme.

The amendment is required to rezone land from PPRZ to Public Use Zone (Schedule 4) on part of the Upfield Railway near Royal Park Station. The PPRZ extends into the railway crossing which is an anomaly that requires correction. The PUZ4 is applied to the railway corridor and therefore this is the most appropriate zone to correct the anomaly.

How does the amendment implement the objectives of planning in Victoria?

The amendment supports the implementation of the objectives of as outlined in section 4 of the *Planning and Environment Act 1987*. In particular, the amendment responds to the following objectives:

- a) *To provide for the fair, orderly, economic and sustainable use and development of land;*

The fair, orderly, economic and sustainable use and development of the land is met by ensuring the correct zoning is applied to land.

- c) *Secure a pleasant, efficient and safe, work, living and recreational environment for all Victorians and visitors to Victoria;*

The amendment seeks to promote a pleasant work and living environment for all Victorians and visitors by ensuring security of open space in the municipality.

- e) *Protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community;*

By rezoning the properties which are used as open space, the amendment secures that the land is reserved for public purpose, which benefits existing and future communities.

How does the amendment address any environmental, social and economic effects?

Environment Effects

There are no significant environmental impacts arising from the amendment since it is not facilitating any new development opportunities.

Economic and Social Effects

The amendment provides a number of positive social and economic benefits by securing open space across the municipality, which will provide:

- Long term confidence in the future use of the land
- Minimise confusion about the existing and future use of land and improve the identification of open space.
- Expedited delivery of improvements to open space and associated buildings and works by removing planning permit requirements.
- Restored development rights for the properties at 66, 68, 70 and 72 Manningham Street, Parkville.

Does the amendment address relevant bushfire risk?

The amendment will not increase the risk to life, property, community infrastructure and the natural environment from bushfire. The amendment affects land in an urban area which is not affected by bushfire risk.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment complies with the requirements of:

- Ministerial Direction No 9 – Metropolitan Planning Strategy
- Ministerial Direction No 11 – Strategic Assessment of Amendments.
- Ministerial Direction on the Form and Content of Planning Schemes issued under section 7(5) of the Act.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment supports and is consistent with the requirements of the following clauses:

- Clause 15.01-4S (Healthy neighbourhoods): To achieve neighbourhoods that foster healthy and active living and community wellbeing.
- Clause 19.02-6S (Open space): To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment supports and implements the following objectives and strategies contained within the Local Planning Policy Framework:

Clause 21.10 (Infrastructure)

Clause 21.10-2 (Open Space):

- Objective 1: To maintain, enhance and increase Melbourne's public open space network and promote greening of the City.
- Strategy 1.2: Ensure parks, gardens, waterways and open spaces remain a prominent element of the City's structure and character.
- Strategy 1.3: Ensure there is no net loss of the area of public open space and secure new public open space where opportunities arise
- Strategy 2.4: Discourage activities, buildings and works that are not specifically related to the park and its use and that lead to the alienation of the park.

Rezoning the properties to the PPRZ will secure the future land use to ensure strategy 2.4 is not compromised by misaligned zones.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment is consistent with, and makes proper use of, the Victoria Planning Provisions (VPP) by applying PPRZ to land to accurately reflect its use for open space.

Planning Practice Note 2 (Public Land Zones) states '*a public land zone will normally be applied to public land owned or managed by a government department or public land manager, including national parks, state forests, coastal crown land and land reserved under the Crown Land (Reserves) Act 1978*'. The PPRZ recognises areas for public recreation and other open space uses. This is the most appropriate zone to be applied properties which are used as open space.

The rezoning of 66, 68, 70 and 72 Manningham Street, Parkville restores development rights and makes propose use of the VPPs. These properties are privately owned and contain residential dwellings and therefore are incorrectly zoned PPRZ and require rezoning to the General Residential Zone (Schedule 1) which is consistent with the predominant zoning of Manningham Street, Parkville. This will ensure the land can be developed for private purposes and assessed against the correct provisions in the planning scheme.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the exhibition of the amendment.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment will not have a significant impact on the transport system.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment will have a positive impact on the resource and administrative costs of the City of Melbourne by improving the identification of land in the planning scheme which will expedite delivery of open space and associated buildings and works by removing planning permit requirements

Where you may inspect this amendment

The amendment can be viewed on the City of Melbourne's Participate Melbourne website at: <https://participate.melbourne.vic.gov.au/Amendment-c380>

The amendment can be inspected free of charge at the Department of Environment, Land, Water and Planning website at: www.delwp.vic.gov.au/public-inspection

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by **Monday 8 February 2021**.

A submission must be sent to:

Robyn Hellman, Team Leader Planning Policy and lodged either:

- Participate Melbourne: <https://participate.melbourne.vic.gov.au/Amendment-c380>
- Email to: planningpolicy@melbourne.vic.gov.au

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: Week commencing 7 June 2021
- Panel hearing: Week commencing 12 July 2021

Attachment 1 – Details of rezoning and Planning Scheme map references

Council properties

Land affected	Existing zoning	Proposed rezoning	Mapping Reference
Carlton			
469 Cardigan Street, Carlton (Cardigan Street Park)	RGZ1	PPRZ	Map 5
68 Keppel Street, Carlton (Keppel Street Park)	RGZ1	PPRZ	Map 5
27 Palmerston Street, Carlton (Station Street Park)	RGZ1	PPRZ	Map 5
60-64 Palmerston Street, Carlton (Canning and Palmerston Street Reserve)	GRZ2	PPRZ	Map 5
174-176 Palmerston Street, Carlton (Neill Street Reserve)	GRZ1, PUZ2	PPRZ	Map 5
230 Rathdowne Street, Carlton (Carlton Baths/Carlton Family Resource Centre)	GRZ1, PUZ6	PUZ6	Map 5
15-23 Reeves Street, Carlton (Reeves Street Park)	RGZ1	PPRZ	Map 5
Docklands			
1 Adela Lane Reserve, Docklands (Adela Lane Reserve)	DZ2	PPRZ	Map 7
898 Collins Street, Docklands (Buluk Park)	DZ2	PPRZ	Map 7
900 Collins Street, Melbourne (Dock Pavilion Site)	DZ2	PPRZ	Map 7
429-437 Docklands Drive, Docklands (NewQuay Central Park)	DZ6	PPRZ	Map 7
70 Import Lane, Docklands (Victoria Green)	DZ2	PPRZ	Map 7 & 8
9-13 Pearl River Road, Docklands (Quay Park)	DZ6	PPRZ	Map 7
71 South Wharf Drive, Docklands	DZ1	PPRZ	Map 7
72-74 South Wharf Drive, Docklands (Wharfs Landing)	DZ1	PPRZ	Map 7

Land affected	Existing zoning	Proposed rezoning	Mapping Reference
Kensington			
74 Altona Street, Kensington (Altona Street Reserve)	GRZ1	PPRZ	Map 4
41-55 Bayswater Road, Kensington (Bayswater Road Park)	GRZ1	PPRZ	Map 4
2-20 Bellair Street, Kensington (Kensington Hall Reserve)	GRZ1, PPRZ	PPRZ	Map 4
1-19 Cuffe Walk, Kensington (Westbourne Road Reserve)	GRZ1, PPRZ	PPRZ	Map 4
113 Hobsons Road, Kensington (Maribyrnong River Bike Trail, part)	MUZ, PPRZ	PPRZ	Map 4
63-65 Kensington Road, Kensington (Warun Biik Park)	GRZ1	PPRZ	Map 4
14-18 Parsons Street, Kensington (Parsons Street Reserve)	GRZ1, PPRZ	PPRZ	Map 4
403A Racecourse Road, Kensington (Stock Route Reserve)	GRZ1, PPRZ	PPRZ	Map 4
30-42 Market Street, Kensington (Reserve Front)	GRZ1	PPRZ	Map 4
10-12 Robertson Street, Kensington (Robertson Street Reserve)	GRZ2	PPRZ	Map 4
12-18 Woodruff Street, Kensington (Council Reserve)	GRZ1	PPRZ	Map 4
Melbourne			
22-26 Brown Alley, Melbourne (Merritts Place Reserve)	CCZ1	PPRZ	Map 8
104-106 Little Bourke Street, Melbourne (Chinatown Plaza)	CCZ1	PPRZ	Map 8

Southbank			
Reserve A, 7 Riverside Quay, Southbank (Eureka Reserve)	CCZ3	PPRZ	Map 8
135 Queens Bridge Street, Southbank (City Road Park)	CCZ3	PPRZ	Map 8
8-10 Riverside Quay, Southbank (Riverside Quay Reserve)	CCZ3	PPRZ	Map 8
207 City Road, Southbank (Boyd Community Hub/Boyd)	CCZ3	PPRZ	Map 8

Victorian Government properties

Land affected	Existing zoning	Proposed rezoning	Mapping Reference	Crown Land Administrator
Carlton				
2-20 Neill Street, Carlton (Canning and Neill Street Reserve)	GRZ1, GRZ2, PPRZ	PPRZ	Map 5	City of Melbourne
Carlton North				
199-349 Macpherson Street, Carlton North (Hardy Reserve)	GRZ1	PPRZ	Map 5	City of Melbourne
Docklands				
31 Doepel Way, Docklands (NewQuay Promenade/Boatmans Landing)	DZ6 & DZ7	PPRZ	Map 7	City of Melbourne
1-71 Newquay Promenade (NewQuay Promenade/Monument Park)	DZ6, DZ7	PPRZ	Map 7	City of Melbourne
1-91 Harbour Esplanade, Docklands (Docklands Park)	DZ2	PPRZ	Map 8	City of Melbourne
95-117 Harbour Esplanade, Docklands (Victoria Harbour Promenade)	DZ2	PPRZ	Map 7 & 8	City of Melbourne
104 Lorimer Street, Docklands (Point Park)	DZ1	PPRZ	Map 7	City of Melbourne
Reserve Rear, 2-66 Siddeley Street, Docklands	CCZ1	PPRZ	Map 8	City of Melbourne

Land affected	Existing zoning	Proposed rezoning	Mapping Reference	Crown Land Administrator
East Melbourne				
74-108 Spring Street, East Melbourne (Gordon Reserve)	PUZ7	PPRZ	Map 8	City of Melbourne
1-33 Parliament Place, East Melbourne (Burston Reserve)	MUZ	PPRZ	Map 8	City of Melbourne
210-230 Spring Street, East Melbourne (Gillott Reserve/Tianjin Gardens)	C1Z, CCZ1	PPRZ	Map 8	City of Melbourne
Kensington				
69-81 Epsom Road, Kensington (Womens Peace Garden)	GRZ1, PPRZ	PPRZ	Map 4	City of Melbourne
Rear 41-63 Hobsons Road, Kensington (Maribyrnong River Bike Trail, part)	PPRZ, PUZ1	PPRZ	Map 4	City of Melbourne
160 Rankins Road, Kensington (Eastwood and Rankins Road Reserve)	GRZ2	PPRZ	Map 4	City of Melbourne
Melbourne				
Alexandra Avenue, Melbourne (Alexandra Park)	GRZ1, PPRZ	PPRZ	Map 8 & 9	City of Melbourne
Alexandra Avenue, Melbourne (Kings Domain)	GRZ1, PPRZ, RDZ1	PPRZ	Map 8 & 9	City of Melbourne
Batman Avenue, Melbourne (Stapley Parade Reserve)	CCZ1, GRZ1, PPRZ, RDZ1, RDZ2	PPRZ (GRZ1 to remain on Morell Bridge)	Map 9	City of Melbourne
Batman Avenue, Melbourne (Birrarung Marr) and Princes Wharf, Princes Walk, Melbourne	CCZ1, PPRZ	PPRZ	Map 8	City of Melbourne and Parks Victoria
431 Collins Street, Melbourne (Market Street Reserve)	CCZ1	PPRZ	Map 8	City of Melbourne
Russell Street, Melbourne (Eight Hour Reserve)	MUZ	PPRZ	Map 8	City of Melbourne
Yarra River (between Montague Street Bridge	CCZ1, PPRZ	PPRZ	Map 8	Parks Victoria and City of Melbourne

and Swan Street Bridge), 469-503 Flinders Street, Melbourne (part) (Enterprize Park) and 2A Spencer Street, Melbourne (part) (Batman Park)				
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Land affected	Existing zoning	Proposed rezoning	Mapping Reference	Crown Land Administrator
North Melbourne				
2-8 Bedford Street, North Melbourne (Bedford Street Reserve)	MUZ	PPRZ	Map 5	City of Melbourne
Canning Street, North Melbourne (Pleasance Gardens)	GRZ2	PPRZ	Map 4 & 5	City of Melbourne
1A Chapman Street, North Melbourne (Chapman Street Reserve)	GRZ2	PPRZ	Map 5	City of Melbourne
1A Courtney Street, North Melbourne (Courtney Street Reserve)	MUZ	PPRZ	Map 5	City of Melbourne
166 Curzon Street, North Melbourne (Curzon Street Reserve)	GRZ1	PPRZ	Map 5	City of Melbourne
273-315 Dryburgh Street, North Melbourne (Gardiner Reserve)	GRZ1, PPRZ	PPRZ	Map 4	City of Melbourne
196-198 Errol Street, North Melbourne (Errol Street Reserve)	GRZ1	PPRZ	Map 5	City of Melbourne
Leveson Street, North Melbourne (Leveson Street Reserve)	GRZ1	PPRZ	Map 5	City of Melbourne
Parkville				
18 Bunjil Way, Parkville (Barring Walk)	GRZ1	PPRZ	Map 2	City of Melbourne
52-68 Flemington Road, Parkville (Royal Park/Trin Warren Tamboore Wetland)	PUZ3, PPRZ, GRZ1, IN1Z, PUZ4	PPRZ	Map 2 & 5	City of Melbourne

Land affected	Existing zoning	Proposed rezoning	Mapping Reference	Crown Land Administrator
1-63 Cade Way, Parkville (Parkville Gardens/Cade Square)	MUZ	PPRZ	Map 2	City of Melbourne
95 Cade Way, Parkville (Auckland Lane Reserve)	MUZ	PPRZ	Map 2	City of Melbourne
2-4 Carrangall Place, Parkville (Carrangall Place Reserve)	GRZ1	PPRZ	Map 2	City of Melbourne
12-92 Galada Avenue, Parkville (Galada Avenue Reserve)	RGZ1	PPRZ	Map 2	City of Melbourne
1-17 Garrard Street, Parkville (Garrard Street Reserve)	PPRZ, PUZ3	PPRZ	Map 2	City of Melbourne
1 Manchester Lane, Parkville (Manchester Lane Reserve)	MUZ	PPRZ	Map 2	City of Melbourne
944-980 Park Street, Parkville (Park Street Reserve)	GRZ1	PPRZ	Map 2	City of Melbourne
8 The Avenue, Parkville (Clunies Ross Reserve)	GRZ6	PPRZ	Map 5	City of Melbourne
Upfield Railway (part)	PPRZ/PUZ4	PUZ4	Map 2	VicTrack
Southbank				
17 Cook Street, Southbank (Cook Street Reserve)	CCZ3, RDZ1	PPRZ	Map 8	City of Melbourne
25-45 Grant Street, Southbank (Grant Street Reserve)	MUZ	PPRZ	Map 8	City of Melbourne
1A Queens Bridge Street, Southbank (Queensbridge Square & Sandridge Rail Bridge)	CCZ1, CCZ3	PPRZ	Map 8	City of Melbourne

Land affected	Existing zoning	Proposed rezoning	Mapping Reference	Crown Land Administrator
West Melbourne				
1 Anderson Street, West Melbourne (Railway Place and Miller Street Park)	MUZ, PPRZ	PPRZ	Map 4 & 7	City of Melbourne
163-365 Dynon Road, West Melbourne (Dynon Road Reserve)	IN1Z	PPRZ	Map 4	To be determined
92-108 Hawke Street, West Melbourne (Hawke & Adderley Street Park)	GRZ1	PPRZ	Map 7 & 8	City of Melbourne
Rear 160-174 Kensington Road, West Melbourne (Maribyrnong River Bike Trail, part)	PUZ1	PPRZ	Map 4	City of Melbourne
397-435 Dynon Road, West Melbourne (Wildlife Sanctuary)	IN1Z	PPRZ	Map 4	City of Melbourne
4A Hawke Street, West Melbourne (Hawke and Curzon Street Reserve)	GRZ1	PPRZ	Map 8	City of Melbourne
Hawke Street, West Melbourne (Hawke & King Street Reserve)	RDZ1	PPRZ	Map 5	City of Melbourne
24-40 Sims Street, West Melbourne (Maribyrnong River Bike Trail, part)	PUZ1, PPRZ	PPRZ	Map 4	City of Melbourne
372-376 King Street, West Melbourne (Eades Park)	GRZ1, MUZ, PPRZ, RDZ1	PPRZ	Map 8	City of Melbourne
King and Victoria Street Reserve, King Street, West Melbourne	RDZ1	PPRZ	Map 5	City of Melbourne
383-389 William Street, West Melbourne (Howard & William Street Reserve)	MUZ	PPRZ	Map 5 & 8	City of Melbourne
26 Stawell Street, West Melbourne (Stawell Street Park)	MUZ, RDZ1	PPRZ	Map 4	City of Melbourne

Private properties

Land affected	Existing zoning	Proposed rezoning	Mapping Reference
Parkville			
66 Manningham Street, Parkville	PPRZ	GRZ1	Map 4
68 Manningham Street, Parkville	PPRZ	GRZ1	Map 4
70 Manningham Street, Parkville	PPRZ	GRZ1	Map 4
72 Manningham Street, Parkville	PPRZ	GRZ1	Map 4