

MELBOURNE PLANNING SCHEME

AMENDMENT C309

EXPLANATORY REPORT

Who is the planning authority?

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

Land affected by the Amendment

The amendment applies to the West Melbourne Structure Plan area as shown on the map below:



What the amendment does

The Amendment implements the built form and land use directions of the *West Melbourne Structure Plan 2018* (the Structure Plan) by making the following changes to the Melbourne Planning Scheme:

- Amend Clause 21.16 Other Local Areas in the Municipal Strategic Statement (MSS) to insert a new Clause 21.16-6 West Melbourne, to ensure the vision for the area reflects the Structure Plan and update Clause 21.16-5 to only refer to North Melbourne.
- Amend Clause 21.17 Reference Documents to include the West Melbourne Structure Plan 2018.

- Rezone most of the Mixed Use Zone in the Structure Plan area to a Special Use Zone (SUZ6) to deliver a true mix of uses. The SUZ6 includes provisions to:
 - require a minimum proportion of the floor area be allocated to a use other than accommodation;
 - provide for 6 per cent affordable housing in most areas; and
 - require active ground floor uses along Spencer Street, between Hawke Street and Dudley Street to help deliver a new activity centre.
- Rezone recently expanded and existing new public open spaces to the Public Park and Recreation Zone (PPRZ).
- Amend existing Schedules 28, 29 and 33 to the Design and Development Overlay (DDO28, DDO29 and DDO33) and add a new schedule 72 (DDO72) to implement the built form controls and design recommendations in the Structure Plan. The DDOs will include a mandatory Floor Area Ratio (FAR) as well as provisions to encourage the retention of buildings identified as character buildings.
- Apply a new schedule to the Parking Overlay (PO14) to introduce a maximum parking rate of 0.3 spaces per dwelling.
- Apply an Environmental Audit Overlay to the Structure Plan Area to ensure that potentially contaminated land is suitable for a sensitive use.
- Amend the schedule to clause 72.03 to include reference to the new EAO map in the Melbourne Planning Scheme.

Strategic assessment of the Amendment

Why is the Amendment required?

The City of Melbourne has endorsed a Structure Plan for the West Melbourne area. Amendment C309 implements the following land use and built form directions of the Structure Plan:

- Rezoning of some areas to a specifically crafted Special Use Zone to help support a genuine mix of uses in West Melbourne. Minimum employment floorspace requirements are included in the Special Use Zone to support a greater mix of commercial/retail uses in West Melbourne. Employment floorspace requirements will help to deliver the projected 10,000 jobs in West Melbourne by 2036.
- Spencer Street will become the local high street of West Melbourne with shops, cafés and restaurants. The Special Use Zone will support the delivery of the high street. Active uses at street level will be encouraged.
- A six per cent affordable housing target could help deliver around 200 affordable dwellings in West Melbourne.
- West Melbourne has evolved to include a mix of building types and uses, from low rise heritage cottages in the north, mid-rise factories and warehouses in the middle, to larger scale high-rise apartment buildings in the south. The Structure Plan and Amendment C309 take a character approach to planning for the future of West Melbourne and have identified distinct precincts based on their character.
- New floor area ratio and built form controls will ensure that development responds to the vision and design objectives for each precinct. These controls include maximum floor area ratios and preferred maximum building heights to ensure a contextual response and diversity of buildings types.
- New parking controls will encourage sustainable transport and more efficient use of unused parking spaces in West Melbourne.

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

The amendment implements the objectives in section 4(1) and 12(1)a of the *Planning and Environment Act 1987* (the Act) in particular:

- To provide for the fair, orderly, economic and sustainable use, and development of land.

- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.
- To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.
- To balance the present and future interests of all Victorians.

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

It is expected that the amendment will have positive environmental, social and economic outcomes for Melbourne. The amendment aims to ensure that West Melbourne is supported by well-designed growth for housing and employment, while retaining its distinctive neighbourhood character, within the framework established by the Structure Plan.

Environmental Effects

The amendment acknowledges the existing environmental conditions of the land and seeks to protect the community of the future by applying appropriate planning controls.

Social Effects

The amendment recognises the distinctive neighbourhood character of the places which make up West Melbourne, and supports the community's aspirations for the varied local character of the area by introducing a new local area policy and appropriate built form and land use planning controls.

Economic Effects

The amendment will support a growing population within West Melbourne by delivering a true mixture of uses, facilitating a range of business and employment opportunities, by applying the Special Use Zone.

Does the Amendment address relevant bushfire risk?

The amendment affects land within inner metropolitan Melbourne which is not a bushfire prone area.

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

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act, Direction No. 9 – Metropolitan Strategy and Direction 11 – Strategic Assessment under Section 12(2) of the Act.

The Amendment is consistent with the purpose of Ministerial Direction 1 – Potentially Contaminated Land, in that it will ensure that *"potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination."*

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

The Amendment supports the following objectives of the **State Planning Policy Framework**:

Clause 15 – Built Environment and Heritage – *Planning should promote excellence in the built environment and create places that reflect the particular characteristics and cultural identity of the community*

- 15.01-1S – Built Environment – Urban Design - *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. - Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*

- 15.01-2S – Building design – *To achieve building design outcomes that contribute positively to the local context and enhance the public realm. - Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- 15.01-5S – Neighbourhood character – *To recognise and protect cultural identity, neighbourhood character and sense of place. - Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.*

Clause 16 – Housing

- 16.01-1 – Integrated housing – *To promote a housing market that meets community needs.*
- 16.01-4S – Housing affordability – *To deliver more affordable housing closer to jobs, transport and services.*

Improve housing affordability by:

- *Ensuring land supply continues to be sufficient to meet demand.*
- *Increasing choice in housing type, tenure and cost to meet the needs of households as they*
- *move through life cycle changes and to support diverse communities.*
- *Promoting good housing and urban design to minimise negative environmental impacts and*
- *keep costs down for residents and the wider community.*
- *Encouraging a significant proportion of new development to be affordable for households on*
- *very low to moderate incomes.*

Increase the supply of well-located affordable housing by:

- *Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.*
- *Ensuring the redevelopment and renewal of public housing stock matter*

Facilitate the delivery of social housing by identifying surplus government land suitable for housing.

Clause 17 – Economic Development

- 17.01-1S – Employment – Diversified economy – *To strengthen and diversity the economy. – Protect and strengthen existing and planned employment areas and plan for new employment areas. – Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.*
- 17-02-1S – Business – *To encourage development that meets the community's needs for retail, entertainment, office and other commercial services. – Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.*

The Amendment supports the following objectives of **Plan Melbourne: Metropolitan Planning Strategy 2017-2050**

Outcome 1 Melbourne is a productive city that attracts investment, supports innovation and creates jobs

The Special Use Zone in Amendment C309 will help to retain and attract the types of businesses appropriate to West Melbourne, supporting the delivery of the projected new jobs and employment floor space and ensuring that it remains a true mixed-use neighbourhood.

Outcome 2 Melbourne provides housing choice in locations close to jobs

Amendment C309 will help to manage the supply to housing in the right locations in west Melbourne, deliver more housing closer to jobs and public transport in defined locations within the neighbourhood, help to facilitate and deliver social and affordable housing and provide greater choice and diversity of housing.

Outcome 4 Melbourne is a distinctive and liveable city with quality design and amenity.

Amendment C309 will support well-designed growth for housing and employment in West Melbourne, while retaining its distinctive neighbourhood character. The existing complexity and character of West Melbourne will be maintained, consistent with this outcome.

Outcome 5 Melbourne is a city of inclusive, vibrant and healthy neighbourhoods.

West Melbourne will become an area where people can 'live locally' and access most of their everyday needs within a 20 minute walk, cycle or local public transport trip. Amendment C309 will also ensure that West Melbourne supports the creation of a mixed use neighbourhood with a variety of densities.

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

The provisions provided by this amendment generally support the Local Planning Policy Framework and Municipal Strategic Statement of the Melbourne Planning Scheme. The Amendment will update the Other Local Areas section of the MSS (Clause 21.16) to ensure the vision for the area reflects the *West Melbourne Structure Plan 2018*.

The amendment generally supports the following provisions:

21.06-1 Urban Design:

Objective 1: To reinforce the City's overall urban structure

Strategy 1.1 Protect Melbourne's distinctive physical character and in particular, maintain the importance of the sense of place and identity in different areas of Melbourne.

Strategy 1.2 Ensure a strong distinction between the built form scale of the Central City with that of development in surrounding areas.

21.07-1 Housing:

Objective 4: To support a range of housing tenures, types and options to meet the diverse housing needs.

Strategy 4.2 Support the provision of well-designed and managed affordable housing, social housing, crisis accommodation and rooming houses.

21.08-1 Retail:

Objective 1: To support the Central City and local retail uses.

Strategy 1.2 Enhance the viability, diversity and vitality of shops and services in local retail centres providing convenience retailing serving the local community.

21.08-2 Business:

Objective 2: To encourage employment opportunities for local residents.

Strategy 1.5 Support the reduction or waiving of car parking for new uses and developments, which have good access to public transport.

21.09-5 Private Motor Transport:

Objective 1: To encourage more efficient use of private motor vehicles.

Strategy 2.4 Encourage a mix of commercial and business support and services close to the Central City in identified parts of South Carlton, East Melbourne, Jolimont and North and West Melbourne.

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

The amendment makes appropriate use of the various zoning and overlay tools available under the Victorian Planning Provisions to achieve the strategic objective of the Scheme.

Currently, other than the Capital City Zone which is not appropriate for this area, there is no zone in the VPP which provides for a genuine mix of uses. The Mixed Use Zone is a residential zone in which other uses can be permitted. To implement the Structure Plan, a zone that does not preference residential uses was required. For this reason the City of Melbourne prepared a SUZ by adapting the provisions of the Mixed Use Zone.

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

An extensive consultation process on the Structure Plan was carried out seeking feedback from the community, agencies and stakeholders. The views of various State Government departments and agencies including Vic Roads, Transport for Victoria and Department of Environment, Land, Water and Planning and the Department of Economic Development, were sought throughout the development of the Structure Plan and are included in the Structure Plan and supporting documentation.

The amendment will follow the formal planning scheme amendment process and be placed on exhibition where stakeholders and agencies will have an opportunity to comment on the amendment.

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

The City of Melbourne is an interface body under the Transport Integration Act 2010. It is required to have regard to transport system objectives and decision-making principles when making decisions that have a significant impact on the transport system.

The amendment updates the off-street carparking requirements in the planning scheme by introducing a maximum rate which will support West Melbourne as a place for people to live and work without needing to own a car. By amending the parking requirements in the planning scheme, West Melbourne's mobility needs can be met while achieving a lower rate of private vehicle ownership and reducing total vehicle kilometres travelled.

Resource and administrative costs

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

The new planning provisions will have no marked effect on existing administrative costs to the City of Melbourne.

Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

City of Melbourne

Level 3, 240 Little Collins Street

MELBOURNE VIC 3000

City of Melbourne website at www.melbourne.vic.gov.au/planningamendments

The Amendment can also 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 5pm Monday 4 February.

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: To commence in the week of Tuesday, 4 June 2019
- panel hearing: To commence in the week of Monday, 8 July 2019 plus another week