

## MELBOURNE PLANNING SCHEME

### AMENDMENT C245

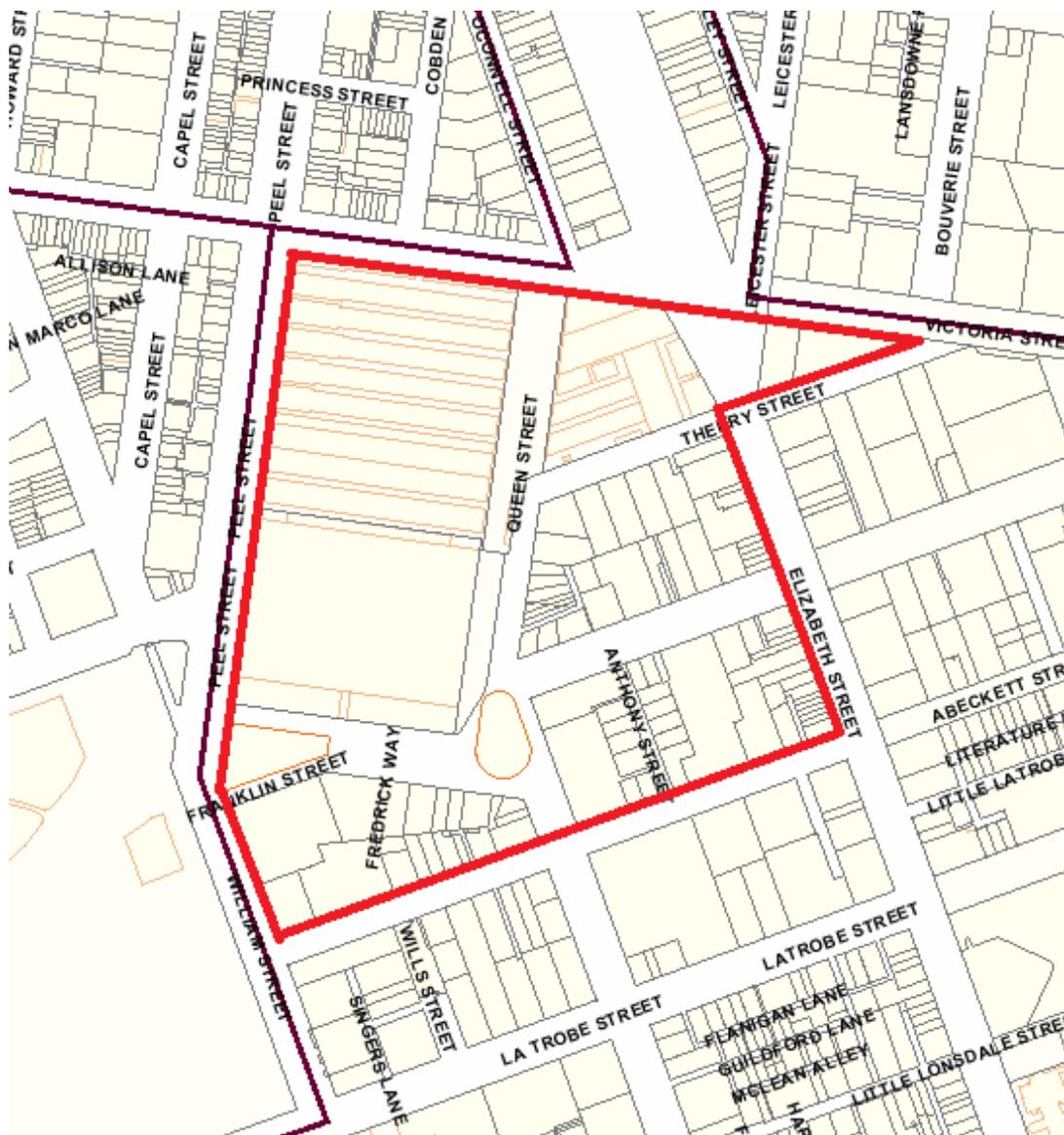
#### EXPLANATORY REPORT

##### 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

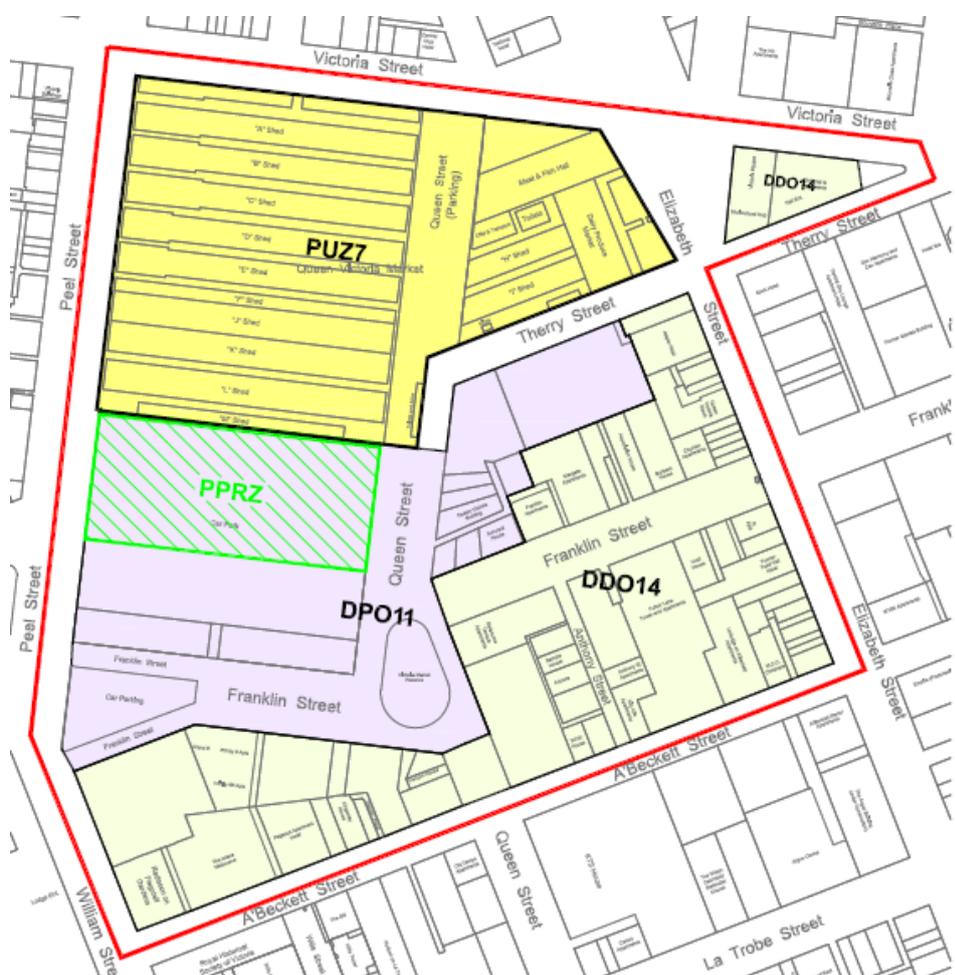
The amendment applies to the Queen Victoria Market (QVM) Precinct as shown on the following map:



## What the amendment does

The amendment proposes to:

- Rezone land as follows:
  - The majority of the Queen Victoria Market land and Queen Street extension currently zoned Capital City Zone (CCZ1) to be rezoned to Public Use Zone (PUZ7); and
  - The Queen Victoria Market car park currently zoned Capital City Zone (CCZ1) to be rezoned to Public Park and Recreation Zone (PPRZ).
- Apply a new Schedule to the Development Plan Overlay (DPO11), which incorporates a vision and design requirements for development of land, including Council owned land, adjacent to the Queen Victoria Market.
- Delete existing schedule 14 to the Design and Development Overlay (DDO14) from the Queen Victoria Market and land to which DPO11 applies to contract the area covered by DDO14.
- Amend the existing schedule 14 to the Design and Development Overlay (DDO14) which will apply only to the contracted area, to introduce revised built form controls for new development.
- Amend the Built Environment and Heritage within the Hoddle Grid Policy (Clause 21.12) to delete an existing policy statement relating to the existing DDO14, and amend Figure 6: Hoddle Grid to show the Queen Victoria Market and to extend the area of the Queen Victoria Market Precinct (to which this amendment applies).
- Amend the existing clause 22.02 Sunlight to Public Spaces to include a provision that development should not overshadow Flagstaff Gardens between 11am and 2pm on 21 June.



## Strategic assessment of the amendment

- **Why is the amendment required?**

The City of Melbourne has developed a masterplan for the Queen Victoria Market Precinct, to set a positive agenda for conserving the heritage significance and character of the QVM, whilst meeting the contemporary needs of traders, shoppers and a growing City.

The amendment is required in order to implement a revised framework of planning controls that facilitates the principles established in the masterplan, safeguards the future of the QVM and enhances its surrounds.

The *Queen Victoria Market Precinct Renewal: Built Form Review and Recommendations Report* prepared by Jones & Whitehead Pty Ltd (the Built Form Review) identifies shortcomings in the existing controls affecting the QVM and its environs. It sets out recommendations regarding the Queen Victoria Market Precinct and changes to the existing planning controls, which the amendment seeks to implement.

***Required changes to the planning scheme:***

The QVM and the Queen Street extension are to be rezoned to the Public Use Zone in recognition of their long standing use for public purposes. The new zone will continue to facilitate the existing use and development of the land for the Market and its attendant functions, differentiating it from the land surrounding it which is in either a Mixed Use Zone (MUZ) or Capital City Zone (CCZ1).

The land to the south of main Market building, between Peel Street and Queen Street is proposed to be rezoned to a Public Park and Recreation Zone. This is to implement the masterplan's proposal to relocate the existing market car park to other Council owned site(s) in the precinct and use the land as a new public open space.

A new Development Plan Overlay (Schedule 11) is proposed to be applied to the QVM car park, existing store buildings to the south and land opposite the market in Therry Street, Queen Street and Franklin Street. The DPO11 is proposed to apply new use and development requirements that will facilitate the recommendations of the masterplan and the Built Form Review. The area to which the DPO11 applies is considered the most sensitive being directly opposite the market. Any development proposal will be subject to street frontage heights and setbacks, and wind and weather protection requirements. These requirements are to ensure a lively and comfortable pedestrian environment and the interface with the Market and to ensure development responds appropriately to its scale and heritage character.

The existing Design and Development Overlay (Schedule 14) will be amended, to contract its extent (to be in part replaced by a Development Plan Overlay, and to introduce specific design requirements for building scale, heights, setbacks, facades, active street frontages, public spaces and new pedestrian access links. A number of these requirements align with policy direction in existing local policies and in order to simplify the planning scheme, these provisions have been subsumed into the new DDO. As Amendment C245 was prepared prior to the approval of Amendment C262, it was considered necessary that the revised area of DDO 14 remain and include built form controls that are generally complementary to the DPO provisions and complete the suite of planning scheme controls that will enhance whole QVM Precinct.

A consequential change is also required to Clause 21.12 (Hoddle Grid) to remove reference to a built form transition that is no longer relevant or achievable in the context of the built form review.

In granting authorisation the Minister for Planning has required the inclusion of policies to consider overshadowing of Flagstaff Gardens within DPO11 and to modify clause 22.02 Sunlight to Public Places. These changes have been made.

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

The amendment implements the objectives of planning in Victoria by putting in place a suite of planning tools that facilitate the orderly development of the land. The amendment balances the present and future interests of all Victorians via the fair, orderly, economic and sustainable use and development of land and the securing of a pleasant and efficient working, living and recreational environment for all Victorians and visitors to Victoria.

- **How does the amendment address the environmental effects and any relevant social and economic effects?**

The amendment is expected to have positive, environmental, economic and social benefits. The amendment aims to ensure that land use and development occurs within a framework that manages change at the interface with the Queen Victoria Market, delivers high quality public realm outcomes and facilitates planned improvements to the QVM.

- **Does the Amendment address relevant bushfire risk?**

Not applicable

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

The amendment complies and is consistent with the requirements of the Ministerial Direction on the Form and Content of Planning Schemes pursuant to Section 7(5) of the Planning and Environment Act 1987 (the Act).

The amendment also complies and is consistent with the requirements of Ministerial Direction 11 on the Strategic Assessment of Planning Scheme Amendments.

Pursuant to section 12 of the Planning and Environment Act 1987 the amendment also complies with the Ministerial Direction No.9 (Metropolitan Strategy):

- *Direction 1.4 – Expanded central city:* the amendment will facilitate the future expansion of the CBD into the City North Precinct by encouraging a range of uses and quality built form outcomes that reflect the intended linking of the CBD and City North.
- *Direction 2.2 – Housing supply:* the amendment will assist with unlocking the capacity of the northern edge of the Central City for higher density mixed use development including housing and more affordable housing close to public transport and, employment and community services.
- *Direction 4.2 Protect Melbourne and its suburbs from inappropriate development:* the amendment will protect a unique City's precinct in and around the QVM and ensure that new development does not compromise the values held by the community for this area.
- *Direction 4.6 – More public spaces:* the amendment will enable the creation of a new public open space at the southern end of the market that complements highly valued existing public spaces in the area
- *Direction 4.7 – Respect our heritage:* the amendment will encourage new development that is designed and sited to respect the identified significance of heritage places, in particular the Queen Victoria Market.

- **How does the amendment support or implement the State Planning Policy Framework?**

The amendment is consistent with State Planning Policy by supporting the regeneration of existing urban land, providing good use of infill development and use of existing

infrastructure, whilst managing change and impacts on the significant Queen Victoria Market.

Specifically, the amendment is consistent with:

- *Clause 10 – Operation.* By managing the use and development of land adjacent to the QVM, the amendment will help deliver a net community benefit. This will be achieved by allowing an increased urban density, activating a mixture of different and complementary land uses as well as bringing vitality to these areas.
- *Clause 11 – Settlement.* The amendment is consistent with the principles and objectives of Plan Melbourne and will manage development in a manner that will uphold the Metropolitan Strategy’s policy directives.
- *Clause 15.01 – Design and Built Form.* The amendment will facilitate the implementation of urban design, built form, and streetscape design principles to facilitate positive changes to land adjacent to the QVM. The amendment will help incorporate planning provisions that will encourage and support enhanced liveability, and amenity within the QVM environs.
- *Clause 16 – Housing.* The amendment will help deliver the strategic vision for the QVM environs by facilitating and contributing to the enhancement and planning of a vibrant, functional, safe and integrated part of the Central city which services the commercial, employment and housing needs of the municipality.

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

In accordance with the Local Planning Policy Framework of the Melbourne Planning Scheme, the amendment implements a review of the built form controls affecting the Queen Victoria Market and its environs.

The amendment proposes a new land use and development controls to facilitate positive changes adjacent to the QVM that contribute to the long term viability and vitality of a significant public asset that defines the northern edge of the City.

Clause 22.12 (Hoddle Grid) of the Municipal Strategic Statement has been amended to remove reference to a built form transition that is no longer relevant or achievable in the context of the built form review.

- **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.

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

An extensive consultation process on the draft Queen Victoria Market Precinct Masterplan was carried out seeking feedback from the community, agencies and stakeholders. All relevant agencies will be notified as part of the planning scheme amendment formal exhibition process.

- **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 will improve the transport system. It will: encourage walking; reduce reliance on cars; and improve the pedestrian network within, into and out of the precinct. The Amendment will strongly integrate transport and land use by providing for more intensive land use near existing and proposed public transport nodes including the planned Melbourne Metro stations at Parkville and City North.

The Amendment provides for mixed land uses near existing and proposed stations which will increase the efficiency of the use of public transport infrastructure by increasing counter-peak and inter-peak use.

## **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](http://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.dtpli.vic.gov.au/publicinspection](http://www.dtpli.vic.gov.au/publicinspection) .

## **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: In the week of 11 April 2016
- panel hearing: In the week of 2 May 2016