

---

**Planning and Environment Act 1987**

**PORT PHILLIP PLANNING SCHEME**

**AMENDMENT CXX**

**EXPLANATORY REPORT**

**Who is the planning authority?**

COPY

This amendment has been prepared by the Minister for Planning, who is the planning authority for this amendment.

The amendment has been made at the request of Urbis Pty Ltd on behalf of Wadhawan Holdings Pty Ltd.

**Land affected by the amendment.**

The amendment applies to land at 400 – 430 City Road, 10 – 24 Cecil Street and 115 – 131 Whiteman Street, Southbank.

**What the amendment does.**

The amendment proposes to amend third dot point under the ‘Requirements of Area DDO 8-10 City Road Wedge’ of the Port Phillip Planning Scheme to read as follows:

*“Above the streetwall, towers must be setback 10 metres from City Road. This does not apply to any other built form up to a maximum height for 16 metres or 4 storeys.”*

**Strategic assessment of the amendment**

1. Why is the amendment required?

The amendment is required so to allow for a planning application proposed to be lodged considered by the Responsible Authority for a high density mixed use development. The design of the City Road podium of the proposal currently does not technically comply with the existing DDO8 setback control. The proposed design aims to retain the frontage of the heritage building to City Road and as a result, we have a “streetwall” height of approximately 7.5 metres before a varying setback of 3.5 metres to 8 metres before additional building to a height of 16 metres. The proposed towers are setback a minimum of 10 metres from the City Road frontage.

The proposed amendment will allow discretion for the City Road podium design within the DDO8 requirements, whilst ensuring that the tower elements are setback 10 metres from City Road. Whilst it involves a minor change to the controls, it facilitates an important design element of the overall redevelopment, in relation to the hotel podium proposed as part of the mixed use development.

The proposed amendment ensures any design is consistent with the intent of the DDO control to have a lower podium to a maximum of 16 metres before a 10 metre setback to the tower, whilst providing discretion to work in a more responsive manner with the heritage overlay, and retention of significant façade elements along City Road.

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

The amendment implements the objectives of planning in Victoria by addressing the relevant parts of the SPPF and LPPF, in particular the MSS.

3. How does the amendment address the environmental effects and any relevant social and economic effects?

The economic and social benefits resulting from the amendment are substantial and include:

- The provision of over 1,000 dwellings will assist in meeting the future housing demand of the City of Port Phillip.
- The creation of at least 5,000 jobs during construction and 1,300 post construction jobs.
- The injection of a capital investment of more than \$400 million into the redevelopment of the subject site.
- The future tenants and occupiers of the site will contribute to the diversity and economic viability of the South Melbourne Major Activity Centre.

There are limited environmental impacts from the proposed amendment and in fact, this amendment will facilitate a more intensive use on the subject site which can be sustained given it's location adjacent to a Major Activity Centre and direct access to public transport.

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

The amendment is affected by Minister's Direction number 9 under Section 12 of the Planning and Environment Act 1987, which requires the amendment to address the Metropolitan Strategy (*Melbourne 2030 - Planning for Sustainable Growth and Melbourne @ 5 million*).

The Amendment is consistent with the directions of the Metropolitan Strategy and the principles of the Victorian Planning Provisions. Amending the DDO8 is required to allow for the proposed development, is on what is a key strategic site within proximity of the South Melbourne Major Activity Centre.

The future development as a result of this amendment will broaden the economic and social base of the area; recognise future population increases, and the desire to provide housing diversity adjacent to a Major Activity Centre which enjoys access to a diverse range of commercial, entertainment and transport related infrastructure.

The Amendment will assist in the implementation of the Metropolitan Strategy through the provision of effective statutory controls over the site where high density residential development is encouraged.

It is submitted that the amendment request will support the implementation of the Metropolitan Strategy.

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

5. How does the amendment support or implement the State Planning Policy Framework?

The amendment is supported by the State Planning Policy Framework having particular regard to facilitating the consolidation of existing urban areas, as encouraged within Clause 12 (Metropolitan Development) and Clause 14 (Settlement). Further, the amendment will allow for the future development of the site for a high density mixed use development that is adjacent to a Major Activity Centre with good access to a variety of transport modes, including public transport facilities.

6. How does the amendment support or implement the Local Planning Policy Framework?

The amendment is consistent with the aims and objectives of the MSS and in particular the 'Clause 21.05-12 Mixed Use Areas' and the local policy 'Clause 22.11 South Melbourne Central'.

The amendment still retains the design objectives of the DDO8 and also still ensures that future towers on the site are still setback a minimum of 10 metres from City Road. The only change is that the DDO8 will now allow for built form that is within 10 metres of City Road so long as it is no greater than 16 metres of 4 storeys in height. All such development will remain subject to the current design objectives for the site.

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

The proposed amendment to the DDO8 will assist in facilitating the redevelopment of a key strategic site whilst still ensuring the design objectives of the DDO8 remain. It will change a mandatory requirement to a discretionary requirement that is assessed against policy

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

The amendment does not contain any new or informal referral requirements.

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

It is expected that the new planning provisions will not have an impact on the resources and administrative costs of the responsible authority.

**Where you may inspect this Amendment.**

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

Department of Planning and Community  
Development  
Planning Information Centre  
Ground Floor  
8 Nicholson Street  
East Melbourne Vic 3002

The amendment can also be inspected free of charge at the Department of Planning and Community Development web site at [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection).

---

*Planning and Environment Act 1987*

**PORT PHILLIP PLANNING SCHEME**

**AMENDMENT CXX**

The planning authority for this amendment is the Minister for Planning.

The Port Phillip Planning Scheme is amended as follows:

**Planning Scheme Ordinance**

COPY

The Planning Scheme Ordinance is amended as follows:

1. In Overlays - Clause 43.02 (Design and Development Overlay), replace Schedule 8 with a new Schedule 8 in the form of the attached document.

End of document

# Amendment CXX

## List of changes to the Port Phillip Planning Scheme

Clause / Map Numbers	Change	Comment
<b>OVERLAYS</b>		
Clause 43.02	Amend Schedule 8 to the Design and Development Overlay (in accordance with the attachment)	Maintains the mandatory requirements that any new tower be setback a minimum of 10 metres from City Road whilst allowing flexibility in the design response to the area between the streetwall and any tower element.
<b>LIST OF AMENDMENTS (Information to accompany amendment)</b>		
List of Amendments	Insert: Amendment number, 'CXX', in operation from, <u>Insert date</u> with the brief description, 'Amends the setback requirement listed under DDO 8-10 City Road Wedge'.	Updates the list of amendments to the planning scheme

COPY

