

PORT PHILLIP PLANNING SCHEME

AMENDMENT C52

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Port Phillip City Council, which is the planning authority for this amendment.

Land affected by the amendment.

The amendment applies to land identified in the South Melbourne Central Structure Plan, being the area bounded by the Westgate Freeway, Kings Way, Park Street, and Ferrars Street.

What the amendment does.

The amendment gives effect to the City of Port Phillip's Structure Plan and Urban Design Framework for the major activity centre of South Melbourne Central (SMC).

It proposes to:

1. Rezone land within South Melbourne Central to implement the vision, principles and strategic objectives of the South Melbourne Central Structure Plan & Implementation Strategy, 2007.
2. Renumber Schedule 8 to the Design and Development Overlay (Clause 43.02) to become Schedule 17.
3. Insert a new Schedule 8 to the Design and Development Overlay (Clause 43.02) that reflects the outcomes of the South Melbourne Central Urban Design Framework, 2007. The Design and Development Overlay defines and applies to eleven precincts within South Melbourne Central. Each precinct has a preferred character statement, accompanied with design objectives and requirements that will assist new development in achieving the preferred character outcomes.
4. Delete Schedule 15 to the Design and Development Overlay (Clause 43.02) to remove the interim South Melbourne DDO.
5. Extend the Heritage Overlay (HO3) to include additional properties and update the level of significance to the Heritage Policy Map to ensure that all places are appropriately identified.
6. Modify the MSS to reflect the vision, principles and strategic objectives of the South Melbourne Central Structure Plan, 2007, and the South Melbourne Central Urban Design Framework, 2007.

7. Modify the Local Planning Policy Framework at Clause 22.02 'Retail Centres Policy', Clause 22.03 'Industrial Areas Policy' and Clause 22.11 'South Melbourne Central' to reflect the intent of the South Melbourne Central Structure Plan and Implementation Strategy, 2007, and the South Melbourne Central Urban Design Framework, 2007. These Clauses are also modified to include two additional Reference Documents. Modify Clause 22.04 'Heritage Policy' to include update the Port Phillip Heritage Review.
8. Apply the Environmental Audit Overlay to land within South Melbourne Central to be rezoned to a more sensitive use.
9. Insert a Schedule to clause 52.01 to provide for contributions to the provision of Public Open Space in accordance with the South Melbourne Central Structure Plan.
10. Updates the list of incorporated documents to refer to a new version of the heritage review.

Strategic assessment of the amendment

- ***Why is the amendment required?***

The amendment is required to give statutory effect to rezoning of land proposed in the South Melbourne Central Structure Plan & Implementation Strategy, which the City of Port Phillip completed in 2007 in accordance with the Minister's directive under *Melbourne 2030*. The amendment will also replace the interim Design and Development Overlay and South Melbourne Central Policy introduced in March 2005, with permanent controls that reflect the additional work undertaken by Council in the South Melbourne Central Urban Design Framework, 2007.

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

The amendment is a direct result of the State Government's strategic direction *Melbourne 2030* that requires Councils to undertake structure planning for activity centres. The Structure Plan encourages and guides the economic and residential growth of SMC while recognising and protecting heritage assets and public environment assets.

It is consistent with the outcomes of the Inner Regional Housing Statement.

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

The amendment seeks to enhance the urban environment of SMC through achieving positive outcomes in the design of buildings and the public realm. The Design and Development Overlay identifies the preferred future character of the parts of SMC that will experience changes in land use or pressure for new development. These statements are supported by design objectives and requirements that aim to see SMC developed with well designed buildings that contribute to the street life and vibrancy of the area. Specifically, the controls will protect the key activity streets overshadowing and retain year round access to natural sunlight. The amendment also seeks to formalise contributions for open space to enable Council to ensure adequate open space provision.

It is anticipated that the amendment will have a number of positive social impacts. It will provide for housing growth and diversity within its Mixed Use and Business 1 areas. In addition, the land use and design direction and open space contribution of the amendment will provide for an improved public realm, increased street life and activity and additional community spaces.

The amendment will have significant economic effects as it encourages economic growth for the local area, as well as recognizing the important role that South Melbourne Central plays in the broader economic context of the Port Phillip municipality and the State. This relates to strengthening retail activity, supporting the existing industrial uses in the area and attracting an increased range of knowledge-based businesses.

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

Section 12(2)(a) of the Planning and Environment Act 1987 requires that in preparing a planning scheme amendment a planning authority must have regard to the Minister's directions.

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

The amendment is affected by Ministerial Direction No. 1 – Potentially Contaminated Land.

Ministerial Direction No. 1 requires a planning authority to satisfy itself that the environmental conditions of the land will be suitable for permitted uses. Where land is being rezoned to enable more sensitive uses to occur an Environmental Audit Overlay is being applied in accordance with this Ministerial Direction.

Melbourne 2030:

The amendment is affected by Ministerial Direction No. 9 – Metropolitan Strategy.

Melbourne 2030 identifies South Melbourne as a Major Activity Centre. Strategic objectives for a Major Activity Centre include, but are not limited to, encouraging more mixed-use development in appropriately located sites, encouraging a wider range of arts, cultural and entertainment facilities and providing a location for higher-density housing.

The directions and policies as set out in Melbourne 2030 positively affect the amendment and provide a framework for future land use, movement, built form and urban design in South Melbourne Central. The land use and built form controls proposed in the amendment reflect the strategic land use direction for each part of SMC, as set out in the vision, principles and strategic objectives of the South Melbourne Central Structure Plan.. This includes identifying areas in which capacity exists for further economic growth and residential development.

The amendment, through the preferred character statements of the Design and Development Overlay, also identifies appropriate forms of development, standards of design quality and contribution to the public realm. This aims to ensure that the design of the urban environment of South Melbourne Central reflects and supports the strategic vision for the area.

The amendment is consistent with the following directions and policies within Melbourne 2030:

Direction 1 – A more compact city

Direction 1 is relevant to the vision of the South Melbourne Central Structure Plan. Melbourne 2030 anticipates that a Major Activity Centre “provides additional scope to accommodate ongoing investment and change in retail, office, service and residential markets”. The South Melbourne Central Structure Plan provides for substantial residential growth and for retail and office growth, while maintaining industrial land.

Direction 1 seeks to build up activity centres as a focus for high-quality development, activity and living for the whole community and to ensure that a mix of uses is encouraged to these areas. South Melbourne Central is well serviced by public transport, benefits from a good mix of uses in the existing area and has a diverse community of both residents and workers. These factors have provided the foundation of the Structure Plan and a firm basis for future growth.

Direction 4 – A more prosperous city

Direction 4 sets out the importance of building a strong and innovative economy. This is relevant to SMC given its strategic location at the edge of the CAD and Docklands and its expanding role as a metropolitan employment hub.

The amendment aims to strengthen and diversify the economic role of SMC by supporting the existing business base and encouraging a greater range of business types to locate in the area. The Structure Plan has identified locations within SMC for different types of business activity, including retail, office, business services and advanced business services and industrial. In particular the Structure Plan recognises the importance of supporting the cluster of knowledge-based and creative industries that has emerged in South Melbourne over the last decade. The Structure Plan notes that the diversity of building stock and lot sizes within SMC allows opportunities for new small to medium enterprises to start up in the area.

The Structure Plan aims to support its economic role by providing new housing opportunities with access to employment and by creating an attractive and vibrant urban environment.

Direction 5 – A great place to be

Direction 5 seeks to promote good urban design to make the environment more livable and attractive, to improve community safety and encourage neighbourhood design that makes people feel safe, and to improve the quality of local open space, amongst other policies. Amendment C52 proposes a series of performance criteria for new developments established through preferred character statements, design objectives and measurable requirements. This will support the objectives of Direction 5. The strategic land use direction of the amendment will support a vibrant and active street life within SMC and build on its cultural diversity.

Directions 7 – A greener city & Direction 8- Better transport links

Directions 7 and 8 are relevant to Amendment C52 as they seek to promote a sustainable form of urban growth which is focused around Activity Centres and sustainable transport.

The Structure Plan and Urban Design Framework, as Reference Documents included in Amendment C52, set out the key pedestrian, cycle and public transport routes within

SMC. The amendment encourages a concentration of activity around these routes, as well as specific urban design treatments to improve their amenity and accessibility.

The amendment introduces guidance on environmentally sustainable design techniques for buildings and the public realm within SMC. Specifically, floor to floor heights for new buildings in SMC have been calculated to allow for environmentally sustainable design measures to be incorporated within each level.

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

The amendment is consistent with, and gives effect to, the State Planning Policy Framework (SPPF), in particular:

Clause 12 Metropolitan Development - which provides objectives and strategies for land use and development in metropolitan Melbourne. Of specific relevance to the amendment are the following:

- 12.01 *A more compact city* aims to concentrate new development in activity centres that: ‘are a focus for business, shopping, leisure and community facilities; provide different forms of housing, including higher density housing; are connected by public transport; and maximise choice in services, employment and social interaction.’ It also seeks to ‘locate a substantial proportion of new housing in or close to activity centres that offer good access to services and transport’.
- 12.05 *A great place to be* has the objective of creating urban environments that ‘are of better quality, safer and more functional, provide more open space and an easily recognizable sense of place and cultural identity’. This is supported by strategies that require development to respond to its context in terms of urban character and cultural heritage and contribute to the ‘existing sense of place and cultural identity’.
- 12.06 *A fairer city* includes the strategy of developing strong cultural environments and increasing access to the arts, recreation and other cultural facilities.
- 12.07 *A greener city* includes the strategies of ‘ensuring building design improves efficiency in energy use’; ‘locating key developments that generate a high volume of trips in Major Activity Centres’ and ‘providing infrastructure for public transport, walking and cycling’.
- 12.08 *Better transport links* has as its objective ‘to create a more sustainable transport system by integrating land-use and transport’. This is supported by strategies that include ‘giving priority to walking and cycling in planning urban development and in managing the road system and neighbourhoods’ by ‘encouraging the use of walking and cycling by creating environments that are safe and attractive’ and developing high quality pedestrian environments that are accessible to footpath bound vehicles’.

Clause 14.02-2 *Metropolitan development, General Implementation* - which directs that ‘consolidation of residential and employment activities is encouraged within existing urban areas and designated growth areas. Development in existing residential areas should respect the neighbourhood character.’

Clause 16.02-1 *Medium Density Housing* - which seeks to encourage the development of well designed medium density housing that:

- Respects the neighbourhood character
- Improves housing choice
- Makes better use of existing infrastructure.

Clause 17 *Economic Development* - which seeks to: “encourage the concentration of major retail, commercial, administrative, entertainment and cultural developments into

activity centres (including strip shopping centres) which provide a variety of land uses and are highly accessible to the community”.

Clause 17.03-1 *Industry* - which seeks to “ensure the availability of land for industry and to facilitate the sustainable development and operation of industry and research and development activity”.

Clause 18.01-1 *Infrastructure* - under “Declared highways railways and tramways” seeks to integrate land uses around existing transport infrastructure.

Clause 19.03-1 *Design and built form, Objective* – which seeks ‘to achieve high quality urban design and architecture that:

- Reflects the particular characteristics, aspirations and cultural identity of the community.
- Enhances livability, diversity, amenity and safety of the public realm.
- Promotes attractiveness of towns and cities within broader strategic contexts.’

The amendment is consistent with the relevant parts of these policies.

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

The Amendment is consistent with, and gives effect to the Local Planning Policy Framework. The amendment proposes to amend relevant local policies that provide specific guidance for the South Melbourne Central area.

The amendment is consistent with the relevant parts of Clause 22.

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

Yes. The appropriate Victorian Planning Provisions are utilised.

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

Significant consultation was held during the preparation of the Structure Plan and service authorities and other government departments were invited to be involved in this process.

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

The proposed controls will have a positive effect on Council resources and decrease administrative costs by providing clear guidelines for land use and built form in South Melbourne Central.

Where you may inspect this Amendment.

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

South Melbourne Town Hall – Reception
208-220 Bank Street
South Melbourne

The Department of Planning and Community
Development website at:
www.dpcd.vic.gov.au/planning/publicinspection

Emerald Hill Library
Bank Street
South Melbourne

Port Melbourne Town Hall & Library,
Bay Street, Port Melbourne

St Kilda Town Hall
Cnr Carlisle Street and Brighton Road
St Kilda

St Kilda Library
Carlisle Street, St Kilda