Planning and Environment Act 1987

**Public Notice Version**

23 August 2017

# Melbourne PLANNING SCHEME

# AMENDMENT C306

# EXPLANATORY REPORT

## Who is the planning authority?

This amendment has been prepared by the Department of Health and Human Services.

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

## Land affected by the Amendment

The Amendment applies to the land shown on the plan below known as the Abbotsford Street, North Melbourne (the ‘Site’).

## What the amendment does

The Amendment seeks to:

* Rezone Abbotsford Street, North Melbourne from General Residential Zone – Schedule 1 (General Residential Areas) (GRZ1) to Mixed Use Zone – Schedule 2 (Abbotsford Street, North Melbourne renewal) (MUZ2) to achieve built form and land use outcomes;
* Apply Development Plan Overlay – Schedule 11 (Abbotsford Street, North Melbourne renewal) to Abbotsford Street, North Melbourne;
* Apply Parking Overlay – Schedule 12 (Residential Development in Specific Inner City Areas) to Abbotsford Street, North Melbourne;
* Add text changes to Clause 21.04 to support change and higher density development on public housing estates within the Mixed Use Zone;
* Add text changes to Clause 21.16 to support the renewal of existing public housing estates in the Mixed Use Zone to increase social housing provision; and
* Add the Minister for Planning as responsible authority over Abbotsford Street, North Melbourne in the Schedule to Clause 61.01.

## Strategic assessment of the Amendment

### *Why is the Amendment required?*

This Amendment is required to allow the redevelopment of Abbotsford Street, North Melbourne to provide improved social and private housing through the Public Housing Renewal Program. The existing General Residential Zone, Schedule 1 does not reflect the existing density of the land and limits the potential for increased housing density and diversity of land uses.

Rezoning the land to a Mixed Use Zone (MUZ) will support the preferred housing density and resultant built environment in this highly suitable location. The MUZ will also enable the provision of a broader range of land uses, such as retail, education and community facilities, to provide for the needs of the local community.

The application of the Development Plan Overlay (DPO) will provide a framework to guide the future residential development of the Site. The DPO Schedule will outline design responses expected to achieve the preferred future outcome for the Site. The application of the DPO will provide assurance to government agencies, Council, and the local community about future development outcomes on the land.

The application of the Parking Overlay (PO) will facilitate an appropriate provision of car parking spaces for residential uses within the Site.

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

The amendment implements the objectives of planning in Victoria as outlined in Section 4 of the *Planning and Environment Act 1987* through:

* Providing for the fair, orderly, economic and sustainable use and development of land;
* Securing a pleasant, efficient and safe work, living and recreational environment for all Victorians and visitors to Victoria;
* Balance the present and future interests of all Victorians;
* Ensuring sound, strategic planning and co-ordinated action at State, regional and municipal levels;
* Enabling land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;
* Facilitating development that achieves the objectives of planning in Victoria and planning objectives set up in planning schemes; and
* Ensure the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.

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

The amendment is expected to have a net community benefit and positive environmental, social and economic benefits through:

* Supporting an urban renewal opportunity in a strategic location within an inner suburb of Melbourne and with ready access to multiple public transport routes and pedestrian and bicycle infrastructure. These locational advantages can support increased housing density and some commercial activity;
* Encouraging a high quality of development incorporating environmentally sustainable design and water sensitive urban design;
* Encouraging a mix of uses, including retail, education and community activities that provide opportunities for local employment opportunities and access to services for the local community;
* Increasing the supply of both social and private housing opportunities in order to cater to forecasted demands; and
* Encouraging a high quality public realm that contributes to pedestrian and resident amenity and contributes to the ongoing connectivity and safety of the site and it surrounds.

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

This amendment affects land within an established urban area and therefore bushfire risk is not relevant.

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

The amendment complies with section 7(5) of *the Act* and complies with all relevant Minister’s Directions under Section 12 of the *Planning and Environment Act 1987.*

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

The Amendment supports and implements the State Planning Policy Framework (SPPF). Key State planning policies of relevance to this amendment include:

* Clause 9 Plan Melbourne facilitates provisions for adequate employment, education, housing and transport through strategic vision employed by the Victorian Government.

Direction 2.2 of *Plan Melbourne 2017-2050* seeks to make better use of underutilised land that is close to jobs, services and public transport infrastructure. At the local level, *Plan Melbourne 2017-2050* seeks to enable people to live within 20 minute neighbourhoods by providing residents access to a wide range of goods and services.

Direction 2.3 of *Plan Melbourne 2017-2050* seeks to increase the supply of social and affordable housing. Policy 2.3.1 seeks to utilise government land to deliver additional social housing. Policy 2.3.2 supports a streamlined decision-making process for social housing proposals, to facilitate faster delivery of social housing projects.

* Clause 10 Operation of the State Planning Policy Framework, in particular:

*“Planning and responsible authority should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.”*

* Clause 11 Settlement requires that planning contributes to ‘diversity of choice’, ‘a high standard of urban design and amenity’ and ‘accessibility’. It encourages opportunities for consolidation, redevelopment and intensification. The strategies within the policy seek a diversity of housing types at higher densities close to jobs and services. It also seeks to locate schools and other regional facilities near existing public transport and provide safe walking and cycling routes and drop-off zones.
* Clause 15 Built Environment and Heritage seeks to create safe, functional, good quality urban environments, It provides urban design principles for development which includes context, the public realm, safety, landmarks, views and vistas, pedestrian spaces, heritage, architectural design and landscape architecture.
* Clause 16 Housing supports increasing development density whilst providing for housing diversity, access to services and planned long term sustainability. Higher density development is encouraged in locations in and around activity centres, close to public transport and employment opportunities.
* Clause 17 Economic Development seeks to provide a strong and innovative economy. Planning is to contribute to the economic well-being of communities and the State by supporting and fostering growth and development through providing land, facilitating decisions and encouraging development that meets the needs of the community. It also seeks to assist the integration of education facilities with local and regional communities, ensuring it is located in areas highly accessible to public transport.
* Clause 18 Transport relates to an integrated and sustainable transport system that provides universal access to social and economic opportunities and the coordination of reliable movement of people.

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

The Melbourne Municipal Strategic Statement (MSS) sets out the land use and development strategies for the municipality. Clause 21.01 Municipal Profile states that the *residential population of 53,200 in 2001 has grown by 85 percent to 98,200 in 2011, which could reach 177,000 people by 2030.*

The key local planning policies of relevance are:

* Clause 21.02 Vision identifies the important role the city plays in providing housing to accommodate significant population growth and the challenge to achieve a diversity of housing choices, housing affordability and a good standard of building design and amenity.
* Clause 21.04 Settlement seeks to promote areas of growth whilst protecting areas of stability. In particular, Clause 21.04-1.5 states that the stable residential areas are, *“valued for their existing character and the important contribution this makes to the city. In these areas limited change such as in-fill development and alterations and additions, will continue to occur so that new land use or development fits in with the existing valued character.”*
* Clause 21.06 Built Environment ensures new development does not visually intrude in adjoining heritage precincts and streetscapes.
* Clause 21.07 Housing seeks to support the provision of well-designed and managed affordable housing, social housing, crisis accommodation and rooming houses.
* Clause 21.16 Other Local Areas ensures infill redevelopment and extensions complement the architecture, scale and heritage values of the residential area, especially where it is in a Heritage Overlay.
* Clause 22.02 Sunlight to Public Spaces states that *“development should not unreasonable reduce the amenity of public spaces by casting additional shadows on any public space, public parks and gardens, public squares, major pedestrian routes including streets and lanes, open spaces…..between 11:00am and 2:00pm on 22 September.”*
* Clause 22.17 Urban Design outside the Capital City Zone includes the following objectives that are relevant to this amendment:
  + *“To ensure that the scale, siting, massing and bulk of development complements the scale, siting, massing and bulk of nearby built form.*
  + *To ensure that the height of buildings relates to the prevailing patterns of height and scale of existing development in the surrounding area.*
  + *To reduce unacceptable bulk in new development.*
  + *To ensure that buildings on prominent sites are designed to achieve a high standard of design which reflects the importance of their location and extent of their visibility.*
  + *To ensure that building design including the use of materials and activities at the ground floor frontages of buildings creates and improves pedestrian interest and engagement.*
  + *To ensure that development includes architecturally integrated building tops.*
  + *To ensure that development uses design and detail to ensure all visible facades (including the rear and sides of buildings) provide a rich and positive contribution to the public realm.*
  + *To ensure that development avoids ambiguity and conflict in the design of fronts and backs of buildings.*
  + *To ensure that development contributes to a pedestrian and vehicular network which ensures pedestrian movement and amenity is a priority and strengthens networks of pedestrian pathways through an area.*
  + *To ensure that development maintains and enhances traditional street patterns of projecting cornices, and allows projecting balconies and canopies where they follow an existing pattern and/ or contribute positively to the public realm.”*

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

The Amendment utilises the appropriate tools from the Victoria Planning Provisions toolbox.

The Site is a triangular shape with a total area of 1.9 hectares located in a highly accessible location within walking distance of retail, commercial, employment, leisure, open space and community facilities. The Site is serviced by trams along Abbotsford Street, bus services along Haines Street and is 400 metres walk from tram services on Flemington Road. The North Melbourne Metro Station is approximately one kilometre to the south and McCauley Station is within one kilometre west. The site’s size means that it can accommodate some increased development density, whilst also responding to its sensitive heritage protected residential interfaces, particularly to the north. In this context it is considered the Mixed Use Zone is the most appropriate zone for the Site as it allows for housing at higher densities and a range of residential, commercial, and other uses which complement the mixed-use function of the locality.

The application of the Development Plan Overlay will deliver a framework to guide the future development of the Site. The site specific schedule sets parameters against which the responsible authority can assess the required development plan and subsequent planning permit applications. The application of the Parking Overlay will facilitate an appropriate provision of car parking spaces for residential uses within the Site.

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

The views of the Department of Environment, Land, Water and Planning were sought and considered during the preparation of this Amendment.

It is anticipated that the views of other relevant agencies can be addressed as part of the amendment process.

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

The amendment complies with the relevant requirements of the *Transport Integration Act 2010*, specifically Part 2, Division 2, and 11 – Integration of transport and land use.

The Amendment will allow for an increase in residential, retail, commercial and community uses in a location that is well-served by multiple public transport modes. This development will contribute to environmental sustainability, social inclusion, and economic prosperity.

## 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 a positive impact on both the resources and administration costs of Melbourne City Council, particularly through the Minister for Planning becoming the Responsible Authority for development on the Site. The Amendment will improve and clarify future planning outcomes and provide for more guidance for decision makers and applicants.

## Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, at the following places:

* City of Melbourne Level 3, 240 Little Collins Street Melbourne
* North Melbourne Community Centre, 49/53 Buncle Street, North Melbourne
* North Melbourne Library, 66 Errol Street, North Melbourne
* North Melbourne Recreation Centre, 204-206 Arden St, North Melbourne

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/shrp](http://www.planning.vic.gov.au/shrp).

## Submissions

## Written submissions outlining your views on the proposal must be submitted by 5.00pm, Wednesday 20 September 2017 online at: [www.planning.vic.gov.au/shrp](http://www.planning.vic.gov.au/shrp).

## Advisory Committee Hearing dates

The following hearing dates have been set for this amendment:

* Directions hearing: 9.30am on 28 September 2017
* Panel hearing: week of 23 October 2017