

YARRA PLANNING SCHEME

AMENDMENT C317YARA

EXPLANATORY REPORT

Overview

This amendment introduces interim built form provisions to provide guidance for development in the Cremorne Precinct (which includes the Cremorne Enterprise Precinct). The amendment is underpinned by the revised Cremorne Urban Design Framework (UDF), which provides a strategic framework for Cremorne, and five background reports.

The draft amendment implements three new Design and Development Overlays (DDO) for Commercial 2 Zoned areas in the precinct. These interim DDOs will provide clarity about built form and amenity.

The interim built form provisions are proposed to apply while permanent planning provisions are progressed for the precinct through an exhibited planning scheme amendment.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Yarra City Council website at Amendment C317yara: www.yarracity.vic.gov.au/amendmentC317

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

Planning Counter
Richmond Town Hall
333 Bridge Road
Richmond VIC 3121

The amendment can also be inspected free of charge at the Department of Transport and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the amendment documentation.

Details of the amendment

Who is the planning authority?

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 Yarra City Council.

Land affected by the amendment

The amendment applies to the Commercial 2 Zoned land in Cremorne Enterprise Precinct as shown in Figure 1.

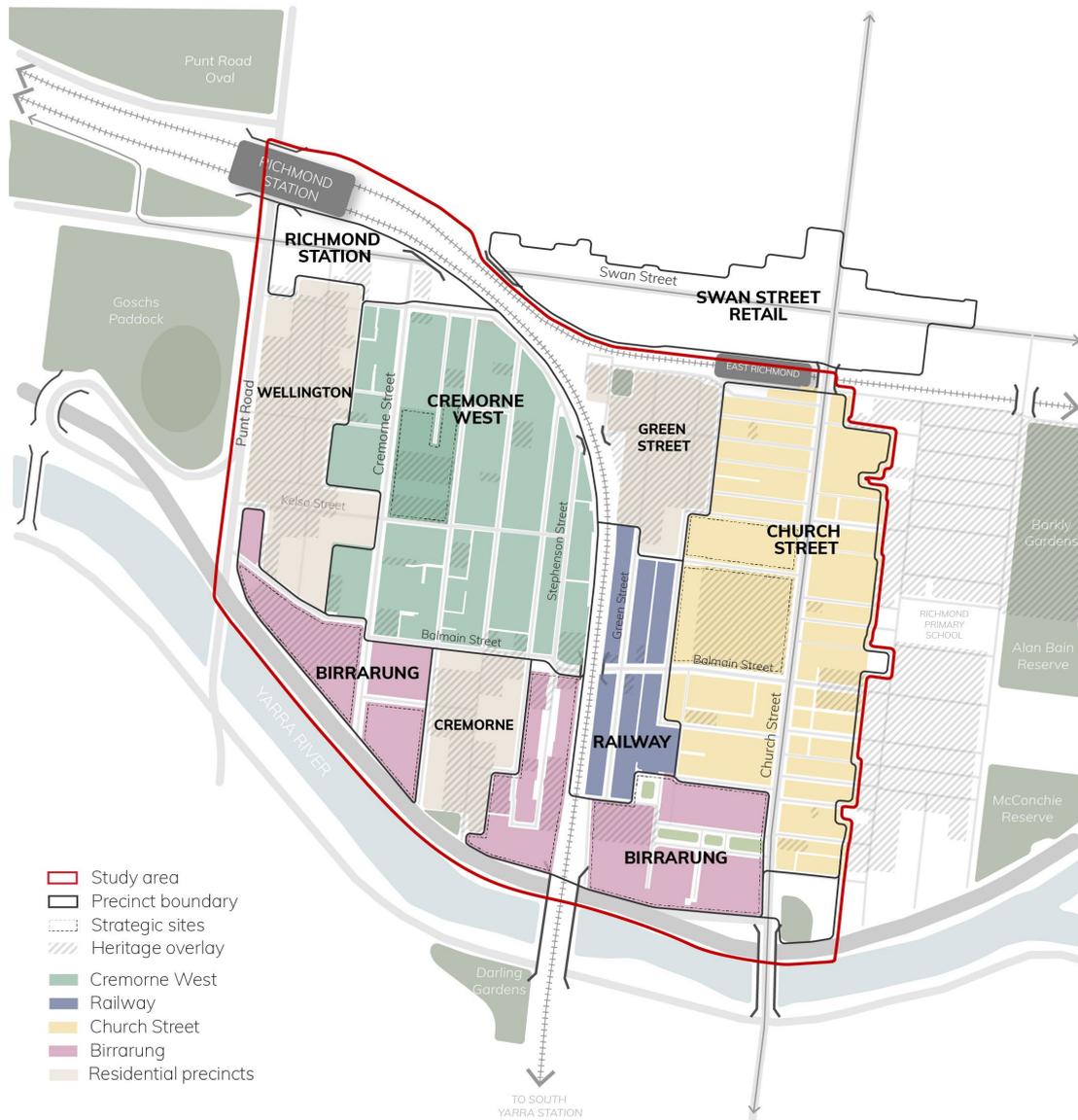


Figure 1 – Land affected by the amendment

What the amendment does

Amendment C317yara proposes to introduce built form controls to the land on an interim basis of two years (from gazettal) by making the following changes to the Yarra Planning Scheme:

- Insert Schedule 51 to Clause 43.02 Design and Development Overlay (DDO51) to the Cremorne West Precinct;
- Insert Schedule 52 to Clause 43.02 Design and Development Overlay (DDO52) to the Railway Precinct;
- Insert Schedule 53 to Clause 43.02 Design and Development Overlay (DDO53) to the Church Street Precinct.

Strategic assessment of the amendment

Why is the amendment required?

The scale and density of development approved and currently being proposed in Cremorne Enterprise Precinct (aka Cremorne Major Employment Precinct) has increased substantially in recent years. Cremorne is undergoing significant change and development pressure. The high demand for office floor space in Cremorne and unprecedented investment is changing the scale of commercial development.

The *Cremorne Place Implementation Plan* under Action 4.1 - Plan for and manage development in Cremorne as a Next Step, identifies the need to 'Review the current planning policy and controls to better manage development, provide greater planning certainty and address local issues.' It also identifies the need for interim controls stating 'If required under the review, introduce new planning controls to the Yarra Planning Scheme, in the first instance as interim measures to manage development pressures. These would provide designers, investors and decision-makers with a consistent framework for future development.'

To ensure appropriate and orderly planning, the Yarra Planning Scheme needs to be urgently revised to better facilitate and guide the scale, massing and bulk of new development and ensure the public realm is not negatively impacted on.

Built form guidance is urgently needed to ensure future development responds appropriately to Cremorne's unique characteristics and to achieve an appropriate balance between the existing character and potential development.

The current provisions do not provide sufficient guidance to ensure development appropriately considers the impacts on the heritage qualities and diversity of built form within the Cremorne Enterprise Precinct. Nor do the provisions provide sufficient guidance to safeguard appropriate amenity for current and future residents in the area.

The interim controls provide design objectives and requirements which seek to improve the quality of development in Cremorne West, Railway Precinct and Church Street Precincts in Cremorne. Building height and upper level setback requirements seek to achieve development that achieves respects heritage and the Precinct's eclectic industrial character.

The interim controls are required to ensure the precinct is protected in the short term and that planning controls provide certainty to the Yarra community while further work is undertaken.

The exemption from exhibition and prompt approval of this amendment and the interim controls will enable the protection of Cremorne from inappropriate development in the short-term until the permanent controls are implemented.

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

The amendment implements the objectives in Section 4 of the *Planning and Environment Act 1987* (the Act), in particular:

- a) to provide for the fair, orderly, economic and sustainable use, and development of land;
- b) to secure a pleasant, efficient and safe working, living and recreational environment;
- c) 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; and
- d) to balance the present and future interests of all Victorians.

The amendment facilitates commercial and economic growth supports the economic viability of the Precinct and the broader area.

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

The amendment integrates relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

The amendment generates positive social and economic benefits as it facilitates orderly commercial development within a major employment precinct, providing opportunities for economic development and increasing employment opportunities in the local government area. The draft amendment responds to the development pressures on the area, and the need to protect and improve public

space and amenity while facilitating development. This will support the long term viability of the area as an economic and innovation hub, which has strong links to public transport infrastructure.

Does the amendment address relevant bushfire risk?

The land affected by the amendment is not located within an area of identified bushfire risk.

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

The amendment complies with Ministerial Direction No. 9 in addressing and responding to the metropolitan planning strategy, *Plan Melbourne 2017-2050*.

The amendment was prepared with regard to Ministerial Direction No. 9 Metropolitan Planning Strategy (which refers to Plan Melbourne 2017-2050). *Plan Melbourne 2017-2050* identifies a vision for the future of Melbourne and objectives and outcomes sought for the city, with directions identified to achieve the desired outcomes and objectives.

The amendment is consistent with the following Directions contained in *Plan Melbourne 2017-2050*:

- **Direction 1.1 - Create a city structure that strengthens Melbourne's competitiveness for jobs and investment which seeks to strengthen the competitiveness of Melbourne's employment areas.** C318yara provides appropriate policy direction for the planning and development of the Cremorne Enterprise Precinct.
- **Direction 1.2 Improve access to jobs across Melbourne and closer to where people live.** C318yara supports commercial development in the Cremorne Enterprise Precinct which is easily accessible by public transport and is located close to significant residential populations in Yarra and neighbouring municipalities.
- **Direction 4.3 Achieve and promote design excellence.** C318yara will encourage high quality design in new development in Cremorne through the introduction of new DDO(s) and planning policy. It also seeks to ensure the amenity impacts of development on the residential precincts within Cremorne and adjoining it are minimised.
- **Direction 4.4 Respect Melbourne's heritage as we build for the future.** Given there are relatively few heritage buildings and places in Cremorne, the proposed built form provisions in C318yara are designed to ensure individual heritage sites retain their architectural prominence.
- **Direction 5.1 - Create a city of 20-minute neighbourhoods which aims to cluster new housing in activity centres and other places that offer good access to jobs, services and public transport and includes policy for local governments to prepare structure plans for activity centres to accommodate growth.** C318yara supports policy for 20 minute neighbourhoods by retaining and supporting employment uses close to residential areas.

The amendment complies with the Direction on the Form and Content of Planning Schemes.

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

The amendment supports the following areas of the Planning Policy Framework:

Clause 11 Settlement

- **11.02-1S Supply of Urban Land** - To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.
- **11.02-2S Structure Planning** – To facilitate the orderly development of urban areas.

Clause 15 Built Environment and Heritage

- **Clause 15.01-1S Urban Design** - To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- **Clause 15.01-2S Building design** - To achieve building design outcomes that contribute positively to the local context and enhance the public realm.

- **Clause 15.01-5S Neighbourhood character** - To recognise, support and protect neighbourhood character, cultural identity, and sense of place.
- **Clause 15.03-1S Heritage conservation** - To ensure the conservation of places of heritage significance.
- **Clause 15.02-1S Energy and resource efficiency** - To encourage land use and development that is energy efficient.

Clause 17.01 Employment

- **Clause 17.01-1S Diversified Economy** - To strengthen and diversify the economy.
- **Clause 17.01-1R Diversified Economy - Metropolitan Melbourne - Inner Metro Region** - Retain and encourage the development of areas in and around Collingwood, Cremorne and South Melbourne for creative industries.
- **Clause 17.01-2S Innovation and research** - To create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education.
 - Support the development of enterprise precincts that build the critical mass of employment in an area, leverage the area’s public and private sector economic competitive strengths and assets, and cater to a diversity of employment types and scales.
 - Promote an accessible, well-connected, high-amenity and collaborative physical environment that is conducive to innovation and to creative activities.
 - Support well-located, appropriate and low-cost premises for not-for-profit or start-up enterprises.

Clause 17.02 Commercial

- **Clause 17.02-1S Business** - To encourage development that meets the community’s needs for retail, entertainment, office and other commercial services.

Clause 17.03 Industry

- **Clause 17.03-1S Industrial Land Supply** - To ensure availability of land for industry.
- **Clause 17.03-2S Industrial Development Siting** - To facilitate the sustainable development and operation of industry.
- **Clause 17.03-3S State Significant Industrial Land** - To protect industrial land of state significance.

Clause 18 Transport

- **Clause 18.01-2S Transport System** - To coordinate development of all transport modes to provide a comprehensive transport system.
- **Clause 18.02-1S Sustainable Personal Transport** - To promote the use of sustainable personal transport.
- **Clause 18.02-1R Sustainable Personal Transport – Metropolitan Melbourne** - Improve local travel options for walking and cycling to support 20 minute neighbourhoods.
- **Clause 18.02-2S Public Transport** - To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.
- **Clause 18.02-2R Principal Public Transport Network** – Facilitate high-quality public transport access to job-rich areas.

Clause 19.02 – Community infrastructure

- **Clause 19.02-4S Social and Cultural Infrastructure** - To provide fairer distribution of and access to, social and cultural infrastructure.
- **Clause 19.02-6S Open Space** - To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.
- **Clause 19.02-6S Open Space - Metropolitan Melbourne** - To strengthen the integrated metropolitan open space network.

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

Clause 21.04-3 Industry, office and commercial

- Objective 8: To increase the number and diversity of local employment opportunities.
 - Strategy 8.3 Encourage residential and business land use within the Mixed Use Zone to locate on the same site.

- Strategy 8.5 Support opportunities for new uses on isolated industrial sites provided they reflect the predominant surrounding uses.

Clause 21.04-5 parks, gardens and public open space

- Objective 12 - To establish a linked open space network.
 - Strategy 12.1: Develop shared pathways and linkages between open space areas across the municipality and to open space adjacent to the municipality.
 - Strategy 12.2: Pursue additional public access along the banks of the River.
- Objective 13: To provide an open space network that meets existing and future community needs.
 - Strategy 13.1: Apply the Public Open Space Contribution Policy at clause 22.12.
 - Strategy 13.2: Avoid the loss of open space and new development in open space unless directly used for sport, leisure, or passive recreation.
 - Strategy 13.3: Ensure new development does not have a negative impact on adjoining open space.

Clause 21.05-2 Urban Design

- Objective 14 - To protect and enhance Yarra's heritage places.
 - Strategy 14.1 Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage.
 - Strategy 14.2 Support the restoration of heritage places.
 - Strategy 14.9 Apply the Landmarks and Tall Structures policy at clause 22.03
- Objective 16 - To reinforce the existing urban framework of Yarra.
 - Strategy 16.1 Reinforce the Yarra River Corridor as the key ecological and open space element of the urban framework.
- Objective 18 - To retain, enhance and extend Yarra's fine grain street pattern.
 - Strategy 18.1 Encourage the re-establishment of streets and laneways through new development sites where such links were part of the historic street pattern, except where this will cause detrimental traffic impacts.
 - Strategy 18.2: Enhance the amenity of laneways by applying the Development Abutting Laneway policy at Clause 22.07.
- Objective 19 - To create an inner-city environment with landscaped beauty.
 - Strategy 19.1 Require well resolved landscape plans for all new development.
 - Strategy 19.2 Encourage opportunities for planting suitable trees and landscape areas in new development.
 - Strategy 19.3 Encourage the retention of mature vegetation.
 - Strategy 19.4 Protect mature and healthy flora species where they have heritage value or are a valued part of the character of an area.
- Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric.
 - Strategy 20.3 Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.
- Objective 25 - To ensure that development maintains and enhances the environmental, aesthetic and scenic qualities of the Corridor.
 - Strategy 25.1 Apply the Design and Development Overlay Schedule 1.
 - Strategy 26.5 Ensure that buildings visible from rail corridors are attractively designed.
- Objective 28: To provide a public environment that encourages community interaction and activity.
 - Strategy 28.1 Encourage universal access to all new public spaces and buildings.
 - Strategy 28.2 Ensure that buildings have a human scale at street level.
 - Strategy 28.3 Require buildings and public spaces to provide a safe and attractive public environment.
 - Strategy 28.4 Require new development to consider the opportunity to create public spaces as part of new development.
 - Strategy 28.5 Require new development to make a clear distinction between public and private spaces.
 - Strategy 28.6 Require new development to consider the creation of public access through large development sites, particularly those development sites adjacent to waterways, parkland or activity centres.
 - Strategy 28.8 Encourage public art in new development.
 - Strategy 28.9 Apply the Public Open Space Contribution policy at clause 22.12.

Clause 21.06-1 Walking and cycling

- Objective 30: To provide safe and convenient pedestrian and bicycle environments.
 - Strategy 30.1 Improve pedestrian and cycling links in association with new development where possible.
 - Strategy 30.2 Minimise vehicle crossovers on street frontages.

Clause 21.06-2 Public transport

- Objective 31 - To facilitate public transport usage.
 - Strategy 31.1 Require new development that generates high numbers of trips to be easily accessible by public transport.

Clause 21.06-3 The road system and parking

- Objective 32 - To reduce the reliance on the private motor car.
- Objective 33 - To reduce the impact of traffic.
 - Strategy 33.1 Ensure access arrangements maintain the safety and efficiency of the arterial and local road networks.

Clause 22.02 - Development Guidelines for Sites Subject to the Heritage Overlay

- 22.02-4 - Objectives:
 - To conserve Yarra's natural and cultural heritage.
 - To conserve the historic fabric and maintain the integrity of places of cultural heritage significance.
 - To retain significant view lines to, and vistas of, heritage places.
 - To preserve the scale and pattern of streetscapes in heritage places.

Clause 22.03 – Landmarks and Tall Structures Policy

- 22.03-2 Objective - To maintain the prominence of Yarra's valued landmarks and landmark signs.
- 22.03-4 Landmarks Design Response:
 - Development should protect views to the following landmark signs:
 - Nylex Sign (Harcourt Parade, Cremorne)
 - Slade Knitwear Sign (Dover Street, Cremorne)

Clause 22.05- Interface Uses Policy

- 22.05-2 – Objectives:
 - To ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.

Clause 22.07 - Development Abutting Laneways

- 22.07-2- Objectives:
 - To provide an environment which has a feeling of safety for users of the laneway.
 - To ensure that development along a laneway acknowledges the unique character of the laneway.
 - To ensure that where development is accessed off a laneway, all services can be provided to the development.
 - To ensure that development along a laneway is provided with safe pedestrian and vehicular access.

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

The Amendment makes suitable use of the Victoria Planning Provisions (VPP) through the selection of appropriate tools to achieve guidance for future land use and development outcomes for the precinct. A Design and Development Overlay (DDO) is the best tool to control future built form.

The amendment also addresses the requirements of Planning Practice Note 29: Ministerial Powers of intervention in Planning and Heritage matters, November 2004. The Practice Note states that the Minister would intervene where the matter will be the introduction of an interim provision or requirement and substantially the same provision or requirement is also subject to a separate process of review (such as the introduction of permanent controls in a planning scheme).

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

Council sought the views of the Department of Transport and Planning (DTP) in drafting of the provisions and development of the Cremorne UDF.

Informal views on the draft Cremorne Urban Design Framework were sought from the Department of Transport and Planning, Heritage Victoria, VicTrack, neighbouring municipalities and the Environmental Protection Agency as part of consultation.

Further views of relevant agencies will be sought during exhibition of draft Amendment C318yara which seeks to apply planning provisions for Cremorne on a permanent basis.

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

The amendment is consistent with the requirements of the Transport Integration Act 2010 and facilitates development outcomes that promote the principles of transit-oriented development.

Specific consideration has been given to ensure vehicular movements do not impact on the Principal Public Transport Network.

The Cremorne UDF includes recommendations and changes to the transport network in Cremorne that will impact on the arterial road network. Council is working with the Department of Transport and Planning and the community to further investigate these options.

Resource and administrative costs

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

The amendment has some impact on the general operation of Council's statutory planning department as it applies new provisions to developments.

The application of planning provisions provides a more consistent assessment of planning permit applications. This is considered to ultimately reduce costs by providing more certainty to the community.