

# St Kilda Road North Precinct

## Amendment C107

### Draft St Kilda Road North Precinct Review 2013



## FREQUENTLY ASKED QUESTIONS

Council has prepared Amendment C107 to the Port Phillip Planning Scheme, and the Amendment is now being placed out for public exhibition, in association with consultation on the draft *St Kilda Road North Precinct Plan 2013*.

### 1. WHAT IS AMENDMENT C107?

Amendment C107 changes the Port Phillip Planning Scheme by revising the Local Planning Policy Framework and updating the Design and Development Overlay (built form controls) that apply to the St Kilda Road North Precinct. Changes to a planning scheme are implemented through a planning scheme amendment. The process for a planning scheme amendment is set out in the Planning and Environment Act 1987. Each change to a planning scheme is given a reference number – in this case, Amendment C107.

### 2. WHAT AREA IS AFFECTED BY AMENDMENT C107?

The amendment applies to the 'St Kilda Road North Precinct' comprising land generally between St Kilda Road and Queens Road, Melbourne and Kings Way, South Melbourne, extending from Dorcas Street, South Melbourne, in the north to Punt Road and High Street, Windsor, in the south. The precinct also includes land along Albert Road and the south side of Palmerston Crescent, east of Moray Street, South Melbourne (see Figure 1).

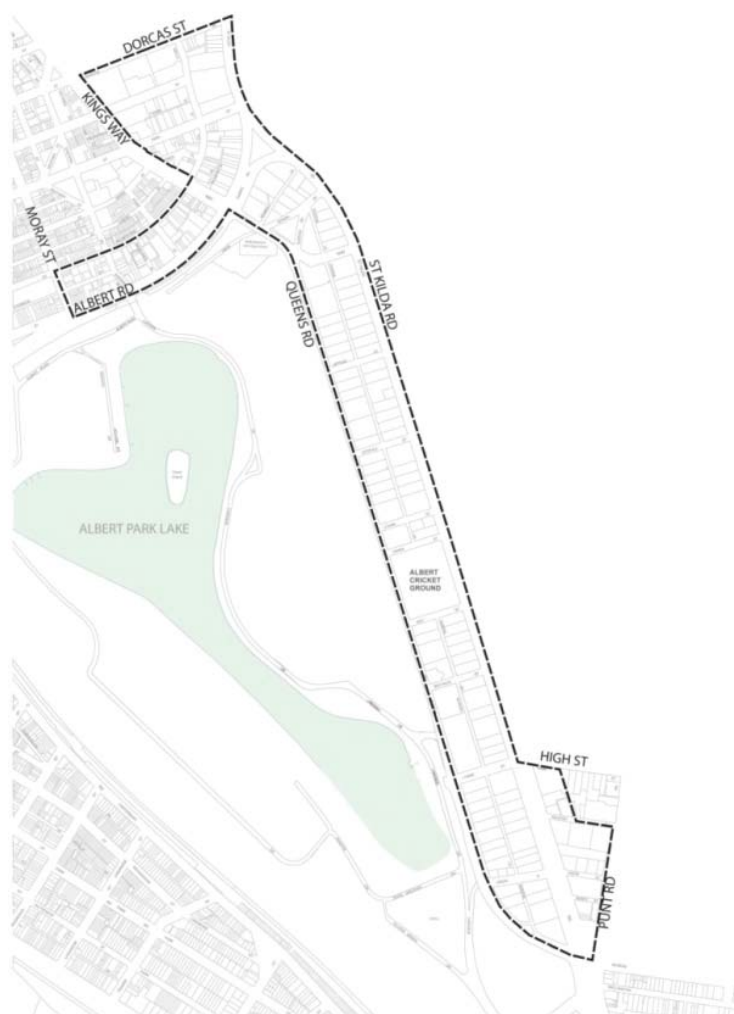


Figure 1- St Kilda Road North Precinct

### 3. WHAT DOES AMENDMENT C107 PROPOSE TO CHANGE?

Amendment C107 gives statutory effect to the Draft *St Kilda Road North Precinct Plan 2013*, through updating the Local Planning Policy Framework and Design and Development Overlay to reflect the vision, strategic directions and built form (development) outcomes of the Plan.

See *Question 6* for more detail on the Draft *St Kilda Road North Precinct Plan 2013*.

More specifically, Amendment C107 will:

- Insert a new Schedule 26 to Clause 43.02 - Design and Development Overlay, which specifies 'design objectives' and 'design requirements' (including mandatory heights and setbacks) for the overall St Kilda Road North precinct, and for individual sub-precincts;
- Delete the existing Schedule 3 and Schedule 4 to the Design and Development Overlay that apply to the St Kilda Road North precinct;
- Modify the Port Phillip Planning Scheme Maps No. 3DDO, Map No. 4DDO and Map No. 6DDO (Design and Development Overlay Maps) to reflect the above;
- Modify the Local Planning Policy Framework (Municipal Strategic Statement) at Clauses 21.06-7: St Kilda Road and Queens Road and 21.04-5: Public Open Space and Foreshore, to reflect the vision and strategic directions of the Draft St Kilda Road North Precinct Plan 2013;
- Include the Draft St Kilda Road North Precinct Plan 2013 as a Reference Document to the Port Phillip Planning Scheme at Clauses 21.07, 43.02 (Schedule 26); and
- Modify Clause 66.06: Notice of permit applications under local provisions to update the requirement to give notice to The Shrine of Remembrance Trustees.

The Amendment does not propose any changes to the existing zoning or heritage overlay controls.

### 4. HOW CAN I FIND OUT HOW THE CHANGES WILL AFFECT MY PROPERTY?

Please visit [http://www.portphillip.vic.gov.au/planning\\_amendments.htm](http://www.portphillip.vic.gov.au/planning_amendments.htm) to view the interactive map and follow the steps to identify the existing controls (DDO3 and DDO4) and proposed controls (DDO26) relevant to your property.

We recognise this is a detailed amendment and encourage you to contact us if you require further explanation, or to request a copy of the amendment documents (hardcopy or on CD). Please contact Felicity Symons from the City Strategy Unit on 9209 6721 or email at [stkildaroadprecinct@portphillip.vic.gov.au](mailto:stkildaroadprecinct@portphillip.vic.gov.au) to discuss this amendment in further detail.

Please see *Q.14* for details on where the amendment documentation can be viewed.

### 5. WHY IS THE AMENDMENT REQUIRED?

The existing DDO3 and DDO4 controls for the St Kilda Road North Precinct were developed over 20 years ago. Accordingly, Council has undertaken a comprehensive review of this precinct and prepared the Draft *St Kilda Road North Precinct Plan 2013* to establish a clear vision and strategic directions for the future development of this important precinct.

The Plan provides the strategic basis for an updated Local Policy and more comprehensive DDO, which addresses current development pressures facing the precinct and responds to its evolution over the last 20 years as a mixed residential and commercial area.

Schedule 26 to the DDO (DDO26) will replace the existing DDO3 and DDO4 in the Port Phillip Planning Scheme to be implemented through Amendment C107. DDO26 specifies 'design objectives' and 'design requirements' relating to the scale and form of new development, including maximum building heights and building setback requirements. It requires high quality development that:

- Respects the Shrine of Remembrance setting;
- Reinforces the well-established street layout and landscape identity of the precinct;
- Maintains residential amenity, and
- and contributes to an inviting and activated environment for pedestrians at street level.

The amendment also updates the Local Planning Policy Framework (LPPF) to reflect the strategic directions of the Draft *St Kilda Road North Precinct Plan 2013* which promote:

- Sustainable Growth;
- A diverse, connected and well-serviced community;
- High quality public realm and linkages;
- Sustainable transport priority;
- Reinforcing the identity and character of the precinct.

Local Policy also identifies Kings Way and Albert Road (along with St Kilda Road) as key boulevards within the municipality.

The new DDO26 and Local Policy will be used to guide decisions on future planning permit applications for use and development within the St Kilda Road North Precinct.

See *Question 9* for more details on the purpose of Design and Development Overlays.

## **6.WHAT STRATEGIC STUDIES HAS COUNCIL UNDERTAKEN TO INFORM AMENDMENT C107?**

Council commenced a review of the St Kilda Road North Precinct in January 2011, following the Minister for Planning's introduction of interim mandatory height controls for the area. These interim controls (due to expire on 20 January 2015), ensure that any development proposals in the short-term do not compromise the strategic importance of the St Kilda Road North Precinct as Melbourne's most renowned boulevard and the setting for the Shrine of Remembrance.

As part of the review, Council commissioned five technical studies covering built form, transport and access, community infrastructure needs, public realm and physical infrastructure capacity. These documents provide an overall background issues and opportunities for the area, and informed the development of the Draft St Kilda Road North Precinct Plan 2013 and new planning controls.

The five technical studies are:

- The Review of Design and Development Overlay 3 & 4 (prepared by Planisphere Consultants);
- Sustainable Transport Management in St Kilda Road (prepared by Ratio Consultants);
- Future Needs of the St Kilda Road Precinct (prepared by Urbis Consultants);
- St Kilda Road Public Realm and Linkages Opportunities Study (prepared by City of Port Phillip); and
- St Kilda Road Precinct Review Infrastructure Study (prepared by City of Port Phillip).

These documents can be viewed at: <http://www.portphillip.vic.gov.au/stkilda-rd-precinct-review.htm>

The *Draft St Kilda Road North Precinct Plan 2013* brings together the key findings of the five draft technical studies into a single document. The plan sets the 'vision' for the precinct and guides future development to achieve a well serviced, high amenity living and working environment.

The *Draft St Kilda Road North Plan 2013* provides the basis for planning scheme amendment C107 that will give effect to the recommended built form controls within the Precinct.

The *Draft St Kilda Road North Precinct Plan 2013* also provides the foundation for programming future capital upgrades to footpaths and local roads, and for ongoing advocacy to government for additional infrastructure – particularly in relation to public transport.

## **7. HOW DOES AMENDMENT C107 RELATE TO THE BUILT FORM REVIEW RECENTLY UNDERTAKEN BY THE SHRINE OF REMEMBRANCE AND IMPLEMENTED THROUGH THE MINISTER FOR PLANNING'S AMENDMENT C140?**

The Shrine Trustees commissioned a study of the built form surrounding the Shrine of Remembrance. The report was commissioned to inform the preparation of planning provisions within the Melbourne, Port Phillip and Stonnington Planning Schemes designed to protect the significance of the Shrine of Remembrance.

On 8 May 2014, the Minister for Planning gazetted Planning Scheme Amendment C140, which implemented the findings of *The Shrine of Remembrance Managing the significance of the Shrine, July 2013* (the Shrine Study) into the Port Phillip Planning Scheme. The changes to the Scheme affected the existing built form controls (DDO3, DDO4 and DDO13), and introduced new mandatory height controls across a significant portion of the St Kilda Road North Precinct.

The changes to the heights proposed by Amendment C107 do not exceed those recommended by the Shrine Study. This was a condition set by the Minister for planning in authorising Council to exhibit Amendment C107.

It is important to note the heights and other controls recommended in the Shrine Study may vary from those reflected in the *Draft St Kilda Road North Precinct Plan 2013*, as the Shrine Study was completed after this Plan was endorsed by Council.

For more information on Amendment C140, please visit: <http://www.portphillip.vic.gov.au/amendment-c140.htm>

## **8. WHAT CHANGES HAVE BEEN MADE TO AMENDMENT C107 FOLLOWING THE APPROVAL OF AMENDMENT C140?**

The proposed Design and Development Overlay (DDO26) has been updated to reflect the recommendations in *The Shrine of Remembrance Managing the significance of the Shrine, July 2013*:

### **Sub-Precinct 1:**

- At the eastern end of Bank Street between Wells Street and St Kilda Road mandatory heights reduced from 36m AHD to 25m AHD to maintain the Bank Street vista to the Shrine.
- Behind the St Kilda Road edge, mandatory heights changed from 60m to 70m AHD.

### **Sub-Precinct 4:**

- In the area bounded by Park Street, Albert Road and Kings Way, mandatory heights reduced from 90m to 85m AHD.

- Between Albert Road, St Kilda Road and Kings Way mandatory heights reduced from 90m and 75m to 65m AHD.

Sub-Precinct 5:

- Properties fronting St Kilda Road, between Kings Way and Hanna Street, mandatory heights changed from 60m to 65m AHD.

Sub-Precinct 6:

- Properties fronting Queens Road, between Kings Way and Arthur Street, mandatory heights changed from 60m to 65m AHD.

## **9. WHAT IS A DESIGN AND DEVELOPMENT OVERLAY (DDO)?**

Design and Development Overlay (DDO) is a planning control which is used to guide the future development of land.

A DDO can specify 'Design Objectives' and 'Design Requirements' for a site or precinct to which it applies. The 'Design Requirements' can include development controls such as heights, building setbacks and landscaping requirements.

A DDO does not control land use and does not change any other requirement of the planning scheme. For example, if a site is affected by heritage controls, the requirements of a Heritage Overlay must be met in addition to the DDO controls.

Various DDOs are used within the Port Phillip Planning Scheme. DDO3 and DDO4 are the existing DDOs which affect the St Kilda Road North Precinct. Planning Scheme Amendment C107 seeks to replace DDO3 and DDO4 with a new DDO26.

## **10. WHAT IS THE DIFFERENCE BETWEEN MANDATORY HEIGHT CONTROLS AND DISCRETIONARY HEIGHT CONTROLS?**

The current DDO3 and DDO4 provide for a combination of mandatory and discretionary height controls. The proposed DDO26 applies mandatory height limits throughout the precinct.

A discretionary height control may be varied through a planning permit process, meaning a building may be approved at a height above the discretionary height limit, within certain circumstances.

A mandatory height control cannot be varied through a planning permit process.

## **11. WILL PLANNING SCHEME AMENDMENT C107 CHANGE THE EXISTING HERITAGE OVERLAY CONTROLS IN THE PRECINCT?**

The proposed changes will not affect any of the existing Heritage Overlay controls in the Port Phillip Planning Scheme. All heritage controls will continue to apply.



## **12. WILL PLANNING SCHEME AMENDMENT C107 CHANGE THE ZONING (LAND USE) CONTROLS OF THE PRECINCT?**

The proposed changes under Amendment C107 will not affect any of the existing zoning (land use) controls of the Port Phillip Planning Scheme.

Reforms to the zone controls have recently occurred as part of the Victorian Governments Reformed Zones. To find out more about the Reformed Zones, please review Council's website:

<http://www.portphillip.vic.gov.au/planning-scheme-zone-reforms.htm>

## **13. I DON'T LIVE IN THE ST KILDA ROAD NORTH PRECINCT. WHY WAS I NOTIFIED?**

Amendment C107 does not propose changes to the planning controls outside of the St Kilda Road North Precinct. However, owners and occupiers of properties within close proximity of the St Kilda Road North Precinct have been notified, as you may be affected or have an interest in the proposed changes to the planning controls and wish to make a submission.

## **14. WHERE CAN I VIEW THE AMENDMENT DOCUMENTATION?**

During the exhibition period we encourage you to review the amendment documents and make a written submission setting out your views. You may inspect the amendment, any documents that support the amendment and the explanatory report about the amendment, free of charge, at the following locations:

City of Port Phillip Municipal Offices:

- St Kilda Town Hall, corner Carlisle Street and Brighton Road, St Kilda;
- South Melbourne Town Hall, 208-220 Bank Street, South Melbourne;
- Port Melbourne Town Hall, 333 Bay Street, Port Melbourne.

(Note: Planning Officers are available at the St Kilda Town Hall to assist with enquiries.)

Municipal Libraries:

- St Kilda Library, 150 Carlisle Street, St Kilda, and
- Emerald Hill Library, 208-220 Bank Street, South Melbourne.

The amendment may also be viewed online at:

- The City of Port Phillip website:  
[http://www.portphillip.vic.gov.au/planning\\_amendments.htm](http://www.portphillip.vic.gov.au/planning_amendments.htm)
- The Department of Transport, Planning and Local Infrastructure website  
[www.dtpli.vic.gov.au/publicinspection](http://www.dtpli.vic.gov.au/publicinspection)

## **15. WHO CAN I SPEAK TO ABOUT THIS AMENDMENT?**

To assist you to understand the changes proposed by Amendment C107 a 'drop-in' session will be held in the Council Chamber of the St Kilda Town Hall on 20 August 2014 from 6.00pm to 8.00pm. Come anytime during these hours to talk to a planner 'one on one'.

We recognise this is a detailed amendment and encourage you to contact us if you require further explanation, or to request a copy of the amendment documents (hardcopy or on CD). Please contact Felicity Symons from the City Strategy Unit on 9209 6721 or email at [stkildaroadprecinct@portphillip.vic.gov.au](mailto:stkildaroadprecinct@portphillip.vic.gov.au) to discuss this amendment in further detail.

## 16. HOW CAN I MAKE A SUBMISSION TO THE PLANNING SCHEME AMENDMENT AND THE DRAFT ST KILDA ROAD NORTH PRECINCT PLAN 2013?

A submission can be in the form of a letter or an email, and should state how you would be affected by the amendment. If you wish to make a submission to the amendment, it must be forwarded by

**8 September 2014** to:

Coordinator – Strategic Planning  
City of Port Phillip  
Private Bag No. 3  
PO St Kilda, Victoria 3182

Or emailed to: [stkildaroadprecinct@portphillip.vic.gov.au](mailto:stkildaroadprecinct@portphillip.vic.gov.au)

Or completed online at: [www.portphillip.vic.gov.au/haveyoursay](http://www.portphillip.vic.gov.au/haveyoursay)

Please ensure that email correspondence includes your postal contact details so we can keep you informed of the amendment process.

*Privacy Statement:* please be aware that pursuant to the Planning and Environment Act 1987, copies of submissions received will be made publicly available as part of the amendment process.