

Motion

1. That Council:
 - 1.1. Notes that the City North Structure Plan proposed that the two areas being 94-112 Courtney Street (corner of Harcourt Street) North Melbourne, and 104-162 Capel Street and 135-159 Peel Street North Melbourne, be rezoned to Mixed Use Zone and be included in the 14m height control that applies to the surrounding land;
 - 1.2. Notes that the adopted version of planning scheme amendment C196 (City North), whilst rezoning both areas to Mixed Use Zone, did not apply 14m height controls to these two areas, and that this has been acknowledged to have been an oversight;
 - 1.3. Requests management to contact and discuss this matter with owners of affected properties with a view to proceeding to a planning scheme amendment to introduce DDO32 and its 14m height limit to both areas; and
 - 1.4. Requests a report be made to the Future Melbourne Committee in December 2014 which provides an update and recommendations as to how Council should proceed on this matter.

Background

- Attachment 1 shows the affected areas.
- Attachment 2 illustrates the zone and overlay changes being made over the affected areas.

Excerpts from the City North Structure Plan and the planning scheme amendment maps for C196 at attachment 2 show that:

- the proposed zoning changes (from residential to MUZ) for the affected areas **were carried through** from the Structure Plan to C196; but
- the proposed height controls for the affected areas **were not carried through** from the Structure Plan to C196.

The lack of explanation for height controls not being carried through from the Structure Plan to amendment C196 was acknowledged in an internal briefing to Councillors in July 2014 to have been an oversight.

It should also be noted that the Heritage Overlay 3 is proposed to be removed from 94-112 Courtney Street by planning scheme amendment C198 (City North Heritage), which, given that the site is very large, will certainly leave this site without the planning controls adequate to meet the built form outcomes which Council has endorsed in the City North Structure Plan.

Planning scheme amendment C196 has already been sent to the Minister for Planning for his approval. Options for Council to consider regarding this matter may therefore include:

- the pursuit of a new standard planning scheme amendment with narrow scope; or
- not prioritising the matter any further.

Before any option is pursued, officers advise that they should make contact with owners of affected properties to alert them of the potential for a planning scheme amendment to be pursued, so that their views are known and understood and can inform any recommendations to be made to the Future Melbourne Committee.

This motion does not commit Council to pursuing any changes to the planning scheme at this stage, it merely facilitates this gathering of information and the presentation of options to a future meeting.

Moved: Cr Leppert

Affected areas

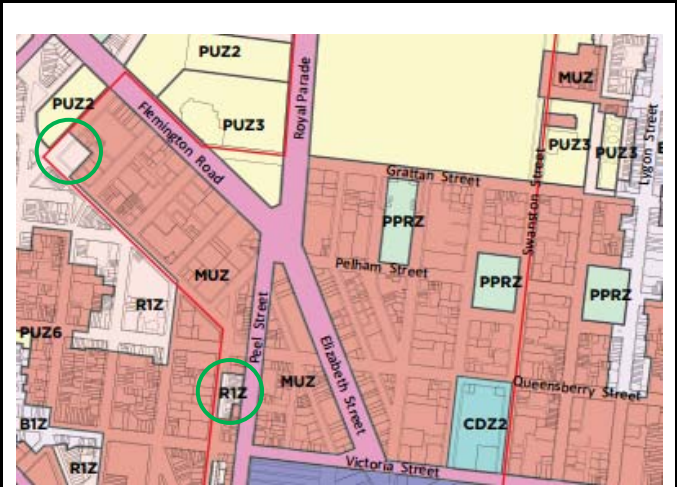
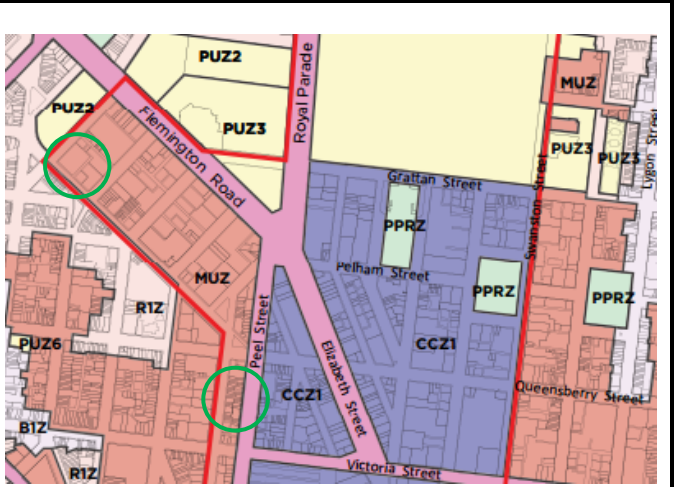
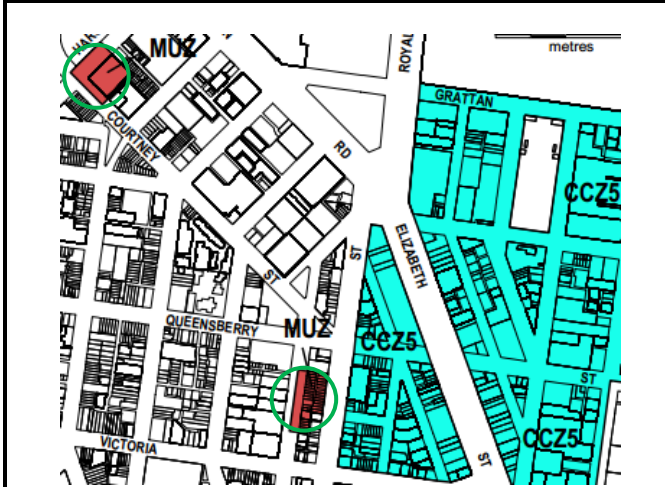

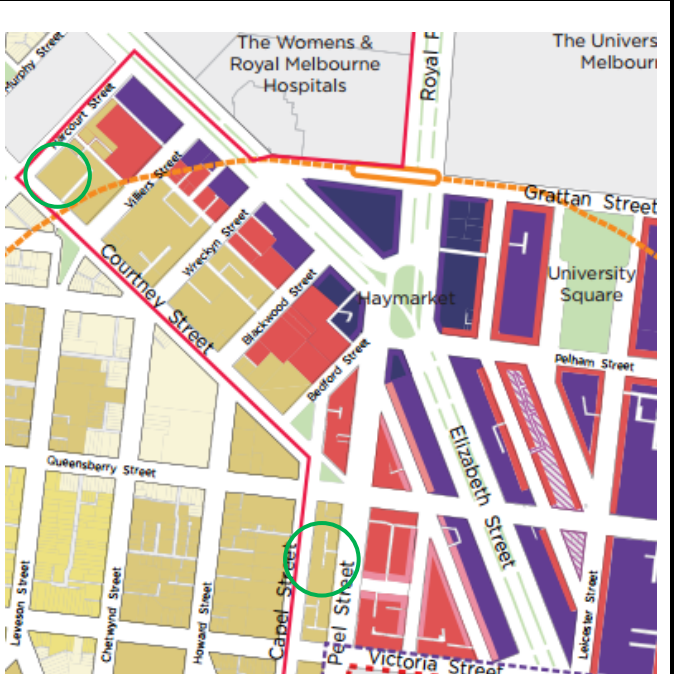
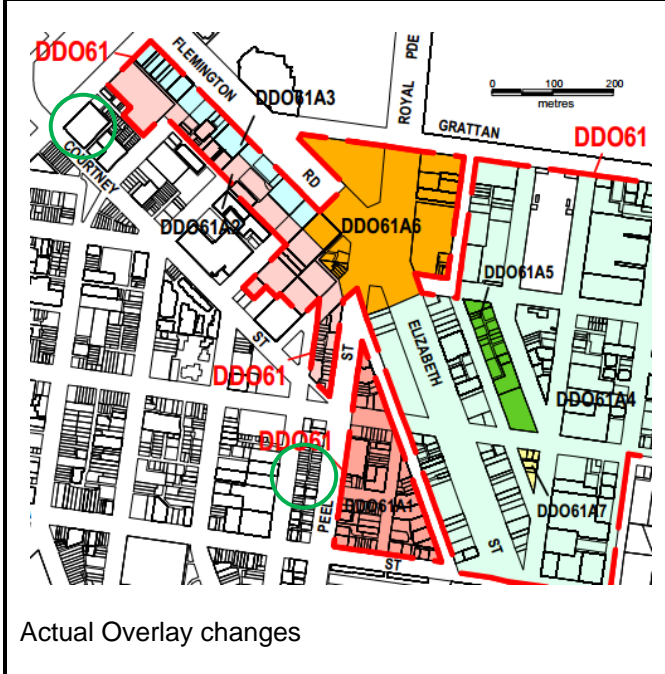
104-162 Capel Street
and 135-159 Peel Street, North Melbourne



94-112 Courtney Street, North Melbourne



Below are excerpts from the City North Structure Plan and from the C196 planning scheme change maps. The affected areas which are the subject of this notice have been circled in green.

	Excerpts from City North Structure Plan		Excerpts from C196 planning scheme change maps
Zone changes	 <p>Existing Land Use Zoning (though RIZ is now GRZ), page 28</p>	 <p>Proposed Land Use Zoning, page 29</p>	 <p>Actual Zoning changes <i>i.e. the Zoning changes were carried through for the areas in question</i></p>
Overlay changes	 <p>Existing DDO overlays (yellow=DDO32, mandatory 14m height control), page 34</p>	 <p>Proposed built form controls (light brown=14m), page 43</p>	 <p>Actual Overlay changes <i>i.e. the Overlay changes were <u>not</u> carried through for the areas in question</i></p>