

STONNINGTON PLANNING SCHEME

AMENDMENT C314STON EXPLANATORY REPORT

Overview

The amendment proposes to correct minor land use zone anomalies by rezoning twenty-one parcels of land (or part thereof) across the municipality where the zone is inconsistent across the parcel, or where the existing zone does not match the use.

Where you may inspect this amendment

The amendment can be inspected free of charge at the City of Stonnington website at connectstonnington.vic.gov.au/amendment-c314ston

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

Stonnington City Centre
311 Glenferrie Road
MALVERN VIC 3144

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

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by 27 October 2023.

A submission must be sent to:

City Futures, City of Stonnington
By post: PO Box 58, MALVERN VIC 3144
By email: strategicplanning@stonnington.vic.gov.au.
By online form: connectstonnington.vic.gov.au/amendment-c314ston

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: 31 January 2024
- Panel hearing: 28 February 2024

Details of the amendment

Who is the planning authority?

This amendment has been prepared by the City of Stonnington, who is the planning authority for this amendment.

Land affected by the amendment

The Amendment applies to the land at:

- 6/1 Monaro Road, Kooyong
- 7/1 Monaro Road, Kooyong
- 8/1 Monaro Road, Kooyong
- 9/1 Monaro Road, Kooyong
- 2 St Martins Close, Kooyong
- 3A St Martins Close, Kooyong
- 4 St Martins Close, Kooyong
- 5 St Martins Close, Kooyong
- 33 Avenel Road, Kooyong
- 621 Orrong Road, Toorak
- 34-44 Osborne Street, South Yarra (Argo Osborne Playground)
- 15 Balmoral Street, South Yarra
- 76-78 Hornby Street, Windsor (Harry Gregory Reserve)
- 129 Peel Street, Windsor
- 1 Fulton Street, Armadale/27-29 Ashleigh Road, Armadale (Toorak Park and Victory Square Community Facility)
- 3-7 Fulton Street, Armadale (Toorak Park and Victory Square Community Facility)
- 18 Elm Road, Glen Iris (Glenburn-Muswell Bend Park)
- 51A Ivanhoe Grove, Malvern East (Ivanhoe Grove Reserve)
- 1A Sydare Avenue, Malvern East (Sydare Southern Reserve)
- 555A Waverley Road, Malvern East

A mapping reference table is attached at Attachment 1 to this Explanatory Report.

What the amendment does

The amendment proposes to correct minor land use zone anomalies by rezoning twenty-one parcels of land (or part thereof) across the municipality where the zone is inconsistent across the parcel, or where the existing zone does not match the use.

Specifically, the amendment proposes to:

- Rezone part of 6/1 Monaro Road, Kooyong from Transport Zone 1 (TRZ1) to General Residential Zone, Schedule 8, (GRZ8).
- Rezone part of 7/1 Monaro Road, Kooyong from Transport Zone 1 (TRZ1) to General Residential Zone (Schedule 8).
- Rezone part of 8/1 Monaro Road, Kooyong from Transport Zone 1 (TRZ1) to General Residential Zone (Schedule 8).
- Rezone part of 9/1/ Monaro Road, Kooyong from Transport Zone 1 (TRZ1) to General Residential Zone (Schedule 8).
- Rezone part of 2 St Martins Close, Kooyong from Transport Zone 1 (TRZ1) to Neighbourhood Residential Zone (Schedule 1).
- Rezone part of 3A St Martins Close, Kooyong from Transport Zone 1 (TRZ1) to Neighbourhood Residential Zone (Schedule 1).
- Rezone part of 4 St Martins Close, Kooyong from Transport Zone1 (TRZ1) to Neighbourhood Residential Zone (Schedule 1).
- Rezone part of 5 St Martins, Kooyong from Transport Zone 1 (TRZ1) to Neighbourhood Residential Zone (Schedule 1).
- Rezone part of 33 Avenel Road, Kooyong from Kooyong from Transport Zone1 (TRZ1) to Neighbourhood Residential Zone (Schedule 1).
- Rezone part of 621 Orrong Road, Toorak from Transport Zone1 (TRZ1) to General Residential Zone (Schedule 3).
- Rezone part of 34-44 Osborne Street, South Yarra from Neighbourhood Residential Zone (Schedule 3) to Public Park and Recreation Zone (PPRZ).
- Rezone 15 Balmoral Street, South Yarra from Neighbourhood Residential Zone (Schedule 3) to Public Park and Recreation Zone (PPRZ).
- Rezone part of 76-78 Hornby Street, Windsor from General Residential Zone (Schedule 12) to Public Park and Recreation Zone (PPRZ).
- Rezone 129 Peel Street, Windsor from Neighbourhood Residential Zone (Schedule 3) to Public Park and Recreation Zone (PPRZ).

- Rezone part of 1 Fulton Street/27-29 Ashleigh Road from Neighbourhood Residential Zone (Schedule 2) to Public Park and Recreation Zone (PPRZ).
- Rezone part of 1 Fulton Street/27-29 Ashleigh Road, Armadale from General Residential Zone (Schedule 10) to Public Park and Recreation Zone (PPRZ).
- Rezone part of 3-7 Fulton Street, Armadale from Neighbourhood Residential Zone (Schedule 2) to Public Use Zone 6 (PUZ6).
- Rezone part of 18 Elm Road, Glen Iris from Residential Growth Zone to Public Park and Recreation Zone (PPRZ).
- Rezone part of 51A Ivanhoe Grove, Malvern East from Neighbourhood Residential Zone (Schedule 2) to Public Park and Recreation Zone (PPRZ).
- Rezone part of 1A Sydare Avenue, Malvern East from Neighbourhood Residential Zone (Schedule 2) to Public Park and Recreation Zone (PPRZ).
- Rezone part of 555A Waverley Road, Malvern East from Neighbourhood Residential Zone (Schedule 2) to Public Park and Recreation Zone (PPRZ).

Strategic assessment of the amendment

Why is the amendment required?

The Amendment is required to clarify the land use of various properties within the municipality to ensure that zoning is consistent across each parcel of land and that the land use zones are representative of their uses.

6/1 Monaro Road, Kooyong

The application of the Transport Zone 1 to part of the land does not appropriately reflect the current residential use of the land, and is inconsistent with the zoning of the remainder of the land. The application of the General Residential Zone (Schedule 8) across the whole parcel of land would be consistent with the use of the land.

7/1 Monaro Road, Kooyong

The application of the Transport Zone 1 to part of the land does not appropriately reflect the current residential use of the land, and is inconsistent with the zoning of the remainder of the land. The application of the General Residential Zone (Schedule 8) across the whole parcel of land would be consistent with the use of the land.

8/1 Monaro Road, Kooyong

The application of the Transport Zone 1 to part of the land does not appropriately reflect the current residential use of the land, and is inconsistent with the zoning of the remainder of the land. The application of the General Residential Zone (Schedule 8) across the whole parcel of land would be consistent with the use of the land.

9/1 Monaro Road, Kooyong

The application of the Transport Zone 1 to part of the land does not appropriately reflect the current residential use of the land, and is inconsistent with the zoning of the remainder of the land. The application of the General Residential Zone (Schedule 8) across the whole parcel of land would be consistent with the use of the land.

2 St Martins Close, Kooyong

The application of the Transport Zone 1 to part of the land does not appropriately reflect the current residential use of the land, and is inconsistent with the zoning of the remainder of the land. The application of the Neighbourhood Residential Zone (Schedule 1) across the whole parcel of land would be consistent with the use of the land.

3A St Martins Close, Kooyong

The application of the Transport Zone 1 to part of the land does not appropriately reflect the current residential use of the land, and is inconsistent with the zoning of the remainder of the land. The application of the Neighbourhood Residential Zone (Schedule 1) across the whole parcel of land would be consistent with the use of the land.

4 St Martins Close, Kooyong

The application of the Transport Zone 1 to part of the land does not appropriately reflect the current residential use of the land, and is inconsistent with the zoning of the remainder of the land. The application of the Neighbourhood Residential Zone (Schedule 1) across the whole parcel of land would be consistent with the use of the land.

5 St Martins Close, Kooyong

The application of the Transport Zone 1 to part of the land does not appropriately reflect the current residential use of the land, and is inconsistent with the zoning of the remainder of the land. The application of the Neighbourhood Residential Zone (Schedule 1) across the whole parcel of land would be consistent with the use of the land.

33 Avenel Road, Kooyong

The application of the Transport Zone 1 to part of the land does not appropriately reflect the current residential use of the land, and is inconsistent with the zoning of the remainder of the land. The application of the Neighbourhood Residential Zone (Schedule 1) across the whole parcel of land would be consistent with the use of the land.

621 Orrong Road, Toorak

The land is currently used for residential purposes, containing a semi-detached terrace row house. The General Residential Zone (Schedule 3) most accurately reflects the residential use of the land.

34-44 Osborne Street, South Yarra

The application of the Neighbourhood Residential Zone (Schedule 3) to part of the land is inconsistent with the majority of the land, which is within the Public Park and Recreation Zone. The application of the Public Park and Recreation Zone across the whole parcel of land is consistent with the use of the land, and will preserve it for open space uses.

15 Balmoral Street, South Yarra

This land has been purchased by the City of Stonnington for use as open space. The application of the Public Park and Residential Zone across the whole parcel of land is the most appropriate zone for the current and future use of the land.

76-78 Hornby Street, Windsor (Harry Gregory Reserve)

The application of the General Residential Zone (Schedule 12) to part of the land is inconsistent with the majority of the land, which is within the Public Park and Recreation Zone. The application of the Public Park and Recreation Zone across the whole parcel of land is consistent with the use of the land, and will preserve the land for open space uses.

Former 129 Peel Street, Windsor

This land has been purchased by the City of Stonnington for use as open space. The application of the Public Park and Residential Zone across the whole parcel of land is the most appropriate zone for the current and future use of the land.

1 Fulton Street/27-29 Ashleigh Road, Armadale (Toorak Park and Victory Square Community Facility)

Two zoning discrepancies exist on the land. In the north-eastern section, a part of the land is zoned Neighbourhood Residential Zone (Schedule 2). In the southern section, a part of the land is zoned General Residential Zone (Schedule 10). Residential zoning is inappropriate for the use of the land. Rezoning these sections of land to Public Park and Recreation Zone more accurately reflects the use of the land.

3-7 Fulton Street, Armadale (Toorak Park and Victory Square Community Facility)

The application of the Neighbourhood Residential Zone (Schedule 2) to part of the land is not appropriate to the use of the land and is inconsistent with the zoning of the remainder of the land. The application of the Public Use 6 Zone across the whole parcel of land is consistent with the use of the land.

18 Elm Road, Glen Iris (Glenburn-Muswell Bend Park)

The application of the Residential Growth Zone (Schedule 1) to part of the land is inconsistent with the majority of the land, which is within the Public Park and Recreation Zone. The application of the Public Park and Recreation Zone across the whole parcel of land is consistent with the use of the land, and will preserve the land for open space uses.

51A Ivanhoe Grove, Malvern East (Ivanhoe Grove Reserve)

The application of the Neighbourhood Residential Zone (Schedule 2) to part of the land is inconsistent with the majority of the land, which is within the Public Park and Recreation Zone. The application of the Public Park and Recreation Zone across the whole parcel of land is consistent with the use of the land, and will preserve the land for open space uses.

1A Sydare Avenue, Malvern East (Sydare Southern Reserve)

The application of the Neighbourhood Residential Zone (Schedule 2) to part of the land is inconsistent with the majority of the land, which is within the Public Park and Recreation Zone. The application of the Public Park and Recreation Zone across the whole parcel of land is consistent with the use of the land, and will preserve the land for open space uses.

555A Waverley Road, Malvern East

The application of the Neighbourhood Residential Zone (Schedule 2) to part of the land is inconsistent with the majority of the land, which is within the Public Park and Recreation Zone. The application of the Public Park and Recreation Zone across the whole parcel of land is consistent with the use of the land, and will preserve the land for open space uses.

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

The amendment corrects a number of minor zoning anomalies ensuring the planning scheme provisions are correctly applied and implements the objectives of planning in Victoria as identified in Section 4 (1) of the Planning and Environment Act 1987 as follows:

- To provide for the fair, orderly, economic and sustainable use, and development of land
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria
- To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community
- To balance the present and future interests of all Victorians

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

Environmental effects

The amendment is anticipated to have a positive environmental impact by increasing and preserving opportunity for open space within the City of Stonnington.

Social effects

The amendment is expected to have positive social benefits for the general community. By correcting several anomalies, the amendment increases the amount of open space available to the community and contributes to the overall welfare and community well-being in Stonnington.

Economic effects

The amendment aims to bring benefits to landowners, the Stonnington City Council, and the general community. Positive economic effects will result from the accurate application of zones and overlays to match land ownership and usage, as well as surrounding land uses.

Does the amendment address relevant bushfire risk?

The City of Stonnington is not in a designated bushfire prone area and therefore bushfire risk is not a relevant consideration.

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

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Planning and Environment Act 1987.

Direction No. 1 Potentially contaminated land

The amendment complies with this direction. The City of Stonnington has identified that there are no recorded uses indicative of contaminated land and therefore determined that the land is not potentially contaminated.

Direction No.9: Metropolitan Planning Strategy

The amendment complies with this direction, ensuring that it will not affect or compromise the implementation of the Metropolitan Planning Strategy.

Direction No. 11: Strategic Assessment of Amendments

The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. This explanatory report provides a comprehensive strategic evaluation of the amendment and the outcomes it produces.

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

The amendment is consistent with the Planning Policy Framework with particular regard to its objectives for Settlement (Clause 11), Environmental and Landscape Values (Clause 12), Built Environment and Heritage (Clause 15), Housing (Clause 16) and Infrastructure (Clause 19).

How does the amendment support or implement the Municipal Planning Strategy?

The amendment aligns with the objectives and strategic directions of Stonnington's Municipal Planning Strategy (MPS) by facilitating the efficient administration of the Stonnington Planning Scheme. It contributes to orderly planning and development outcomes by correcting identified zoning anomalies. The Amendment supports MPS (Clause 02.03-8), emphasising the importance of enhancing existing open spaces and increasing open space within the municipality.

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

The outcomes support the Victorian Planning Provisions objective to use zones to accurately guide land use and suitable development. This is through the correction of errors and anomalies in the existing zones to accurately reflect the ownership and/or use of the land.

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

The views of all relevant agencies were sought prior to the preparation of this amendment. Stonnington City Council engaged with VicTrack in 2020 due to their previous ownership of part of the affected land. VicTrack confirmed their agreement and support for correcting these anomalies.

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

The amendment is not expected to have a significant impact on the transport system.

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

The correction of zoning anomalies proposed within the amendment is not expected to result in a significant increase in the number of planning permit applications, and any additional work can be resourced with current staff levels.

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference	Address	Proposed changes		
				Zone	Overlay	Deletion
Kooyong	Northern edge of 6/1 Monaro Road, Kooyong	Stonnington C314ston 002znMap03 Exhibition	6/1 Monaro Road, Kooyong	Rezone part of 6/1 Monaro Road from TRZ1 to GRZ8		
Kooyong	Northern edge of 7/1 Monaro Road, Kooyong	Stonnington C314ston 002znMap03 Exhibition	7/1 Monaro Road, Kooyong	Rezone northern edge of 7/1 Monaro Road from TRZ1 to GRZ8		
Kooyong	Northern edge of 8/1 Monaro Road, Kooyong	Stonnington C314ston 002znMap03 Exhibition	8/1 Monaro Road, Kooyong	Rezone northern edge of 8/1 Monaro Road from TRZ1 to GRZ8		
Kooyong	Northern edge of 9/1 Monaro Road, Kooyong	Stonnington C314ston 002znMap03 Exhibition	9/1 Monaro Road, Kooyong	Rezone northern edge of 9/1 Monaro Road from TRZ1 to GRZ8		
Kooyong	Northern-eastern section of 2 St Martins Close	Stonnington C314ston 002znMap03 Exhibition	2 St Martins Close, Kooyong	Rezone northern-eastern section of 2 St Martins Close from TRZ1 to NRZ1.		
Kooyong	Northern-eastern section of 3A St	Stonnington C314ston 002znMap03 Exhibition	3A St Martins Close, Kooyong	Rezone northern-eastern section 3a St Martins		

	Martins Close			Close from TZ to NRZ1.		
Kooyong	Northern-eastern section of 4 St Martins Close	Stonnington C314ston 002znMap03 Exhibition	4 St Martins Close, Kooyong	Rezone northern-eastern section 4 St Martins Close from TRZ1 to NRZ1.		
Kooyong	Northern-eastern section of 5 St Martins Close	Stonnington C314ston 002znMap03 Exhibition	5 St Martins Close, Kooyong	Rezone northern-eastern section 5 St Martins Close from TRZ1 to NRZ1.		
Kooyong	Northern-eastern section of 33 Avenel Road, Kooyong	Stonnington C314ston 002znMap03 Exhibition	33 Avenel Road, Kooyong	Rezone northern-eastern section of 33 Avenel Road from TRZ1 to NRZ1.		
Toorak	621 Orrong Road, Toorak	Stonnington C314ston 004znMap05 Exhibition	621 Orrong Road, Toorak	Rezone 621 Orrong Road, Toorak from TRZ1 to GRZ3.		
South Yarra	34-44 Osborne Street, South Yarra	Stonnington C314ston 001znMap01 Exhibition	34-44 Osborne Street, South Yarra (Argo Osborne Playground)	Rezone 34-44 Osborne Street, South Yarra from NRZ3 to PPRZ.		
South Yarra	15 Balmoral Street, South Yarra	Stonnington C314ston 001znMap01 Exhibition	15 Balmoral Street, South Yarra	Rezone 15 Balmoral Street, South Yarra from NRZ3 to PPRZ.		

Windsor	Eastern section of 76-78 Hornby Street, Windsor	Stonnington C314ston 003znMap04 Exhibition	76-78 Hornby Street, Windsor (Harry Gregory Reserve)	Rezone eastern section of 76-78 Hornby Street, Windsor from GRZ12 to PPRZ.		
Windsor	129 Peel Street, Windsor	Stonnington C314ston 003znMap04 Exhibition	129 Peel Street, Windsor	Rezone 129 Peel Street, Windsor from NRZ3 to PPRZ.		
Armadale	South-eastern section of 1 Fulton Street, Armadale (Toorak Park and Victory Square Community Facility)	Stonnington C314ston 005znMap05 Exhibition	1 Fulton Street, Armadale (Toorak Park and Victory Square Community Facility)	Rezone south-eastern section of 1 Fulton Street, Armadale from GRZ 10 to PPRZ.		
Armadale	North-eastern section of 27-29 Ashleigh Road, Armadale (Toorak Park and Victory Square Community Facility)	Stonnington C314ston 005znMap05 Exhibition	27-29 Ashleigh Road, Armadale (Toorak Park and Victory Square Community Facility)	Rezone north-eastern section of 27-29 Ashleigh Road, Armadale from NRZ 2 to PPRZ.		
Armadale	3-7 Fulton Street, Armadale (Toorak Park and Victory Square Community Facility)	Stonnington C314ston 005znMap05 Exhibition	3-7 Fulton Street, Armadale (Toorak Park and Victory Square Community Facility)	Rezone part of 3-7 Fulton Street, Armadale from NRZ2 to PUZ6.		
Glen Iris	18 Elm Road (North and north-east Brixton	Stonnington C314ston 006znMap07 Exhibition	18 Elm Road, Glen Iris	Rezone north and north-east Brixton Rise of 18		

	Rise), Glen Iris			Elm Road from RGZ1 to PPRZ.		
Malvern East	Part of 51A Ivanhoe Grove, Malvern East	Stonnington C314ston 007znMap10 Exhibition	51A Ivanhoe Grove, Malvern East (Ivanhoe Grove Reserve)	Rezone part of 51A Ivanhoe Grove, Malvern East from NRZ2 to PPRZ.		
Malvern East	North and south-western section of 1A Sydare Avenue, Malvern East	Stonnington C314ston 008znMap10 Exhibition	1A Sydare Avenue, Malvern East (Sydare Southern Reserve)	Rezone north and south-western section of 1A Sydare Avenue, Malvern East from NRZ2 to PPRZ.		
Malvern East	Part of 555A Waverley Road, Malvern East	Stonnington C314ston 007znMap10 Exhibition	555A Waverley Road, Malvern East	Rezone part of 555A Waverley Road, Malvern East from NRZ2 to PPRZ.		