

**DAREBIN PLANNING SCHEME**

**AMENDMENT C115**

**EXPLANATORY REPORT**

**Who is the planning authority?**

This amendment has been prepared by Darebin City Council, which is the planning authority.

The amendment has been made at the request of Ratio Consultants Pty Ltd on behalf of Seventh Mirage Pty Ltd, the owners of 195-209 St Georges Road Northcote.

**Land affected by the amendment.**

The amendment applies the land at 195-209 St Georges Road, Northcote (the 'subject site').

**What the amendment does.**

The amendment seeks to change the Darebin Planning Scheme by:

- Rezoning the subject site from the Industrial 3 Zone to the Business 2 Zone. A new schedule to the Business 2 Zone is also proposed to nominate a site specific maximum leasable floor area for office use above which a planning permit will be required,
- Applying the Design and Development Overlay to the subject site.
- Applying an Environmental Audit Overlay to the subject site.

**Strategic assessment of the amendment**

Why is the amendment required?

The amendment is required to allow for the redevelopment of the site for a wider range of uses than is presently allowed pursuant to the provisions of Industrial 3 Zone. The provisions of the Industrial 3 Zone prohibit the establishment of viable alternative uses for the site including residential and commercial land uses.

An amendment to the Darebin Planning Scheme from the Industrial 3 Zone to the Business 2 Zone is required to facilitate future alternative land uses for the site. The proposed Business 2 Zone will encourage a combination of residential, commercial, industrial, and other uses to complement the mixed-use function of the locality.

Rezoning the subject site to the Business 2 Zone will allow for the regeneration of the site in accordance with the State and Local Planning Policy Framework of the Darebin Planning Scheme that support mixed use development on strategic redevelopment sites close to public transport.

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

The amendment assists in implementing the following objectives of planning in Victoria as outlined in Section 4 (1) of the Planning and Environment Act 1987:

- *‘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 balance the present and future interests of all Victorians.’*

Council’s Industrial Land Use Strategy (2001) identifies the site as a poor location for new industrial activity. The Windsor Smith factory ceased manufacturing some five years ago when manufacturing shifted off shore to China. The owner of the land has not been able to attract a suitable replacement tenant.

A rezoning of the site will allow for the establishment of a mix of uses and including space for new business in growing economic sectors. The establishment of residential land use will assist in supporting existing commercial activity in the area.

The amendment will allow for the optimum use and development of the site which is located close by to a tramway, fixed rail and the Northcote Major Activity Centre.

The rezoning of the site will assist in regenerating the area. It will allow the conversion of the existing redundant industrial land use, to a mix of uses including residential and commercial, which have the potential to create a more pleasant and prosperous environment with access to fixed rail transport.

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

The amendment will result in positive social, environmental and economic outcomes and an overall net community benefit.

A rezoning of the site will have a positive economic outcome replacing a redundant use with a zone control that will allow for the establishment of a mix of uses, including space for new businesses in growing economic sectors. The establishment of new residential and commercial development will contribute to the vitality of the area, support existing commercial activity and provide opportunities for local employment.

The amendment will promote development that takes advantage of existing urban zoned land and exhibits high quality urban design.

The application of the Environmental Audit Overlay will ensure that the condition of the land will be suitable before accommodating sensitive land uses. The application of the EAO will result in an improvement to any potential existing environmental land contamination.

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

The form and content of this report is consistent with Ministerial Direction No. 11 ‘Strategic Assessment of Amendments’.

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

Ministerial Direction No. 1 ‘Potentially Contaminated Land’ requires that, in preparing an amendment that will have the effect of allowing potentially contaminated land to be developed for a sensitive use, a planning authority must satisfy itself that the environmental conditions of the land are or will be suitable for that use.

The application of the Environmental Audit Overlay (EAO) to the land is consistent with Ministerial Direction No. 1. The overlay will require that the environmental conditions of the land are suitable before any sensitive use or development commences.

Ministerial Direction No. 9 – ‘Metropolitan Strategy’ requires all planning authorities to have regard to ‘Melbourne 2030 – planning for sustainable growth’. In relation to the directions of Melbourne 2030 the following is noted:

#### Direction 1: A More Compact City

The amendment will facilitate development that takes full advantage of existing urban land and infrastructure. The mixed use redevelopment of the site will allow scope for higher density housing in proximity of the Northcote Major Activity Centre and existing tram route 112.

#### Direction 2: Better Management of Metropolitan Growth

The amendment seeks to allow increased housing and commercial development in an area well serviced by public transport and infrastructure. It will serve to assist in limiting outward pressure for growth.

#### Direction 4: A More Prosperous City

The amendment will not result in the loss of viable industrial land and has the potential to facilitate new commercial uses that will contribute to the local economy.

#### Direction 5: A Great Place to Be

The amendment will allow for the establishment of quality urban development which if well designed, will assist in creating a sense of place that is safe, attractive, walkable and diverse.

#### Direction 8: Better Transport Links

Located close by to Tram route 112 and nearby Croxton and Northcote rail stations, the amendment will assist in integrating land use and transport.

#### How does the amendment support or implement the State Planning Policy Framework?

The amendment supports the following aspects of the SPPF:

- Clause 12 ‘Metropolitan Development’ – the amendment will facilitate potential for high density housing on a strategic redevelopment site, with good access to public transport and the Northcote Major Activity Centre.

- Clause 12 ‘Metropolitan Development’ – the amendment will encourage additional housing supply, diversity of housing choice and cater to projected population growth.
- Clause 14.01 ‘Planning for urban settlement’ – as the amendment assists in providing commercial and residential land in close proximity to public transport routes.
- Clause 15.06 ‘Soil Contamination’ – the amendment will assist in the clean up of potentially contaminated land through the application for the Environmental Audit Overlay (EAO).
- Clause 17.02 ‘Business’ – the amendment will encourage development that will provide residential housing, commercial services and net community benefit in relation to accessibility and efficient infrastructure use.
- Clause 17.03 ‘Industry’ – as the amendment will not result in the loss of any core or prime industrial zoned land.
- Clause 18.01 ‘Declared Highways, railways and tramways’ – the amendment will facilitate the integration of future mixed use development with an existing tramway and provide convenient access to a main road in St Georges Road.
- Clause 18.02 ‘Car Parking and Public Transport Access to Development’ – the proposal will allow for mixed use development in close proximity to public transport, thus meeting the intent of encouraging increased use of public transport.

How does the amendment support or implement the Local Planning Policy Framework?

The amendment supports the following provisions of the Darebin LPPF:

- Clause 21.02-8 ‘Housing’ – the amendment will contribute to the expected growth of 110,000 households in the ‘northern region’ of municipalities in the next 20 years.
- Clause 21.05-2 ‘Element 2: Housing’ – the amendment will allow for future residential development to accommodate the projected 70,000 additional persons for Darebin as nominated by Council’s Integrated Housing Strategy.
- Clause 21.05-2 ‘Element 2: Housing’ – the amendment will allow for future mixed use development on a strategic redevelopment site with access to tram route 112, Croxton and Northcote rail stations, and proximity to community facilities including the Northcote Major Activity Centre, nearby parks and a school.
- Clause 21.05-5 ‘Element 5: Economic Development’ – as the proposal will not result in the loss of core industrial land and will facilitate the re-use of redundant industrial land to more appropriate commercial and residential uses.
- Clause 21.05-9 ‘Element 9: Transport and Access’ – the amendment will encourage higher density housing close to a tram route and within close proximity to two train stations, thus increasing the proportion of residents who can easily access public transport.

- Clause 22.07 ‘Industrial and Commercial Activity’ – as the proposal will not undermine existing viable core and secondary industrial areas and will allow for the transition of an under-utilised site to more suitable economic uses.
- The recommendations of the *Industrial Land Use Strategy – A Framework for Decision Making (2001)* which identifies the site as a poor location for future industrial uses and appropriate for a residential/office mixed use development.

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

The Business 2 Zone, Environmental Audit Overlay and Design and Development Overlay are legitimate tools within the VPP’s. These tools are appropriate controls for the subject site and will assist in achieving mixed-use regeneration consistent with state and local planning policies.

The Environmental Audit Overlay will give effect to the requirement that the environmental conditions of the land must be suitable before a sensitive use or development commences.

The Design and Development Overlay will set in place a framework to guide the future form of development on the site.

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

Referrals to any relevant agency and opportunities to consider their views will be undertaken through the amendment process.

The amendment can be referred to the Environmental Protection Authority for comments during the public exhibition period. The proposed Environmental Audit Overlay can adequately ensure that any potential contamination on the land will be remediated prior to any sensitive use commencing.

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

The amendment will not have any significant impact upon the resources and administrative costs of the Council. Any development application that results as a consequence of this amendment can be absorbed by the existing resources within Darebin City Council.

**Where you may inspect this Amendment.**

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

Darebin City Council  
274 Gower St  
PRESTON VIC 3072

The amendment can also be inspected free of charge at the Department of Planning and Community Development web site at [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection).

*Planning and Environment Act 1987*

**DAREBIN PLANNING SCHEME**

*AMENDMENT C115*

The planning authority for this amendment is Darebin City Council.

The Darebin Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of three attached maps:

**Zoning Maps**

1. Planning Scheme Map 13 is amended in the manner shown on the attached map marked 'Darebin Planning Scheme, Amendment C115'.

**Overlay Maps**

2. Planning Scheme Map 13DDO is amended in the manner shown on the attached map marked 'Darebin Planning Scheme, Amendment C115'.
3. Planning Scheme Map 13EAO is amended in the manner shown on the attached map marked 'Darebin Planning Scheme, Amendment C115'.

**Planning Scheme Ordinance**

4. In Zones – following Clause 34.02, insert an amended Schedule in the form of the attached document.
5. In Overlays – following Clause 43.02, insert a new Schedule 14 in the form of the attached document.

**List of Amendments**

6. Substitute a new List of Amendments in the form of the attached document.

*End of document*

# Amendment C115

## List of changes to the Darebin Planning Scheme

<i>Clause / Map Numbers</i>	<b>Change</b>	<b>Comment</b>
<b>PLANNING SCHEME MAP CHANGES</b>		
Map No.13	Amend Planning Scheme Map No. 13 to re-zone the land at 195-209 St Georges Road, Northcote from the Industrial 3 Zone to the Business 2 Zone.	Amend planning scheme map to rezone land to Business 2 Zone.
Map No.13 DDO	Amend Planning Scheme Map No. 13DDO to apply a Design and Development Overlay Schedule 14 to the land.	Amend planning scheme map to include land within Design and Development Overlay Schedule 14.
Map No.13 EAO	Amend Planning Scheme Map No. 13EAO to apply an Environmental Audit Overlay to the land.	Amend planning scheme map to include land within Environmental Audit Overlay.
<b>ZONES</b>		
Clause 34.02	Following Clause 34.02, insert a new schedule to the Business 2 Zone in the form of the attached document.	Introduces a new schedule to the Business 2 Zone.
<b>OVERLAYS</b>		
Clause 43.02 Schedule 14	Following Clause 43.02, insert a new Schedule 14 in the form of the attached document.	Introduces a new Schedule 14 to the Design and Development Overlay.
<b>LIST OF AMENDMENTS</b>		
List of Amendments	Insert: Amendment number C115, in operation from, <DATE> with the brief description: Rezones the land at 195-209 St Georges Road, Northcote from the Industrial 3 Zone to the Business 2 Zone. Introduces a new schedule to the Business 2 Zone. Applies a Design and Development Overlay Schedule 14 to the land. Applies the Environmental Audit Overlay to the land.	Updates list of amendments to the Darebin Planning Scheme.