

Planning and Environment Act 1987

DAREBIN PLANNING SCHEME

AMENDMENT C138

EXPLANATORY REPORT

Who is the planning authority?

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

The amendment has been made at the request of Darebin City Council.

Land affected by the amendment

The amendment applies to all land within the municipality.

What the amendment does

The amendment replaces the existing Municipal Strategic Statement (MSS) (Clause 21 of the Darebin Planning Scheme) with a new format MSS.

In particular, the Local Planning Policy Framework is amended by replacing Clauses 21.01 – 21.05 and deleting Clauses 22.01, 22.03 and 22.06.

The amendment also amends Clauses 22.07, 22.08, 22.09 and 22.10 and re-numbers Clauses 22.02, 22.04, 22.05, 22.07, 22.08, 22.09, 22.10, 22.11 and 22.12 to be Clause 22.01 through to 22.09 respectively.

The MSS has been modified in accordance with the recommendations of the Darebin Planning Scheme Review Report 2010 (adopted February 2011).

In addition, the updated MSS includes provisions for the implementation of the:

- Darebin Housing Strategy 2013-2033;
- Darebin Economic Land Use Strategy 2013; and
- Reservoir Major Activities Area Structure Plan, 2012.

Strategic assessment of the amendment

• Why is the amendment required?

The Amendment addresses two key requirements:

- Implementation of the outcomes of Council's statutory obligation to regularly review the planning scheme to maintain its strategic relevance; and
- Implementation of new strategies in Housing and Economic Land Use, and implementation of the Reservoir Structure Plan.

Darebin Planning Scheme Review

The Amendment is required to implement the recommendations of the Darebin Planning Scheme Review conducted in 2010.

Section 12B of the Planning and Environment Act 1987 requires that the planning scheme be reviewed every four years to maintain its strategic relevance and ensure that the planning scheme achieves Council's land use vision for the municipality.

Council has a responsibility to ensure the maintenance and enhancement of the Darebin Planning Scheme. The amendment will ensure that the Planning Scheme accurately reflects Council's key policies and strategies for land use and development in the municipality.

The Amendment revises the MSS to address the changing demographics, economic activity, and new state and local policies and land use changes that have occurred since the release of the current MSS. The revised MSS is structured to reflect contemporary issues and to be consistent with the recommended format (Practice Note 4 – Writing a Municipal Strategic Statement, 2010).

Additionally, the revised MSS will:

- consolidate several local policies into the MSS, removing areas of repetition and making it easier for users to understand;
- update reference documents; and
- update implementation tools such as 'Further Strategic Work' and 'Policy Guidance'.

Darebin Housing Strategy 2013-2033

The amendment is required to reflect the strategic intent of Council's adopted Housing Strategy and to formally incorporate the statutory recommendations of the Strategy into the Planning Scheme. In particular, the Amendment:

- Provides greater certainty over the housing change envisaged across the municipality by identifying a clear hierarchy of 'Housing Change Areas' – Substantial, Incremental and Minimal. These change areas will assist the housing development market in making choices about where to locate and what housing outcome is appropriate in these areas;
- Provides a balance between heritage and character preservation and the need to facilitate housing growth, access to jobs and services and population growth within Darebin;
- Encourages higher density housing outcomes in identified Substantial Change Areas and on identified strategic opportunity sites across the municipality, which possess the lot size, zoning and favourable location attributes that make them suitable for residential and or mixed used redevelopment at increased densities;
- Identifies housing issues of increasing relevance to Darebin such as affordable and social housing provision, environmentally sustainable design, housing diversity, density in appropriate locations, access to jobs and services, accessible housing for the elderly and people with limited mobility and student accommodation; and
- Establishes a clear framework for future strategic work to support the application of new residential zones, including reviewing neighbourhood character guidelines in accordance with Housing Change Areas, and to better monitor residential growth trends and integrate housing and infrastructure growth requirements.

Darebin Economic Land Use Strategy 2013

The amendment is required to reflect the strategic intent of Council's adopted Economic Land Use Strategy which provides a strategic framework for Industrial and Commercial precincts and sites within the City of Darebin. In particular, the Amendment:

- Acknowledges the structural changes in the regional and local economy, in particular the decline in traditional manufacturing both in the number and proportion of jobs, and the implications for the local economy and Darebin's economic land use patterns;
- Identifies increased demands for commercial uses such as 'softer' industry, offices, warehouse, service businesses, corporate offices and mixed uses;
- Provides greater certainty regarding the preferred future land use directions of Darebin's industrial and commercial precincts and in doing so, supports the maintenance of three core industrial areas in Darebin;
- Provides a sufficient supply of land to accommodate demand from industry; and
- Establishes a clear framework for future strategic work and re-zonings to give effect to the recommendations of the Strategy.

Reservoir Major Activities Area Structure Plan, 2012

The Amendment is required to introduce Council's adopted Reservoir Structure Plan, 2012 into the Planning Scheme. In particular, the Amendment:

- provides for the development of the Reservoir Major Activities Area in accordance with the Structure Plan and to guide and facilitate ongoing investment and growth in housing, retail, office, entertainment and service sectors.

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

The amendment seeks to implement the following objectives set out at Section 4 of the *Planning and Environment Act 1987*:

- 1(a) - to provide for the fair, orderly, economic and sustainable use, and development of land;
- 1(g) - to balance the present and future interests of all Victorians.

The amendment will provide the strategic direction for land use and development within the municipality to assist in decision making that achieves environmentally sustainable development through a high quality compact urban form that facilitates economic and residential growth in Darebin.

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

Environmental Effects

The amendment is expected to have positive environmental effects through the provision of clear guidelines to achieve future land use and development outcomes within the municipality which are sustainable. The provisions make a positive contribution to Darebin's environment by:

- Encouraging residential and commercial development to respond to best practice environmental guidelines and facilitate site responsive designs that optimise passive heating and cooling opportunities and provide a higher level of amenity;

Social and Economic

The amendment is expected to generate positive economic and social effects for Darebin. The provisions will make a positive contribution, by:

- Encourages residential intensification to occur in areas with superior access to services, employment opportunities and public transport to support economic and social participation for Darebin residents; and
- Supporting sustainable business practices as a central theme in the economic activity of the municipality.

• Does the amendment address relevant bushfire risk?

The land affected by the amendment is located in a fully developed urban area that is not subject to high levels of bushfire risk.

The Bushfire Management Overlay does not apply to the land.

- **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 Act. The amendment has been evaluated in accordance with the strategic considerations set out in Minister's Direction No.11 Strategic Assessment of Amendments under Section 12 of the *Planning and Environment Act 1987* and is consistent with those considerations. The amendment is consistent with Ministerial Direction No.9, Metropolitan Strategy under Section 12 of the *Planning and Environment Act 1987* that requires planning authorities to have regard to the Metropolitan Strategy.

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

The proposed amendment is consistent with the objectives of the State Planning Policy Framework (SPPF). The proposed changes will assist in achieving objectives in relation to the following clauses:

Clause 11 – Settlement

This clause seeks to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. The proposed Amendment addresses this Clause by providing strategic direction to facilitate housing growth and diversity to cater for Darebin's growing population as well as safeguarding Darebin's open space for recreation and amenity purposes and ensuring sufficient land for employment and economic activity. The Amendment also provides for the orderly development of the Reservoir Major Activities Area to accommodate and facilitate ongoing investment and growth in retail, office, housing and service sectors.

In particular, the Amendment supports the following Sub-Clauses:

- 11.01 – Activity Centres
- 11.02 - Structure Planning
- 11.04 – Employment Corridors

Clause 15 – Built Environment and Heritage

This clause seeks to create urban environments that are safe, functional and provide a sense of place and cultural identity. The proposed Amendment addresses this Clause by providing strategic direction and guidelines to ensure residential growth and development is location-appropriate, site-responsive, considers personal safety and ensures a sensitive integration of new and existing built forms across all areas of the municipality.

In particular, the Amendment supports the following Sub-Clauses:

- 15.01 Urban design
- 15.02 Sustainable development
- 15.03 Heritage

Clause 16 - Housing

This clause encourages new housing to be located in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport. The proposed Amendment includes objectives and guidelines relating to housing development, growth and diversity consistent with Clause 16.01-4 - Housing Diversity. The amendment also identifies areas for urban preservation and residential growth in the Housing Framework Plan, and in doing so, has taken natural and manmade constraints into consideration. By doing so, the Housing Framework Plan aims to protect catchments, waterways and groundwater in accordance with Clause 15.01, manage floodplains in accordance with Clause 14.02 and conserve native flora and fauna in accordance with Clause 12.01. Additionally, the plans aim to protect the existing open space within the municipality in accordance with Clause 11.03.

The Housing Change Framework Plan divided the residential areas in the municipality into three housing change areas. These Minimal, Incremental and Substantial Change areas have been developed in consideration of the following clauses of the SPPF:

- 11.02 – Urban Growth
- 15.01 – Urban Environment,
- 15.02 – Sustainable Development
- 15.03 - Heritage

Clause 17 – Economic Development

This clause seeks to ensure planning contributes to the economic well-being of communities by supporting and fostering economic growth and development by providing land and facilitating decisions to achieve economic potential. The proposed Amendment addresses this Clause by providing strategic direction and guidelines to foster a robust local economy and to provide a sufficient supply of land to accommodate demand from industry and commercial uses, including offices, warehouse, service businesses, corporate offices and mixed uses in Darebin.

In particular, the Amendment supports the following Sub-Clauses:

- 17.01 - Commercial
- 17.02 - Industrial

Clause 18 – Transport

This clause seeks to create a safe and sustainable transport system by integrating land-use and transport planning and decision-making. The proposed Amendment addresses this Clause by encourage housing growth and intensification in and around the accessible areas of the Municipality to leverage existing infrastructure and promote sustainable travel and public transport patronage and focussing substantial increases in residential activity in and around activities areas and employment corridors that are well connected to the Principal Public Transport Network.

In particular, the Amendment supports the following Sub-Clauses:

- 18.01 – Integrated transport
- 18.02 – Movement networks

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

The amendment supports the LPPF by amending the MSS to incorporate the recommendations of the Darebin Economic Land Use Strategy and Darebin Housing Strategy. The revised LPPF further clarifies and outlines the vision, strategic directions and

implementation measures for future residential and economic land use and development in Darebin.

- **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. The Victoria Planning Provisions (VPP) requires that all planning schemes include an MSS at Clause 21 of the scheme. This amendment will replace the current Clause 21 with a revised Clause 21 that has been developed using the Planning Practice Note No.4 *Writing a Municipal Strategic Statement 2010*.

The new Clause 21 will provide the strategic justification needed for any future rezoning of land identified in the Housing Framework Plan contained within the Darebin Housing Strategy. The inclusion of the Darebin Housing Strategy 2013-2033 and Darebin Economic Land Use Strategy 2013 as reference documents will enable the strategies to be monitored and reviewed to ensure that housing requirements within the municipality will be met. The new Clause 21 will also provide the strategic justification needed for any future rezoning of industrial land recommended in the Darebin Economic Land Use Strategy 2013.

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

The amendment has incorporated the views of relevant agencies in the development of the strategies that underpin the revised MSS.

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

This amendment will have no significant impact on the transport system as defined under the Transport Integration Act 2010.

Resource and administrative costs

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

The amendment is expected to have a positive impact on the resource and administrative costs of the Responsible Authority. It will provide a clear set of guidelines that provide a greater level of certainty to the community and the development sector of Council's expectations in regards to residential development and is likely to result in a reduced number of applications contested at VCAT. The proposed amendment would therefore reduce lengthy timeframes in negotiating outcomes with developers and the community and have a positive impact on the resource and administrative cost of the responsible authority.

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: [TBC]
- panel hearing: [TBC]

Where you may inspect this Amendment

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

Darebin City Council
City of Darebin
Level 1, 274 Gower Street
Preston 3072

The amendment can also be inspected free of charge at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection .