

DAREBIN PLANNING SCHEME

AMENDMENT C137

EXPLANATORY REPORT

Who is the planning authority?

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

Land affected by the amendment

The amendment applies to land abutting Plenty Road from Dundas Street, Preston, to Snake Gully Drive, Bundoora, and to land between Bell Street, Plenty Road, Miller Street and Railway Place East (the Junction Local Area Plan as currently identified in Clause 22.02). The following sites proximate to Plenty Road are also included in the amendment:

- 314, & 320 Bell Street, Preston
- 12 Margaret Grove, Preston
- 1 Thomas Street, Preston
- 107 Malpas, Preston
- 121, 126, Rene Street Preston
- 27 McColl, Preston
- 1A & 1B Wilkinson Street, Reservoir
- 213, 215, 217, 219 Albert Street, Reservoir
- 1, 4, 6 Rubicon Street, Reservoir

What the amendment does

The amendment implements the land use and built form directions from the *Plenty Road Corridor Urban Design Framework 2013* by:

1. Amending the following clauses of the *Darebin Planning Scheme* within the Local Planning Policy Framework:
 - Amending Clause 21.04 – Darebin Tomorrow – Our Vision to identify the Plenty Road Corridor as a key location for increasing residential density to advance Council’s Vision.
 - Amending Clause 21.05 – Objectives – Strategies – Implementation to provide specific objectives and strategies in relation to the *Plenty Road Corridor Urban Design Framework 2013* and insert the *Plenty Road Corridor Urban Design Framework 2013* into the Clause as a reference document.
 - Amending Clause 22.02 – The Junction Local Area Plan: Changes remove The Junction Integrated Development Plan 2001 as a reference document, update the Junction Local Area Plan in relation to the *Plenty Road Corridor Urban Design Framework 2013* and insert the *Plenty Road Corridor Urban Design Framework 2013* into the Clause as a reference document.
 - Amending Clause 22.04 – Neighbourhood Character to include reference to the new suite of Residential zones and exclude the policy from areas within Design and Development Overlay 17.

- Amending Clause 22.09 – Residential and Mixed Use Development of less than Four Storeys in Business 1 and Business 2 Zone to exclude land within Design and Development Overlay 17 from its operation.
 - Amending Clause 22.10 – Residential and Mixed Use Development of Four or More Storeys to exclude land within Design and Development Overlay 17 from its operation.
2. Introducing Clause 22.14 – Potentially Contaminated Land Policy into the Local Planning Policy Framework.
 3. Rezoning some land affected by the amendment to apply the new Residential and Commercial Zones and to achieve the built form and land use outcomes of the Framework as shown on the accompanying Planning Scheme Amendment Map Sheets.
 4. Introducing Schedule 1, and 2 to the Mixed Use Zone at Clause 32.04 into the *Darebin Planning Scheme*.
 5. Introducing Schedule 1 to the Residential Growth Zone at Clause 32.07 into the *Darebin Planning Scheme*.
 6. Introducing Schedule 17 to Clause 43.02 Design and Development Overlay into the *Darebin Planning Scheme*.
 7. Revise Schedule 3 to Clause 43.02 Design and Development Overlay of the *Darebin Planning Scheme*.
 8. Applying Clause 45.03 Environmental Audit Overlay to land where site history indicates potential for contamination.

Strategic assessment of the amendment

This amendment is required to give effect to the objectives and strategies contained within the *Plenty Road Corridor Urban Design Framework 2013*. The *Plenty Road Corridor Urban Design Framework 2013* was adopted in 20 May 2013 and contains the following vision:

The Plenty Road Corridor supports more efficient, accessible and reliable public transport and provides opportunities for housing intensification.

The Corridor connects revitalised activity centres at Preston South (The Junction), Preston Central, Tyler Street, Summerhill Village and Lancaster Gate. In general, retail and commercial uses in these centres will serve the immediate hinterland to provide local convenience opportunities. The Preston Central Activity Centres will be supported and the regional focus of community activity, services and investment.

Development along the Plenty Road corridor continues to support the growth of La Trove University, one of Victoria's largest tertiary institutions and a significant employer within the municipality.

A growing and diverse community is found here and enjoys a variety of lifestyle benefits and services and facilities that meet their daily needs.

The *Plenty Road Corridor Urban Design Framework* identifies opportunities for intensification of development along the Corridor to progress the above vision which supports opportunities for more intense development which is carefully managed to mitigate off-site amenity impacts. The current planning scheme controls do not adequately provide for these changes.

The amendment will introduce the new residential and commercial zones to manage the different use and development scenarios identified for the corridor. In addition, a Design and Development Overlay will be introduced and the Environmental Audit Overlay applied as appropriate.

The Residential Growth Zone and associated Schedule enables new housing growth and diversity up to a height of 4 storeys and allows for smaller scale commercial uses in defined circumstances. The Residential Growth Zone is applied where residential uses are encouraged and heights of 4 storeys or less is acceptable.

The Mixed Use Zone with the associated Schedules allows residential and employment uses. It allows adaptive commercial uses to emerge within the Corridor and is proposed at strategic locations, particularly around the edge of the Commercial 1 Zone. It encourages higher density development and does not set a maximum height.

In certain areas the Mixed Use Zone is applied to primarily promote residential development of more than four storeys.

The Commercial 1 Zone is proposed on sites with existing commercial/industrial uses and built form or on blocks surrounded by land within the Business 1/Commercial 1 Zone. The Commercial 1 Zone promotes a mix of uses that will facilitate stronger local activity nodes along the Corridor, particularly at ground level, to serve the existing and emerging community and allow for upper level residential uses.

The Commercial 2 Zone is proposed on a small group of sites to enable the continuation of large format commercial/industrial uses.

The Design and Development Overlays will be the principal statutory tool to manage the development outcomes outlined in the *Plenty Road Corridor Urban Design Framework 2013*. A Schedule will identify the built form requirements such as overall height, setbacks, sustainability and quality design measures for development proposals to achieve the preferred future outcome for each of the precincts and sub-precincts along the Corridor.

The Environmental Audit Overlay (EAO) identifies land with potential contamination from existing or previous uses such as industry, storage of chemicals, gas, wastes and liquid fuels. The EAO is proposed to be applied where records of previous land uses are considered to have a high or medium potential for contamination (as defined in *Potentially Contaminated Land General Practice Note*, DSE, June 2005).

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

The amendment implements the objectives of planning in Victoria as outlined in Section 4 of the *Planning and Environment Act 1987* through:

- Providing for the fair, orderly, economic and sustainable use and development of land.
- Securing a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- Balance the present and future interests of all Victorians.
- Ensuring sound, strategic planning and co-ordinated action at State, regional and municipal levels.
- Enabling land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.
- Facilitating development that achieves the objectives of planning in Victoria and planning objectives set up in planning schemes.
- Ensuring that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.

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

The amendment is expected to have positive environmental effects. The amendment specifically aspires to achieve a high standard of design and encourages ecologically sustainable development. The amendment will allow for higher density housing and encourage mixed uses in select locations capitalising on a key transport corridor with existing public transport, pedestrian and bicycle infrastructure.

The amendment is expected to have a net community benefit and positive social and economic benefits through:

- Supporting urban renewal opportunities along a strategic corridor where existing locational advantages can support increased dwelling density and commercial activity.
- Encouraging a high quality of development incorporating environmentally sustainable design, water sensitive urban design and improving pedestrian amenity and connectivity within the Corridor.
- Encouraging a mix of uses including commercial activities that provide opportunities for small scale local employment opportunities and access to services for the local community.
- Increasing the supply of housing and improving dwelling diversity.

- **Does the amendment address relevant bushfire risk?**

This amendment affects land within an established urban area and therefore bushfire risk is not relevant.

- **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 complies with all Minister's Directions under Section 12 of the *Planning and Environment Act 1987*.

The amendment is also consistent with:

- Ministerial Direction 1 – Potentially Contaminated Land;
- Ministerial Direction 9 – Metropolitan Strategy; and
- Ministerial Direction 11 – Strategic Assessment of Amendments and DPCD Practice Note 46, *Strategic Assessment Guidelines*, January 2011. All requirements to be met under the direction have been considered and met in the preparation of the amendment.

The amendment is not affected by any other Minister's Direction.

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

The amendment supports and implements State policy by giving effect to several objectives of the State Policy Planning Framework (SPPF):

- Clause 11.01-2 – Activity centre planning: *“To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community.”*
- Clause 11.02 Urban growth *“To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.”*

- Clause 11.02-3 Structure Planning *“To facilitate the orderly development of urban areas.”*
- Clause 11.04-2 Activity Centre hierarchy *“To create a network of activity centres comprising the Central Activities Districts, Principal Activity Centres, Major Activity Centres, Specialised Activity Centres and Neighbourhood Activity Centres.”*
- Clause 13.03-1 Use of contaminated and potentially contaminated land *“To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.”*
- Clause 15.01-1 Urban design: *“To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.”*
- Clause 15.01-2 Urban design principles: *“To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.”*
- Clause 15.01-4 Design for safety: *“To improve community safety and encourage neighbourhood design that makes people feel safe.”*
- Clause 15.02-1 Energy and resource efficiency: *“To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.”*
- Clause 16.01-1 Integrated housing: *“To promote a housing market that meets community needs.”*
- Clause 16.01-2 Location of residential development: *“To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.”*
- Clause 16.01-3 Strategic redevelopment sites: *“To identify strategic redevelopment sites for large residential development in Metropolitan Melbourne.”*
- Clause 16.01-4 Housing diversity: *“To provide for a range of housing types to meet increasingly diverse needs.”*
- Clause 16.01-5 Housing affordability: *“To deliver more affordable housing closer to jobs, transport and services.”*
- Clause 17.01-1 Business: *“To encourage development which meet the communities’ needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.”*
- Clause 18.02-1 Sustainable personal transport: *“To promote the use of sustainable personal transport.”*
- Clause 18.02-2 Cycling: *“To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.”*
- Clause 18.02-4 Management of the road system: *“To manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.”*

The amendment supports and implements these objectives by encouraging intensification of development along the Plenty Road Corridor. Preferred development outcomes support a diversity of housing and mixed use areas that will be designed to incorporate principles of sustainability, safety, high quality design, sense of place, diversity and affordability. The amendment will enable development that supports the existing public transport and cycling infrastructure within the area and create a pattern of land uses and development that support and encourage pedestrian trips.

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

The amendment supports and implements the Local Planning Policy Framework by addressing local characteristics and features of the Corridor.

In addition, the amendment seeks to make changes to the Municipal Strategic Statement and Local Planning Policy Framework by introducing new objectives and strategies to achieve the strategic outcomes within the adopted *Plenty Road Corridor Urban Design Framework*.

The amendment will assist in the implementation of a number of local objectives identified under the planning scheme. In particular, the amendment is consistent with the following clauses:

21.05-1 Element 1: Sustainability

A number of strategies are outlined in this clause including:

- Encourage achievement of the highest practical environmental rating for all new development.
- Encourage minimisation of water use and stormwater run-off, and reuse of 'grey' water and storm water on site.
- Use best practice and good design when assessing subdivision and built form design, including retrofitting existing buildings to achieve high rates of ecological sustainability.

A key objective of the *Plenty Road Corridor Urban Design Framework 2013* is to promote sustainable practices in respect to energy efficient design, water sensitive urban design, sustainable transport and waste reduction. The proposed policy will assist in the implementation of these strategies.

21.05-2 Element 2: Housing

The Urban Design Framework provides a clear indication as to where increased residential development will be encouraged in order to support the objectives of the MSS. The amendment will support the local objective of achieving a range of housing types and more affordable housing options within the Corridor

21.05-3 Element 3: Urban Design

Quality development with design that enhances a sense of place and promotes safety, legibility, and improved physical and social connectivity is encouraged under this element. The proposed amendment will help achieve these goals as the objectives for the Urban Design Framework are to improve connectivity throughout the Corridor particularly for pedestrians; improve opportunities for casual surveillance through quality design and therefore improve safety; and promote opportunities for casual interaction through improved streetscape design and streetscape improvements.

21.05-4 Element 4: Heritage Culture and Arts

The proposed amendment supports this policy which seeks to protect, conserve and enhance sites and places of heritage significance by encouraging development along the Corridor outside of areas within Heritage Overlays. Built form controls within the DDO 17 and DDO 3 also require proposed development to consider existing heritage buildings, residential as well as commercial.

21.05-5 Element 5: Economic Development

The amendment supports the objectives of economic development by supporting a series of commercial hubs along the Corridor. The amendment includes rezoning of selected sites to Commercial 1 Zone to recognise existing commercial activity and built form opportunities which when consolidated will create local convenience and neighbourhood activity centres. These changes will facilitate more appropriate land uses and facilitate improved economic activity. Further, the Commercial 2 Zone is proposed to be applied in an area in Kingsbury where existing uses (e.g. lawn mower repair, petrol station, trade supplies) are already occurring.

21.05-6 Element 6: Activity Centres

The amendment supports the key objectives and strategies of this element by:

- consolidating retail, business, employment, community and leisure facilities in a number of commercial hubs.
- promoting integrated transport infrastructure, supporting public transport and maximising opportunities for safe and pleasant pedestrian and cycle access throughout the Centre.

21.05-9 Element 9: Transport and Access

The amendment assists in the implementation of the objectives of this element including encouraging the reduction of car trips and car trip lengths and encouraging more walking and cycling, and improving access, safety and quality of environment for pedestrians, cyclists and for people with limited mobility. The amendment seeks to promote pedestrian and cycle transport as the primary form of transport along the corridor.

The amendment is also consistent with the following local policies in the Darebin Planning Scheme:

Clause 22.02 – The Junction Local Area Plan:

Amendment C16 introduced in Clause 22.02 which incorporated The Junction Integrated Development Plan and introduced DDO 3. Clause 22.02 was amended on 15 July 2010. The policy identifies the Junction area as a key area for development opportunity. After 12 years the policy requires to be updated as a lot of changes in the urban environment as well as regulatory framework have occurred. The key objectives of the policy (e.g. to enhance the commercial spine, encourage redevelopment of redundant industrial sites, promote good design outcomes) remain as the area is still in transition. However, objectives to ensure a place-making is included as well as design excellence are included to ensure the area develops in way that creates beneficial outcomes.

Clause 22.03 Activity Centres Policy

This policy seeks to “utilise opportunities for redevelopment at the fringe of the (neighbourhood activity) centres where appropriate through the consolidation of active retail uses within the centre”. The amendment will implement this and other objectives which support a wider and more intensified mix of activities, higher density housing and an integrated public transport system. The amendment supports strengthening the Plenty Road Corridor through the intensification of residential densities to support a broader range of activities and promotes sustainable modes of transport – particularly walking and cycling.

Clause 22.09 Residential and Mixed Use Development of less than four storeys in Business 1 and Business 2 Zones

The proposed amendment modifies the current Clause 22.09 to exclude the operation of the policy from the Plenty Road Corridor to avoid duplication and improve the efficiency of the scheme.

Clause 22.10 Residential and Mixed Use Development of Four or More Storeys

The proposed amendment also modifies the current Clause 22.10 to exclude its operation from the Plenty Road Corridor to avoid duplication and improve the efficiency of the scheme.

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

The Amendment makes proper use of the VPPs to implement the *Plenty Road Corridor Urban Design Framework 2013*. All zoning and overlay changes are appropriate and use the relevant tools available.

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

The views of relevant agencies were sought and considered during the preparation of the *Plenty Road Corridor Urban Design Framework 2013*. Feedback from the relevant agencies will again be sought during the exhibition of the Planning Scheme Amendment.

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

The amendment complies with the relevant requirements of the *Transport Integration Act*, specifically Part 2, Division 2, 11 – Integration of transport and land use.

The amendments to the *Darebin Planning Scheme* would allow for an increase in commercial uses, community services and housing in areas which are well-served by public transport and contribute to social and economic inclusion, and economic prosperity.

In addition, Council advocates for improvements to the facilities and operation of the public transport system throughout metropolitan Melbourne, with a local emphasis on improvements to the service and facilities for users of Tram Route 86. The proposed amendment is consistent with these outcomes.

Resource and administrative costs

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

The amendment will have positive impacts on the resource and administration costs of the City of Darebin.

The amendment aims to improve planning outcomes through clearer planning processes and more detailed guidance for decision makers and applicants. Overall, the planning permit application process is expected to be more efficient.

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: [insert directions hearing date]

- panel hearing: [insert panel hearing date]

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
274 Gower St
PRESTON VIC 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.