

DAREBIN PLANNING SCHEME

AMENDMENT C127

EXPLANATORY REPORT

Who is the planning authority?

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

Land affected by the amendment

The amendment applies to land south of Beavers Road, north of Arthurton Road and east of the Merri Creek, Northcote, being 167 – 177 Beavers Road, 148 – 170 Arthurton Road and 2 – 6 Goldsmith Grove.

What the amendment does

The amendment proposes to facilitate the transition of a former industrial area to a business and mixed use area by:

- Rezoning of the land from Industrial 3 to Business 2.
- Applying the Environmental Audit Overlay to the land.
- Applying the Development Plan Overlay 11 to the land.
- Including a new Schedule 11 (Beavers Road and Arthurton Road area, Northcote) to the Development Plan Overlay into the planning scheme.
- Amending the Schedule to the Clause 81.01 by including the Darebin Green Business Attraction Strategy 2012 as a reference document.

Strategic assessment of the amendment

• Why is the amendment required?

The amendment proposes to facilitate the transition of a redundant industrial area to one with a range of office, other business, mixed and residential use to serve local community business and residential needs and provide more appropriate uses for the land and area.

The rezoning of the land from industrial to Business 2:

- Provides for the transition of an area where the demand for industrial land and uses has fallen, with many industrial vacancies in the area.
- Facilitates office (no planning permit required), business (eg shop which requires a planning permit), mixed and residential (requires a planning permit) opportunities in an area that is more suited for business and mixed uses than former industrial purposes.
- Meets Council and community goals for greater provision of housing opportunities that have good access and connectivity, outlined in the *City of Darebin Integrated Housing Strategy*, October 2002.
- Provides for higher environmental protection of the land and area and results in greater amenity for the land and adjoining and nearby residential areas.

- Enhances employment generation and for a more sustainable use and development of land.

The application of the Environmental Audit Overlay and Development Plan Overlay (and schedule) to the land:

- Provides for the sustainable redevelopment of the area for mixed uses that may include residential use.
- Guides the future subdivision layout, development and use of the land to meet specified requirements.
- Ensures that the land, which is potentially contaminated land from its former industrial use, is suitable for residential use prior to the commencement of this sensitive use which could be significantly adversely affected by contamination.

The inclusion of the *Darebin Green Business Attraction Strategy 2012* as a reference document will assist in providing guidance for new land use planning assessments and business activity in the area and in Darebin in general.

The amendment is strategically justified and implements the following strategic land use planning documents:

- *City of Darebin Integrated Housing Strategy, October 2002.*
- *Draft Darebin Economic Land Use Strategy 2012.*
- *Darebin Planning Scheme Review Report 2012* (which encourages the rezoning of disused industrial land that is no longer viable for industrial activities for other appropriate land uses such as business, mixed and residential uses).
- Darebin Planning Scheme (as outlined in this explanatory report).
- Draft revised Darebin Planning Scheme (to be implemented).

• **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.
- Providing for the protection of natural and man-made resources.
- Securing a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- 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.
- 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.
- Ensure 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.

The amendment will facilitate for Victoria's rapidly growing community, contributing towards the orderly, economic, equitable and sustainable use and development of land and assisting in providing integrated land uses and services responsive to Melbourne's metropolitan community. Darebin City Council has identified the land through its *Draft Darebin Economic Land Use Strategy 2012* to assist in supporting the municipality's economic development needs and rapidly growing population.

The rezoning of the land is considered to better utilise presently under-utilised industrial land, which is currently zoned more in recognition of its historical use rather than an identification of an ongoing industrial node. Future industrial activities on the land are limited due to sensitive interfaces (including the Merri Creek and residences), resulting in minimal opportunity for industry employment. The rezoning of the site will potentially expand the employment opportunities available on the site and facilitate a range of business and mixed uses required to support the diverse Darebin community.

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

Environmental effects:

The amendment will have no significant effect on the environment or the environment on the use or development envisaged in the amendment. The amendment will have positive effects on the environment through:

- Assessing, maintaining and protecting the natural and built environment of the site and area.
- Protecting and enhancing the Merri creek environs, assisted by the existing Environmental Significance Overlay 1 (Merri Creek and environs) applying to all the land subject to the amendment.
- Facilitation of uses and developments that are more compatible with adjoining and nearby residential uses and minimise potential amenity impacts on residential use in the vicinity.
- Ensuring that the land, which is potentially contaminated land from its former industrial use, is suitable for any residential or other sensitive use prior to development.

Social and economic effects:

Overall, the amendment is expected to have positive social and economic benefits for landowners, Darebin City Council and the general community. Positive social and economic effects will accrue from the amendment through:

- Providing for the sustainable redevelopment of the area for business and mixed use purposes.
- Providing additional office, retailing, housing and other opportunities for a diverse community.
- Enhancing employment generation through the transition of an area where the demand for industrial uses has fallen.
- Facilitating new business and other uses that are more compatible with uses and developments on adjoining and nearby residential land and minimise potential amenity impacts in the vicinity.

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

Bushfire risk factors are not applicable for this amendment.

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

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

The amendment complies with:

- Minister's Direction No 1, *Potentially Contaminated Land*.
- Minister's Direction No 9, *Metropolitan Strategy*.
- Minister's Direction No 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.

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

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

The amendment complies with and implements the State Planning Policy Framework of the Darebin Planning Scheme. The amendment will provide for the growth and supply of business and mixed use land in an appropriate location that can be fully supplied with a range of urban services. The land subject to the amendment is a strategic redevelopment site that is no longer required for industrial purposes where redevelopment will assist in the protection and enhancement of nearby residential amenity.

In particular, the amendment implements:

Clause 11, Settlement:

- Objectives for Clause 11, Settlement, include:

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.

- Clause 11.02-1, Supply of urban land (under Clause 11.02, Urban growth):

Objective:

To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Strategies include:

Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.

Ensure that sufficient land is available to meet forecast demand.

Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.

- Clause 11.02-2, Planning for growth areas (under Clause 11.02, Urban growth):

Objective:

To locate urban growth close to transport corridors and services and provide efficient and

effective infrastructure to create benefits for sustainability while protecting primary production, major sources of raw materials and valued environmental areas.

Strategies include:

Meet housing needs by providing a diversity of housing type and distribution.

Clause 16, Housing:

- Objectives for Clause 16, Housing, include:

Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.

New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space.

- Clause 16.01-1, Integrated housing (under Clause 16.01, Residential development):

Objective:

To promote a housing market that meets community needs.

Strategies include:

Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.

Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.

- Clause 16.01-2, Location of residential development (under Clause 16.01, Residential development):

Objective:

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.

Strategies include:

Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.

Ensure an adequate supply of redevelopment opportunities within the established urban area to reduce the pressure for fringe development.

Identify opportunities for increased residential densities to help consolidate urban areas.

- Clause 16.01-3, Strategic redevelopment sites (under Clause 16.01, Residential development):

Objective:

To identify strategic redevelopment sites for large residential development in Metropolitan Melbourne.

- Clause 16.01-4, Housing diversity (under Clause 16.01, Residential development):

Objective:

To provide for a range of housing types to meet increasingly diverse needs.

Strategies include:

Ensure planning for growth areas provides for a mix of housing types and higher housing densities in and around activity centres.

Clause 17, Economic Development:

- Clause 17.02-1, Industrial land development (under Clause 17.02, Industry):

Objective:

To ensure availability of land for industry.

Strategies include:

Identify land for industrial development in urban growth areas where:

- *Good access for employees, freight and road transport is available.*
- *Appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses.*

Protect and carefully plan existing industrial areas to, where possible, facilitate further industrial development.

Protect industrial activity in industrial zones from the encroachment of unplanned commercial, residential and other sensitive uses which would adversely affect industry viability.

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

The amendment complies with and implements the Local Planning Policy Framework of the Darebin Planning Scheme. The amendment facilitates the redevelopment of a redundant industrial area that is no longer viable for industrial purposes. The rezoning proposed under the amendment will retain the land as an employment node and allow scope for a greater range of uses, providing office and business employment, creating higher density development, increasing population and supporting the nearby Northcote (major) activity centre. The commercial uses that may be considered under the proposed Business 2 Zone will support local business use and expansion but will not undermine the primary commercial focus of the Northcote (major) activity centre. The inclusion of the *Darebin Green Business Attraction Strategy 2012* will assist in guiding the assessment of new land use activity for the area e.g. through the definition of green businesses.

In particular, the amendment implements:

- Clause 21.04, Darebin Tomorrow – Our Vision:

Improve the quality of urban environment and stimulate development activity within a framework that protects and enhances the natural environment, heritage assets and residential amenity.

- Clause 21.05, Objectives – Strategies – Implementation:

Clause 21.05-2, Element 2: Housing:

Objective 1:

Ensure housing provision meets the diverse needs of the Darebin community.

Clause 21.05-5, Element 5: Economic activity:

Objective 3:

Protect viable industrial and commercial uses in the city and facilitate appropriate reuse of industrial and commercial areas experiencing decline.

Strategies include:

Through implementing the Industrial Land Use Strategy, encourage the reuse of redundant industrial land to more appropriate commercial and residential uses.

Applying zones and overlays includes:

- *Apply the Environment Audit Overlay to all land currently zoned industrial when it changes to another non industrial zone.*
- *Apply the Environment Audit Overlay to all land suspected to have been subject to contamination in the past.*
- *Rezone redundant Industrial 3 and Industrial 1 Zone land to more appropriate business and residential uses.*

Clause 21.05-6, Element 6: Activity centres:

Objective 1:

Consolidate retail, business, employment, community and leisure facilities and higher density housing in and around identified activity centres.

Clause 22.07, Industrial and commercial activity:

Objectives include:

To minimise the impact on the amenity of surrounding residential areas from traffic, noise and emissions resulting from industrial land uses.

To reduce and minimise conflict between industrial and non-industrial land uses.

To facilitate the transition of under-utilized sites and inappropriate industries to more suitable economic uses that provide choices in local employment.

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

The amendment makes proper use of the Victoria Planning Provisions. The proposed Business 2 Zone is the most appropriate zone to facilitate the transition of the area from industrial to office and other business and mixed use purposes to serve local community business and residential needs. The proposed rezoning will not adversely impact on the ongoing operation of existing uses within the subject site, which may either legally occur under the zone or will have existing use rights to legally continue.

The proposed application of the Environmental Audit Overlay and Development Plan Overlay (and schedule) to the land are the appropriate mechanisms to guide the development of potentially contaminated land and the future subdivision layout, development and use of the land.

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

The amendment has been prepared with a view to meeting the views and guidelines of relevant government departments and service agencies. Preliminary consultation and agreement has been undertaken with the Department of Planning and Community Development and Department of Business and Innovation regarding the intent of the proposed amendment.

Direct notification of this amendment has been given to all relevant departments, authorities and agencies which may make a formal submission to the amendment if required.

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

Is the amendment likely to have a significant impact on the transport system, as defined by section 3 of the Transport Integration Act 2010?

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

Are there any applicable statements of policy principles prepared under section 22 of the Transport Integration Act 2010?

There are no statements of policy principles applicable under section 22 of 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?**

There will be no adverse impact on the resource and administrative costs of the responsible authority. Future proposals for use and development will be considered on their merits through a planning permit process, which has associated prescribed fees based on the proposal.

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 Street
PRESTON

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.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority, Darebin City Council. The closing date for submissions is **2012**.

Submissions about the amendment must be sent to:

Rasiah Dev
Chief Executive
Darebin City Council
PO Box 91
PRESTON VIC 3072