

Planning and Environment Act 1987

DAREBIN PLANNING SCHEME

AMENDMENT C143

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 Environmental Resources Management Australia Pty Ltd on behalf of Preston Market Development Pty Ltd.

Land affected by the amendment

The amendment applies to the Preston Market site, zoned Priority Development Zone 1 (Preston Market). This land is bounded by Murray Road to the north, Cramer Street to the south, the South Morang railway corridor to the west and the rear of properties fronting High Street to the east.

What the amendment does

The amendment proposes to redevelop the Preston Market site for market and mixed commercial and residential uses.

The amendment proposes to make the following changes to the Darebin Planning Scheme:

- Clause 21.05, Objectives-Strategies-Implementation: Amend reference to the *Preston Market Incorporated Plan* from 2007 to 2014 and amend the 'Preferred Future Character, Preston Central Framework Plan Precincts' plan in Element 6: Activity Centres, to increase the maximum height in Precinct C from 4-10 storeys to 'up to 28 storeys'.
- Amendment to Schedule 1 to Clause 37.06, Priority Development Zone, to replace reference to the *Preston Market Incorporated Plan 2007* with a new plan, *Preston Market Incorporated Plan 2014*, revise ambiguous provisions relating to notice and review, revisions to the Integrated Transport Plan provisions and inclusion of a requirement for provision of a Car Parking Management Plan.
- Amendment to Schedule 1 to Clause 81.01, Incorporated Documents, to replace reference to the *Preston Market Incorporated Plan 2007* with a new plan, *Preston Market Incorporated Plan 2014*.
- *Preston Market Incorporated Plan* (March 2007): Amend the date of the plan from 2007 to 2014, amend design principles, replace the 'Framework Plan: Preston Market' (changing 6 precincts to 2 precincts, 'Market – Residential' and 'Mixed Use (Retail, Commercial and Residential)'), replace the 'Preferred Building Height; Preston Market' plan with an amended plan (increasing the maximum building height in the western section of the site from 4-10 storeys to 28 storeys) and specify reduced car parking rates for residential uses.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to facilitate the effective redevelopment of the Preston Market site for market and mixed commercial and residential uses.

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

The amendment implements the objectives for planning in Victoria by facilitating the market redevelopment that:

- Provides for the fair, orderly, economic and sustainable use and development of the land.
- Secures a pleasant, efficient and safe working, living and recreational environment.
- Balances the present and future interests of all Victorians.

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

The amendment is expected to generate positive environmental, social and economic effects by:

- Facilitating redevelopment of the Preston Market site which provides for a higher and better use for the currently underutilised centrally located large parcel of land.
- Facilitating preferred built form and high quality urban design outcomes and improvements to the public realm.
- Providing new pedestrian links, vehicle access and key public spaces.
- Creating employment in the construction of future development.
- Encouraging a greater mix of land uses which will cumulatively improve the economic profile and function of the Preston Central Principal Activity Centre. Land uses and activities to include housing, business, retail, community, and cultural.
- Providing the opportunity to contribute to the diversity and range of housing within the area.
- Facilitating redevelopment that will encourage sustainable travel behaviour including walking, cycling and increased patronage of public transport (in particular to Preston Railway Station).

Does the amendment address relevant bushfire risk?

The site or proposal is not affected by bushfire risk. Planning for bushfire risk is not relevant to the proposed 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:

Direction No. 1, Potentially Contaminated Land:

The existing planning controls that affect the subject site already include an Environmental Audit Overlay which requires that an environmental audit or certificate be provided prior to the use of the site for a 'sensitive' use. Therefore the provisions of this Direction are already satisfied.

Direction No. 9, Metropolitan Strategy:

Plan Melbourne (draft) is the State Government's recently released Metropolitan Strategy. The Strategy contains seven key strategic 'Outcomes and Objectives', each of which is expanded upon by a series of 'Directions'. In response to the provisions outlined by Plan Melbourne, on a broad level the proposed revisions to the Preston Market Incorporated Plan will:

- Respond to the expected demand for increased housing in strategic locations (Direction 2.1).

- Allow for a diversity of housing stock in close proximity to an established railway station (Direction 2.2).
- Contribute to an existing Activity Centre that provides a range of services (retail, commercial, government) to a local and regional population base (Direction 4.1).
- Provide a greater diversity of retail and commercial opportunities to strengthen the economic base and increase accessibility to local employment opportunities within an existing Activity Centre (Direction 1.5).
- Promote design excellence, improved public open spaces, and pedestrian focused environments (Direction 4.6 and 4.8).
- Integrate land use and development with various modes of public transport, including the Preston railway station and cycle routes (Direction 1.1 and 3.2).

Direction No. 11, Strategic Assessment of Amendments and DPCD Practice Note 46, Strategic Assessment Guidelines, January 2011:

All requirements under the direction have been considered and met in the preparation of the amendment.

Minister's Direction No 15, The Planning Scheme Amendment Process and DPCD Advisory Note 48, The Planning Scheme Amendment Process, September 2012:

All requirements 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.

Ministerial Direction on the Form and Content of Planning Schemes:

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 and any adopted State policy?

The proposed planning scheme amendment is consistent with the previously listed relevant State planning policies in that, in general terms:

- The proposal presents a strategic approach to the redevelopment of the site to more adequately plan for the intensification of mixed uses in a manner that will be highly accessible to the community and surrounds (Clauses 11.01-2 and 11.02-1).
- Given the subject site's location within a Principal Activity Centre, relevant strategies seek to ensure such centres have a mix of land uses, are well served by public transport, attract activities that meet the City's needs and have the potential to grow and support intensive housing developments without conflicting with surrounding land uses (Clause 11.04-2).
- The proposed increase in building heights within the Preston Central Principal Activity Centre is appropriate and will 'accommodate ongoing investment and change in retail, office, service and residential markets' (Clause 11.04-2).
- The proposed massing and building heights will provide an urban environment that is functional, safe, pedestrian focused and sustainable, in accordance with the urban design principles at Clause 15.01-2. Matters of built form and design will be discussed in detail at a later section of this report.
- The proposal to increase the density and diversity of housing is appropriate given that the subject site meets 'strategic redevelopment sites' criteria, given its proximity to the Preston Railway Station, location within a PAC, and ability to provide a wide range of housing (Clause 16.01-2 and 16.01-3).
- The amendment seeks to enhance upon the future land use and transport vision for the site, retaining the approved links to Preston Railway Station and primary

pedestrian/cycling connections through the site to the surrounding road network (Clause 18.01).

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

The proposed amendment seeks to enhance Preston Market's '*sub-regional retail role for fresh food and vegetables*' and to influence the future land use and development of the site in a manner fitting of its Principal Activity Centre status, in accordance with the broad MSS objectives for the area.

In particular, the proposal responds to the objectives and strategies outlined at Clause 21.05, as follows.

- The amended building heights and principles (outlined in the NH Architecture report) encourage above ground floor residential tower development which will provide greater housing diversity and housing sustainability for the area. This planning approach will also contribute to on-site consolidation of land uses and activities.
- The proposed building heights greater than four storeys is generally supported given the location of the site away from residential hinterland, thereby minimising off-site amenity impacts, the site's immediate proximity to Preston Station and the site classification for 'Substantial Change' pursuant to the Preston Central Structure Plan.
- The proposed Staging Plan will ensure the on-going operation of the market through the redevelopment of the remainder of the site.
- The proposed design principles (to be discussed in more detail in the next section of this report) promote design excellence, permeability, and pedestrian safety.
- The proposed vision for Preston Market seeks to provide a range of land uses and services, including an enhancement of the market itself and introduction of three public space nodes throughout the site which will contribute to the recreational and cultural appeal of the area for future residents and visitors.
- The amendment retains a key feature of the previously approved Plan, which provides 'Station Square' a public realm gathering point within the site, adjacent to Preston Station'.
- The provision of multiple connector routes (including a main east-west link) through the site focusing on pedestrian travel will encourage more walking and cycling and integration of sustainable modes of the transport in the area.

The revised strategic framework for the site is considered to respond to the objective of Clause 22.03 'Activity Centres Policy' which encourages innovation, a mix of activities, and high quality urban design. Specifically, the revised strategic vision for the Preston Market addresses policies for Principal Activity Centres in its '*greater intensification of activities*' and built form on an underutilised site. The revised vision proposes '*intensive housing development*' in close proximity to Preston Station. Furthermore, the combination of the retained market function, proposed new retail, office, with high density residential uses above, promote Preston Central as a 'multi-functional centre'.

Clauses 22.09 and 22.10 provide design objectives and guidelines which are divided between development under and over four storeys. Suffice to say, the revised strategic approach to the site is underscored by strong design principles, as outlined in the accompanying Urban Design Principles report prepared by NH Architecture.

In addition, the City of Darebin is currently undergoing a LPPF review (via Planning Scheme Amendment C138). Accordingly, the proposal is also considered to address the relevant objectives and strategies outlined in the exhibited MSS and local policies, as:

- The proposal has been developed upon sound urban design principles, as outlined in the accompanying report prepared by NH Architecture. These principles are focused on developing an attractive, engaging and safe activity centre hub, in which to reside, visit or work (Clause 21.02).

- The revised scheme for the site encourages increased building heights which in turn will achieve greater housing opportunities within the site to meet the needs of the community and projected population growth (Clause 21.03).
- The subject site is considered suitable for mixed use development of four or more storeys given its generous size, proximity to public transport (i.e. Preston Railway Station to the immediate west), identification as a Principle Activity Centre, and its siting away from residential hinterland thereby limited the potential for external amenity impacts (Clause 21.03).
- The revised vision for the site will retain the ongoing operation of market throughout the development of the site, thereby ensuring minimal disruption to traders and shoppers (Clause 21.04).
- The proposal seeks to enhance the desirability of the site as a mixed-use hub for activity and services, which in turn seeks to generate local employment and greater economic vitality for the City (Clause 21.04).
- The proposal retains the previous scheme's key feature – integration of the Preston Railway Station with the Preston Market site. The revised proposal provides for a public square adjacent to the station that is connected to a central east-west pedestrian link through the site (ultimately leading to High Street). Thereby providing greater permeability through the site and increasing pedestrian accessibility to the station (Clause 21.05).

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

The amendment utilises the existing VPP tools that already apply to the subject site. Specifically, the amendment seeks to revise the *Preston Market Incorporated Plan*, March 2007 which was implemented into the Darebin Planning Scheme by Amendment C67, pursuant to Schedule 1 to the Priority Development Zone.

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

The amendment has addressed and met the views of relevant agencies, in particular the Department of Transport, Planning and Local Infrastructure. The amendment will be formally exhibited with notice being given to all relevant agencies, allowing them to make formal comment on the 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 'Integration of transport and land use'. The proposed amendment will further encourage the location of housing, employment and services in close proximity to Preston Railway Station. The proposal includes improvements to the access arrangements to the station through the site from High Street, as outlined in the *Preston Central Structure Plan*.

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 as 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 the redevelopment of the Preston Market site. The proposed amendment would therefore reduce lengthy timeframes in negotiating outcomes with developers and the community and is likely to result in a reduced number of applications contested at VCAT.

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
Level 1, 274 Gower Street, Preston

and at the following locations:

- Northcote Customer Service Centre - 32-38 Separation Street Northcote;
- Northland Customer Service Centre - Northland Customer Service Centre is next to the bus stops at the Northland Shopping Centre;
- Preston Library - 266 Gower St, Preston;
- Reservoir Library - 17-21 Ralph St, Reservoir;
- Northcote Library - 32-38 Separation St, Northcote;
- Fairfield Library - 121 Station St, Fairfield.

The amendment can also be inspected free of charge at the Department of Transport, Planning, and Local Infrastructure website at www.dtpli.vic.gov.au/publicinspection .

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by **[insert submissions due date]**.

A submission must be sent to:

Darebin City Council
PO Box 91
PRESTON VIC 3072

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]**