

8. CONSIDERATION OF REPORTS

8.1 AMENDMENT C130, DAREBIN PLANNING SCHEME – REZONING OF 356-362 MURRAY ROAD, 388 MURRAY ROAD AND 1 SPRING STREET, PRESTON (PRESTON CENTRAL WESTERN GATEWAY)

MINUTE NO. 567

AUTHOR: Strategic Planner

REVIEWED BY: Director Corporate and Planning Services

SUMMARY:

The purpose of this report is to seek a Council resolution on the proposed Darebin Planning Scheme Amendment C130. The Amendment proposes to rezone 356-362 and 388 Murray Road and 1 Spring Street, Preston to the Priority Development Zone – Schedule 2 (PDZ2) and makes associated changes to relevant policies in the Darebin Planning Scheme.

The effect of this proponent-led amendment is acknowledging the important role of these strategic redevelopment sites as part of the Western Gateway to Preston Central. It is proposed to extend the boundary of Precinct J (Western Gateway) of the Preston Central Structure Plan 2006 and of the Preston Central Incorporated Plan 2007 to include sites on the north-eastern and north-western side of the Spring Street/Murray Road intersection (refer **Appendix A**).

The inclusion of these sites into Precinct J and the PDZ2 is recommended as:

- It seeks to clarify and correct the planning scheme's representation of these sites in accordance with the intentions of the Preston Central Structure Plan 2006;
- The sites are capable of substantial development and guidance is currently missing; an inclusion would provide clear built form directions delivered through the policies Precinct J is part of;
- Potential off-site amenity impacts can be managed within the sites due to their generous size and their unique location on a large intersection;
- An inclusion in Precinct J would further strengthen Environmentally Sustainable Development requirements that Darebin currently imposes via planning permit conditions;
- It would facilitate development to address the harsh pedestrian environment along the intersection of St Georges Road/Murray Road/Spring Street and create a better built form connection on the north side of Murray Road leading into Preston Central;
- It will assist the Preston Central area to transform into an active town centre;
- Support the commercial vibrancy and social mix of the Preston Central area;
- Enable new residents to have direct access to existing public transport, commercial and community services and therefore encouraging pedestrian activity throughout different times of the day;

- The inclusion of the sites into Precinct J fit within the overall vision of the Preston Central Structure Plan as well as the specific vision for Precinct J and associated strategies and goals;
- The inclusion of the sites into Precinct J of the Preston Central Incorporated Plan 2007 would provide the right guidelines in addressing the issues the area faces; and
- Diversify Darebin's housing stock as recommended per Darebin Housing Strategy 2013.

CONSULTATION:

Consultation regarding the proposed amendments has occurred with:

- Department of Planning and Community Development.

Relevant Council and external departments fully support the intent of the proposed amendments.

The public exhibition of the amendment will follow the requirements of Section 19 of the *Planning and Environment Act 1987*. Due to the contained location of the sites a month as prescribed per Section 19 is seen as sufficient.

The consultation steps should consist of:

- Notification letters to land owners and residents; and
- Notices in the Preston Leader and in the Victoria Government Gazette (refer to **Appendix B**);

In addition to the formal requirements of Section 19 the following is recommended:

- An information letter explaining the amendments in plain English, including a map and guiding people to the new website to answer anticipated frequently asked questions (FAQs) about the Amendments;
- Extended direct notification circulation to owners and occupiers as indicated in **Appendix C**;
- Extended information provision (also in the form of FAQs) via the new website is anticipated to greatly help inform the public on a general level and allow people to ask more pointed questions/allow staff to respond to queries more effectively. It has to be noted that the website is currently being developed; and
- Details of the planning scheme amendment will be made available on the Your Say Darebin consultation website.

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana

SECONDED: Cr. J. Williams

THAT Council:

- (1) Request under Section 8A (2) and (3) of the *Planning and Environment Act 1987* that the Minister for Planning authorise Darebin City Council to prepare Amendment C130 to the Darebin Planning Scheme.

- (2) Notify the Minister for Planning that when it exhibits Amendment C130, Darebin City Council intends to give full notification of the amendment under Section 19 of the *Planning and Environment Act 1987* for the minimum statutory exhibition period of one month.
- (3) When authorised by the Minister for Planning, exhibit Amendment C130 to the Darebin Planning Scheme under Section 19 of the *Planning and Environment Act 1987*.

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

The amendment applies to 356-362 and 388 Murray Road and 1 Spring Street, Preston, being land on the north-eastern and north-western intersections of Murray Road and Spring Street. The request for the amendment is being led by two proponents representing 356-362 Murray Road and 388 Murray Road. Council owns 1 Spring Street, which is currently vacant but was developed as the car park associated with the former lawn bowls site at 388 Murray Road.

The affected properties

The properties are currently zoned Residential 1 and form part of Precinct Q in the Preston Central Structure Plan (refer to **Appendix D**) which allows residential development between 2 to 3 storeys.

The sites fit the criteria for 'Strategic Opportunity Sites' in the Darebin Housing Strategy 2013 and new Municipal Strategic Statement forming part of Amendment C138 as they are over 1,000 square metres in size¹, permit residential use, and have favourable locational criteria including being within 500m of a train station and within a designated Principal Activities Area (refer Amendment C138 Clause 21.03-1).

The sites are at the interface with Precinct J - Western Gateway of the Preston Central area. As such, they are within 200m walking distance of Preston Railway Station and nearby community and commercial services. Their location on a major road junction offers a comparatively lower amenity for residential uses and there is a pattern of dwellings and townhouses erecting high fences in locations such as this which presents poorly and reduces passive surveillance to and sense of safety within the street environment.

Due to their corner positions they are fairly unconstrained as existing dwellings that have common boundaries with the large sites are limited. One of the sites sits at the northern end of St Georges Road and represents an opportunity for a building which addresses this notable intersection and provides a focal point for the entry into Preston Central and the termination of St Georges Road. Further contextual analysis has been prepared in reports submitted by the proponents (refer to **Appendix E**).

At present there is a current planning approval for 388 Murray Road for a five storey development.

¹ The three properties vary in size and measure as follows: - 356-362 Murray Road is 2855 square metres; 388 Murray Road is 5,274 square metres; and 1 Spring Street is 754 square metres.

The proposed planning scheme changes

The amendment proposes to facilitate the development of the land for multi-uses and a landmark building site and recognise the important role the sites play as part of the western approach into Preston and their position on a major north-south route by:

- Rezoning the land from Residential 1 to Priority Development Zone 2 (Preston Central) to allow a wider range of uses and major developments than the current Residential 1 Zone.
- Amending Clauses 21.05-6 and 22.12 to include the land in Precinct J and indicate a landmark building on 356 – 362 Murray Road, Preston (refer to **Appendix F** for amended Clause 21.05-6 map and to **Appendix G** for amended Clause 22.12 map).
- Amending Schedule 2 to the Priority Development Zone to revise the boundaries between precincts Q and J to include 356 – 362, 388 Murray Road and 1 Spring Street, Preston in Precinct J and indicate a landmark building on 356 – 362 Murray Road, Preston (see Revised PDZ2 Map in **Appendix H**).
- Amending the *Preston Central Incorporated Plan* March 2007 to include the land in Precinct J, indicate landmark building on 356 – 362 Murray Road, Preston and provide specific use, built form and design guidance for the sites (for Additions to *Preston Central Incorporated Plan* see **Appendix I**).

The amendment has been requested by Hansen Partnership (for 356 – 362 Murray Road) and by Contour (for 388 Murray Road) on behalf of the affected landowners.

Other proposed actions:

In addition to (and to complement) the amendment, it is proposed to amend the *Preston Central Structure Plan 2006*, City of Darebin and David Lock Associates and the *Preston Central Incorporated Plan 2007* to:

- Remove the land from a residential precinct (Precinct Q, Spring Street) and include in a mixed-use precinct (Precinct J, Western Gateway).
- Promote a range of uses and major developments (including a landmark building) to complement the major western approach into Preston Central, restricting landmark buildings to a maximum height of seven (7) storeys in accordance with Precinct J.
- Land on the western side of Spring Street will have the capacity to be used for residential purposes at ground level whereas land on the eastern side of Spring Street is to provide for active uses at ground floor. The height limit for these sites will default to 5 storeys which applies to non-landmark sites in Precinct J.

Proposed changes to the *Preston Central Structure Plan 2006* and the *Preston Central Incorporated Plan 2007* comprise changes to precinct maps and notations. The new Addendum to the Preston Central Structure Plan will indicate new applicable precinct boundaries. Changes to the policy and strategies in the structure plan are not proposed. Changes to the *Preston Central Incorporated Plan 2007* include:

- Ensuring active uses at ground level at the landmark site;
- Design requirements such as transitional setbacks towards sensitive residential interfaces and specific ground level design for a positive pedestrian environment (see Additions to Incorporated Plan in **Appendix I**).

To facilitate a transparent process, it is proposed that the proposed changes be exhibited in conjunction with Amendment C130. While the structure plan lies outside the amendment process, the proposed combined exhibition will allow landowners and the general public to comment on both proposals in context. It is anticipated that the proposed amended structure plan will be adopted by Council in conjunction with the adoption of Amendment C130, with both documents being fully consistent and the amendment directly implementing the structure plan, as proposed for change.

ISSUES AND DISCUSSION

Strategic justification for the amendments:

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

- *Preston Central Structure Plan 2006.*
- *Preston Central Incorporated Plan March 2007.*
- *Darebin Economic Land Use Strategy 2012.*
- *Darebin Housing Strategy 2013.*
- *Darebin Planning Scheme Review Report 2012.*
- Darebin Planning Scheme.
- Draft revised Darebin Planning Scheme (Amendment C138).

The Preston Central Structure Plan sets out the intent for a series of gateways and landmark sites throughout the activity centre which are part of an approach to place making that creates a distinctive identity. With the increasing role of Spring Street and St Georges Road as a primary north-south traffic route, these sites are positioned at a major junction. Strategically these sites play a far superior role in the local place and as part of the broader urban identity of Darebin than the current planning controls reflect. The structure plan's vision for the Western Gateway mentions the area is highly underutilised and presents an unattractive image to St Georges Road, Murray Road and Spring Street. The area is also seen as one of the most influential places in presenting an image of Preston Central. The land subject to this amendment should have been included in Precinct J as it is located at the forefront of the western approach into Preston Central.

This amendment seeks to recognise the dual roles of the properties in urban design terms with the potential to define the existing orientation point of the Spring/Murray/St Georges junction and demarcation of the western gateway to Preston Central.

At present the intersection of Murray Road and Spring Street suffers from a lack of attractiveness and is treated as a place that you pass through as quickly as possible. The structure plan's vision calls for intensification of built form and activity through new development of 5 storeys or 7 storeys at landmark sites. Redevelopment is identified as an opportunity to address the issues of the surrounding public realm. Hence, it would improve not just the local public realm but also recognise the vital role the sites play as an image-carrier for the approach to Preston Central from key corridors such as St Georges Road, Murray Road and Spring Street.

Limiting development to two and three storeys will not realise the best results for the Murray/Spring intersection. Low rise development which positions residential dwellings at street level at an intersection such as this is likely to create a desire by future occupants for high front fences to seek protection and retreat from the busyness and noise. This pattern is obvious along busy roads in the area. In a bid to address this condition the rezoning seeks to encourage active commercial uses, particularly at 356-362 Murray Road to the east side of the intersection. Strategies and goals of the Preston Central Structure Plan 2006 would help address the issues the intersection faces. These are, for example, to create a good place to walk (Strategy 3.2), as well as to express the importance of the precinct as a gateway (Strategy 3.3), create a safe and welcoming public realm with new development facing the railside path (Strategy 4.3) and to integrate the different precincts within the centre (Strategy 6.1). A higher quality, safer and more active pedestrian environment would support the integration of Precinct Q into Precinct J as walking would be encouraged.

The site at 356-362 Murray Road is positioned to accommodate a landmark site designation. It can form a cornerstone of the gateway by enabling up to 7 storeys. This site has the ability to accommodate a transition in built form down to 2 to 3 storeys at the interface with the dwellings at 4 Spring Street. The proposed addendum to the Preston Central Incorporated Plan 2007 includes this requirement (refer to **Appendix I**). It adjoins the linear open space that is the Melbourne Water Yan Yean pipeline and thus has a high degree of visual exposure locally and from a distance. The visual exposure offers the opportunity for an interesting and distinctive landmark form which contributes positively to the environment with passive surveillance of the broad public realm interface it has. The likely amenity impacts will be able to be managed through existing policy tools and at 7 storeys the site is unlikely to cast shadow over private open space.

Including 388 Murray Road in the Western Gateway Precinct enables a book-end effect either side of the Spring / Murray junction. However, this site has a much stronger physical relationship to the residential area of Murray Road and Precinct Q. It is included in the amendment to offer a corresponding scale of street wall at the intersection. This site is suitable for up to five storey development with the majority of the building mass being oriented to the corner of Spring Street and Murray Road with a transition in built form stepping down to the interface with existing dwellings at the western and northern boundaries of the site.

Council's own property at 1 Spring Street, which is also part of this amendment and rezoning, will form a buffer between development at 388 Murray Road and other established residential properties. The future development of this site would be subject to a limit of 2-3 storeys. The inclusion of 1 Spring Street, Preston can be seen as a future opportunity for Council to facilitate activity that could complement existing uses in the Preston Central area.

Objectives and design detail requirements in the Preston Central Incorporated Plan 2007 provide the tools that are needed to address the issues the Murray Road/St Georges Road/Spring Street intersection faces. The objectives encourage for development to ensure ground level buildings provide active frontages and a high level of pedestrian amenity. The sites would also contribute to the encouraged multi-level mixed-use area of built form between 3 – 8 storeys, increasing housing choices and environmentally sustainable development. Development are required to provide interesting architectural form, facades to incorporate verandahs/porches etc., and to provide active frontages towards surrounding streets and pedestrian access ways.

Sites over 1000m² are required to provide an Integrated Transport Plan in order to ensure developments do not have detrimental effects upon traffic. The addendum specifies new setbacks towards existing adjoining residential interfaces in order to manage the impact of new development. Any new built form would have to comply with the objectives and requirements of the Preston Central Incorporated Plan 2007.

The proposed amendment will facilitate development that contributes to meeting the future housing needs of Darebin. The Darebin Housing Strategy identifies the key challenge for Darebin is to diversify its housing to accommodate the increasing number of smaller households who are seeking units, townhouses and apartments in Darebin.

Summary of benefits of the amendment:

The rezoning of the land from Residential 1 to Priority Development 2 (Preston Central):

- Provides further residential and business activities in an established principal activity centre.
- Promotes a range of uses and major developments (including a landmark building) to complement a major western approach into Preston Central as promoted by Precinct J – Western Gateway.
- Provides for higher density housing where development may be well designed to complement a major gateway into the activity centre.
- Extends the western gateway into Preston Central on sites that are ideally suited and available for the development of denser residential uses and that will complement this existing gateway with an additional landmark building.
- Supports the overall vision of the Preston Central Structure Plan 2006 to enhance Preston Central's accessibility and physical environment as well as adding to the mix of activity (economic as well as social).
- 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.
- Enhances employment generation and for a more sustainable use and development of land.

Further strategic justification for this amendment is also outlined in the explanatory report (refer to **Appendix J**).

POLICY IMPLICATIONS

Environmental Sustainability

It is considered that the proposed amendments meet Council's objectives and directions for environmental sustainability. The rezoning supports principles of locating more housing and jobs closer to principal activities areas, established public transport, shops, and community services and facilities which encourage more active transport choices.

Human Rights, Equity and Inclusion

It is considered that the proposed amendments meet Council's objectives and directions for social inclusion and diversity. The rezoning supports development which will positively contribute to the diversity and affordability of housing available in Darebin.

Other

The proposed amendments are compatible with and implement the *City of Darebin Council Plan 2013–2017*, in particular goals for a vibrant and innovative economy (align land uses and transport policies) and health and connected community (increasing connectivity to services).

FINANCIAL AND RESOURCE IMPLICATIONS

There will be minimal impact on the resource and administrative costs of the responsible authority. All prescribed fees for the amendment, and panel costs if required, will be paid by the proponents.

CONCLUSION

The proposed amendment will facilitate the development of the land for multi – uses and address a shortcoming with the current planning controls relating to the Western Gateway of Preston Central Activities Area. The rezoning will facilitate development at the Murray Road/Spring Street intersection that makes a positive contribution to the experience of the local place as well as the corridor of St Georges Road and Spring Street. The sites mark an existing orientation point along the important north-south route, as well as defining the western approach along Murray Road into Preston Central.

The wholesome approach to development around the intersection will assist in creating a cohesive built form that guides pedestrians into the heart of Preston Central. The proposed changes to the *Preston Central Structure Plan 2006* and the *Preston Central Incorporated Plan 2007* will allow those changes to occur and justify the zoning and other changes proposed in the amendment.

FUTURE ACTIONS

- A request will be made to the Minister for Planning to authorise the amendment.
- Once authorised, the amendment will be formally exhibited.
- Council will assess submissions to the amendment, adopting, requesting a planning panel (if all submission cannot be met) or abandoning the amendment.
- The Minister for Planning will consider any adopted amendment.

DISCLOSURE OF INTERESTS

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

RELATED DOCUMENTS

- *Preston Central Structure Plan 2006.*
- *Preston Central Incorporated Plan March 2007.*
- *City of Darebin Integrated Housing Strategy, October 2002.*
- *Darebin Economic Land Use Strategy 2012.*
- *Darebin Housing Strategy 2013.*
- *Darebin Planning Scheme Review Report 2012.*
- *Darebin Planning Scheme.*
- *Draft revised Darebin Planning Scheme (Amendment C138).*

APPENDICES

- A. Map of Proposed Precinct J Extension
- B. Exhibition Gazette Notice
- C. Proposed Notification Circulation
- D. Current Precinct Boundaries
- E. Justification Reports by Hansen and Contour
- F. Revised Map in Clause 21.05-6 and to be added to the Preston Central Structure Plan
- G. Revised Map in Clause 22.12
- H. Revised PDZ2 Map
- I. Additions to Preston Central Incorporated Plan
- J. Explanatory Report

Manager City Development, Darren Rudd left the meeting at the conclusion of the above item – 8.24pm

Cr. Tsitas returned to the meeting at the conclusion of the above item – 8.24pm