

# Showers Street Residents Meeting



Report & Next Steps

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**May** 2017

### **Workshop No.01 - Showers Street Residents Meeting**

The first workshop with Showers Street landowners and residents was held at the Darebin Arts and Entertainment (DAEC) on Tuesday 21 March 2017. The Mayor, Cr Le Cerf and Cazaly Ward Councillors were invited to attend. Cr Messina attended on behalf of Council. It brought together residents concerned about the new planning controls introduced through gazettal of Amendment C136 St Georges Road Corridor (15 September 2016). The controls approved by the Minister for Planning as part of Amendment C136 for the section of Showers Street between St Georges Road and the rail corridor, was the Design and Development Overlay (DDO16) and the Residential Growth Zone Schedule 1 (RGZ1). The planning process undertaken for Amendment C136 is illustrated in the flowchart at the end of this report.

In essence landowners and residents of Showers Street expressed their concern that the new planning controls are not appropriate for a local residential street.

### **Why was Amendment C136 St Georges Road prepared?**

- To provide a strategy for future development in the St Georges Road corridor and its surrounds, including the Oakover Village Precinct.
- Amendment C137 Plenty Road Corridor and Amendment C136 St Georges Road Corridor are part of a broad municipal plan to manage Darebin's future housing and economic land use needs.

### **Working closely with local residents from Showers Street the first workshop has confirmed:**

- Concern from residents that the DDO16 does not provide sufficient built form and design guidance for those properties in Showers Street which do not interface with St Georges Road. This arose from the Victorian Civil and Administrative Tribunal (VCAT) hearing [for Gonsalves and Darebin CC [2016] VCAT 2035 (2 December 2016)] which resulted in an application for an apartment building at 40 Showers Street being refused by the Tribunal.
- Landowners and residents in Showers Street want assurance that assessment of future planning applications in Showers Street will be subject to rigorous and more appropriate design controls.
- That the thoughts and opinions of landowners and residents from the first workshop have been captured in this report and will be a reference point to review the planning controls within the Darebin Planning Scheme, where it is considered to be appropriate and necessary.

### **What does this mean for landholders?**

- Landowners and residents will be invited to attend a second workshop where a range of options about how to achieve more rigorous design controls will be presented. Meeting details are to be confirmed.
- An interim measure will be to create built form guidelines for Showers Street to be included in the revised St Georges Road and Plenty Road Urban Design Framework (UDF) which will be undertaken following gazettal of Amendment C137.

### **Summary of Workshop Outcomes:**

The meeting started with residents introducing themselves and outlining one thing they would like to achieve from the meeting. Following a presentation from Council officers about the background to Amendment C136 and the VCAT Hearing for Gonsalves and Darebin City Council, the following planning challenges were captured from the resultant discussion and post-it notes.

### **Challenge one: How were these planning controls introduced? Where to from here?**

- Why is there a gap in the planning scheme?
- Why is Showers Street different from other residential streets?
- Why was our street included in the St Georges Road UDF?
- Could Cr Messina please clarify as to how Council sees our street as a unique situation?
- Why is 52 & 54 Showers Street not included in DDO16 given both have frontage to Showers Street?
- Why did it take Council so long to get to this point? How will you restore our faith in the process? Residents are looking for a positive outcome.
- Is the zoning of Showers Street predetermined or will the sentiments of residents actually be honoured notwithstanding anything that has been decided by Council?
- How did we get here? Discrepancies in what was submitted vs approved.

- Can we place a stop on building multi-storey developments that were approved under Schedule 11 to the Development Plan Overlay (DPO11) Oakover Village? Can we put a stop to this until a resolution is reached?
- Want consistency for the future.

### **Challenge two: When will the Zone and Overlay for Showers Street be reviewed?**

- Is zoning pre-determined? Is this a fait accompli?
- What are the design frameworks for Showers Street?
- Where to from here? What are the options moving forward? Will DPO11 and DDO16 be amended? When will this occur?
- What will the new rezoning for Showers Street looklike?
- Is a two storey height limit possible in moving forward?
- How soon would any changes to the zoning / overlay be, until it is adopted? Months or years? What is the timeline? Residents are looking for a transparent outcome.

### **Challenge three: How can Council avoid inappropriate development in the interim?**

- What are the plans for 47 / 36 / 40 Showers Street?
- What is the best way to avoid putting residents of Showers Street at a disadvantage (lifestyle) due to what we believe is "inappropriate development"?
- Is Council serious about change or is this just lip service?
- Clarity with what can be developed and types of development and easy avenues for appeal and surrounding areas / factories?
- Stop 'high-rise' development in our small, lovely street.
- Showers Street rezoned for appropriate development and who got zoned in Showers Street?
- Residents want assurances that there will no change to Showers Street.

- Residents' lifestyle is at risk – how can we avoid this risk and maintain our sense of community?
- Clarity to be provided about what can be development, what types of development are preferred, and avenues for appeal.
- Use of Right of Ways (ROWs) is accessed informally by residents for purposes other than vehicle access and should be maintained.
- Prevention of adhoc development in the street.
- Generous setbacks from common boundary.

#### **Challenge four: What are the plans for Oakover Village and how can residents have a say?**

- The residents have made an investment in the long term future/community of Showers Street. We would love to have some assurances that our neighbourhood will remain 'unique'.
- Are there any plans for the Housing Commission lots?
- How would any change sit with the Council / Minister's large vision for the Oakover Village precinct?
- What is the future of Department of Health and Human Services (DHHS) site?
- How can we achieve well-designed and appropriate development with a strong environmental focus, which suits the streetscape?
- Transitional buffers with DPO11 Oakover Village to be enforced.
- Widen laneway to south and lower scale at edge of DPO11 Oakover Village interface.
- Concern about scale of development along rear of south facing lots on Showers Street which interface with DPO11 Oakover Village.

**The following is a general response to the questions raised in these four main challenges:**

**Challenge one: How were these planning controls introduced? Where to from here?**

As outlined in the meeting Council has undertaken an extensive process in its preparation of Amendment C136, outlined in the flowchart at the end of this report. The need to review the planning controls for Showers Street was highlighted during the VCAT hearing for 40 Showers Street, Preston.

**Challenge two: When will the Zone and Overlay for Showers Street be reviewed?**

Showers Street is located within a Substantial Housing Change Area and a Strategic Development Precinct, identified in the Strategic Housing Framework Plan of Clause 21.03 Housing in Darebin's Municipal Strategic Statement (MSS). The housing change area is reflected by the zoning of the site which is Residential Growth Zone (RGZ1). The intent for Substantial Housing Change Areas is to support increased residential densities and increased housing diversity. The zoning was supported by the independent Panel and the Minister for Planning.

The purpose of the Design and Development Overlay (DDO) is to outline specific requirements relating to the design and built form of new development in particular areas. The planning gap identified from the VCAT hearing for 40 Showers Street is that there is insufficient guidance on the built form and design controls in DDO16 for a local residential street.

It is not expected that the zone for Showers Street will change, as the policy basis for more intensive residential development has been established through Amendment C138 and C136. Instead examples of good design and potential planning tools to provide guidance around development for Showers Street will be discussed with residents at the second workshop.

**Challenge three: How can Council avoid inappropriate development in the interim?**

Council will strengthen the planning controls for Showers Street based on feedback from landholders and residents at the second workshop. Built form guidelines for Showers Street will be prepared and included in the revised St Georges Road and Plenty Road UDF, once Amendment C137 is gazetted. This will assist Council officers in assessment of new planning applications.

**Challenge four: What are the plans for Oakover Village and how can residents have a say?**

Both Council and the Department of Health and Human Services (DHHS) will provide written updates through letterbox drops to households within close proximity of DPO11 Oakover Village. Property owners and occupiers surrounding each DHHS major land parcel will have an opportunity to provide feedback to DHHS and Council through the Development Plan Overlay process.

### **Key values attributed to Showers Street**

During the workshop, residents were asked to identify the values about Showers Street most important to them. The list below is not exhaustive but within the time constraints given during the workshop these were values identified. They included:

- Value of architectural history ie: Californian Bungalow, Single fronted Victorian Terraces, Brassworks factory
- Loss of history is under threat
- Value privacy (no overlooking or overshadowing), liveability and social connectedness
- Value two storey maximum height
- Value amenity and sustainable urban design
- Protect the community spirit of the street
- Safe space to build on neighbourly community and trust
- Consistency of development
- Transitional buffer with the park and no overlooking into the park.
- Preserve the neighbourhood character
- I value my private backyard
- Sense of green street
- Openness of street scape
- Sustainability features in development, environment and social
- Predominant residential streetscape to be retained
- Built form that does not encroach on public space including laneways that are social spaces

### Suggested ideas for a Showers Street Urban Design Framework (UDF)

Landowners and residents were asked to contribute their ideas for a draft Showers Street UDF. Several themes were addressed which included built form; public realm; additional design guidelines for preferred future character; pedestrian and vehicle access. This feedback will guide discussion in the second workshop where options to strengthen the new planning controls will be outlined and expectations of what Council can achieve will be established. A summary of the feedback from residents is as follows:

<b>Built Form</b>	<b>Public Realm</b>
<ul style="list-style-type: none"> <li>➤ No more than two storeys</li> <li>➤ Buildings which maintain privacy</li> <li>➤ Transitional buffer between homes</li> <li>➤ Privacy in backyards</li> <li>➤ Maintain same setback from boundaries as in ResCode</li> <li>➤ Natural light not to be blocked</li> <li>➤ Neighbourhood character reinstated</li> <li>➤ Buildings which allow for community living</li> </ul>	<ul style="list-style-type: none"> <li>➤ Street trees, nature strips to be maintained</li> <li>➤ Consistency of streetscape and built form frontages</li> <li>➤ Using Ray Braham Gardens without being gazed upon</li> <li>➤ Green streetscape</li> </ul>
<b>Additional Design Guidelines for Preferred Future Character</b>	<b>Pedestrian and vehicle access</b>
<ul style="list-style-type: none"> <li>➤ Front setback requirements</li> <li>➤ Garden area requirements</li> <li>➤ Why can't we have a heritage overlay?</li> <li>➤ A new building adjacent to an existing building cannot be more than 3.5 metres higher</li> <li>➤ Setbacks – 4 metres from the common boundary</li> <li>➤ No apartments on Showers Street</li> <li>➤ No poorly designed one bedroom apartments</li> </ul>	<ul style="list-style-type: none"> <li>➤ Safety in small narrow street with vehicle and pedestrian movement</li> <li>➤ Greater consideration to providing a bike path</li> <li>➤ Local traffic provided access only</li> <li>➤ Apartments create extra traffic in a small narrow street</li> <li>➤ Traffic flow to be kept to a minimum safety level</li> <li>➤ No basement car parks</li> </ul>

# Amendment C136 St Georges Road

State Planning Policy Framework (SPPF)  
and  
Local Planning Policy Framework (LPPF)

Background research and initial community consultation informed the St Georges Rd Urban Design Framework (UDF) adopted in principle by Council 20 May 2013 for public exhibition

Council resolved to prepare Amendment C136 and proceed to public exhibition

Amendment C136 gazetted on 15 September 2016 and incorporated into the Darebin Planning Scheme

New Planning controls tested in VCAT hearing for **Gonsalves v Darebin City Council [2016] VCAT 2035 (2 December 2016)**.  
VCAT case identifies the need to review the planning controls for properties in Showers Street.

## PROCESS MOVING FORWARD

1. Seek community input
2. **Create built form guidelines for Showers Street** to be included in an updated UDF for St Georges Road and Plenty Road.
3. Consider alternative planning mechanisms