

DAREBIN PLANNING SCHEME

AMENDMENT C161

EXPLANATORY REPORT

Who is the planning authority?

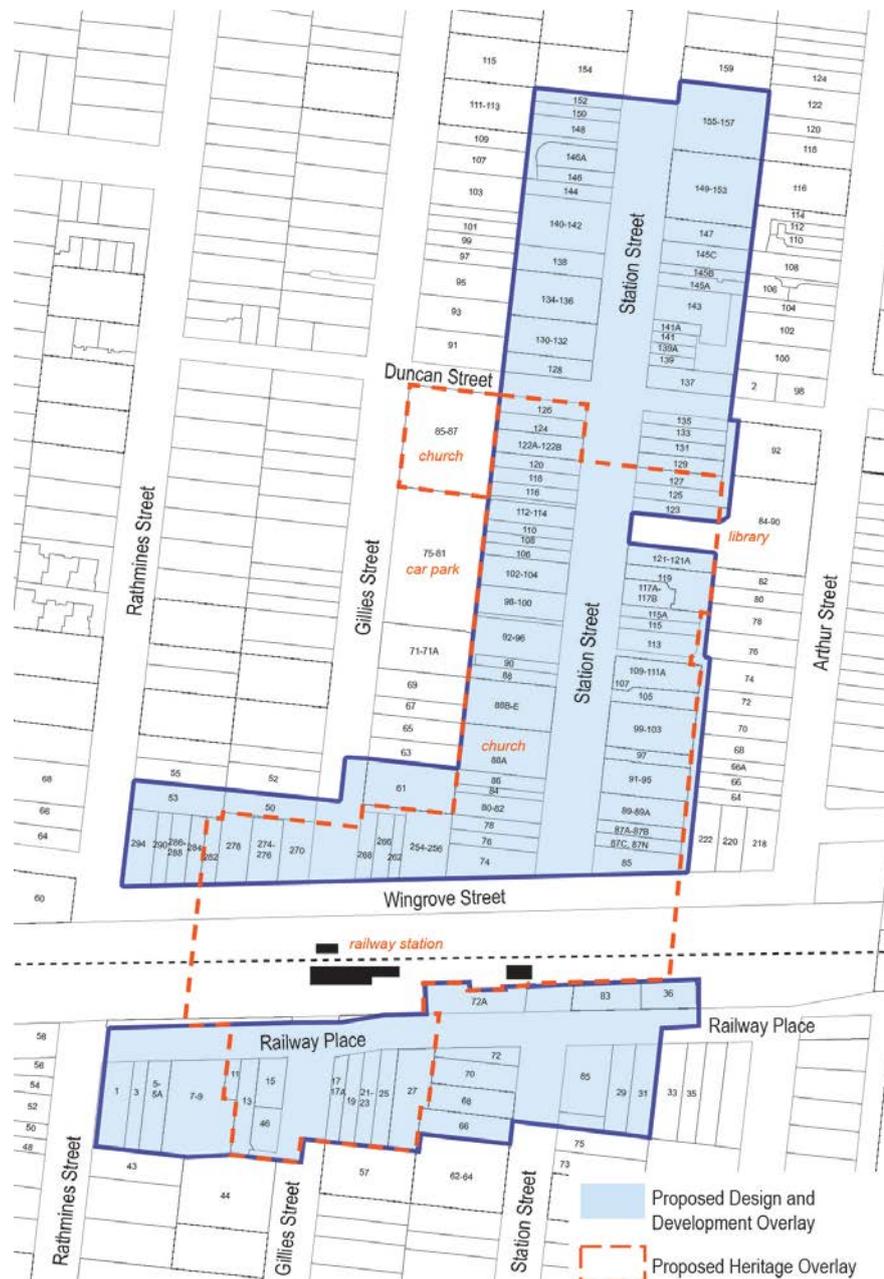
This amendment has been prepared by the Darebin City Council, who is the planning authority for this amendment.

The Amendment has been made at the request of Darebin City Council.

Land affected by the Amendment

The Amendment applies to land located in the Fairfield Village Neighbourhood Centre as listed and as highlighted on the accompanying map:

- 66-157 Station Street, Fairfield
- 1-31 Railway Place and 36 Railway Place, Fairfield
- 254-294 Wingrove Street, Fairfield
- 41 Hanslope Avenue, Fairfield (Fairfield Railway Station and surrounding reserve)
- 85-87 Gillies Street, Fairfield



What the amendment does

The Amendment implements the *Fairfield Village Built Form Guidelines, 2017* (Built Form Guidelines) and the *Fairfield Village Heritage Assessment, 2017* in the Darebin Planning Scheme, and corrects minor zone anomalies and references, by making the following changes:

- Amend the Schedule to Clause 43.01 Heritage Overlay to:
 - Introduce HO313 to apply to the Fairfield Village Heritage Precinct as defined in the reference document *Fairfield Village Heritage Assessment, 2017*.
 - Introduce HO314 to apply to St Andrew's Alphington and Fairfield Uniting Church, 85-87 Gillies Street, Fairfield.
 - Remove HO106 (North and South Platform Building and Signal Box at Fairfield Station, Wingrove Street, Fairfield). (*these items are now included in HO313*)
 - Update references in the schedule to the revised incorporated document *City of Darebin Heritage Study Incorporated Plan - Permit Exemptions (2011, amended 2018)*.
- Insert a new Schedule 21 to Clause 43.02 Design and Development Overlay to apply the built form requirements of the Built Form Guidelines to Commercial 1 Zone land.
- Rezone land and amend overlays to correct anomalies as follows:
 - Rezone part of the land at 72A Station Street, Fairfield from Public Use Zone 4 to Commercial 1 Zone.
 - Rezone land comprising the right-of-way at the rear of 129-135 Station Street from General Residential Zone Schedule 2 to Commercial 1 Zone. This land is also removed from the Heritage Overlay mapping of HO112, which applies to the adjacent former Fairfield Post office site.
- Amend the Local Planning Policy Framework (LPPF) to reflect the new built form and heritage policies, and make minor corrections and updates as follows:

Clause 21 (Municipal Strategic Statement):

- Amend Clause 21.02-3 (Built Environment) to make reference to the *Fairfield Village Built Form Guidelines 2017*, remove reference to Fairfield Village from the list of Further Strategic Work, and replace the State Government reference document *Safer Design Guidelines for Victoria, 2005* with the new *Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017)*.
 - Amend Clause 21.02-4 (Heritage) to add *Fairfield Village Heritage Assessment, 2017* to the list of Reference Documents, and correct an error in the name of an existing heritage reference document.
 - Amend Clause 21.03-2 (Housing Development) to make reference to the application of the Design and Development Overlay 21 to land in Fairfield Village and remove reference to Fairfield Village Neighbourhood Centre from the list of Further Strategic Work.
- Clause 22 (Local Planning Policies)
 - Amend Clause 22.06 (Multi-Residential and Mixed Use Development) to update State Government policy document references, and references to Clause 55 and Clause 58.
 - Amend Planning Scheme Maps 17, 17DDO and 17HO.
 - Replace the incorporated document *City of Darebin Heritage Study Incorporated Plan - Permit Exemptions (2011)* with *City of Darebin Heritage Study Incorporated Plan - Permit Exemptions (2011, amended 2018)*. The revised incorporated document updates definitions and includes new permit exemptions associated with HO313 and HO414.

Strategic assessment of the Amendment

Why is the Amendment required?

Fairfield Village neighbourhood centre is an attractive location for higher density development in the City of Darebin and this is set to continue in line with state and local policy directions for increased activity and housing densities in such locations.

The amendment is required to translate the recommendations of the *Fairfield Village Heritage Assessment, 2017* and the objectives and standards of the *Fairfield Village Built Form Guidelines, 2017* into a suite of planning scheme controls which protect places of local heritage significance and set clear requirements for appropriate higher density development in the centre.

The amendment is required to deliver built form outcomes in Fairfield Village which strike a balance between protection of its valued history and character with the need to accommodate growth over time, at a scale and intensity that is commensurate with its role as a neighbourhood centre.

Heritage Overlay HO314 identifies the Fairfield Village Heritage Precinct and ensures a planning permit is required for demolition of an identified heritage place and that heritage is a consideration in redevelopment of all properties within this precinct. The amendment will also implement HO313 to protect the individually significant St Andrew's Alphington and Fairfield Uniting Church at 85-87 Gillies Street within General Residential Zone 2.

The Design and Development Overlay (DDO21) incorporates requirements for the sensitive development of sites within HO314 and more broadly across the centre in the Commercial 1 Zone. DDO21 includes mandatory maximum building heights, mandatory maximum street wall heights and new front, side and rear setback requirements for development in Fairfield Village which will provide more certainty to the community on future built form in the centre.

The amendment will also correct various zone anomalies to ensure the effective implementation of DDO21.

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

The amendment implements the following objectives of planning in Victoria contained in Section 4 of the *Planning and Environment Act 1987*:

- *To provide for the fair, orderly, economic and sustainable use, and development of land.*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*
- *To balance the present and future interests of all Victorians.*

The amendment gives effect to the policies and objectives set out for neighbourhood centres in *Plan Melbourne*. Plan Melbourne and the State Planning Policy Framework promotes the concept of the '20 minute neighbourhood', where all residents have excellent access to a wide range of local amenities.

Plan Melbourne outlines a set of initiatives promoting density in defined locations to support a 20-minute neighbourhood (Direction 2.1). In particular, Policy 2.1.2 supports a network of vibrant Neighbourhood Centres.

The application of mandatory controls, where appropriate, in Neighbourhood Centres is given a level of strategic support by directions and initiatives in Plan Melbourne (Initiative 4.2.2).

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

The amendment facilitates positive environmental, social and economic effects.

Environmental Effects

The amendment will enhance the environmental sustainability of the Fairfield Village neighbourhood centre.

The amendment will facilitate development which delivers a mix of businesses and services to the local community at the suburb scale. The amendment will facilitate new housing with walkable access to wide range of facilities and sustainable transport options. Concentrating development will provide residents with walkable access to their daily and weekly shopping and service needs.

The amendment will encourage the construction of environmentally sustainable buildings consistent with local policies and strategies, including the adaptable reuse of existing heritage buildings, which significantly reduces building waste and conserves embodied energy in existing buildings.

Social Effects

The amendment will have positive social effects through retaining and protecting places of heritage significance for present and future generations. These places are valued by the community and contribute to Darebin's character.

The amendment promotes high quality urban design and architecture, including restoration and sensitive integration of existing heritage places, to create vibrant and attractive streetscapes that encourage social interaction.

The amendment also promotes positive social outcomes through facilitating a range of housing opportunities and other services and facilities within easy access by public transport, walking and cycling.

Economic Effects

The amendment will support the establishment of new housing and commercial opportunities in Fairfield Village to strengthen the economic viability of the centre. Heritage protections will ensure that change is managed in a positive way and does not come at the expense of the character and 'village' atmosphere of the centre for which it is distinguished.

The amendment will increase the number of sites subject to the Heritage Overlay provisions in the Darebin Planning Scheme, potentially increasing planning applications. However, the economic effects of the amendment will be offset by the public benefit from the heritage places to the community over many generations. The Heritage Overlay does not prohibit development, but instead requires the significance of a place to be considered when assessing applications. DDO21 provides clear guidance on how heritage places in Fairfield Village can be sensitively developed at higher densities.

Further, planning permit exemptions for minor works triggered by the Heritage Overlay are included in an existing Incorporated Plan in the Darebin Planning Scheme. This Incorporated Plan has been further amended to include exemptions for maintenance and upkeep requirements in the Fairfield railway station and surrounding reserve to ensure efficient functioning of railway infrastructure.

Does the Amendment address relevant bushfire risk?

There is no relevant bushfire risk associated with the amendment.

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 the Planning Scheme* under section 7(5) of the Planning and Environment Act 1987.

In accordance with the section 12(2) (a) of the Planning and Environment Act 1987, the Minister's Directions relevant to the Amendment are:

Ministerial Direction No. 9 - Metropolitan Planning Strategy.

In preparing the amendment, regard has been given to the Metropolitan Planning Strategy. The amendment is consistent with the following aspects of the strategy:

- Living locally through a city of 20-minute neighbourhoods. Directions 2.1 and 2.2 support a network of vibrant neighbourhood centres which deliver a supply of new housing and a mix of goods and services. Policies 2.1.2 and 2.2.3 support a strategic and balanced approach to planning for future housing needs, including clear policies around scale of urban intensification in neighbourhood centres, including use of mandatory controls where appropriate.
- Maintaining a distinctive and liveable city with quality design and amenity. Direction 4.4 supports recognition and consideration of heritage values, including the community benefits, when managing growth and change. Policies 4.4.1 and 4.4.3 support the protection of heritage sites in areas likely to be subject to substantial change, with initiatives that seek to balance heritage and future needs through adaptive re-use and integration of heritage places in new development.

The amendment does not compromise the implementation of the Metropolitan Planning Strategy.

Ministerial Direction No. 11 - Strategic Assessments of Amendments

Ministerial Direction No 11 is addressed through this explanatory report and the strategic justification that supports the Amendment.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The amendment is consistent with, and gives effect to, the State Planning Policy Framework (SPPF), particularly:

Clause 11 – Settlement

This clause seeks to “build up activity centres as a focus for high-quality development, activity and living for the whole community by developing a network of activity centres”.

The amendment contributes towards reinforcing the Neighbourhood Centres as a focus for high-quality development, activity and services for the community, complementing the objectives and strategies of Clause 11.02 - Urban Growth, Clause 11.03 - Activity Centres and Clause 11.06 - Metropolitan Melbourne.

Clause 15 – Built Environment and Heritage

This clause seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. Under this clause, development should appropriately respond to its landscape, valued built form and cultural context, and places and sites with significant heritage, architectural, aesthetic, scientific and cultural value are to be protected.

Clause 15.03-1 seeks to ensure the conservation of places of heritage significance. Specifically, a strategy of this clause is to identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.

DDO21 provides design objectives and requirements to ensure development in Fairfield Village delivers new housing and business opportunities in a sustainable manner. The DDO incorporates techniques for sensitive development of existing heritage places in the precinct, to deliver built form outcomes which respect and enhance the valued history and character of the centre.

Clause 16 - Housing

This clause encourages new housing to be located in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport. The amendment achieves this by facilitating increased residential densities in areas proximate to existing retail and public services while also being within easy access of public transport services.

Clause 17 – Economic Development

This clause seeks to encourage development which meet the community's 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. The amendment achieves this by locating commercial facilities within the existing Neighbourhood Centre to provide shopping opportunities that meet the needs of local residents and workers in a convenient location.

Clause 18 – Transport

This clause seeks to create a safe and sustainable transport system by integrating land use and transport. The amendment supports this by encouraging consolidated development in a location well served by public transport and within easy walking and cycling distance to residential areas.

Clause 19 – Infrastructure

This Clause seeks to ensure planning for development of social and physical infrastructure to meet the needs of communities now and into the future. The amendment supports this clause by facilitating development in a location that enables more efficient use of existing infrastructure and human services.

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

The amendment supports the directions of the Darebin Municipal Strategic Statement by facilitating higher density development in an activity centre and providing specific built form controls to ensure the scale and type of development is appropriate to the role and characteristics of the centre within the municipality's hierarchical network.

The amendment supports the following provisions of the Darebin Local Planning Policy Framework as follows:

Clause 21.02-3 Built Environment

Objective 1: Urban Design Excellence – encouraging high quality design and buildings that promote an urban scale and character appropriate to the role and function of the activity centre, enhance and improve the public realm and manage negative off-site impacts and interface issues with surrounding sensitive land uses.

Objective 2: Safe Urban Environments – encouraging designs that promote safety and pedestrian amenity, and which encourage day and evening activity in activity centres.

Objective 3: Environmentally Sustainable Development – facilitating development that encourages the adaptive reuse of buildings, and development which promotes sustainable living and integration of land use and sustainable transport (walking, cycling and public transport).

Clause 21.02-4 Heritage

Objective 1 – Heritage Places and Areas – ensuring that places of heritage significance are conserved and enhanced.

Objective 2 – Development and Heritage – promoting sympathetic infill and redevelopment of heritage places by providing clear policy parameters to ensure redevelopment of heritage buildings is sympathetic and visually compatible with existing forms, while not discouraging innovation in design.

Clause 21.03-2 Housing Development

Objective 1: Housing Development – facilitating housing development at an appropriate scale and intensity to deliver future housing needs. Fairfield Village neighbourhood centre is identified as a Substantial Change Area within the Strategic Housing Framework Plan. The amendment supports a variety of housing typologies at increased densities as sought for Substantial Change Areas, with the scale of development appropriate to precinct characteristics and context as identified by adopted policy (in this case the *Fairfield Village Built Form Guidelines, 2017*). The Heritage Overlay does not prohibit development and DDO21 provides clear guidance on how heritage places in Fairfield Village can be sensitively developed. The amendment facilitates higher density development in Fairfield Village at a scale that is consistent with expectations for a neighbourhood centre and does not undermine broader strategic housing objectives.

Objective 2: Housing Density – supporting a diversity of housing and facilitate increase densities and efficient use of land in Substantial Change Areas, with above ground floor level housing in retail precincts. The amendment contains provisions which ensure the degree of change is appropriate and responsive to conditions, including areas within heritage overlays.

Objective 3: Residential Amenity – facilitating residential and mixed use developments that display a high standard of design, limit off-site amenity impacts and provide appropriate internal amenity.

Clause 21.03-3 Housing Diversity and Equity

Objective 1 – Increase Diversity – the amendment supports increasing the diversity of housing types, sizes, design and configurations in a Substantial Housing Change area.

Clause 21.04-3 Commercial and Retail Activity

Objective 1 Retail – strengthening the established retail centres hierarchy in Darebin by facilitating a higher intensity of activity in and around neighbourhood centres and promoting mixed use development which can support complementary uses. The Heritage Overlay will enhance the viability of Fairfield Village through facilitating investment that will conserve key heritage places and features which are highly valued and distinguish the centre.

Objective 3 Local Employment – encouraging the consolidation of retail, business, employment, community and leisure facilities and higher density housing in and around activity centres.

Clause 21.05-2 Integrated and Sustainable Transport

Objective 1: Integrated and Sustainable Transport – prioritising and facilitating a mix of land uses and greater housing densities in and around activity centres and train stations to enable shorter trips to employment, shops and services and support the use of public transport.

Objective 2: Accessible Transport – encouraging good urban design standards in built environments to support walkability and pedestrian amenity, including prioritisation of street frontage areas for pedestrians rather than vehicles.

Objective 3: Car Parking – ensuring the design of new developments address interfaces with the public realm and support walking, cycling and public transport access, managing the provision of car parking and encouraging use of sustainable transport modes to reduce car parking demand.

Clause 22.06 Multi Residential and Mixed Use Development

The amendment will contribute to the effective implementation of this policy by providing detailed design objectives and requirements through DDO21 to achieve improved design quality and interface with and amenity of the public realm.

The amendment also makes updates to this Local Policy to reference new State Government policy documents, updated parts of Clause 55 and the new Clause 58.

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

The amendment makes suitable use of the Victoria Planning Provisions (VPP) through the selection of appropriate tools to achieve guidance for future development outcomes for Fairfield Village neighbourhood centre.

The Heritage Overlay is the appropriate tool for the protection of places of local heritage significance, as indicated in the *Planning Practice Note 1 Applying the Heritage Overlay*.

The Design and Development Overlay is the appropriate tool to facilitate desired higher density built form outcomes to deliver additional housing and economic activity to Fairfield Village in a manner that respects and enhances the valued history, character and amenity of the centre. The use of mandatory provisions for building height and street wall height in DDO21 are appropriate and strategically justified to ensure the effective protection of the centre's valued traditional character and places of heritage significance, consistent with *Planning Practice Note 59 The role of mandatory provisions in planning schemes, June 2017* and *Planning Practice Note 60 Height and setback controls for activity centres, June 2015*.

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

Heritage Overlay and Incorporated Plan provisions which affect the Fairfield Railway Station and surrounds have been developed in consultation with Transport for Victoria.

The views of Melbourne Water and VicRoads were also sought during the preparation of the *Fairfield Village Built Form Guidelines, 2017*.

The exhibition of the amendment will provide the opportunity for all relevant agencies to comment on the amendment. The amendment does not create any new referral authority or referral requirements.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is considered to be consistent with and address the relevant requirements of the Transport Integration Act 2010.

The amendment will concentrate new development in locations well served by public transport thus reducing the need for private vehicle transport and facilitating better access to, and greater mobility within local communities.

The Heritage Overlay provisions will affect any future Station Street Fairfield level crossing removal project. There is currently no commitment to remove the level crossing, however provision has been made, in consultation with Transport for Victoria, for the Conservation Policy within the Statement of Significance for the Railway Reserve area to include guidance for design options of any future grade separation project.

Resource and administrative costs

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

Overall, the anticipated increase in planning applications is not expected to have a significant impact on resource and administrative costs.

The amendment will have a positive impact on the resource and administrative costs of the responsible authority as it will provide clear policy guidance and help decision making on subsequent planning applications. Overall, the planning permit application process is expected to be more efficient.

The amendment will increase the number of sites subject to the Heritage Overlay provisions in the Darebin Planning Scheme, therefore potentially resulting in more planning applications and broader assessment requirements for some applications. However, the existing Incorporated Plan under Clause 43.01-2 provides a range of permit exemptions for certain minor works under the Heritage Overlay. The Incorporated Plan has been revised through this amendment to extend further exemptions specific to Fairfield Village.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during opening hours at the following places:

- City of Darebin (Planning counter), Level 1, 274 Gower St, Preston
- Fairfield Library, 84 Arthur Street Fairfield

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection or on the City of Darebin website www.yoursaydarebin.com.au

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment [and/or planning permit] must be received by [submissions due date to be inserted at time of exhibition].

A submission must be sent to:

Coordinator Strategic Planning
Darebin City Council
PO Box 91
Preston Victoria 3072

or via email to: planningservices@darebin.vic.gov.au

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: [pre-set directions hearing date to be inserted when confirmed prior to exhibition]
- panel hearing: [pre-set panel hearing date to be inserted when confirmed prior to exhibition]

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Fairfield Village neighbourhood centre	<ul style="list-style-type: none">• 66-157 Station Street Fairfield• 1-31 Railway Place and 36 Railway Place Fairfield• 254-294 Wingrove Street Fairfield• 41 Hanslope Avenue Fairfield (Fairfield Railway Station and surrounding reserve)• 85-87 Gillies Street Fairfield	Darebin C161 001znMap17 Exhibition Darebin C161 002ddoMap17 Exhibition Darebin C161 003d-hoMap17 Exhibition Darebin C161 004hoMap17 Exhibition