

Panel Report Recommendations -Planning Scheme Amendment C167 – Showers Street Design Guidelines

1. Amendments to Schedule 22 - Clause 43.02 Design and Development (DDO22)

Panel Recommendation no.	Planning Panel C167 Report Recommendation	Council Position at Panel Hearing	Officers Position following Panel recommendation & Change to Amendment Documents
1.a	<p>Delete the discretionary minimum 5.5-metre setback for level 3 and above as currently shown in Figure 1.</p> <p>Issue: The urban design evidence presented at Panel recommended that the additional setback be deleted as it undermines the sightline test as the principal upper level setback design tool and may stifle design innovation and result in stepped “wedding cake” built form outcome on Shower Street.</p> <p>Panel noted that Council should conduct its own diligence to confirm whether removing this requirement would require additional notice.</p>	<p>To retain the discretionary minimum 5.5-metre setback for level 3 and above as currently as exhibited in the Design and Development Overlay (DDO22) schedule 22. This additional setback requirement was included following discussions with DELWP prior to authorisation stage of the Amendment.</p>	<p><u>To support Panel Recommendation</u></p> <p><u>Comment</u></p> <p>Council position to support the Panel recommendation is based on the urban design evidence presented at the Panel hearing on behalf of Council where it was explained that the intent of Figure 1 is to combine its discretionary provisions with the discretionary maximum building height in the Residential Growth Zone 1.</p> <p>To this end it is considered that removing the 5.5 metre setback for level 3 will ensure that proposals will not have unnecessary stepping between levels and will achieve a simpler overall building composition. This outcome will enable built form to respond to the existing character of Showers Street without unnecessarily reducing housing capacity.</p> <p>Further, given that the front setbacks are discretionary provisions, Council has the discretion to vary the requirement to enable a contextual response to size and location of development.</p> <p>Council has considered whether removing this requirement would require additional notice. Accordingly, has determined that given this provision is expressed as a discretionary requirement (not mandatory) notice is not required to amend the DDO22 to remove the additional 5.5-meter setback at the third level.</p> <p>It is considered that removing the discretionary setback requirement will not transform the amendment from the anticipated built form opportunities of the exhibited version. i.e. an additional 5.5 metre setback at the third level can still be required and the extent of any</p>

Panel Recommendation no.	Planning Panel C167 Report Recommendation	Council Position at Panel Hearing	Officers Position following Panel recommendation & Change to Amendment Documents
			<p>setback for proposed development, can still be assessed and determined on a case by case basis.</p> <p><u>Changes required to Amendment Documentation</u></p> <p>Update the DDO22 to remove minimum 5.5-metre setback for level 3 and above as currently shown in Figure 1.</p>
1.b	<p>Replace wording “street wall’ with ‘front façade height.</p> <p>Issue: Use of the wording “street wall” is not clear and is consistent with wording across Darebin Planning Scheme schedules.</p>	<p>The amended wording from ‘street wall’ to Façade height is consistent with the Council’s submission to Panel.</p>	<p><u>To support Panel Recommendation</u></p> <p><u>Comment</u></p> <p>Change to wording is consistent with in the revised DDO22 (Version B) Council presented to the Panel for consideration. This minor change to wording will provide greater clarity and will not change the intent of the provision.</p> <p><u>Changes required to Amendment Documentation</u></p> <p>Update DDO22 to replace term “street wall” to “Façade height”.</p>
1.c	<p>Consolidate and rationalise ‘Setbacks for Development of Up to 4 Storeys’ and ‘Setbacks for development greater than 4 storeys’ into one set of side setback requirements for all development.</p> <p>Issue: The side setback provisions can be consolidated under one heading to provide greater clarity and ease of reference.</p>	<p>The consolidated side setback provisions is in accordance with Council’s submission to Panel.</p>	<p><u>To support Panel Recommendation</u></p> <p><u>Comment</u></p> <p>It is considered logical to consolidate side setback provisions for all development (up to and greater than 4 storeys) under one heading “side setbacks”. The wording has also been refined to provide clarity on the provision requirements. The amendments to the schedule do not change side setback requirements and is in accordance with the revised DDO22 Version B presented as part of Council’s submission to Panel.</p>

Panel Recommendation no.	Planning Panel C167 Report Recommendation	Council Position at Panel Hearing	Officers Position following Panel recommendation & Change to Amendment Documents
			<p><u>Change required to Amendment Documentation</u></p> <p>Update DDO22 side set back requirements as per Appendix B Panel Report (Panel preferred version of the Design and Development Overlay Schedule 22).</p>
1.d	<p>Terminology amendments to the DDO22 Schedule.</p> <p>Issue: Minor amendments to the structure and terminology of DDO22 to provide greater clarification and efficient operation of the provision.</p>	<p>The revised DDO22 Version B presented as part of Council submission to Panel included several minor terminology changes that ensure the provisions are clear and robust in their intent.</p>	<p><u>To support Panel Recommendation</u></p> <p><u>Comment</u></p> <p>The Panel recommendation supports changes to the DDO22 wording as presented by Council in its submission at the Panel Hearing.</p> <p>The terminology amendments will not result in any changes to the provisions and the other key matters that underpin the development outcomes for Showers Street.</p> <p>The version of DDO22 presented as part of Council's submission is in response to expert advice from a town planning lawyer to ensure the schedule ensure it is a robust and clear decision-making tool and in line appropriate Ministerial guidelines.</p> <p><u>Changes required to Amendment Documentation</u></p> <p>Update DDO22 wording as per Appendix B Panel Report (Panel preferred version of the Design and Development Overlay Schedule 22).</p>

2. Amendments to Schedule 11 Clause 43,04 Development Plan Overlay (DDO11)			
Panel Recommendation no.	Planning Panel C161 Report Recommendation	Council Position at Panel Hearing	Officers Position following Panel recommendation
2.a	<p>Amend - 3.0 Requirements for Development Plan – Permeability and Access as follows:</p> <ul style="list-style-type: none"> • revise the relevant requirement to “A north-south link from Showers Street to Oakover Road.” • replace the term ‘connection’ with ‘link’ which is consistent with the terminology used in Concept Plan at Clause 5.0 in the DPO11. <p>Issue:</p> <ul style="list-style-type: none"> • The current wording of the DPO11 requires provision of north-south link using existing laneways between Showers Street and Oakover Road. A portion of the north-south link will be required to be located on private land or the Director of Housing as there is currently no existing laneway. • DPO does not use consistent wording i.e Concept Plan 5.0 uses the term “link” which is referred to as a “connection” throughout the DPO. 	<p>As per exhibited DPO11 wording which reads as follows:</p> <p><i>A north-South connection or from Showers Street to Oakover Road <u>utilising existing laneways.</u></i></p>	<p><u>To support Panel Recommendation</u></p> <p><u>Comment</u></p> <p>Council supports Panel recommendation to revise the current wording in DPO11 at -3.0 Requirements for Permeability and Access which requires provision of the north-south link from Showers Street to Oakover Road to use existing laneways. This is on the basis that significant portion of the north-south link will be required to be located on privately owned or Director of Housing owned land and not within exiting laneways.</p> <p>Council supports the Panel recommendation to replace the term “connection” with ‘link’ which will provide consistent terminology within the DPO schedule.</p> <p><u>Changes required to Amendment Documentation</u></p> <p>Amend the requirement for a north-south link from Showers Street to Oakover Road in DPO Schedule 11- Clause 3.0 Requirements for Development Plan – Permeability and Access to read as follows:</p> <ul style="list-style-type: none"> • <i>A north-south link from Showers Street to Oakover road Road, utilising existing laneways where possible.</i> • Replace term “connection” with “link”.

2. Amendments to Schedule 11 Clause 43,04 Development Plan Overlay (DDO11)			
Panel Recommendation no.	Planning Panel C161 Report Recommendation	Council Position at Panel Hearing	Officers Position following Panel recommendation
2.b	<p>Revise wording in the second Sub-precinct 3 built form objective to read as follows: <i>“To ensure that built form on 47 and 49 Showers Street, Preston, provide frontage and overall massing that respects the residential streetscape.”</i></p> <p>Issue: Submitter requested that wording revised to read as follows: <i>“Built form on 47 and 49 Showers Street, Preston should be respectful of the residential Streetscape to the east and north.”</i></p>	<p>As per exhibited DPO11 wording which reads as follows: <i>“Built form on 47 and 49 Showers Street, Preston should provide frontage and overall massing suited to the residential streetscape to the east and north.”</i></p> <p>The key intent of the exhibited wording is to ensure that new development:</p> <ul style="list-style-type: none"> -Fronts and has an active interface with Showers Street. -Avoids side presentation to Showers Street. -Is massed to suit the residential nature of Showers Street. 	<p><u>To support Panel Recommendation</u></p> <p><u>Comment</u></p> <p>Revised wording of the second Sub-precinct 3 built form objective is considered to address Council’s key objective to ensure proposed development at 47-49 Showers Street respects the existing character of Showers Street through providing frontage and massing that is respectful to the residential streetscape.</p> <p><u>Changes required to Amendment Documentation</u></p> <p>Amend DPO11 – to revise the second sub precinct 3 built form objective to read as follows:</p> <p><i>To ensure that built form on 47 and 49 Showers Street, Preston provides frontage and overall massing that respects the residential streetscape.</i></p>