

# **DAREBIN PLANNING SCHEME**

## **AMENDMENT C135**

### **EXPLANATORY REPORT**

#### **Who is the planning authority?**

This amendment has been prepared by the City of Darebin which is the planning authority for this amendment.

The amendment has been made at the request of Planning & Property Partners Pty Ltd on behalf of several landholders.

#### **Land affected by the amendment**

The amendment applies to the section of High Street, Preston identified in the Darebin Planning Scheme as Precinct H of the Preston Central Structure Plan ('the Precinct'), as identified in the attached map.

#### **What the amendment does**

The amendment seeks to establish a modified vision for Precinct H by providing for an expanded range of permissible uses. In particular, the amendment removes the prohibition on dwellings and replaces references to car yards with more general 'retail premises' and 'restricted retail premises', to establish a mixed-use vision for the Precinct. In doing so, references to the current name as "Auto Alley" will be removed and replaced with the "Northern Gateway" to reflect the Precinct's new vision and position at the northern end of the Preston Central Structure Plan area.

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

- Amend Clause 21.05 of the Municipal Strategic Statement to reflect the new vision for the Precinct (and addendum to Structure Plan);
- Amend Schedule 2 of the Priority Development Zone to permit 'dwellings' in the Table of Uses;
- Amend Clause 22.08 to reflect the new vision for the Precinct; and
- Amend the Schedule to Clause 81.01 to reflect the update of the Preston Central Incorporated Plan (as amended 2013)

#### **Strategic assessment of the amendment**

##### **• Why is the amendment required?**

An amendment to the Darebin Planning Scheme is required to facilitate more diverse uses for Precinct H which can co-exist and strengthen development viability and regeneration.

The amendment will allow for the redevelopment of Precinct H for a wider range of uses than is presently allowed. The present strategic direction of the *Preston Central Structure Plan* and the associated statutory controls prescribed by the provisions of Schedule 2 of the Priority Development Zone (PDZ2) encourages the maintenance of car yards and related businesses in the Precinct whilst prohibiting dwellings and accommodation uses. This is inhibiting investment and regeneration and therefore preventing the highest and best of the land.

The proposed changes will allow for a combination of residential, commercial, light industrial and other uses to complement the mixed-use function of the broader locality. This will allow for the redevelopment of the Precinct over time in accordance with the State and Local Planning Policy Framework of the Darebin Planning Scheme that supports mixed use development within Activities Areas.

This is supported by an economic assessment prepared by *Essential Economics Pty Ltd* on behalf of the proponents. The assessment found that car-related uses are significantly declining in the Precinct, with only 11% of businesses trading in the Precinct as being directly involved in the sale of automotive vehicles, and 6% in automotive-related retail. The assessment also observed eleven vacant sites in the Precinct. The research further identifies changes in the land use profile of automobile sales resulting in smaller and less obtrusive sales showrooms and the non-sales functions such as service centres and storage being operated from different premises. The economic assessment establishes an underlying economic rationale for permitting retail car showrooms and residential land uses to co-exist in the pursuit of the highest and best use of land which includes a number of strategic redevelopment sites.

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

The amendment assists in implementing the following objectives of planning in Victoria as outlined in Section 4 (1) 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 balance the present and future interests of all Victorians.'

The proposed changes will assist in regenerating the Precinct. The current underutilisation of land provides an appropriate opportunity for the establishment of a mix of uses and a wider range of retail options.

The establishment of residential land use will assist in supporting existing commercial activity within the Activities Area. Moreover, the amendment will allow for the optimum use and development of the Precinct which is located close to a tramway, multiple train stations and is within the Preston Central Principal Activities Area, where increased housing density and diversity is contemplated and explicitly encouraged by State planning policy and metropolitan strategy.

- **How does the amendment address the environmental effects and any relevant social and economic effects?**

The amendment is expected to have positive social and economic benefits for landowners, Darebin City Council and the general community. Positive social and economic effects will accrue from the amendment through:

- The possible establishment of new residential and commercial development will contribute to the vitality of the Precinct and the broader area, support existing commercial activity and provide opportunities for new commercial activity and local employment; and
- The amendment will promote mixed-use development that makes more efficient use of well-serviced land.

No environmental impacts are expected to be generated from this amendment.

- **Does the amendment address relevant bushfire risk?**

Bushfire risk factors are not applicable for this 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:

- Minister's Direction No 9, *Metropolitan Strategy*.
- Minister's Direction No 11, *Strategic Assessment of Amendments* and DPCD Practice Note 46, *Strategic Assessment Guidelines*, January 2011. All requirements to be met 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

The amendment is not affected by any other Minister's Direction.

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 amendment complies with and implements the State Planning Policy Framework of the Darebin Planning Scheme.

In particular, the amendment implements:

Clause 11, Settlement:

- Objectives for Clause 11, Settlement, include:

*Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.*

*Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.*

- Clause 11.01, Activity Centre Network

Strategies include:

*Support the role and function of the centre given its classification, the policies for housing intensification, and development of the public transport network.*

- Clause 11.02, Urban growth:  
Clause 11.02-1, Supply of urban land:  
Objective:

*To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

Strategies include:

*Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.*

*Ensure that sufficient land is available to meet forecast demand.*

*Planning for urban growth should consider:*

- Opportunities for the consolidation, redevelopment and intensification of existing urban areas.

#### Clause 16, Housing:

- Objectives for Clause 16, Housing, include:

*Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.*

*New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space.*

- Clause 16.01, Residential development:

Clause 16.01-1, Integrated housing:

Objective:

*To promote a housing market that meets community needs.*

Strategies include:

*Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.*

*Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.*

- Clause 16.01-2, Location of residential development:

Objective:

*To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.*

Strategies include:

*Increase the proportion of housing in Metropolitan Melbourne to be developed within the established urban area, particularly at activity centres, employment corridors and at other strategic sites, and reduce the share of new dwellings in greenfield and dispersed development areas.*

*Ensure an adequate supply of redevelopment opportunities within the established urban area to reduce the pressure for fringe development.*

*Facilitate residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water efficient design principles and encourages public transport use.*

*Identify opportunities for increased residential densities to help consolidate urban areas.*

- Clause 16.01-4, Housing diversity:

Objective:

*To provide for a range of housing types to meet increasingly diverse needs.*

Strategies include:

*Ensure planning for growth areas provides for a mix of housing types and higher housing densities in and around activity centres.*

#### Clause 17, Economic Development:

- Objectives for Clause 17, Economic Development, include:

*Planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential.*

- 17.01-1 Business

Objectives include:

*To encourage development which meet the communities' 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.*

Strategies include:

*Locate commercial facilities in existing or planned activity centres*

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

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

- Clause 21.02-8 'Housing' – the amendment will contribute to the expected growth of 110,000 households in the 'northern region' of municipalities in the next 20 years;
- Clause 21.05-2 'Element 2: Housing' – the amendment will allow for future residential development to accommodate the projected 70,000 additional persons for Darebin as identified in Council's Integrated Housing Strategy;
- Clause 21.05-2 'Element 2: Housing' – the amendment will allow for future mixed use development in an area with good access to tram route 112, Preston and Regent rail stations, and proximity to community and commercial facilities within the Preston Central Principal Activities Area;
- Clause 21.05-5 'Element 5: Economic Development' – the amendment will deliver on the vision of economic development in the municipality through ensuring land use changes are responsive to external economic changes and provide for prosperous and viable businesses.
- Clause 21.05-9 'Element 9: Transport and Access' – the amendment will encourage higher density housing close to a tram route and within close proximity to two train stations, thus increasing the proportion of residents who can easily access public transport.

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

The amendment implements the objectives of planning in Victoria as outlined in Section 4 of the *Planning and Environment Act 1987* through:

- Providing for the fair, orderly, economic and sustainable use and development of land;
- Providing for the protection of natural and man-made resources;
- Securing a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- Balancing the present and future interests of all Victorians;

- Ensuring sound, strategic planning and co-ordinated action at State, regional and municipal levels;
- Enabling land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;
- Facilitating development that achieves the objectives of planning in Victoria and planning objectives set up in planning schemes; and
- Ensuring that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.

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

There are no agencies whose views are required to be considered as part of this amendment process. The views of any relevant agency will be taken into account, where necessary, during the consideration of any permit application.

- **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

*Is the amendment likely to have a significant impact on the transport system, as defined by section 3 of the Transport Integration Act 2010?*

The amendment is not considered to have a significant impact on the transport system.

*Are there any applicable statements of policy principles prepared under section 22 of the Transport Integration Act 2010?*

There are no statements of policy principles applicable under section 22 of the *Transport Integration Act 2010*.

## **Resource and administrative costs**

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

There will be no adverse impact on the resource and administrative costs of the responsible authority. Future proposals for use and development will be considered on their merits through a planning permit process, which has associated prescribed fees based on the proposal.

## **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: **To be determined**
- panel hearing: **To be determined**

## **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,  
274 Gower Street  
PRESTON  
VIC 3072

