

## **DAREBIN PLANNING SCHEME**

### **AMENDMENT C131**

#### **EXPLANATORY REPORT**

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

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

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

The amendment affects various parcels of land in the Bundoora, Macleod, Northcote, Preston and Reservoir areas.

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

The amendment:

- Rezones land in the Bundoora (Mount Cooper and former Larundel Psychiatric Hospital sites), Macleod (Springthorpe) and Reservoir (Central Creek) from Residential 1 to either Public Park and Recreation or Public Conservation and Resource.
- Removes the Development Plan Overlay from land in Reservoir (DPO2 and DPO4), Bundoora (DPO1 and DPO3), Macleod (DPO6), Preston (DPO7) and Northcote (DPO8).
- Removes the Environmental Audit Overlay from the Springthorpe Estate, Macleod.
- Removes the Heritage Overlay (sites HO63, 65 and HO68) from the Springthorpe Estate, Macleod.
- Deletes Schedules 2, 3, 4, 6, 7 and 8 to the Development Plan Overlay.
- Amending Schedule 2 to the Priority Development Zone to make minor procedural clarifications (conditions for the use of 'place of assembly', what includes maintenance and minor buildings and works and notification of proposals on land adjoining residential zones)

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

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

The amendment revises the application of zones and overlays to reflect the completion of residential development in certain areas by:

- Rezoning land in the Bundoora (Mount Cooper and former Larundel Psychiatric Hospital sites), Macleod (Springthorpe) and Reservoir (Central Creek) from Residential 1 to either Public Park and Recreation or Public Conservation and Resource to recognise that land is owned and managed by Darebin City Council, DSE, DPCD or an urban land corporation for recreation (PPRZ) or conservation purposes (PCRZ). The majority of this land is recreation land that was or is to be transferred to Darebin City Council through the development of the respective subdivisions. This rezoning aligns and corrects the zoning of land to be consistent with the zoning of other public recreation or conservation land in the immediate area.
- Removing the Development Plan Overlay from land in Reservoir (DPO2, Aged care facility, Glasgow Street, Reservoir and DPO4, Central Creek), Bundoora (DPO1, Former

Larundel Psychiatric Hospital and DPO3, Mount Cooper), Macleod (DPO6, Springthorpe), Preston (DPO7, 93-103 High Street, Preston (former Howe leather factory)) and Northcote (DPO8, former Kennedy-Taylor building, 26-36 High Street, Northcote) as the overlays are no longer required due to the land now being now fully developed.

- Removing the Environmental Audit Overlay from the Springthorpe Estate, Macleod as the overlay is no longer required due to the land now being now fully developed. Environmental auditing, which is required by the overlay prior to development, was originally undertaken prior to the development of the estate. Given that the estate is now fully developed and used for residential purposes, the overlay is no longer required for the land
- Removing the Heritage Overlay (sites HO63, 65 and HO68) from the Springthorpe Estate, Macleod (map and Heritage Overlay schedule changes) as any historic building on either site have been removed, making the application of the Heritage Overlay to the land incorrect and redundant.
- Deleting Schedules 2, 3, 4, 6, 7 and 8 to the Development Plan Overlay as the schedules are no longer required in the planning scheme due to the DPO being removed from land to which the schedules apply.
- Amending Schedule 2 to the Priority Development Zone will provide clarification on conditions for places of assembly, examples on what constitutes minor buildings and works as well as to clarify notification requirements as they were intended to be and are practiced. E.g. where subject land is separated from existing residential uses.

The amendment is strategically justified through and implements the *Darebin Planning Scheme Review Report 2012*, which identified the need to streamline and refine the use of the Development Plan Overlay and other associated overlays to reflect current development.

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

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.
- Balance 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.
- Ensure 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 environmental effects and any relevant social and economic effects?**

##### ***Environmental effects:***

The amendment will have no significant effect on the environment or the environment on the use or development envisaged in the amendment. The amendment will have positive effects on the environment through:

- Environmental considerations already being fully considered and implemented in development plans that have been prepared for the sites affected by the amendment.
- Environmental auditing having already been undertaken and fully met prior to the development of the Springthorpe Estate for residential purposes.
- Land being rezoned from Residential 1 to either Public Park and Recreation or Public Conservation and Resource to reflect its permanent ownership and/or use for recreation and conservation purposes.

**Social and economic effects:**

Overall, 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:

- Recognition of existing development where additional planning guidance is no longer required or appropriate.
- Provision of transparency with land use planning outcomes matching strategic directions and planning controls in the Darebin Planning Scheme.
- Removal of a redundant planning control (the Environmental Audit Overlay) from the Springthorpe Estate, Macleod, which is no longer required as the land now fully developed.
- Removal of an anomalous planning control (the Heritage Overlay) from two sites in the Springthorpe Estate, Macleod, which is not required as there are no heritage buildings on the land.
- Ensuring a consistent approach to notification in the PDZ 2 as it was initially intended. The extended description of what constitutes minor buildings and works provides more certainty on permit requirements for applicants.

• **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.

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.

The amendment complies with the VPP Practice Note *Applying the Incorporated Plan and Development Plan Overlays*, January 2003. As development has been fully completed in Development Plan Overlay (DPO) areas affected by the amendment, the development outlined in the relevant development plans has been completed. As a result, the development plans and DPO applications are no longer required, including the DPO exemption from notice (Section 52 of the Act) and review / appeal (Section 64 of the Act). The existing DPO areas being removed under this amendment are not required to be retained to safeguard any undeveloped site identified for future development.

• **How does the amendment support or implement the State Planning Policy Framework?**

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 11.02, 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 11.02-2, Planning for growth areas:

Objective:

*To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create benefits for sustainability while protecting primary production, major sources of raw materials and valued environmental areas.*

Strategies include:

*Create a network of mixed-use activity centres and develop an urban form based on Neighbourhood Principles.*

*Meet housing needs by providing a diversity of housing type and distribution.*

Clause 11.02-3, Structure planning:

Objective:

*To facilitate the orderly development of urban areas.*

Strategies include:

*Ensure effective planning and management of the land use and development of an area through the preparation of strategic plans, statutory plans, development and conservation plans, development contribution plans and other relevant plans.*

Clause 11.02-4, Sequencing of development:

Objective:

*To manage the sequence of development in growth areas so that services are available from early in the life of new communities.*

Strategies include:

*Ensure that new land is released in growth areas in a timely fashion to facilitate coordinated and cost-efficient provision of local and regional infrastructure.*

### 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.*

- **How does the amendment support or implement the Local Planning Policy Framework?**

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

In particular, the amendment implements:

Clause 21.05-2, Element 2: Housing:

Objective 1:

*Ensure housing provision meets the diverse needs of the Darebin community.*

Strategies include:

- *Implement the recommendations of the Darebin Integrated Housing Strategy 2002.*

Objective 2:

*Encourage ecologically sustainable housing and facilitate where possible.*

Clause 21.05-10, Element 10, Physical infrastructure:

Objective 1:

*Work towards minimising the cost to the community of infrastructure needs from new development.*

Objective 2:

*Provide appropriate levels of infrastructure and manage the infrastructure for long-term sustainability.*

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

The amendment makes proper use of the Victoria Planning Provisions. The amendment is required to remove areas of the Development Plan Overlay (DPO), Environmental Audit Overlay (EAO) and Heritage Overlay (HO) from land when this overlay application is no longer required as a result of land now being fully developed (DPO and EAO) or the sites having no heritage value (HO). The amendment also rezones land to reflect its current use and ownership. There are no alternative ways or tools to undertake these changes other than through a planning scheme amendment.

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

The amendment has been prepared with a view to meeting the views and guidelines of relevant government departments and service agencies. Preliminary consultation and agreement has been undertaken with the Department of Planning and Community Development regarding the intent of the proposed amendment.

Direct notification of this amendment has been given to all relevant departments, authorities and agencies which may make a formal submission to the amendment if required.

- **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: 24.06.2013
- panel hearing: 15.07.2013

## **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

The amendment can also be inspected free of charge at the Department of Planning and Community Development website at [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection).

## **Submissions**

Any person who may be affected by the amendment may make a submission to the planning authority, Darebin City Council. The closing date for submissions is **28.05.2013**.

Submissions about the amendment must be sent to:

Rasiah Dev  
Chief Executive  
Darebin City Council  
PO Box 91  
PRESTON VIC 3072