

DAREBIN PLANNING SCHEME

AMENDMENT C130

EXPLANATORY REPORT

Who is the planning authority?

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

The amendment has been made at the request of Hansen Partnership (for 356 – 360 Murray Road, Preston) and Contour Planning (for 388 Murray Road, Preston) on behalf of the affected landowners.

Land affected by the amendment

The amendment applies to 356 – 362 and 388 Murray Road, Preston, being land on the northeastern and northwestern intersections of Murray Road and Spring Street, and to 1 Spring Street, Preston.

What the amendment does

The amendment:

- Rezones the land from Residential 1 to Priority Development 2 (Preston Central).
- Amends Clauses 21.05-6 and 22.12 and Schedule 2 to the Priority Development Zone.
- Amends the *Preston Central Incorporated Plan March 2007*.
- Amends the *Preston Central Structure Plan September 2006 (as amended)*.

Strategic assessment of the amendment

• Why is the amendment required?

The amendment proposes to facilitate the development of the land for multi – uses and landmark building sites as part of the as western gateway approach into Preston by:

- Rezoning the land from Residential 1 to Priority Development 2 (Preston Central) to allow a wider range of uses and major developments than the current Residential 1 Zone.
- Amending Clauses 21.05-6 and 22.12 to include the land in Precinct J and indicate landmark buildings on both sites.
- Amending Schedule 2 to the Priority Development Zone to revise the boundaries between precincts Q and J to include 356 – 388 Murray Road, Preston in Precinct J and indicate a landmark site on 356 – 362 Murray Road, Preston.
- Amending the *Preston Central Incorporated Plan March 2007* to include the land in precinct J, indicate a landmark site on 356 – 362 Murray Road, Preston, and provide specific use, built form and design guidance for both sites.
- Amending the *Preston Central Structure Plan September 2006 (as amended)* to include the land in Precinct J, indicate a landmark site on 356 – 362 Murray Road, Preston.

The transfer of land from a residential precinct (Precinct Q, Spring Street) to a mixed-use precinct (Precinct J, Western Gateway) will promote a range of uses and major

developments (including landmark buildings) to complement a major western approach into Preston Central.

The amendment is strategically justified and implements the following strategic land use planning documents:

- *Preston Central Structure Plan 2006*, City of Darebin and David Lock Associates. In conjunction with this amendment, the structure plan has been amended to transfer the land from a residential precinct (Precinct Q, Spring Street) to a mixed-use precinct (Precinct J, Western Gateway), promote a range of uses and major developments (including landmark buildings) to complement the major western approach into Preston Central and provide specific land use and development guidance for a landmark site.
- *Preston Central Incorporated Plan March 2007*. This plan is being amended as part of this amendment to include the land in precinct J, indicate landmark building sites on the northeastern and northwestern corners of Murray Road and Spring Street and provide specific use, built form and design guidance for a landmark site.
- *City of Darebin Integrated Housing Strategy, October 2002*.
- *Darebin Housing Strategy 2013*
- *Darebin Economic Land Use Strategy 2013*.
- *Darebin Planning Scheme Review Report 2012*.
- Darebin Planning Scheme (as outlined in this explanatory report).

• **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.

The amendment will assist in increasing the residential base within the Preston Central area, a location right next to existing public transport and community and commercial services. The inclusion in the Priority Development Zone – Schedule 2 (PDZ2) will ensure the potential of the large sites is realised in this location. The inclusion of both sides of Spring Street into the PDZ2 will allow a design approach that can look at the entire large and open busy intersection, provide enclosure and passive surveillance for pedestrians and first and foremost create a lead-in into the Preston Central area at its western edge.

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

Environmental effects:

The amendment will have no significant negative 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:

- Improved visual amenity associated with the construction of a landmark building on a major gateway site at the western entrance to Preston Central.
- The sensitive design of other new development bordering neighbouring residential land, including low scale development ('stepped down' from bordering landmark buildings) to minimise potential visual and amenity impacts on the residential land.
- The conducting of low key uses bordering neighbouring residential land, primarily higher density residential and office use, to minimise potential impact on residential land.

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:

- Providing for the sustainable redevelopment of the area for mixed use residential and commercial purposes.
- Enhancing economic and social activity, and the attractiveness and appeal, of the Preston Central principal activity centre.
- Providing additional higher density housing opportunities for a diverse community.
- Enhancing employment generation through the redevelopment of the area for mixed use purposes and two landmark building sites.
- Quality design to minimise potential visual and amenity impacts on nearby and adjoining residential land.

- **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.

- **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. The amendment will foster residential and business activities in an established principal activity centre and provide for additional residential land in a location that is well supplied with transport and urban services.

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 centres:

Clause 11.01-1, Activity centres network:

Objective:

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.

Clause 11.01-2, Activity centres planning:

Objective:

To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community.

Strategies include:

Encourage a diversity of housing types at higher densities in and around activity centres.

- 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 11.04, Metropolitan Melbourne:

Clause 11.04-2, Activity centre hierarchy:

Objective:

To create a network of activity centres comprising the Central Activities Districts, Principal Activity Centres, Major Activity Centres, Specialised Activity Centres and Neighbourhood Activity Centres.

Strategies for principal and major activity centres include:

Develop Principal and Major Activity Centres to accommodate ongoing investment and change in retail, office, service and residential markets.

Ensure Principal and Major Activity Centres:

- *Have the potential to grow and support intensive housing developments without conflicting with surrounding land-uses.*

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.

Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.

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

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

- Clause 16.01-3, Strategic redevelopment sites (under Clause 16.01, Residential development):

Objective:

To identify strategic redevelopment sites for large residential development in Metropolitan Melbourne.

Strategies include:

Identify strategic redevelopment sites that are:

- *In or within easy walking distance of Principal or Major Activity Centres.*
 - *On or abutting tram, train, light rail and bus routes that are part of the Principal Public Transport Network and close to employment corridors, Central Activities Districts, Principal or Major Activity Centres.*
- 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:

- Clause 17.01, Commercial:

Clause 17.01-1, Business:

Objective:

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?

The amendment complies with and implements the Local Planning Policy Framework of the Darebin Planning Scheme. The amendment will further residential and business activities in

an established principal activity centre. It will provide for higher density housing where development may be well designed to complement a major gateway into the activity centre.

It is noted that current Planning Scheme Amendment C138 (currently on exhibition) proposes to modify the current Municipal Strategic Statement (MSS), including new Clauses 21.03 and 21.04, promoting the application of a PDZ as well as Preston Central as an activities area with higher intensity and scale of development and accommodating a mix of activity.

In particular, the amendment implements:

- Clause 21.04, Darebin Tomorrow – Our Vision:

Key features of the framework plan include:

Principal and Major Activity Centres within and around which Melbourne 2030 advocates concentrating residential development.

The Clause 21.04-3 framework plan identifies Preston Central as a 'Principal Activity Centre'.

- Clause 21.05, Objectives – Strategies – Implementation:

Clause 21.05-1, Element 1: Sustainability:

Objective 1:

Give effect to Council's strong commitment to ecological, social and economic sustainability.

Implementation includes:

- *Apply a Priority Development Zone (PDZ2) to the remaining substantial change precincts (other than the Market site) identified in the Preston Central Structure Plan (2006) to guide development in accordance with the Preston Central Incorporated Plan March 2007.*

Clause 21.05-2, Element 2: Housing:

Objective 1:

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

Strategies include:

- *Encourage residential development that contributes to housing choice within the Preston Central Activity Centre, as identified in the Preston Central Structure Plan (2006).*

Objective 3:

Ensure that new housing protects and enhances the residential amenity and neighbourhood character of Darebin.

Strategies include:

- *Ensure medium and higher density housing is designed to minimise impacts upon the amenity of nearby residential properties.*

Objective 4:

Ensure that housing contributes positively to the functioning of Darebin's retail and employment centres.

Strategies include:

- *Promote mixed use development with residential development at higher densities predominantly above ground floor level in Precinct A (Civic), Precinct B (High Street Central), Precinct C (Market), Precinct D (Mary Street), Precinct F (High Street South), Precinct G (High Street North), Precinct I (Southern Gateway) and Precinct J (Western Gateway), in accordance with the Preston Central Structure Plan (2006).*

Clause 21.05-3, Element 3: Urban design:

Objective 2:

Ensure that designs contribute to and reinforce local identity and sense of place.

Strategies include:

Encourage multi-level, mixed use developments that incorporate contemporary designs, providing interesting architectural forms and creative urban design responses, including the development of landmark buildings at identified locations in Preston Central.

Objective 2:

Promote safety and encourage participation in community life through well-designed and maintained urban environments.

Strategies include:

Ensure that designs contribute to the liveability of the municipality.

Promote legible urban form through development that provides recognisable routes, intersections landmarks and other elements that can provide an 'orientational fix' for the community.

Ensure that buildings at ground level provide active frontages and a high level of pedestrian amenity within the Preston Central Activity Centre.

Objective 7:

Ensure that the development of activity centres promotes an urban scale and character that is appropriate to the role and function of the centre.

Strategies include:

Promote an attractive, contemporary character within Preston Central that reflects its importance as a Principal Activity Centre while respecting its existing traditional scale and character and heritage places.

Encourage landmark buildings and appropriate intensity of development at identified locations in the Preston Central Activity Centre.

Implementation includes:

Apply a Priority Development Zone (PDZ2) to the remaining substantial change precincts (other than the Market site) located in High Street and Bell Street identified in the Preston Central Structure Plan (2006) to guide development in accordance with the Preston Central Incorporated Plan 2007.

Clause 21.05-5, Element 5: Economic development:

Objective 1:

A responsive and diverse local economy which is responsive to external economic change.

Strategies include:

Promote Darebin as a location for further public and private office development through making available suitably zoned land.

Objective 5:

Support economic development that contributes to sustainability, is compatible with the natural and built form and which makes a social contribution to Darebin.

Implementation includes:

Apply a Priority Development Zone (PDZ2) to the remaining substantial change precincts located in High Street and Bell Street, as identified in the Preston Central Structure Plan (2006), to guide development in accordance with the Preston Central Incorporated Plan 2007.

Economic activity framework plan:

The Clause 21.05-5 framework plan identifies Preston Central as a 'Principal Activity Centre'.

Clause 21.05-6, Element 6: Activity centres:

Objective 1:

Consolidate retail, business, employment, community and leisure facilities and higher density housing in and around identified activity centres.

Strategies include:

- *Encourage a wide mix of activities, particularly in the Principal and Major Activity Centres of Northland, Preston Central, Northcote and Reservoir.*
- *Encourage new core retail, community, employment, business and leisure facilities to locate within or close to identified activity and centres.*
- *Encourage higher density housing to locate within walking distance of identified activity and neighbourhood centres.*
- *Ensure residential development within and adjoining activity centres is appropriately designed so as to minimise conflict between the needs and aspirations of users.*
- *Encourage various use and development in the Preston Central Activity Centre, including:*
 - *the maintenance of the role and function of Preston Central as the civic heart of Darebin City;*
 - *office development at any level in various precincts, including Precinct J (Western Gateway).*

Objective 5:

Require a high quality standard of design for new development and redevelopment within activity centres.

Strategies include:

Encourage an urban design form which reflects and supports the image, role and function of the centre.

Encourage development, abutting public open spaces, which will accommodate ground floor uses that activate those spaces.

Create identifiable landmarks at the Bell Street and St Georges Road entrances to the Preston Central Activity Centre.

Discourage under development of identified key redevelopment sites and precincts in the Preston Central Activity Centre.

Implementation includes:

Apply the Priority Development Zone (PDZ2) to the remaining substantial change precincts (other than the Market site) identified in the Preston Central Structure Plan (2006) and use the Preston Central Incorporated Plan 2007 to guide use and development.

Amendment C130 proposes to amend the Clause 21.05-6 Preston Central Framework Plan to include the land subject to the amendment in precinct J and indicate landmark building sites on the northeastern and northwestern corners of Murray Road and Spring Street.

Clause 22.03, Activity centres policy:

Objectives include:

- To define and enhance the economic viability of retail activity centres.
- To support the accommodation of non-retail uses such as residential or mixed use development in identified activity centres, where appropriate.
- To encourage a wide mix of activities including non-retail in Principal, Major and Neighbourhood Centres.
- To encourage integrated development, within activity centres.
- To encourage innovative, high quality urban design responses which reflect and support the image, role and function of the centre in order to create a 'sense of place'.
- To encourage the retention and development of active frontages in activity centres.

Policies for principal activity centres include:

- Provide a greater mix of activities including commercial office, community and government facilities.
- Encourage greater intensification of activity including appropriate expansion of retail and commercial development, consolidation of car parking and redevelopment of under-utilised sites.
- Encourage intensive housing development to locate in or in close proximity to the Centre, particularly Preston Central.

Clause 22.10, Residential and mixed use development of four or more storeys:

Policies include:

- Clause 22.10-3.2, Design & materials:
To require high standards of design and finish for multi-level development.
- Clause 22.10-3.3, Building height:
To ensure that the height of new development responds to the existing urban context and neighbourhood character objectives of the area.
To ensure new development is appropriate to the scale of nearby streets, other public spaces and buildings.
To protect sunlight access to public spaces.
- Clause 22.10-3.4, Setbacks:
To protect adjoining residential development from unreasonable amenity impacts due to overshadowing and overlooking from multi-level residential development.

- Clause 22.10-3.5, Dwelling diversity:
To provide a range of dwelling sizes and types.
- Clause 22.10-3.9, Amenity impacts, including overshadowing and overlooking:
To ensure that multi-level development is on a site large enough to minimise unreasonable overshadowing and overlooking of residential development.

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

The amendment makes proper use of the Victoria Planning Provisions. The current R1Z is no longer appropriate for the subject land, which forms a major gateway into the Preston Central principal activity centre. The Priority Development Zone is the most appropriate zone to facilitate the further development of the land for major, mixed uses and developments that will complement a major gateway into the Preston Central principal activity centre. The rezoning of the land to Priority Development will enhance the application of the Priority Development Zone to land immediately to the east of the subject land, on the opposite side of St Georges Road, and to the whole of the Preston Central principal activity centre.

- **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 Transport, Planning and Local Infrastructure and Department of Business and Innovation 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: [insert directions hearing date]
- panel hearing: [insert panel hearing date]

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.

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 [insert date] **2013**.

Submissions about the amendment must be sent to:

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