

## DAREBIN PLANNING SCHEME

### AMENDMENT C148

#### 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.

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

The amendment applies to land in the City of Darebin.

Exemptions from payment of development contributions are proposed to apply in the following circumstances:

- The construction of building(s) or the construction or carrying out of works or subdivision which results in a development that is less than the charge unit specified in Schedule to the Development Contributions Plan Overlay.
- Non-residential development is exempt from Community and Open space infrastructure charges.
- The carrying out of residential building works associated with an existing dwelling, including the replacement of a dwelling.
- Reinstatement of a building which has been unintentionally damaged or destroyed. For non-residential building, the exemption only relates only to the extent that the floor area of the new building is not greater than the damaged or destroyed building
- The construction of buildings and works associated with any item funded under the DCP.
- Buildings and works where the purpose is in alignment with the core charitable function of a registered not for profit organisation.
- Education Centre for students with disabilities.
- Buildings and Works associated with a public use operated by a public authority on land zoned Public use, Public Park and Recreation or Public Conservation and Resource Zone

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

The amendment replaces the recently expired municipal-wide Darebin Development Contributions Plan 2004 with a new Development Contributions Plan (DCP). In doing so, the Amendment ensures compliance with Section 46Q of the *Planning and Environment Act* with regard to the use of surplus funds required to be carried over from the conclusion of the 2004 -14 DCP. It also provides Council with a mechanism to collect new contributions from developments towards the ongoing provision of adequate development and community infrastructure associated with a growing municipality.

The amendment:

- replaces the Schedule to the Development Contributions Plan Overlay DCPO1 at Clause 45.06 of the City of Darebin Planning Scheme with a new Schedule; and
- replaces the Incorporated Document “*City of Darebin Development Contributions Plan, June 2004*” with a new Incorporated Document “*City of Darebin Development Contributions Plan 2015-2024*” to the list of incorporated documents of the Darebin Planning Scheme.

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

- **Why is the amendment required?**

An amendment to the Darebin Planning Scheme is required to provide a transparent and equitable means to manage the expenditure of surplus funds at the conclusion of the *City of Darebin Development Contributions Plan, June 2004*, in accordance with the with Section 46Q of the *Planning and Environment Act*.

Moreover the City of Darebin is experiencing significant and sustained population growth, placing considerable pressure on existing community and urban infrastructure. The new Development Contributions Plan ensures Council can recover some of the costs towards the on-going provision of urban and community infrastructure for a growing community. The revised DCP ensures development that is incrementally adding to the accelerated need for infrastructure is contributing at a financial level attributable to the demand it is generating, such that development is paying its fair share toward future infrastructure needs.

The infrastructure provided through the Development Contributions Plan will benefit the entire Darebin community. The following types of infrastructure will be funded partly through the Development Contributions Plan:

- Maintenance and upgrading of roads, footpaths, cycle paths and drains;
- Parkland and open space improvements;
- Streetscape enhancement and landscape upgrades
- New pavilions and sporting facilities; and
- New and upgraded community facilities.

### **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*:

- 1(a) 'To provide for the fair, orderly, economic and sustainable use, and development of land.'
- 1(g) 'To balance the present and future interests of all Victorians.'

In particular, the Amendment will support the better management of metropolitan growth through supporting the upgrades of development and community infrastructure commensurate with growth demands.

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

#### Environmental

The amendment is not considered to have any environmental effects, however it will enable Council to have more funds available for water sensitive urban design, tree planting and other environmental enhancement works.

#### Social and Economic

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

- Ensuring that increased development is met with a concomitant source of revenue that will be used to contribute towards necessary infrastructure provisions and upgrades across Darebin and for the benefit of all Darebin residents;
- It will facilitate the provision of infrastructure to improve the amenity, appearance and safety of the City for current and future residents;
- Support the viability and success of Darebin's commercial centres and businesses through support for streetscape upgrades and public realm improvements.

Darebin's prior experience with the Development Contributions Plan has revealed that the levy on development for the purposes of local infrastructure needs does not adversely impact development. Darebin has been experiencing significant and sustained growth in permit activity and development over the past 10 years, notwithstanding the application of the DCP during this time.

- **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 is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*. The amendment has been evaluated in accordance with the strategic considerations set out in Minister's Direction No.11 Strategic Assessment of Amendments under Section 12 of the *Planning and Environment Act 1987* and is consistent with those considerations. The amendment is consistent with Ministerial Direction No.9, Metropolitan Strategy under Section 12 of the *Planning and Environment Act 1987* that requires planning authorities to have regard to the Metropolitan Strategy.

- **How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The amendment is consistent with the State Planning Policy Framework (SPPF). Relevant clauses include:

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 proposed Amendment will support this by facilitating the upgrade and development of infrastructure in existing urban areas to allow for increased densities in areas in and around Activity Centres.

Clause 17 Economic Development

The objective contained in Clause 17.01-1 is "to encourage development which meets 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." Infrastructure relating to transport, community facilities, streetscape improvements and parkland improvements are all aspects important to the creation of an effective Activity Centre and successful commercial centres and would all be partially funded by the proposed DCP.

Clause 19 – Infrastructure

This Clause encourages the provision of social and physical infrastructure in an accessible and timely manner and encourages authorities to consider the use of development contributions in the funding of infrastructure. In accordance with this, a new Darebin Development Contributions Plan will provide a 10 year strategy that identifies the timing and coordination of the installation of infrastructure maintenance and upgrades across Darebin and ensures the ongoing provision of adequate development and community infrastructure throughout the municipality.

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

The amendment supports the LPPF through the following ways:

- It will facilitate the provision of infrastructure to improve the amenity, appearance, function and safety of the City for current and future residents consistent with the objectives of Clause 21.05-2 (Housing), 21.05-5 (Economic Development), 21.05-6 (Activity Centres), 21.05-8 (Open Space and Recreation), 21.05-10 (Physical infrastructure).

- **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 an appropriate tool – the DCP Overlay - to give direction for the fair and equitable application of development contributions levies in the City of Darebin.

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

The Department of Transport, Planning and Local Infrastructure (DTPLI) has been consulted 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?**

The provisions of the *Transport Integration Act* are not applicable to this Amendment.

## **Resource and administrative costs**

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

The amendment is expected to have minimal impact on the resource and administrative costs of the Responsible Authority. Darebin City Council has had a municipal-wide Development Contributions Plan in place for the past 10 years and has systems in place to levy, invoice, collect and monitor contributions received through this mechanism.

## **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  
Level 1  
274 Gower Street  
Preston 3072

The amendment can also be inspected free of charge at the Department of Transport, Planning, and Local Infrastructure website at [www.dtpli.vic.gov.au/publicinspection](http://www.dtpli.vic.gov.au/publicinspection) .

## **Submissions**

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by **[insert submissions due date]**.

A submission must be sent to:

Darebin City Council  
Level 1  
274 Gower Street

Preston 3072

### **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]