

Planning Policy Framework Review

Submission on behalf of Darebin City Council



1. INTRODUCTION

The City of Darebin is pleased to provide the following submission in response to the release of the draft Planning Policy Framework (draft PPF). We welcome the opportunity to participate in the process of shaping the draft PPF.

The following submission incorporates:

- General comments on the benefits of the PPF and alignment with Council goals
- An appraisal of the key issues of relevance to Council
- Response to the feedback and survey questions

Darebin City Council commends the State government's review of and steps towards integrating State and Local planning policy frameworks more effectively. Council supports the overall initiative and notes the following key benefits of the review:

- Facilitating integration and co-ordination of planning at State, regional and local municipal levels.
- Encouraging a more transparent and relevant policy approach.
- Implementing metropolitan Melbourne strategies and policies at local planning level.
- Enhanced legibility and accessibility of the planning scheme, assisting in the creation of greater community understanding of the scheme.
- Recognition of the importance of community development in land use planning through the introduction of a specific policy for this area.
- Alignment with the Darebin Planning Scheme Review 2010 and subsequent review of the Municipal Strategic Statement (under Amendment C138).
- A more concise and relevant planning framework through the removal of irrelevant policy.

The draft PPF includes new content that has been drawn from Plan Melbourne and other adopted State Government policy. New content that is of importance to Darebin and may support the directions set out in the Council Plan goals includes the following.

- **La Trobe Employment Cluster:** The importance of National Employment clusters, and the identification of these structures, could be further strengthened (*Goal 1: Vibrant City and Innovative Economy*).
- **Jobs diversity and growth:** Policy from Plan Melbourne relating to the location of employment has been included in Clause 09.01. This refers to the National Employment clusters and the importance of recognising the changing needs of the business sector (*Goal 1: Vibrant City and Innovative Economy*).
- **Electric cars:** Clause 06.02 (strategy 5.4) includes new policy relating to car sharing schemes and electric vehicles (*Goal 3: Sustainable and Resilient Neighbourhoods*).
- **Urban vegetation:** Clause 06.03 includes policy to increase urban vegetation and acknowledges the impact of trees in mitigating urban heat island effects. The amenity

importance of trees, as well as their potential to contribute to public realm and usability, is also acknowledged (*Goal 3: Sustainable and Resilient Neighbourhoods*).

- **Social housing:** Additional objectives and strategies are included in Clause 08.02 to facilitate the supply of social housing. These strategies include facilitating social housing through varied funding and delivery models and development controls, and identifying opportunities for social housing in urban renewal precincts (*Goal 2: Healthy and Connected Community, Goal 3: Sustainable and Resilient Neighbourhoods*).
- **Gaming:** Clause 10.07 articulates policy relating to gaming and brothels. While there are some issues with the location of this policy within the framework (detailed further below), it provides guidance to ensure that gaming machines and brothels are located appropriately (*Goal 2: Healthy and Connected Community*).
- **Healthy and liveable places:** The focus upon ‘20 minute neighbourhoods’ encourages healthy neighbourhoods through the creation of 20-minute walking/cycling catchments. Specific policy for walking is also included within the transport clause (Clause 12.02). This encourages use and development that promote walking, and the formation of walking networks (*Goal 2: Healthy and Connected Community, Goal 3: Sustainable and Resilient Neighbourhoods*).
- **City shaping infrastructure:** Of particular importance to Darebin is the inclusion of strategic planning guidelines regarding a potential North East Link (Clause 12.06-M00-01). This link would connect the M80 Ring Road to the Eastern Freeway/East Link, and should incorporate improved access to the LTEC Council will need to be included in any planning related to this North East Link (*Goal 1: Vibrant City and Innovative Economy*).

Some potential issues need to be addressed and improvements can be made to the draft Planning Policy Framework. The draft PPF moves from a current framework of a mixture of thematic (policy themes of headings) and spatial (strategy / policy for specific geographical areas) headings to a framework based entirely on thematic headings. This potential conversion will create some issues and loss of integrated policies for specific precincts and places.

This submission provides general comments regarding the draft PPF, and responds to the questions posed by the SPPF Review Advisory Committee. It also provides an overview of the Council resources that may be required to implement the proposed PPF.

The following abbreviations are used throughout this submission:

DCC	Darebin City Council
DTPLI	Department of Transport, Planning and Local Infrastructure
DPSRR	Darebin Planning Scheme Review Report
ELTEC	Emerging La Trobe Employment Cluster
LGA	Local Government Authority
MPA	Metropolitan Planning Authority
MPS	Metropolitan Planning Strategy
NRZ	Neighbourhood Residential Zone
PM	Plan Melbourne
PPF	Planning Policy Framework
SPPF	State Planning Policy Framework

2. GENERAL COMMENTS

Darebin's approach to strategic planning is thematic and place-based, and increasingly integrated with other Council units in implementation. The shift away from place-based policy within the draft PPF, and the distinct compartmentalisation of themes, means that translation of existing and future policy will be problematic, and is likely to make the application of policy more complicated. It will require information to be repeated over several themes; with no clear location for place-based policy.

Application of a place-based approach through a policy framework is a challenge for several key Darebin projects, including the Northern Urban Renewal Precinct (NURP). These projects have a strong infrastructure focus that requires cooperation across several state and local government agencies to ensure the delivery is efficient and value for money. Some of these key infrastructure projects have been identified in the Northern Horizons – Delivery through Partnerships Summary Report. This study considered the growth needs of the northern region (seven local government areas and three other agencies) and presented a strategy to be implemented over the next 50 years.

There is a particular need to consolidate the collective efforts of a number of different agencies to deliver supporting infrastructure in the La Trobe National Employment Cluster. A clear policy direction that mandates a coordinated approach across all levels of government will greatly contribute toward this Cluster reaching its full potential.

The PPF review process is timely and offers the opportunity to better use a 'policy tool' to direct redevelopment responses. The challenge will be to guarantee that sufficient connections are made between the different policy topics to ensure a comprehensive response is promoted and that significant elements do not fall through the cracks.

In particular this revised structure enables policy to shape how partnerships are formed, encourage stronger cooperation and integration between agencies and triggers new and innovative delivery processes to be formalised.

Darebin strives to achieve inclusive, equitable and diverse neighbourhoods that provide opportunities for social and economic participation for residents. Darebin is committed to promoting environmental values and encouraging sustainable development through the planning system. Thematic areas of particular importance to Darebin in achieving these goals are addressed below.

Landscape and built environment

Clause 06.04 Environmentally sustainable design translates clause 15.02 of the existing SPPF. Council acknowledges that the review of the SPPF is a policy neutral restructure with updates from new adopted policies and is being authored as part of this process. However, the need for further policy guidance in relation to ESD has been acknowledged, and it is a missed opportunity to exclude such improvements from this review.

The findings from the Environmentally Efficient Design Local Policies Advisory Committee, to which Darebin presented in 2013, highlight this need for further guidance:

“Whilst the existing State Planning Policy Framework and Victoria Planning Provisions provide a good starting point for the inclusion of sustainability, there are clear areas for improvement... The approach to sustainability in planning schemes [should] be further reviewed to provide a more coherent, strengthened approach to implementation. This should be based on a Statewide approach and include stronger, higher guidance in the State Planning Policy Framework and Clause 65, as a minimum, with consideration of a range options.”

While these findings have been released mid-way through the review process, it is opportune to update the content of this policy as part of the current process.

Clause 06.03 should also be amended to incorporate policy relating to urban agriculture. While Plan Melbourne and the PPF provide guidance for non-urban food production, specific policy for urban agriculture is not stated. The PPF acknowledges the importance of protection of peri-urban agriculture; however, further support for agriculture as a legitimate land use in urban areas should be provided. Darebin acknowledges the importance of urban agriculture in meeting community needs and is advocating for greater policy support and guidance in this area.

Housing

Clause 08.01 Location of residential development establishes criteria for the application of the neighbourhood residential zone. The regional policy for metropolitan Melbourne states that the NRZ should be used across 50 per cent of Melbourne’s residential-zoned land. This regional policy appears to contradict the state policy, which establishes a clear rationale for the application of the NRZ. The justification of this figure is not clear in either the draft PPF or Plan Melbourne. The application of the neighbourhood residential zone should not achieve a pre-determined outcome; rather, it should be subject to a process of rigorous analysis. The draft PPF should reflect this.

This clause refers to particular provisions relating to government funded social housing (Clause 52.41). The provisions of this clause expired in June 2012.

Community development

The introduction of the proposed Clause 10 Community Development is supported. Darebin is committed to planning for and creating strong, resilient and engaged communities; this clause provides greater support to achieve this goal.

Community development can encompass a multitude of practices and is subject to different interpretations. It may be pertinent in this Clause to include a definition or description of what community development means, particularly in relation to the PPF.

There appears to be some repetition within this clause, and the relationship between different sections is not clear (for example, social and cultural infrastructure vs cultural and community facilities). Clause 10.04 Community Facilities appears to repeat, or sit above, specific policy in relation to education facilities, health, and emergency services. Further clarification should be provided as to the distinction between these clauses. Clause 10.06-S-01 Cultural Facilities under Guidelines for decision makers should reference Practice Note 61 March 2011 Licensed premises: Assessing cumulative impact.

Clause 10.07 Gaming and Brothels does not fit easily within this section. It is clear that these uses impact on community development; however, their purpose is primarily commercial. Including policy relating to these uses within this clause suggests that they contribute in some way to community development. This clause would be better located within Clause 09 Economic Development.

3. SURVEY QUESTIONS

This section addresses questions drawn from the online survey *Feedback on the PPF*. Questions not addressed in this section are addressed under the relevant feedback question in the following section.

The current SPPF does not present any context material, though many Municipal Strategic Statements do. Do you find context sections in Planning Schemes useful?

The inclusion of the context section at the beginning of the PPF provides a useful introduction to the planning scheme. This section details the context for Victoria in terms of place, the environment, the economy and the community. While a broader context is useful, it is important to articulate how the context relates to land use planning decisions. For example, Clause 02.01 states that:

“The future will see a significant shift in growth from the south-east of Melbourne to the north and west of the city. This growth provides an opportunity to consider development in the north and west in a new light.”

This statement could be further expanded to articulate the ‘new light’ and its relation to land use planning decisions.

Further context could be provided for each theme within the draft PPF, particularly in relation to themes that may not have a widely understood or agreed upon meaning (e.g. community development, as noted above).

The PPF is structured so that only relevant policy will appear in a particular scheme. What do you think about this approach?

The inclusion of only relevant policy in each scheme is supported. This approach will result in a more concise and appropriate planning scheme.

Clause 3 replaces the current ‘Settlement’ clause and will present a vision for planning. Clause 3 presents policy under a series of headings. Do the headings in Clause 03 make sense?

Clause 3, which replaces the current ‘Settlement’ clause and presents a vision for planning, contains a series of headings that could be further clarified. An area could, for example, fit into Clause 03.06 Planning for cities, Clause 03.08 Urban renewal and Clause 03.10 Planning for local areas. This is the case for the ELTEC, which is a National Employment Cluster (Clause 03.06), an urban renewal area (03.08) and contains an activity centre (03.10).

The existing SPPF uses over 100 different verbs to begin strategies. The PPF uses a limited number of defined verbs to begin strategies to assist a more rigorous approach to interpreting policy. What do you think of this approach?

The revised PPF introduces a matrix of verbs that can be used in writing strategies. This is to avoid confusion and misinterpretation over the meaning of words. Council is supportive of the intent of this approach.

4. FEEDBACK QUESTIONS

Are there errors or omissions in the PPF?

Proposed policy headings will adequately cover the range of applicable land use policy issues affecting Darebin City Council. Proposed policy headings however are potentially too detailed and could reasonably be grouped to a greater extent, for example under overall headings of context, vision, housing, environment, economic development and transport and infrastructure.

Clause 05.05 Contaminated and acid sulfate soils should include reference to gas migration and include reference document Best Practice Environmental Management (BPEM) siting, design, operation and rehabilitation of Landfills Publication 788.1* September 2010 including Part 8.3 aftercare management and table 8.2: post-closure buffer distances required for landfill gas migration. Ministerial Direction No. 1 – Potentially contaminated land is also used as a guideline for decision makers.

Again, Council acknowledges that the review being undertaken is policy neutral, and that new policy is not being authored. However, there is an opportunity to include policy at a state level that many councils have adopted at a local level. This includes policy pertaining to environmentally sensitive design (as noted above), discretionary uses in residential zones, and heritage considerations.

What change is needed to accommodate local policy in the proposed structure?

As noted above, the emphasis within the PPF on thematic rather than spatial policy poses challenges in translating local policy within the Darebin Planning Scheme. Darebin has adopted an integrated, place-based approach to strategic planning; this approach is not readily translated into a thematic structure.

Change to the structure of the PPF is needed to enable place-based policy to be presented effectively. This could be achieved through further clarification of Section 03 of the draft PPF to clearly identify where local, place-based policy is best accommodated. As noted above, the headings in this section appear to overlap and it is unclear

What further changes could improve navigation?

As proposed, policy headings are compartmentalised, creating a need to refer to multiple policy areas to understand overall land use planning directions for any particular geographic area. This issue may partly be overcome by reference to geographic areas in strategies under various policy headings. The use of cross-referencing could be considered to assist with navigation of interrelated policy issues.

The removal of the 'settlement' policy makes it more difficult to include overall spatial settlement strategies affecting individual centres and structure plans for them that may affect multiple land use planning issues.

The links to the Particular Provisions within the proposed PPF are useful and will improve navigation and will highlight relevant provisions to first-time or infrequent users of the scheme.

Are there other specific regions or thematic areas (such as coastal areas) that should be identified for separate policy?

In general, proposed thematic areas cover key land use planning issues affecting Darebin City and fit reasonably well with the structure of both the existing Darebin Planning Scheme and the proposed revised Municipal Strategic Statement (proposed Amendment C138, for which an initial panel hearing has been held and is being reconvened in May).

The proposed introduction of a Regional Policy section will adequately accommodate regional and sub-regional metropolitan policy affecting Darebin City Council under Clauses M00 (Metropolitan Melbourne) and M03 (Northern Subregion).

Darebin City Council is strongly supportive of the inclusion of The Planning Vision and elements of Plan Melbourne such as the La Trobe Employment Cluster, encompassing the Northland Urban Renewal Precinct and La Trobe University and strategies for increasing diversity and distribution of jobs is a critical policy. The recognition given to facilitating development with transport network and infrastructure improvements is also very important and strongly supported. Planning for the Clusters effectively will rely on integrated policy. As noted previously the thematic structure of the PPF may inhibit this occurring.

The removal of the overall 'settlement' strategy makes it more difficult to include overall spatial strategies affecting specific urban areas and structure plans for them that may affect multiple land use planning issues, for example:

- Activity centres: The existing Element 6, Activity Centres, and the Preston Central Framework Plan within it that affects both housing and business issues;
- Universities: Existing planning scheme material on universities (notably Latrobe University) is not easily translated into the proposed new planning policy format.

Darebin, like many inner-suburban municipalities, has a number of strategic corridors that will accommodate significant growth over the next 20 years. Amendments C136 and C137 encourage intensive development along two of these corridors, St Georges Road and Plenty Road. Strategic work is also being undertaken for the Gilbert Road corridor. This is a pattern of development is not recognised within the draft PPF (except where corridors connect metropolitan Melbourne with regional areas) or within Plan Melbourne. This is a thematic area that could be identified within Clause 03.

What local maps could be included and is there a logical place for them?

Maps can generally be readily located within appropriate strategies (refer table below), e.g. the existing framework plans for economic development, open space, natural environment and transport. The existing strategy Preston Central Framework Plan under Element 6, Activity Centres, would be less readily adapted as it is a 'spatial' map affecting a range of issues, primarily housing and business issues. If necessary, plans affecting multiple land use planning issues could be accommodated within the planning vision.

Following is a preliminary appraisal of how the draft MSS maps proposed in Amendment C138 may be accommodated in the new PPF structure.

Map (as exhibited as part of Amendment C138)	Location in draft PPF	Comment
Strategic Framework Plan (cl 21.01-6 exhibited C138)	03.01 A Vision for Victoria	This map can be readily accommodated.
Housing Framework Plan (cl 21.03-1)	08.01 Location of Residential Development	This map can be readily accommodated.
Economic Development Framework Plan (cl 21.04-1)	09.01 Location of employment 09.07 Commercial and retail uses 09.05 Industrial Development 09.06 Innovation and Research	This map contains information relating to a number of themes in this clause. Cross referencing to the map in its final position will be required.
Transport Framework Plan (cl 21.05-1)	12.01 The Transport System 12.02 Walking 12.03 Cycling Networks 12.06 Road Network	This map includes walking, cycling, road and public transport networks. Cross referencing to the map in its final position will be required.
Various structure plans (Reservoir, Northland, Northcote, Preston Central)	02.02 Local context 03.09 Planning for Urban Renewal Areas 03.10 Planning for Local Areas	Several maps may be needed to articulate the vision for these areas (housing, economic development, transport). Cross referencing to the map in its final position will be required, noting that the references may be required in most of the sections of the PPF (i.e. Landscape and Built Environment Economic Development, Housing, Community Development, Open Space, Transport, Infrastructure)

Council resource implications

The proposed PPF provides an opportunity for Council to update or translate a number of out-dated local policies. As further detailed below, the translation of these policies, either into the new format PPF or other planning tools, will require significant Council resources. Council is supportive of a transition period of at least three years to enable this translation to occur.

Council is part way through implementing the Darebin Planning Scheme Review 2010 with a program of further policy revisions still to be completed.

Council has recently updated its MSS, which has been exhibited as part of Amendment C138. The tentative offer from the panel considering submissions to Amendment C138 (new MSS) to provide guidance for the conversion of the amendment into the new system is supported.

Council supports the potential conversion of Amendment C138 into the new policy format in-principle and the review of the amendment as a case study for conversion of format. Council is concerned however that this process may add considerable time and cost for the panel process and report. A number of other subsequent policy projects are reliant on the MSS being completed thus, delays will have a ripple effect on Council continuing to implement the Planning Scheme Review 2010.

The Darebin Planning Scheme Review 2010 indicated that the majority of local policies required review in light of the evolving approach to using the Victorian Planning Provisions effectively. A number of local policies have been removed as part of Amendment C138 as a result of this. The DPSR 2010 also identified that a number of local policies contain matters of detail that can be better implemented through zones or overlays.

The table below provides an overview of each local policy and the appropriate translation. As illustrated, three of the existing policies would be translated into the new format PPF.

Local Policy	Comment	Translation
22.01 Junction Local Area Plan	This policy builds on DDO3. The revised DDO3 (Amendment C137) could replace this.	No translation required. Remove policy subject to completion of Amendment C137.
22.02 Neighbourhood Character	This wasn't absorbed into the revised MSS (C138) as further work is needed.	Translate into MSS. Further work is needed to support this and correlates with the implementation of the new residential zones. Council is awaiting budget approval for further work to be undertaken in 2014/2015
22.03 Darebin Creek – Adjacent Land	Darebin Planning Scheme Review advised that this should be translated into an	Translate into ESO. Translate Objectives into MSS. Will require further work by Council regarding the

Local Policy	Comment	Translation
Design and Development	ESO and objectives included in the MSS.	ESO which is pending budget approval for 2014/2015.
22.04 Industrial and Commercial Activity	This relates largely to built form of industrial and commercial buildings. The Advisory committee has acknowledged that there is not an obvious location for this kind of policy.	Translate into new format local policy within the PPF structure subject to support by State government for built form policy inclusion.
22.05 High Street Corridor Land Use and Urban Design	This contains detailed policy relating to land use and urban design.	Translate into DDO. Retain land use directions in the local policy section in the new PPF structure.
22.06 Development of less than four storeys*	This policy applies to residential development in the C1Z and PDZ1 and 2.	Translate into new format local policy – 08.03 Design of Housing
22.07 Development of four or more storeys*	This policy addresses issues not dealt with in the <i>Guidelines for Higher Density Residential Development</i>	Translate into new format local policy – 08.03 Design of Housing. N.B. There are issues with the quality of design of this form of development in Darebin which warrants a more expansive policy on this issue specific to Darebin.
22.08 Northcote Major Activity Centre	This is integrated, place-based policy. It is a candidate for translation into the Activity Centre Zone.	Translation could be a mix of local policy section, Activity Centre Zone and/or DDO. Requires further investigation
22.09 Preston Central (Incremental Change)	This provides built form guidance for residential areas surrounding the Preston activity centre. The policy is due for review and a new location within the planning scheme. It could be translated into the PDZ or the RGZ.	Translate into PDZ/RGZ. Investigate use of discrete schedule to one of these zones.
22.10 Bell Street Land Use	This policy relates to land use and needs review. The Bell Street corridor has not been recognised as important on a	Translate into appropriate zones. Translate objectives into MSS.

Local Policy	Comment	Translation
	metropolitan scale within Plan Melbourne despite its east-west linking of inner northern Melbourne.	

** These policies need to be updated to align with the recent changes to the Victorian Planning Provisions, whereby policy is 'development of four storeys and less' and 'development of five storeys and more'.*

Council estimates that confirmation of the above translation, and translation of clauses 22.04, 22.06 and 22.07 into the new format will require. The task of translating the remaining policies into the appropriate planning tool will require further resources and guidance.

The new format PPF also highlights gaps in Council's local policy. This includes the landscape and built environment section and community development. While the proposed new policy section 'Community development' is supported, there are resource implications for Council in assessing and introducing related planning issues and directions from relevant Council health and community strategies.

Overall, the introduction of the new system will require substantial Council resources to convert the Darebin Planning Scheme into the new format. Darebin City Council welcomes a proactive approach between DTPLI and Council officers to facilitate this conversion. DTPLI assistance, either financial and/or officers provided to conduct the work, is sought to assist with the conversion and approval of the new format PPF. Exemption from or assistance with the cost of any panel required to review the implementation of the amendment is also sought.

There are significant resource implications in any changes that are not policy neutral, noting that a change from local planning policy to being a zone or overlay change, can potentially change the use and development permissions or need for a permit. There is no direction provided on how these types of consequential changes will be handled or viewed by DTPLI.

Some of the consequential changes are required because the application of the Victorian Planning Provisions has evolved since many of these policies were introduced. The expectations of these changes being completed within a 2-3 year window may in some instances represent a great difficulty for Council given the area of strategic planning in Darebin is undergoing significant transformations as a result of economic and demographic restructures outside the Council's control. Whilst every effort is being made to address this in a cost effective and timely manner, it is being done in the context and consideration of all of Council's responsibilities.

5. CONCLUSION

Overall, Council is supportive of the review of the SPPF. The draft PPF provides an opportunity for Darebin to implement recommendations of the DPSR and revise its local policies. Darebin is fortunate to have recently reviewed its MSS, which it is anticipated will be

relatively easy to implement into the new format. The co-ordination of state, regional and local policy is supported and will strengthen the policy's message.

The shift toward purely thematic policy may be problematic for Darebin, where a place-based, integrated approach to policy has been adopted. The compartmentalisation of policy may require duplication of material, and makes navigation of the document more difficult.

The review of the SPPF, being largely policy neutral, misses an opportunity to include stronger policy relating to housing affordability and environmentally sustainable design. Darebin is committed to progress within these policy areas and will continue to advocate for reform.

The resource implications for Darebin in implementing these changes are significant. Council is supportive of the tentative offer from the Advisory Committee to provide resources to Councils to assist in implementing these reforms. It is anticipated that the scope of change for Darebin will take a number of years to implement based on available resources. The significant demographic and economic restructuring within the municipality is a driver for many Council policies to be updated and expanded, and in parallel with significant state policy reforms, it will be a challenge for Council to meet the expectations of the State government without additional support.