

DAREBIN PLANNING SCHEME

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SCHEDULE 1 TO THE PRIORITY DEVELOPMENT ZONE

Shown on the planning scheme map as **PDZ1**.

PRESTON MARKET

The Preston Market Incorporated Plan, 201407, ~~Urbis JHD~~, is the Incorporated Plan under this schedule.

Land

This schedule applies to land known as the Preston Market, bounded by Murray Road to the north, Cramer Street to the south, the north-south road (known as Station Avenue) to the west, and the access road (Mary Street) to the rear of the High Street shops to the east. (Refer to Map 1 – Preston Market)

Objectives

- To implement the use and development objectives and design principles of the Preston Market Incorporated Plan, ~~(201407)~~.
- To encourage intensive development and use of the land for retail, residential, office, entertainment, community and civic activity.
- To encourage high quality urban design that is responsive to the site's environs, improves local accessibility and permeability through the site, and provides active edges throughout the site.
- To provide opportunities for sustainable travel and increased use of public transport.

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Table of uses

Section 1 - Permit not required

USE	CONDITION
Apiculture	Must meet the requirements of Apiary Code of Practice, May 1997
Betting agency	
Car park	
Child care centre	
Dwelling	
Food and drink premises	Hotel, Tavern or Convenience Restaurant must form part of an integrated development.
Home occupation	
Informal outdoor recreation	
Landscape Gardening Supplies	
Market	
Mineral exploration	Must meet the requirements of Clause 52.08-2
Mining	

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Minor utility installation

Office The leasable floor area must not exceed 10,000 square metres.

Place of Assembly (other than Drive in) Must not be located at ground floor.

Road

Search for stone Must not be costeaning or bulk sampling

Shop (other than Adult sex bookshop)

Telecommunications facility Buildings and works must meet the requirements of Clause 52.19

Section 2 - Permit required

USE	CONDITION
Accommodation (other than Camping and caravan park, Corrective Institution, Host farm and Dwelling)	
Funeral parlour	
Service industry (other than Motor repairs)	
Leisure and recreation (other than Major sports and recreation facility and Motor racing track)	
Motor Vehicle, boat or caravan sales	
Retail Premises (other than a Betting agency, Food and drink premises, Postal agency, Shop)	
Search for stone	
Warehouse	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE

Adult sex bookshop
Agriculture
Brothel
Camping and caravan park
Cemetery
Corrective Institution
Crematorium
Drive-in theatre
Extractive industry
Host farm
Industry (other than service industry)
Major sports and recreation facility
Motor racing track
Motor repairs
Primary produce sales
Saleyard
Service station
Wind energy facility
Winery

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Use of land

A permit is required for a ground floor use (not including entrances to upper level uses) that is not generally in accordance with the Preston Market Incorporated Plan, 2014.

Amenity of the neighbourhood

A use must not detrimentally affect the amenity of the surrounding area, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

Management Plans

Land must not be used for the purpose of a hotel or tavern until a Management Plan has been approved by the Responsible Authority. The Management Plan must include, but is not limited to, measures to manage patron behaviour, security and measures to ensure that the operation of the use does not detrimentally affect the amenity of the locality. The use must operate in accordance with the approved Management Plan to the satisfaction of the Responsible Authority.

Land must not be used for the purpose of a child care centre until a Parking and Traffic Management Plan has been approved by the Responsible Authority. The use must operate in accordance with the approved Parking and Traffic Management Plan to the satisfaction of the Responsible Authority.

Application requirements

An application to use land must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.

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Subdivision

A permit is required to subdivide land.

Exemption from notice and review

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

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Buildings and works

A planning permit is required to construct a building or to construct or carry out works.

This does not apply to:

- A building or works which is a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- The carrying out of works for the purpose of preliminary soil investigations and testing of soil.
- Maintenance or minor buildings and works to the existing Preston Market buildings to the satisfaction of the Responsible Authority.

A permit may be granted to construct a building or to construct or carry out works which exceed the preferred building heights identified within the incorporated plan.

Application Requirements

An application to construct a building or to construct or carry out works must be generally in accordance with the objectives, design principles and plans of the Preston Market Incorporated Plan, ~~(201407)~~, except as provided for above in relation to preferred building heights, and may be submitted for part or for the whole of the site.

An application must include or provide for the following, as appropriate:

- A Site Analysis and Design Response, including the boundaries and dimensions of the site, interface with adjoining land, buildings and roads, generally in accordance with the provisions of Clause 52.35, and identifying, as appropriate:
 - The proposed use and floor area of all buildings or spaces, including retention of a Fresh Food Market component.

- Interfaces with the Preston Railway Station, proposed Station Square, the Oval and the surrounding transport network.
- The location and height of all buildings and works, including the number of storeys, relevant ground levels and building heights to Australian Height Datum (AHD).
- Detailed elevations and sections drawn to scale including heights to AHD and in metres as measured from existing ground level.
- Floor plans of existing conditions, including uses and floor areas.
- Floor plans drawn to scale detailing uses, floor areas and finished floor levels to AHD.
- Setbacks at ground and upper levels.
- If a low rise building is proposed and if the land is nominated as a medium or high rise site in the Incorporated Plan, structural details on how a taller building can be accommodated on the land at a later date.
- Treatments and measures to ensure that the Preston Market's traditional retailing style, ambience and associated activities are retained.
- Treatments that provide active edges to adjoining streets or pedestrian areas.
- Materials, colours and finishes for all buildings and works.
- The location and layout of publicly accessible spaces and pedestrian access ways, as well as linkages to surrounding land and facilities including the Preston Railway Station.
- Details of opening hours and access arrangements for vehicles and pedestrians, including details of disabled access and measures for ensuring that pedestrian links through the site are accessible during the hours of operation of the station.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- Car parking and vehicle access arrangements in accordance with the provisions of the Integrated Transport Plan required by this clause.
- Landscaping and environmental provisions in accordance with the provisions of the Environmental Plan required by this clause.
- Indicative locations for public art.
- A report that addresses any required upgrading and/or construction of infrastructure.
- Details of any proposed staging of the development, including interim arrangements for land use, pedestrian management, traffic management, car parking allocation and the provision to be made for future upper level development
- Overshadowing diagrams for 22 September.

Integrated Transport Plan

An application for buildings or works in excess of 1,000 square metres of gross floor area, must be accompanied by an Integrated Transport Plan [for all land affected by the Priority Development Zone Schedule 1](#) to the satisfaction of the Responsible Authority. If in the opinion of the Responsible Authority, the Integrated Transport Plan or an element of the Integrated Transport Plan is not relevant to the assessment of an application, the Responsible Authority may waive the requirement or element.

Where an Integrated Transport Plan applies to existing public roads, the plan must be to the satisfaction of VicRoads and the Public Transport Corporation.

An Integrated Transport Plan must include or provide for the following, as appropriate:

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- A description of current movement networks assessing existing infrastructure conditions for all modes.
- Physical works required to manage the transport effects of the development and where possible reduce barriers to access by pedestrians, cyclists and public transport users.
- The location of, and access to, car and bicycle parking facilities, including the proposed numbers of parking spaces and proposed car parking management arrangements.
- Hierarchy of primary and secondary vehicle movements from adjoining external roads.
- Circulation networks within and around the site for each transport mode.
- The expected number of trips generated by staff, residents and visitors, delivery and service vehicles to the site.
- Integration of the proposed development with the Preston Railway Station, and surrounding public transport facilities.
- Location of loading and unloading facilities and details of management arrangements, ensuring conflict between loading bays, car park areas and non-motorised transport is minimised.
- An assessment of car parking demand taken at the completion of each immediately prior stage of development or the application. The assessment is to enable car parking provision to be monitored as floor areas increase and patronage, travel patterns and the mix of uses change, with a view to minimising parking oversupply at any one stage of development.
- An Outline Travel Plan in accordance with Responsible Authority's Guidelines for the Application and Implementation of Travel Plans, 2005.

Car Parking Management Plan

An application for the construction of buildings and works must be accompanied by a Car Parking Management Plan, to the satisfaction of the Responsible Authority. The plan must provide details of how car parking and loading would be managed across all land in the Priority Development Zone Schedule 1 (Preston Market) throughout the development stages. The plan must also detail how the site will operate under potential interim stages and during construction.

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Environmental Plan

An application for the construction of buildings and works must be accompanied by an Environmental Plan, to the satisfaction of the Responsible Authority, including, as appropriate:

- A stormwater management plan/drainage plan.
- The advice of a suitably qualified environmental auditor detailing any soil and/or water contamination issues and how these can be addressed.
- A wind assessment for buildings over 5 storeys.
- Landscape architecture and urban design concept plans for all proposed publicly accessible spaces and pedestrian walkways.
- A street tree concept plan.
- Design details and methods for contributing to the environmental sustainability of the project, including the application of energy efficiency principles, water conservation principles and water sensitive urban design.
- The location of garbage and recycling bin enclosures, including proposed screening measures, and details of maintenance and collection arrangements.

Exemption from notice and review

An application to construct a building or to construct or carry out works generally in accordance with the objectives, design principles and plans of the Preston Market Incorporated Plan, ~~(201407)~~ is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to an application for buildings and works that exceeds the preferred building heights or reductions to the residential car parking requirements of the Preston Market Incorporated Plan 2014 or reductions to the car parking requirements of Clause 52.06 for other (non-residential) of the Preston Market Incorporated Plan, 2014.

~~Where land that is the subject of an application for buildings and works adjoins a lot within the Preston Market Site that is not in the same ownership, notice of the application must be given under Section 52(1)(e) of the Act to the owner of that adjoining land unless the responsible authority is satisfied that the grant of a permit would be unlikely to cause a significant detriment to users of that land due to impacts of scale or changes to car parking or access. The decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act do not apply in relation to submissions or objections received in relation to such notice.~~

7.0 Other Provisions of the Scheme

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The provisions of Clause 52.07 Loading Bays do not apply to development in generally in accordance with the objectives, design principles and plans of the Preston Market Incorporated Plan, ~~(201407)~~.

8.0 Construction Management Plan

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Prior to commencement of any works, including demolition, a construction management plan must be submitted to and approved by the Responsible Authority and then carried out to the satisfaction of the Responsible Authority. The plan must provide for or include details of access, management and disposal arrangements during construction; methods to manage stormwater runoff; details of building materials recycling; construction parking; and the operation of any continuing uses on the land.

9.0 Exemption from notice and review

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An application under any other provision of this scheme is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) if the application is generally in accordance with the objectives, design principles and plans of the Preston Market Incorporated Plan, ~~(201407)~~.

10.0 Advertising signs

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The advertising sign requirements are at Clause 52.05. This zone is in Category 1.

11.0 Decision guidelines

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Before deciding on an application for planning permit, in addition to the decision guidelines of Clause 65, the Responsible Authority must consider, as appropriate:

- The Preston Market Incorporated Plan, ~~(201407)~~.
- The Preston Central Structure Plan (2006).
- The objectives of the Schedule.

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- The impact on existing traffic movements.
- Access and accommodation for vehicles providing deliveries, waste removal, emergency services and public transport.
- The provision of car parking, including drop-off zones and taxi parking.
- The availability of and connection to services.
- The design of the proposed buildings, their relationship to the streetscape and any surrounding development and uses.
- The streetscape, including the design of verandahs, access from the street frontage, the provision of active edges to pedestrian areas, the treatment of the fronts and backs of buildings, their appearance and illumination.
- Pedestrian amenity within and around the active edges of the site.
- The amenity of residential properties within, abutting or adjacent to the land.
- The interface with adjoining zones, especially the relationship with residential areas.
- The comments of the Director of Public Transport for applications on or close to Station Avenue.
- Any comments from Melbourne Water.
- Any comments from Vic Roads.
- For a subdivision application, the effect on the potential of the area to accommodate the uses encouraged in the Zone, and on the development potential of the Preston Market site.

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Reference Documents

Preston Central Structure Plan 2006

Guidelines for the Application and Implementation of Travel Plans, City of Darebin, 2005

Map 1 – Preston Market

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