

Corridor Amendments Chronology 2011 - 2015

APPENDIX A

| DATE | ACTION | OUTCOME |
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| STAGE 1 – INCEPTION & RESEARCH PHASE | | |
| 2011 | <p>Amendment C115 gazetted. This applies to land at 195-209 St Georges Road.</p> <p>This amendment included rezoning the land from IN3Z to B2Z, applying Design and Development Overlay (Schedule 15) to the site, and applying the Environmental Audit Overlay.</p> | <p>There was recognition that built form on the site needed greater guidance than was offered by current policy. The angled rear setback (45 degrees from 6m at the rear boundary) was applied to the site.</p> |
| 2011 | <p>Council receives funding from DPCD under EAP to undertake a review of land use controls along St Georges Road, Plenty Road and High Street.</p> <p>The Darebin Review of Land Use Controls recognised the strategic importance of the St Georges Road/High Street/Plenty Road corridors as areas suitable for investment and major redevelopment in higher density residential and mixed uses because of the access to transport and facilities. The Study chiefly focused on the two key transport and tram corridors of High Street and Plenty Road (tram route 86) and Plenty Road (tram route 112).</p> <p>This review of land use controls across the area was timely given the increased level of development and planning permit activity that was and is occurring. This activity has exposed a number of issues attributable to areas lacking policy direction, such as Plenty Road, as well as the components of existing policy which are failing. The Study also recognised that larger sites with limited sensitive interfaces and access to services and public transport can justify a higher building height.</p> | <p>The study identified a need for greater guidance for built form along these corridors and recommended a Design and Development Overlay be applied.</p> |
| 2011/ 2012 | <p>Planning permit applications received for a number of sites along St Georges Road, including 231 St Georges Road.</p> <p>This proposal was for a six storey building. A consultation meeting was held on 28 June 2012.</p> | <p>These applications highlighted a gap in the existing planning scheme controls and applications being made.</p> |
| July 2012 | <p>General Business Item raised at Council Meeting on 2 July 2012</p> <p><i>THAT Council receive a report regarding the potential process and timeframe to developing a structure plan or similar planning guidelines for St Georges Road. (Cr McCarthy)</i></p> | <p>A report was prepared by Council Officers in response to this item.</p> |
| Aug 2012 | <p>Response to General Business Item presented to Council on <u>20 August</u>; the following resolution was made.</p> <p><i>THAT:</i></p> <p><i>(1) As a matter of urgency, Council write to Matthew Guy, Minister for Planning, requesting the immediate introduction of an Interim Design and Development Overlay along St Georges Road, from Merri Parade, Northcote to Murray Road, Preston, and for this overlay to</i></p> | <p>A letter was issued to the Minister for Planning in September 2012 requesting the interim DDO be applied as per the Council resolution.</p> |

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| | <p><i>remain in place until permanent controls are introduced following public consultation, as per Section 20(4) of the Planning and Environment Act.</i></p> <p><i>(2) The St Georges Road Interim Design and Development Overlay should specify for all new buildings:</i></p> <p><i>a) A preferred maximum building height of three (3) storeys</i></p> <p><i>b) A preferred building envelope, with setbacks, articulation and massing of building form to achieve a transition in scale relative to adjoining residential and commercial interfaces (eg. a 33 or 45 degree angle to achieve a ‘wedding cake’ effect).</i></p> <p><i>c) Environmentally sustainability development principles in the design.</i></p> <p><i>d) Management of amenity impacts on adjoining properties caused by visual bulk, overshadowing, overlooking and noise.</i></p> <p><i>e) Management of amenity within the development, including the provision of open space.</i></p> <p><i>f) Consideration of streetscape presentation and pedestrian access, including disability access.</i></p> <p><i>g) Consideration of the design and management of car parking, bicycle parking and vehicle access.</i></p> <p><i>h) A continuous active frontage to the street.</i></p> <p><i>(3) The letter should also request that the Minister meet with the Mayor, Cr Tsitis, Deputy Mayor, Cr Asmar and Crs McCarthy, Fontana, Morgan and Katsis (Rucker and Cazaly ward Councillors) to discuss Council's concerns regarding inappropriate and ad-hoc development proposals along the St Georges Road corridor, and the opportunities that may exist to ensure orderly, appropriate and sustainable development.</i></p> <p><i>(4) Council Identify savings of \$25,800 in the 2012/2013 budget for the purpose of commencing the preparation of planning guidelines for St Georges Road.</i></p> <p><i>(5) Council refer for consideration the inclusion of planning guidelines for St Georges Road and Miller Street/Gilbert Road (including Regent Village) for the 2013/2014 budget.</i></p> | <p>This resolution was not recommended by Officers and was later denied by the Minister for Planning, as detailed below.</p> |
| <p>Nov 2012</p> | <p>Minister for Planning refuses Council’s request for interim DDO to be applied and advises full PSA be prepared.</p> <p>Council was advised that the DDO was not in the interest of the state and should be notified to the public.</p> <p>http://www.darebin.vic.gov.au/Files/Item_8.4_Appendix_A_-_Letter_dated_22_November_2012_from_the_Department_of_Planning_and_Community_Development.pdf</p> | <p>Council proceeds to prepare planning scheme amendment.</p> |
| <p>STAGE 2 – Amendment preparation</p> | | |
| <p>Feb 2013</p> | <p>Council resolved on 18 February 2013</p> <p><i>THAT officers prepare a report for the next Council meeting on 4 March 2013 stating the additional resources required to enable the completion of the Plenty Road Corridor Strategy and the St Georges Road Urban</i></p> | |

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| | <i>Form Study, in time for discussion at the 20 May 2013 Council meeting. (Cr McCarthy)</i> | |
| Mar 2013 | <p>Council resolved on 4 March 2013</p> <p><i>THAT Council:</i></p> <p><i>(1) Adopts the project process outlined in this report as the basis for further work.</i></p> <p><i>(2) Refer to the 2013/2014 budget process the additional costs associated with the Planning Scheme Amendments for St Georges Road and Plenty Road Corridors as outlined in this report.</i></p> | |
| Mar 2013 | <p>A series of two (one in the northern section and another in the southern section) community Drop-in Sessions were held to disseminate information and receive feedback from the community within the Study area.</p> <p>Over 4000 land owners and occupiers located within an approximate 150m buffer either side of the Corridor were invited.</p> <p>A feedback form containing 6 key questions seeking people's views about how the anticipated growth pressures in this corridor might best be managed.</p> <p>The northern session held in the Preston Town Hall was attended by over forty people during the two-hour session. There was a range of residents, landowners and people considering future development of their property. A display of 8 information boards containing:</p> <ul style="list-style-type: none"> • the existing physical conditions highlighting local features and constraints; • a graphic representation of each of the growth scenarios; • a summary of demographic and housing snapshots in the City; and • illustrative examples of different housing typologies in photographs. <p>A second session for the southern section (south of Normanby Road) was held in the Northcote Town Hall on the 11th April.</p> | |
| Early 2013 | <p>Preparation of the St Georges Road Urban Form Study 2013.</p> <p>This study analysed existing conditions along the St Georges Road Corridor and identified three growth scenarios for testing.</p> | |
| April 2013 | <p>Council resolved on 15 April 2013</p> <p><i>(1) Council note the scope of issues related to the future redevelopment of the St Georges Road corridor canvassed with the community through the feedback form attached as Appendix A to this report.</i></p> <p><i>(2) Council note that the responses received to date:</i></p> <p><i>a. Demonstrated support for a range of scenarios (built form) that vary depending in unique site conditions to be applied along the length of the St Georges Road corridor; and</i></p> <p><i>b. Will be used to inform the Strategy and Urban Design Framework and Guidelines.</i></p> <p><i>(3) Council note that feedback will continue to be received and</i></p> | |

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| | <p><i>incorporated into the preparation of the Strategy and Urban Design Framework until Council seeks authorisation to prepare an amendment.</i></p> <p><i>(4) Council note that a further opportunity for the community to provide feedback will be made available during the amendment exhibition period due to take place in the latter half of the year.</i></p> <p><i>(5) Council adopt in-principle the St Georges Road Urban Form Study 2013 attached as Appendix B to this report as the basis for preparing a Strategy and Urban Design Framework and Planning Scheme Amendment.</i></p> <p><i>(6) Council note there may be some minor editorial changes for the purpose of clarification and corrections prior to publishing.</i></p> <p><i>(7) Once adopted, the St Georges Road Urban Form Study 2013 be given regard in the consideration of planning permit applications in the Study area until a “seriously entertained” document is available and incorporated into the Darebin Planning Scheme</i></p> | |
| <p>May 2013</p> | <p>Council resolved on 20 May 2013:</p> <p><i>THAT:</i></p> <p><i>1) Council adopt the St Georges Road Corridor Urban Design Framework 2013 and the draft Design and Development Overlay as a translation of the St Georges Road Corridor Urban Design Framework 2013 as the basis for preparing Amendment 136 to the Darebin Planning Scheme.</i></p> <p><i>2) The St Georges Road Corridor Urban Design Framework 2013 be given regard in the consideration of planning permit applications in the Framework area until a “seriously entertained” document is available and incorporated into the Darebin Planning Scheme.</i></p> | |
| <p>June 2013</p> | <p>Council resolved on 17 June 2013:</p> <p><i>THAT Council endorse the engagement approach based on Option 3 – as the basis for engagement activities to be conducted during the exhibition period of Amendments C136 and C137.</i></p> | |
| <p>STAGE 3 – Exhibition and Panel Hearings</p> | | |
| <p>August – October 2013</p> | <p>Community consultation activities in conjunction with the public exhibition period:</p> <p>This included 4 community drop-in sessions across the municipality and use of an online portal (www.yoursaydarebin.com.au) to facilitate online discussion and submissions of the Planning Scheme Amendment C136 and the supporting UDF.</p> | <p>121 submissions were received in total in relation to amendment C136.</p> |
| <p>November 2013</p> | <p>Council resolved on 18 November 2013</p> <p><i>Having prepared and exhibited Amendments C136, C137 and C138 to the Darebin Planning Scheme under section 19 of the Planning and Environment Act 1987;</i></p> <p><i>Having in accordance with section 12 of the Planning and Environment Act 1987 had regard to the Minister’s directions and the Victoria Planning Provisions, and taken into account any significant effects which the planning scheme might have on the</i></p> | <p>Community meetings were held with residents from Precinct 2 (Sumner Estate and Little Sisters), Precinct 4 (Gladstone Avenue) and Precinct 7 (Oakover Village).</p> |

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| | <p><i>environment or that the environment might have on use and development envisaged in the planning scheme and taken into account the social and economic effects;</i></p> <p><i>Having considered all submissions to Amendments C136, C137 and C138 under Section 22 of the Planning and Environment Act 1987 in accordance with the separately distributed summary and recommendations;</i></p> <p><i>Darebin City Council resolves to:</i></p> <ol style="list-style-type: none"> <i>1. Refer all submissions to Amendments C136, C137 and C138 to the Darebin Planning Scheme under section 23 of the Planning and Environment Act 1987 to an independent panel appointed under Part 8 of the Planning and Environment Act 1987;</i> <i>2. The attached summary of submissions to Amendments C136, C137 and C138 be adopted as Council's position on the submissions that will be presented to an independent panel unless otherwise negotiated in the lead up to the panel;</i> <i>3. Authorise Strategic Planning officers to meet and communicate with submitters in the lead up to the panel hearing to discuss and where appropriate attempt to resolve issues raised.</i> <i>4. Authorise Strategic Planning officers to make changes to the amendment and reference documents to address submitters' concerns where appropriate in the lead up to the panel hearing.</i> <i>5. Each submitter to Amendments C136, C137 and C138 be notified in writing of Darebin City Council's position and kept informed of the forthcoming independent panel process.</i> <i>6. Authorise Strategic Planning officers to compile all submissions raising concerns outside the scope of the amendments and forward on to other Units within Council for follow up and further action if appropriate.</i> <i>7. The amended Appendix B be included in the report</i> <i>8. Councillors be provided with a copy of all submissions received during and following the formal notification period.</i> | |
| <p>November 2013</p> | <p>Communities of Interest meetings November – December 2013</p> <p>Following Council's resolution on 18 November 2013 to meet and communicate with submitters in the lead up to the panel hearing, a series of meetings with 'communities of interest' were held over November and December 2013. These were communities from which a number of submissions were received, and where common issues were raised.</p> <p>A total of ten meetings were held with submitters. The tenth community (Preston Central Eastern Edge) was identified following the Council resolution and previous e-bulletin. Each meeting was attended by between two and five Council Officers. The level of submitter attendance at each meeting varied:</p> <ul style="list-style-type: none"> • Junction Precinct – nine attendees | |

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| | <ul style="list-style-type: none"> • Gladstone Avenue Precinct – four attendees • Sumner Estate and Little Sisters Precinct – nine attendees • Tyler Street Precinct – nine attendees • Preston Central Eastern Edge Precinct – one attendee • Oakover Village Precinct <ul style="list-style-type: none"> ○ South of Oakover Road – four attendees ○ Erin Street and Austral Avenue – eight attendees ○ Stott Street – four attendees ○ Stokes and Penola Streets – four attendees ○ Showers Street – five attendees <p>Submitters were given the opportunity to voice their concerns directly to Council Officers, and gain further understanding of the proposed amendment. Where appropriate, Council Officers presented changes to the planning scheme amendment in response to submitter concerns. Guidance was provided to submitters regarding the forthcoming panel hearing process.</p> | |
| <p>February 2014</p> | <p>Independent Panel Hearing dates, 17 February to 6 March and 19 May</p> <p>The Panel Report was prepared following the Panel Hearing held from 17 February to 6 March 2014 and a further hearing day on 19 May 2014 and considered all written submissions together with the presentations during the Hearing.</p> | |
| <p>STAGE4 – Adoption of Amendments</p> | | |
| <p>August 2014</p> | <p>Council received Panel Report 1 August</p> <p>The Panel supports Council’s broad strategic direction as part of Amendment C138 and the management of development along public transport corridors as part of Amendments C136 and C137, however there are a number of recommended changes to the amendment documents included in the Panel’s sixty recommendations. All submitters to the amendment are listed in Appendix A of the report together with those who either appeared or were represented at the Hearing.</p> | |
| <p>August 2014</p> | <p>Council releases the panel report 18 August</p> <p>The report was released within the statutory timeframe of 28 days.</p> | |

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| | <p>All submitters to the three amendments were be notified directly via email or letter and the report will be available online and at all libraries and Preston and Northland Customer Service Centres.</p> <p>The Strategic Planning Unit worked through the Panel's recommendations and will presented the amendments to Council for a decision, albeit approval. Amendment C138 was presented first due to its strategic importance to other current and proposed projects. The Plenty and St Georges Roads amendments have greater complexity involved and were presented second.</p> | |
| <p>September 2014</p> | <p>8 September Council briefing on Adopting C138</p> <p>The briefing paper provided an update on Amendment C138, which implements a revised Municipal Strategic Statement and updates local planning policies. This Amendment has been exhibited simultaneously with Amendment C136 and C137, and the three amendments were presented to an Independent Planning Panel previously.</p> | |
| <p>September 2014</p> | <p>15 September Council Report Adopts C138,</p> <p><i>THAT Council:</i></p> <p><i>HAVING prepared and exhibited Amendment C138 to the Darebin Planning Scheme under section 19 of the Planning and Environment Act 1987;</i></p> <p><i>HAVING considered all submissions under section 22 of the Planning and Environment Act 1987; and</i></p> <p><i>HAVING considered the report of the independent panel for Amendment C138 under section 27 of the Planning and Environment Act 1987;</i></p> <p><i>Resolves to:</i></p> <p><i>1. Adopt Amendment C138 to the Darebin Planning Scheme in accordance with section 29 of the Planning and Environment Act 1987, with changes in response to recommendations of the independent panel, except for recommendations 8b (in relation to Gilbert Road only) and 11, in accordance with Appendix B to this</i></p> | <p>The amendment is still awaiting consideration by the Minister, however is understood to be recommended for approval by State officers.</p> |

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| | <p><i>report;</i></p> <p><i>2. Submit Amendment C138 to the Darebin Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with section 31 of the Planning and Environment Act 1987;</i></p> <p><i>3. Advise all submitters to Amendment C138 of Darebin Council's adoption of the amendment;</i></p> <p><i>4. Refer the rezoning of land at Arthurton Road Northcote, as recommended by the independent panel, for consideration in the 2015/2016 budget;</i></p> <p><i>5. Direct that this policy position and Amendment C138 be considered in the assessment of planning permit applications until the Amendment is gazetted.</i></p> <p><i>6. Adopt the Darebin Housing Strategy and the Darebin Economic Land Use Strategy as reference documents to be implemented into the Darebin Planning Scheme via Amendment C138.</i></p> | |
| <p>December 2014</p> | <p>8 December Council Briefing on C136 and C137</p> <p>During the time the Report implications were being considered by Officers, several other amendments have been processed, delaying the delivery of two strategic corridor amendments.</p> <p>This report deals specifically with the remaining Panel Report recommendations relating to Amendments C136 and C137. In particular this briefing paper:</p> <ul style="list-style-type: none"> - Explains the Panel Report recommendations for Amendment C136 and C137; - Identifies areas where there is a divergence from the Panel recommendations and outlines Officers rationale for this change; <p>This briefing paper is presented with the aim of gaining Council support for the adoption of the final amendment package for amendments C136 and 137 enabling their approval from the Minister for Planning in 2015.</p> | |
| <p>February 2015</p> | <p>16 February Council Report to adopt amendments C136 and C137</p> | <p>This motion of Council of Council was contrary to</p> |

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| | <p>At its meeting 16 February 2015 Council resolved:</p> <p><i>That Council defers the adoption of C136 and C137 planning scheme amendments for 4 weeks in order to receive a report on lowered mandatory heights in those proposed amendments, particularly in areas adjacent to heritage overlay areas and details of the rationale for the 16 panel recommendations for rejection by the Council as well as the Council proposals not supported by the Panel.</i></p> | <p>the officer recommendation. This motion was later addressed through the Council Briefing and report put to the March cycle.</p> |
| <p>March 2015</p> | <p>10 March Council briefing with further information</p> <p>This briefing provided advice on the following topics:</p> <ul style="list-style-type: none"> • Lowered mandatory heights • Design elements the Panel did not support • Gains made from the Panel recommendations • Panel recommendation not accepted and Alternate Proposals suggested <p>The briefing paper concluded that:</p> <p>There is limited scope to make additional changes to the Amendments without a clear strategic justification. If sufficient justification is lacking it is likely that the Department of Environment, Land, Water and Planning will revert to the original Panel recommendation.</p> <p>Further reduction of built form heights will significantly reduce the capacity for the corridors to absorb the anticipated growth, potentially contradicting the adopted MSS and leading to increased development pressure on adjoining residential neighbourhoods.</p> <p>Through a minor departure from the Panel recommendations, Officers have put forward an amendment package that balances growth demand with amenity protection. This positively responds to the Panel Report as well as delivering on Council’s strategic goals and maintains the integrity of the amendment and compliance with State requirements for strategic justification to be clearly demonstrated (Practice Note 46: Strategic Assessment Guidelines).</p> <p>Without a clear and seriously entertained policy position on the corridors there will be additional cases being referred to VCAT for planning permit decisions, with several cases currently under review. The deferral of the amendment has already had repercussions on a review case being heard on 2 & 3 March 2015 at 629 Plenty Road, Preston (north Hawker Avenue). This involves a</p> | |

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| | <p>Council decision to refuse a planning application for a 6 storey mixed use development. On the basis of the deferral motion VCAT have seriously questioned the status of the whole of Amendment C137 and in particular the ambiguity over potential building heights and the final form of the controls. VCAT have questioned how genuine Council's commitment is to Amendment C137 with the decision potentially having implications for the Junction precinct and St George's Road.</p> | |
| <p>March 2015</p> | <p>16 March Council report to adopt amendments</p> <p>At its meeting 16 March 2015, in relation to Amendment C136 Council resolved:</p> <p style="text-align: center;"><i>That the item be deferred to allow for the provision of further information as requested by Councillors</i></p> <p>At this meeting, in response to an update report on the Northland Urban Renewal Precinct, the Council resolved to:</p> <p style="text-align: center;"><i>Receive a briefing on the implementation of the Northland Urban Renewal Precinct Structure Plan and its interactions with the proposed amendments of C136 and C137, particularly in relation to housing supply, social and affordable housing and population and jobs growth.</i></p> | <p>Note the amendment were separated into two reports at the instruction of the CEO.</p> |
| <p>March 2015</p> | <p>Councillor workshop on 30 March 2015</p> <p>The purpose of this workshop was to provide further information in response to Council resolution and identify any outstanding questions to be addressed.</p> <p>The presentation covered the following:</p> <ul style="list-style-type: none"> • Strategic Drivers • Strategic context - growth trends, case study of change in Northcote over the last ten years • Housing supply and timeline • Pressure on sensitive areas • NURP coming on line • Directing residential growth – table of capacity and possible yield | <p>This workshop focused on a PowerPoint presentation and to help Councillors understand the various strategic directions they had adopted through Amendment C138.</p> |
| <p>2015</p> | <p>29 April Council Report on Northland Urban Renewal Precinct – Relationship to the corridor amendments C136 and C137</p> | <p>A letter requesting information regarding the population and target number of</p> |

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| | <p>At this Council resolved to:</p> <p>2) <i>Write to the Minister for Planning, Mr Richard Wynne MP seeking an update on the Andrews Government’s proposed increase in population and the target number of dwellings for Darebin.</i></p> <p>It is important that Council be aware that no such public policy exists and there is no documentary evidence to suggest the State Government has population targets for specific municipalities. The response expected to be received is that the State does undertake population forecasting released under the publication “<i>Victoria In Future</i>” and this is an indication only of development projections and does not represent a targeted population outcome. As demonstrated in the past there is a vast array of market forces which often produce different actual development outcomes to those forecasted.</p> | <p>dwellings for Darebin was sent to the Minister in early May 2015. This letter was acknowledged by the Minister, however no further population or dwelling information has been provided at the time of writing this report</p> |
| | <p>Letter to the Department of Planning seeking an extension of time and exemption from requirements of Ministerial direction No. 15</p> | <p>This letter was sent mid - July</p> |
| | <p>10 August 2015 Council Briefing on two amendments</p> <p>Forthcoming</p> | |
| | <p>17 August 2015 Council meeting</p> <p>Separate reports on C136 and c137 being presented for adoption. These reports summarise all the changes and further work undertaken to date, identify where there is alignment with the Panel report recommendations and suggests some alternate Proposals where there is a divergence from the Panel recommendations.</p> | |
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