

## DAREBIN PLANNING SCHEME

### AMENDMENT C167

#### EXPLANATORY REPORT

##### Who is the Planning Authority?

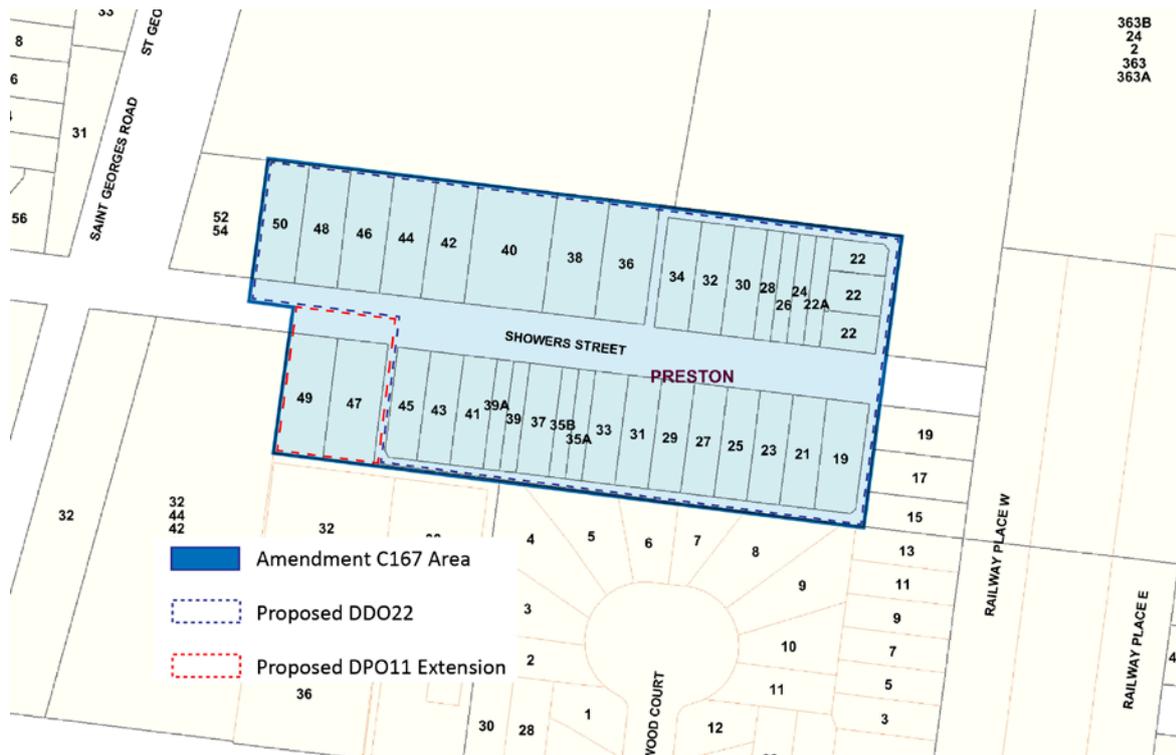
This Amendment has been prepared by the Darebin City Council, who is the Planning Authority for this amendment.

The Amendment has been made at the request of Darebin City Council.

##### Land affected by the Amendment

The Amendment applies to land located in Showers Street, Preston, as listed below and as highlighted on the accompanying map:

- 22-50 Showers Street, Preston; and
- 19-49 Showers Street, Preston.



##### What the Amendment does

The Amendment implements the 'Showers Street Design Guidelines – Background Report (2018)' into the Darebin Planning Scheme by making the following changes:

- Delete Schedule 16 to Clause 43.02 Design and Development Overlay insofar as it applies to Showers Street, Preston;
- Insert a new Schedule 22 to Clause 43.02 Design and Development Overlay to 22-50 Showers Street and 19-45 Showers Street, Preston;

- Extend the existing Schedule 11 to Clause 43.04 Development Plan Overlay to land at 47 and 49 Showers Street, Preston; and
- Make consequential policy changes to Schedule 16 of Clause 43.02 Design and Development Overlay and Schedule 11 to Clause 43.04 Development Plan Overlay.

## **Strategic Assessment of the Amendment**

### **Why is the Amendment required?**

Showers Street is located within a broader precinct of Preston that is earmarked to undergo significant urban renewal. The role of the Showers Street, Preston subject land in accommodating a level of urban renewal has been affirmed by Darebin Amendment C136 in the application of Schedule 1 to the Residential Growth Zone and Design and Development Overlay Schedule 16. However, the subject land is a fine-grained residential streetscape typically comprised of single and double-storey detached dwellings, and the physical realities of the subject land require careful management in the maximisation of the urban renewal aspirations of the subject site's Residential Growth Zone.

The Amendment responds to this and is required to urban design guidance regarding appropriate built form outcomes for the subject land that strike a balance between more intensive urban renewal and the existing streetscape qualities. The Amendment does this primarily through the application of Schedule 22 to the Design and Development Overlay to 22-50 and 19-45 Showers Street.

The Decision Guidelines in DDO22 refer to the *Showers Street Design Guidelines – Background Report (2018)* which outlines built form expectations for future development with respect to lot amalgamation, development massing and architectural design quality. DDO22 seeks to replace the existing aspects of DDO16 that currently applies to the subject land and in doing so provide place-specific built form guidance in a manner that DDO16 currently does not.

The Amendment also seeks to extend the existing provisions of Schedule 11 to the Development Plan Overlay to 47 and 49 Showers Street in response to recent evolutions in land ownership and development potential.

No change is proposed to the existing Residential Growth Zoning of the subject land under the Amendment, or to any aspect of the Darebin Local Planning Policy Framework (LPPF).

### **How does the Amendment implement the objectives of planning in Victoria?**

The Amendment implements the following objectives of planning in Victoria contained in Section 4 of the Planning and Environment Act 1987:

- To provide for the fair, orderly, economic and sustainable use, and development of land;
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- To balance the present and future interests of all Victorians.

The Amendment also gives effect to the policies set out for neighbourhood centres in *Plan Melbourne*. Plan Melbourne and the State Planning Policy Framework promote the concept of transit-oriented development and '20 minute neighbourhoods' where growth is to be directed to locations that have excellent access to a wide range of local amenities and transportation options in a manner that achieves high quality urban design outcomes.

### **How does the Amendment address any environmental, social and economic effects?**

The Amendment facilitates positive environmental, social and economic effects.

#### Environmental Effects

The Amendment will enhance broader environmental sustainability through the facilitation of housing growth in appropriate locations proximate to transportation and services. Aspects of the Amendment

will enhance passive environmental sustainability through the consideration of dwelling orientation and landscape provision.

### Social Effects

The Amendment fundamentally seeks to secure high quality urban design and architectural outcomes for the subject land in a manner that is proactive. The Amendment will support the enhancement of the immediate public realm surrounding the subject land in a manner that will enhance the quality of the public realm to the benefit of residents and visitors. The Amendment will facilitate a range of housing opportunities and other services and facilities within easy access by public transport, walking and cycling.

### Economic Effects

The Amendment fundamentally encourages the development of new housing within the subject land in a manner that will strengthen the economic viability of surrounding activity centres and commercial land uses. The Amendment will contain provisions that will potentially increase the number of planning permit applications; however, the economic effects of the amendment will be offset by the public realm benefit of the Amendment.

### **Does the Amendment address relevant bushfire risk?**

There is no relevant bushfire risk associated with the 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 the Planning Scheme under Section 7(5) of the Planning and Environment Act 1987.

In accordance with Section 12(2) (a) of the Planning and Environment Act 1987, the Minister's Directions relevant to the Amendment are:

#### Ministerial Direction No. 9 – Metropolitan Planning Strategy

The Amendment is consistent with the following aspects of Ministerial Direction No. 9:

- The Amendment seeks to directly contribute to the creation of a city comprised of 20-minute neighbourhoods. Directions 2.1 and 2.2 support a network of vibrant activity centres that supply both a mixture of new housing as well as activities, goods and services. Policies 2.1.2 and 2.2.3 together support a considered, strategic approach to planning for future housing needs including the use of clear design guidance as appropriate;
- The Amendment seeks to maintain a distinctive and liveable city with high quality urban design, built form outcomes and localised amenity. Direction 4.4 supports recognition and consideration of identified built form values in managing growth and change.

The Amendment does not compromise the implementation of the Metropolitan Planning Strategy.

#### Ministerial Direction No. 11 – Strategic Assessment of Amendments

The requirements of Ministerial Direction No. 11 are addressed through this Explanatory Report and accompanying strategic justification in support of the Amendment.

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

The Amendment supports the following provisions of the State Planning Policy Framework (SPPF):

#### Clause 11 – Settlement

Clause 11 seeks to direct development to locations proximate to services and public transportation 'as a focus for high quality development, activity and living for the whole community'. The Amendment contributes toward this by facilitating development of land proximate to existing and future services

and transportation options in a manner consistent with the provisions of Clause 11.02 (Urban Growth) and Clause 11.06 (Metropolitan Melbourne).

#### Clause 15 – Built Environment and Heritage

Clause 15 fundamentally seeks to facilitate high quality urban design in the achievement of built environments of an exemplary architectural standard. The Clause also seeks to create urban environments that are safe and functional and which have a sense of place and identity. The Amendment responds to this through the introduction of place-specific built form guidance directly aimed at achieving high quality urban design and built form outcomes within the Study Area, through the application of DDO22 and its corresponding mechanisms that guide all aspects of future built form outcomes.

#### Clause 16 – Housing

Clause 16 encourages a diversity of new housing options to be delivered in strategically appropriate locations proximate to existing and future services and amenities. The Amendment responds through the express facilitation of urban renewal and housing development within the subject land.

#### Clause 17 – Economic Development

Clause 17 seeks to encourage development that contributes to the economic activity of the State. The Amendment responds through the facilitation of housing in close proximity to existing and future services in a manner that will directly contribute to economic activity associated with the housing construction sector.

#### Clause 18 – Transport

Clause 18 holds the fundamental objective of creating a safe and sustainable transportation system through the integration of land use and transport. The Amendment will continue to facilitate residential urban renewal in a location well-served by a diversity of public and private transportation options.

#### Clause 19 – Infrastructure

Clause 19 seeks to ensure planning for development meets the needs of communities now and into the future. The Amendment responds through facilitation of development in a location that will maximise the efficient use of existing infrastructure.

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

The Amendment supports the following provisions of the Darebin Local Planning Policy Framework (LPPF):

#### Clause 21.02-3 Built Environment

Objectives 1-3 of Clause 21.02-3 together seek to achieve urban design excellence, safe urban environments and environmentally sustainable development. The Amendment is consistent with the intent of Clause 21.02-3 through its intent to introduce place-specific urban design guidance to the subject land in a manner that will directly contribute to the enhancement of public realm safety and quality. Importantly, the Amendment responds to the environmentally sustainable development intent of Clause 21.02-3 through the facilitation of additional housing in appropriate locations in a manner that is cognisant of aspects of development such as dwelling orientation and landscaping.

#### Clause 21.03-2 Housing Development

Objectives 1 and 2 of Clause 21.03-2 seeks to facilitate a diversity of housing and housing density in appropriate locations. The Amendment responds through facilitating a diversity of housing growth opportunities in appropriate locations, with the scale of development appropriate to precinct-specific characteristics and context as identified within the proposed Reference Document. Further, the Amendment responds to Objective 3 of Clause 21.03-2 through the facilitation of developments that display a high standard of design, limit off-site amenity impacts and make provisions for the consideration of internal amenity.

#### Clause 22.06 Multi Residential and Mixed Use Development

The Amendment will contribute through the effective implementation of Clause 22.06 by providing detailed, place-specific built form objectives and provisions within DDO22 in a manner consistent with the intent of Clause 22.06 for high quality multi residential development.

### **Does the Amendment make proper use of the Victoria Planning Provisions?**

The Amendment makes proper use of the Victoria Planning Provisions (VPP) through the selection and implementation of appropriate tools to achieve guidance for future development outcomes of the subject land.

The insertion of a new Design and Development Overlay Schedule is the appropriate planning tool to guide future built form outcomes across disparate land-owners. It is the appropriate tool to facilitate higher density built form outcomes, and is a planning tool that complements the existing zoning of the subject land by providing precinct-specific built form guidance. The use of mandatory provisions for lot amalgamation requires the amalgamation of developments sites large enough to cater for their own amenity and streetscape impacts, and the articulation of preferred discretionary built form siting outcomes allows for a level of discretion in the demonstration of design excellence outcomes at the planning permit application stage. This is consistent with the provisions of Planning Practice Note 59 – The Role of Mandatory Provisions in Planning Schemes (June 2017).

The expansion of the Development Plan Overlay to aspects of the subject land perpetuates the strategic intent for the Oakover Village precinct to land that is logically located in abuttal to the existing Oakover Village precinct.

### **How does the Amendment address the views of any relevant agency?**

The exhibition of the Amendment will provide the opportunity for all relevant agencies to comment on the Amendment. The Amendment does not create any new referral agencies or referral requirements.

### **Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

The Amendment is considered to be consistent with the relevant requirements of the Transport Integration Act 2010. The Amendment will continue to concentrate new development in locations well serviced by a range of public transportation options in a manner that reduces the reliance on private vehicle transport.

No aspect of the Amendment will affect any future South Morang Level Crossing Removal project.

### **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 not expected to have a significant impact on the resource and administrative costs of the Responsible Authority, as it seeks to replace an existing planning policy framework (including relevant permit triggers and assessment requirements) with one that is place-specific.

The Amendment will have a positive impact on long-term resource and administrative costs of the Responsible Authority through the implementation of specific built form guidance within the Darebin Planning Scheme in a manner that provides greater development certainty and decision-maker guidance – particularly in forums such as VCAT.

### **Where you may inspect this Amendment**

The Amendment is available for public inspection, free of charge, during office hours at the following places:

- City of Darebin (Planning Counter), Level 1, 274 Gower Street, Preston

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

### **Submissions**

Any person who may be affected by the Amendment [and/or planning permit] may make a submission to the Planning Authority.

Submissions about the Amendment must be received by XXXXXX

A submission must be sent to the Coordinator Strategic Planning (Darebin City Council) via XXXXXX

### **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: XXXX
- Panel Hearing: XXXXX

**ATTACHMENT 1 - Mapping reference table**

<b>Location</b>	<b>Land /Area Affected</b>	<b>Mapping Reference</b>
Showers Street – Residential Growth Area	22-50 Showers Street, Preston 19-49 Showers Street, Preston	Darebin C167 001d-ddo16Map10 Exhibition
		Darebin C167 002 d-ddo16Map11 Exhibition
		Darebin C167 003 ddo22Map10 Exhibition
		Darebin C167 004 ddo22Map11 Exhibition
		Darebin C167 005 dpo11Map10 Exhibition