

Social Housing Renewal Standing Advisory Committee

Walker Street, Northcote

Report No 5

10 November 2017

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Report pursuant to section 151 of the Act

Social Housing Renewal Standing Advisory Committee

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10 November 2017



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List of Abbreviations

ABS	Australian Bureau of Statistics
ACHS	Aboriginal cultural heritage sensitivity
CCTV	Closed Circuit Television
DELWP	Department of Environment, Land, Water and Planning
DHHS	Department of Health and Human Services
ha	hectares
km	kilometres
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
OVGA	Office of the Victorian Government Architect
PPN	Planning Practice Note
PTV	Public Transport Victoria
SPPF	State Planning Policy Framework
TfV	Transport for Victoria
The Committee	Social Housing Renewal Standing Advisory Committee
The Common Issues Report	Social Housing Renewal Standing Advisory Committee Common Issues Report No. 1
TPZ	Tree Protection Zone
VPP	Victoria Planning Provisions

1 Executive Summary

Draft Amendment C158 to the Darebin Planning Scheme seeks to facilitate the redevelopment of the Walker Street Estate in Northcote. Indicative yields are for 222 dwellings (96 social housing and 126 private).

A significant intensification of density is proposed, particularly in contrast to the existing built form in the broader precinct. The redevelopments will result in a high influx of people into the area, with resulting impacts on existing community infrastructure and services.

The Common Issues Report addresses the consistency of the proposal with key State policy, including *Homes for Victorians* and *Plan Melbourne 2017*. The proposal does not enjoy existing local policy support, which the draft Amendment seeks to redress.

While the changes envisaged for the Estate are significant, the Committee is persuaded that the proposed built form (including heights) is generally appropriate, and the redevelopment of this Estate can be managed to reduce internal and off-site impacts. Having said that, significant changes will need to be made to draft Amendment C158 to ensure appropriate outcomes can be achieved.

The Common Issues Report discusses a range of issues common to all sites considered by the Committee so far. The Committee makes several recommendations to address these, including:

- a significant restructure and re-write of the Development Plan Overlay schedules
- development contributions being required in relation to the private dwelling component of the redevelopments
- making the Minister for Planning the Responsible Authority for each site.

These recommendations apply equally to the Walker Street Estate. In addition to the common recommendations, the Committee considers that the following matters need to be addressed before draft Amendment C158 is approved:

- the site should be rezoned to Residential Growth Zone rather than Mixed Use Zone
- replacing Schedule 13 to the Development Plan Overlay

Several other matters of detail need to be reconciled, and these have been dealt with in the Committee's recommended versions of the Development Plan Overlay schedules.

Based on the reasons set out in this report, the Committee recommends that the Minister for Planning adopt the draft Amendment, subject to the following changes:

- Apply the Residential Growth Zone to the site, with a tailored schedule to reflect the heights proposed as mandatory in Development Plan Overlay Schedule 13.**
- DHHS and Council work together to determine an appropriate location for a pedestrian/cycle path and to facilitate the rehabilitation of the Merri Creek reserve abutting the site.**
- Amend the Development Plan Overlay Schedule 13 in accordance with the Committee's recommended version contained in Appendix D.**

2 Background

This is Report No. 5 of the Social Housing Renewal Standing Advisory Committee, and must be read in conjunction with the Common Issues Report No. 1.

2.1 The proposal

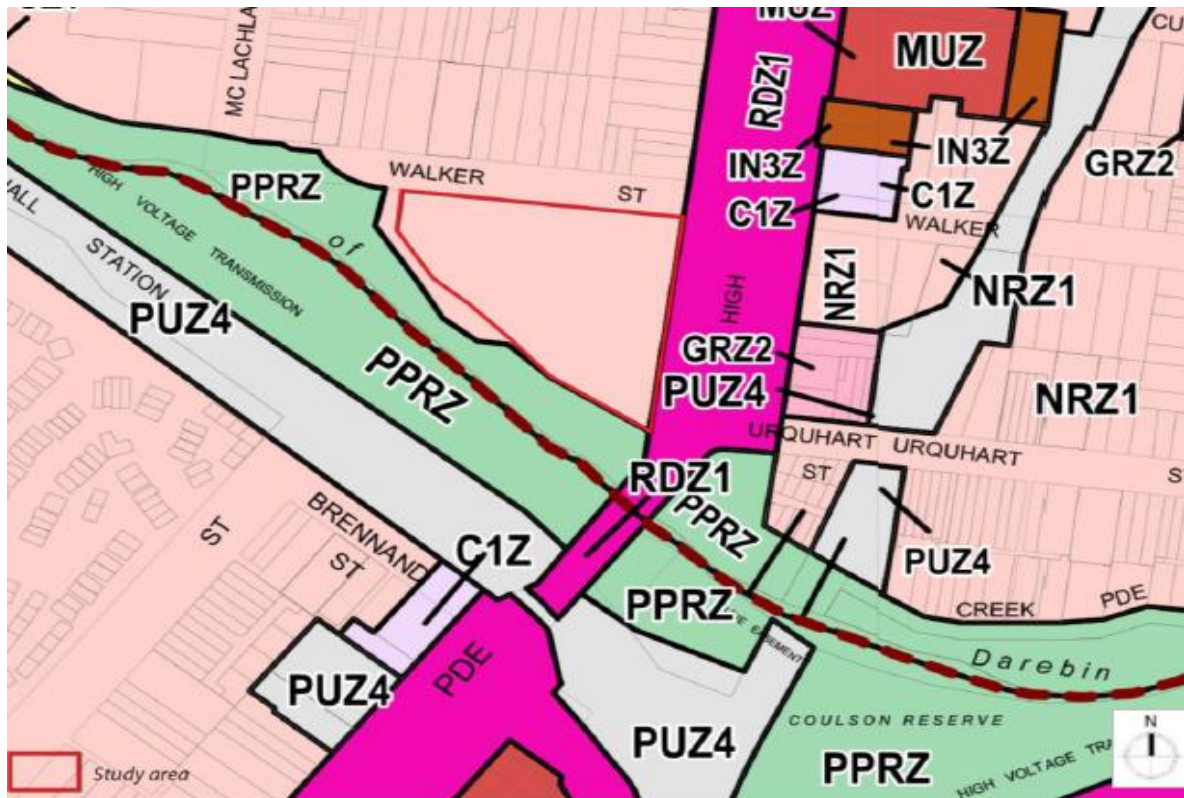
The summary of the proposed redevelopment of the Walker Street, Northcote Estate is set out in Table 1.

Table 1: Proposal summary

Proposal summary	
Site reference	Walker Street Estate, Northcote
Site address	Walker Street Estate, Northcote
Site owner	Director of Housing
Council	Darebin City Council
Notice	2-30 August 2017
Submissions	46 (refer Appendix A)

The redevelopment of the Walker Street Estate will be facilitated by draft Planning Scheme Amendment C158 to the Darebin Planning Scheme. The existing zoning for the site is shown in Figure 1.

Figure 1: Existing zoning



The proposed planning scheme changes are summarised in Table 2.

Table 2: Proposed planning scheme changes

Existing controls	Proposed changes
Walker Street Estate	
Neighbourhood Residential Zone – Schedule 1	Mixed Use Zone – Schedule 3
Development Contributions Plan Overlay - Schedule 1	Retain (although the Committee was advised this overlay had expired)
	DPO – Schedule 13
Environmental Significance Overlay Schedule 1	Retain
	Parking Overlay – Schedule 1
Clauses 21.01-6, 21.03-1 and 22.05	Amended to specifically recognise the Walker Street Estate for an area of urban intensification, change the designation from ‘minimal housing change area’ to ‘substantial housing change area’ and add reference to the redevelopment of the Estate
Darebin City Council is Responsible Authority	Minister for Planning is the Responsible Authority

Existing dwelling numbers and indicative dwelling yields are summarised in Table 3 below. Final dwelling yields will depend on the final design.

Table 3: Existing and indicative dwelling yields¹

	Existing (public)	Proposed (social)	Proposed (private)	Total proposed
Walker Street Estate, Northcote	87	96	126	222

The process in which the Committee undertook its assessment is summarised in Table 4.

Table 4: Proposal summary

Committee process	
Members	Kathy Mitchell (Chair), Sarah Carlisle and Peter Edwards, with Mandy Elliott and Ann Keddie providing input into the report
Briefings	24 May and 9 August 2017
Directions Hearing	7 September 2017
Hearings	2, 9, 10 and 23 October 2017
Site inspections	3 May, 17 September and 22 October 2017

2.2 Site and surrounds

The Walker Street Estate is located at the corner of High Street and Walker Street in Northcote, and is one of the smallest estates to be redeveloped as part of this Social Housing renewal project (refer Figure 2). It has an area of 1.1 hectares and accommodates 87 public housing dwellings in three, four and five storey walk ups, constructed in the 1960s.

The site is a small pocket of land, well located with regard to main roads, public transport, local activity centres, community facilities and the Merri Creek. It is irregular in shape and has abutments to the residential area in Walker Street to the north, and High Street to the east. It abuts the Merri Creek to the south and west, with Phillips and Hales Courts providing connectivity and access through the site.

The Committee notes the Public Tenants Association office is on site.

¹ Compiled from *Traffic Engineering Assessment*, Traffix Group, page 6

Figure 2: Walker Street, Northcote



The site is well serviced by public transport and other services, including:

- the Merri Creek and Capital City Trail, which runs along the southern and western boundaries of the site, and which provide shared path linkages to surrounding areas
- the Westgarth Neighbourhood Activity Centre, located approximately 300 metres to the north, centered around commercial and entertainment uses along High Street
- the Clifton Hill Neighbourhood Activity Centre, located approximately 600 metres to the south which provides retail, food, entertainment and other uses
- the Rushall Railway Station which is located approximately 300 metres west via a pedestrian overpass across the Merri Creek, while the Westgarth Station is located approximately 400 metres to the north-east of the site
- the route 86 tram service which runs along High Street, with a tram stop adjacent to the site, and five bus services near the site.

2.3 Notification

Direct notices about the proposal were sent by DELWP during the week commencing 2 August 2017 to:

- 840 owners and occupiers within the City of Yarra and City of Darebin

- nine known community groups and Members of Parliament identified by the City of Darebin and City of Yarra
- prescribed Ministers and servicing authorities.

Public notices were placed in the Preston and Northcote Leader newspaper on 9 August 2017.

The public exhibition resulted in 43 submissions being received.

2.4 Procedural issues

DHHS acknowledged at the Directions Hearing that there were some discrepancies in the detail of the proposal as presented in the Design Framework Plan prepared by Hayball Architects and the draft Amendment documents. As a result of a Direction by the Committee, DHHS prepared an amended version of DPO13 that corrected the errors and DELWP notified all submitters plus 70 adjacent occupiers and land owners by direct notice on 18 September 2017.

The Committee directed that further or amended submissions would be received in relation to the revised DPO13 up until the first day of the Hearing on Monday 2 October 2017. This process resulted in a further three submissions being made.

The draft Amendment was exhibited as Amendment C158 to the Darebin Planning Scheme, but the Committee was advised that the Amendment number was incorrect and that it would be allocated a new number. That number is unknown at the time of preparing this report, and the Committee will continue to refer to it as the draft Amendment.

2.5 Planning framework

DHHS and Darebin City Council provided separate assessments of the proposal against the Local Planning Policy Framework (LPPF) for the Darebin Planning Scheme, which the Committee generally adopts. The relevant provisions of the Darebin LPPF include:

Clause 21.03 – Housing: establishes a three-tier hierarchy for growth within the municipality and includes a policy to increase the supply of social housing. The subject land is identified within the 'Minimal Change Area'.

Clause 22.02 - Neighbourhood Character: this applies to the Neighbourhood or General Residential Zones. The Committee notes the predominant zone in and around the site is the Neighbourhood Residential Zone.

Clause 22.05 - High Street Corridor Land Use and Urban Design: as the subject land has an interface to High Street and is at the southern end of the corridor, part of the site is identified as being within Precinct 1.

Clause 22.06 – Multi Residential and Mixed Use Development: this policy applies to development in the Neighbourhood or General Residential Zone and is intended to supplement Clause 55 and 58 of the Darebin Planning Scheme.

Clause 22.15 – Environmentally Sustainable Design: this policy applies to all residential and non-residential development that requires a planning permit where depending on the scale of the proposal, certain thresholds of assessment tools are required to be addressed.

As Ms Jordan noted in her planning evidence for DHHS, the Darebin Planning Scheme acknowledges that the municipality has experienced significant change to its community and housing stock over the last decade. This she said is largely as a result of a more affluent population moving into the various residential areas, together with population growth overall. She further noted:

... the LPPF does not currently explicitly recognise the Walker Street Estate as being an important public housing site within the municipality or that its urban context may different (sic) from the surrounding neighbourhood. The Amendment is seeking to address this with some relatively contained changes to the MSS and Clause 22.02.

Should the site be rezoned to Mixed Use, not all of the policies will be relevant to the site.

3 Planning issues

The key issue to be addressed is:

- the suitability of application of the Mixed Use Zone
- changes to local policy

3.1 Application of the Mixed Use Zone

(i) Evidence and submissions

The draft Amendment proposes a change of zone to manage the different use and development envisaged for this site. The Neighbourhood Residential Zone is currently applied to the Estate. That zone is designed to ensure development respects the identified residential neighbourhood character and recognises areas of predominately single and double storey residential development.

DHHS submitted that consistent with its other proposals, it seeks to rezone the site from Neighbourhood Residential Zone to Mixed Use Zone. It contended that the existing zoning did not reflect the existing medium density use of the land and limits the potential for increased housing density.

DHHS outlined that the Mixed Use Zone is the appropriate zone for the Estate as it encourages a range of building forms and density beyond what is possible within the other residential zones. It stated that the Mixed Use Zone encourages *“higher density housing and the provision of a broader range of land uses, such as retail, commercial and community facilities”* (Document 3).

Ms Jordan advised that the existing Neighbourhood Residential Zone on the land would not permit development of the density or scale proposed, and may restrict the extent to which non-residential activities might be accommodated. She contended that the Mixed Use Zone was the *“logical and suitable choice for a number of reasons”*, noting that it is the only zone that would *“permit built form to the scale proposed across the site”* (Document 3).

In commenting on the selection of zone for the site, Ms Jordan gave evidence that the site’s location adjacent to the High Street Corridor should be taken into account. She commented that a Mixed Use Zone is typically applied to land proximate to an activity centre, to create a transition between higher density, mixed use environments abutting an activity centre and lower scale residential areas.

Council raised concerns over the suitability of the proposed Mixed Used Zone, submitting that it was the wrong zone for the site, and was concerned that it could potentially undermine the viability of the existing neighbourhood activity centres surrounding the site (Submission 15).

Council contended that the Residential Growth Zone was the appropriate zone for the redevelopment of the Estate.

In supporting the use of the Residential Growth Zone, Council observed that the Estate is located in a confined residential precinct. It argued that it is not within a neighbourhood

activity centre, nor is it identified in the Darebin Economic Land Use Strategy or MSS as a place where employment and business activity is to be encouraged.

Numerous submissions were concerned about the proposed application of the Mixed Use Zone and that it would allow “*greater flexibility in density and height*” (Submission 34). Submissions expressed concern about the site being rezoned from the Neighbourhood Residential Zone, which provides for limited change.

(ii) Discussion

The Estate is located within a residential precinct of Northcote, surrounding by land zoned Neighbourhood Residential. Local policy defines the site and surrounding area as a minimal housing change area. The Committee notes the comparatively small size of the site in contrast with the other referred sites of DHHS which also seek to apply the Mixed Use Zone and DPO.

While the Mixed Use Zone and the Residential Growth Zone are both part of the residential suite of zones, they have different purposes and set out different built form and land use controls, as outlined in Chapter 2.4 of the Common Issues Report.

The Residential Growth Zone, one of the core three residential zones, is residentially focussed and seeks to encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas, and a diversity of housing types in locations offering good access to services and transport including activity centres. The Mixed Use Zone seeks to provide a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

The Committee is not persuaded that the Mixed Use Zone is appropriate for the redevelopment of this site, and does not support its application. It is not convinced there needs to be any commercial uses on this small site. Further, such uses may potentially undermine the primacy of the designated Westgarth Neighbourhood Activity Centre and other nearby activity centres. For these reasons, the Committee considers a tailored schedule to the Residential Growth Zone is appropriate.

In any event, the Residential Growth Zone can provide for some small commercial uses, such as a café. For example, Food and drink premises, with a leasable floor area of up to 100 square metres is a Section 1 Use in the Residential Growth Zone and does not require a planning permit. The Committee does note however, that ‘office’ is effectively prohibited in the Residential Growth Zone as it does not meet the section 2 requirements of being located 100 metres from a commercial zone in the same street.

While the Committee understands DHHS’s intent in relation to the use of the Mixed Use Zone to enable heights of up to six and eight storeys, the Committee notes that the Residential Growth Zone has a default discretionary height of 13.5 metres (which can be amended, and/or made mandatory height through a tailored schedule). Given that the Committee is proposing the heights be designated as mandatory in the DPO (see Chapter 3 of Common Issues Report), it can see no issue with this site being included in the Residential Growth Zone with a mandatory height limit.

(iii) Findings

The Committee finds that:

- the Residential Growth Zone is the appropriate zone to be applied to the site.

3.2 Changes to local policy

(i) Evidence and submissions

Council supported DHHS's proposal:

- to change the delineation of the Estate on the Strategic Housing Framework Plan in Clause 21.03-1 from 'Minimal Housing Change Area' to 'Substantial Housing Change Area'
- the application of the 'Areas of Urban Intensification' delineation on the Housing Strategic Framework Clause in 21.01-6
- reference to redevelopment of the Estate in Clause 22.05.

It noted that the site's location advantages would support its inclusion as a substantial change area.

Ms Jordan's evidence was that the Local Planning Policy Framework (LPPF) does not currently provide any explicit reference to the Estate. She noted that the draft Amendment proposed "*relatively contained*" changes to the Municipal Strategic Statement (MSS) and Clause 22.02.

No additional submissions were received which responded to the proposed local policy changes.

(ii) Discussion

The Committee supports the proposed policy changes and considers it important that local policy recognises the Walker Street Estate as being an important public housing site within the municipality.

(iii) Findings

The Committee finds that:

- the proposed policy changes are strategically justified and are supported.

3.3 Recommendations

The Committee recommends that:

- 1. Approve draft Amendment C158 to the Darebin Planning Scheme, subject to the following changes:**
 - a) Apply the Residential Growth Zone to the site, with a tailored schedule to reflect the heights proposed as mandatory in Development Plan Overlay Schedule 13.**
 - b) Amend the Development Plan Overlay Schedule 13 in accordance with the Committee's recommended version contained in Appendix D of this report.**

4 Urban design and built form

The key issues to be addressed include:

- the proposed site plan and its integration with the surrounding neighbourhood
- the appropriateness of the proposed heights, setbacks and interface treatments
- whether the proposed DPO provides sufficient guidance for the future Development Plan and planning permit application stages.

4.1 Site planning and the surrounding neighbourhood

(i) Evidence and submissions

Ms Jordan's planning evidence was that development within this area of Northcote varies in scale and that a reasonable level of built form change is underway, particularly along High Street. Council's submission noted that the Darebin Planning Scheme identifies the Estate as an area of minimal housing change, primarily due to its abuttal to Merri Creek, an area of environmental significance. However, it acknowledged that the size of the site and its existing form distinguishes it from the prevailing character, and that the existing development on the site is inconsistent with the purpose of the Neighbourhood Residential Zone. Based on the site's proximity to services, Council supports a substantial change as long as an appropriate balance can be struck between the competing objectives of increased density and sensitive interfaces.

DHHS called Mark Sheppard to give urban design evidence in relation to the site. Mr Sheppard's evidence was that the existing trees along the Walker and High Street Close frontages, both within and outside the site, make a valuable contribution to the character of the neighbourhood and should be retained. He said that sufficient setbacks should be provided along these frontages to ensure the ongoing health of the trees. If the trees cannot be retained, they should be replaced.

Mr Sheppard supported providing a shared path along Merri Creek. His evidence was that such a path would assist greatly in providing opportunities for permeability, integration and passive surveillance. He recognised that a path would involve certain challenges, including the varying, and in some places, steep topography along the southern boundary of the site, but these challenges could be overcome.

Mr Sheppard supported the main ground level open space at the location shown on the revised Concept Plan, in the central section of the Merri Creek interface. His evidence was that this would enhance the connections between the site and the creek side path, and beyond. It would create views through the site to the creek, and create a sense of openness, despite the higher built form on the site. The framing of the park by buildings on both sides provides both good special definition and passive surveillance of the area.

Although the total amount of open space would be approximately 34 per cent less than the publicly accessible open space currently on the Estate, Mr Sheppard considered that it had the potential to be significantly better in quality and functionality than the existing open space, which would more than compensate for a net loss in terms of area. He indicated that the open space shown in the Design Framework was only one possible solution, and

that if basement parking was provided, there would be opportunities to increase the amount of ground level open space on the site.

Mr Sheppard's evidence was that the Concept Plan should be amended to realign the boundary of Area 1, delete the internal road connection, relocate the proposed park to the southern boundary, and that the connection from Walker Street follow a straight line to the creek reserve. Mr Sheppard supported the assessment of reasonable levels of sunlight to open-space, both within and outside the Estate to be on 21 June. He supported introduction in the DPO of concealed or basement car parking.

(ii) Discussion

Due to the size and location of the Estate, connections to the neighbourhood fall into three relatively distinct parts – facing High Street, Walker Street and the Merri Creek.

In terms of High Street, the Committee agrees with Ms Jordan and Mr Sheppard that higher buildings are emerging and that higher built form along it could be contemplated. However, as articulated by Submitter 2, this section of High Street forms part of the historic gateway entrance to Northcote, and this should be a key consideration in the preparation of any design for this interface.

In Walker Street, characterised by largely single storey period housing, the Committee agrees with Mr Sheppard that a built form of up to three storeys, combined with appropriate setbacks, would not disrupt the streetscape unduly, and indeed it reflects what has existed in the neighbourhood for the last fifty years.

The Merri Creek is a unique character attribute of the neighbourhood. The Committee agrees with Mr Sheppard that there should be a path along the northern side of the creek, although it is not necessary for it to be wholly on DHHS land. At the moment, the absence of a connection along this part of Merri Creek is a missing link in the Merri Creek Trail. It serves to emphasise the lack of connection between the Estate and its surroundings. The new buildings could provide both an attractive edge to, and passive surveillance of, the path. Determining the precise location, design and construction of the path will be complex, and it must involve DHHS, Council and the Merri Creek Management Committee. The Committee sees this element as a fundamental component of the Estate renewal. It will make a lasting contribution to both the local and the wider community.

The Design Framework proposes to retain the two existing street entrances to Hales and Phillips Courts with three separate building envelopes set roughly in each corner of the triangular site. The Committee supports the small park proposed opposite a new street entry into the site from Walker Street, as it would create a new visual and physical connection to Merri Creek and open up the site to better reflect the neighbourhood. It should have direct access from Walker Street, as suggested by Mr Sheppard.

In the Committee's view, however, maintaining the existing 1960s roadway reserve in the centre of the site is of little efficacy if appropriate access to the carparks can be provided in another way. The inclusion of an internal roadway presents an unnecessary constraint on the redesign of the housing and on the ability to provide appropriate setbacks and open space, to enhance both resident amenity and the relationship with Merri Creek.

The considerable fall across this part of the site provides the opportunity to access a cross-site underground/podia parking area, accessed at either end from the existing site entrances if desired. The car parking area could extend across the site and under the internal street area and provide direct access to all buildings. The area occupied by the roadway could then become an open space spine for residents and form a pedestrian linkage to the new park while providing increased options for the design of the buildings facing it. The new one to two level parking could be sleeved on all sides, while leaving the area for the proposed park unencumbered by a basement beneath.

Mr Sheppard came to the conclusion that the internal road could be deleted, although his opinion was based on his recommendation of providing a pedestrian path along the Merri Creek interface. Area calculations presented at the Hearing suggested that the addition of 700 square metres of roadway and incorporating the 1,400 square metres of carpark podia open space to that at ground level would increase the 3,100 square metres of informal open space proposed to an amount only 20 per cent less than the existing provision. This would be an amenity bonus.

(iii) Findings

The Committee finds that:

- the inclusion of a shared pathway along the northern side of Merri Creek is supported, and should involve collaboration between DHHS, Council, the Merri Creek Management Committee and relevant land managers
- the proposed internal roadway should be deleted to allow its conversion to open space
- the podia car parking should be reconfigured to extend across the site as a complete or partial basement of one to two levels, taking advantage of the topography to locate appropriate entrances.

4.2 Heights, setbacks and interface treatments

(i) Evidence and submissions

The Design Framework proposes building heights ranging from four to eight storeys within the Estate, with the higher form along the High Street and Merri Creek edges. A number of submissions queried the rationale for an eight storey building facing High Street, pointing out that the highest nearby building is only six storeys, on the other side of High Street further north.

Mr Sheppard was broadly supportive of the heights proposed across the site. He generally supported the eight storey height limit along High Street Close, given the 60 metre width of High Street, its status as a main road, the scale of trees within it and the lack of off-site amenity impacts. Having analysed the proposed interface treatments however, he recommended that the top two storeys be set back a further two metres to create a 'cornice' line above the sixth storey, referencing the emerging scale of built form to the northeast. He noted that the retention of the existing trees along this frontage, which he supported, would require an increased setback. He noted there is a provision in the DPO for

the adaption of envelopes to protect existing trees to be retained, but his opinion was that setbacks proposed would need to be increased to accommodate that requirement.

Along Walker Street, Mr Sheppard considered a maximum height of five storeys as proposed was too high. He recommended a reduction to four levels, which has now been shown in the revised DPO. He supported the retention of Trees 1 and 2 along this frontage and noted that an increased setback may be required to accommodate this. Mr Sheppard recommended an amendment to the precinct designation, with Area 1 confined to 30 metres from Walker Street with the remainder transferring to Area 3. This too has found its way into the revised DDO. Ms Jordan's evidence was that built form at the High Street end where it interfaces with Area 2 should be limited to three storeys, with the proposed higher form set back. Mr Sheppard supported this approach.

The Design Framework shows four levels facing Merri Creek. The lower two levels are the exposed edge of the podium carpark, which Mr Sheppard did not support. However, he said a four level height along this interface would be only marginally above the existing built form and is acceptable. He considered that the two upper levels should be set back a distance of nine metres above level four to ensure reasonable levels of sunlight to the Merri Creek reserve on the winter solstice. His recommendation was based on his assessment of the 21 June shadow studies.

The Development Guidelines for Merri Creek were outlined and quoted by Submitter 2, who called for a minimum 30 metre setback from the banks of the creek in urban areas and 12 metres from the top of any escarpment, which he submitted is the 30 metre contour. He said that planting should screen any buildings so that they appear below tree height when viewed from the path.

(ii) Discussion

The built form on the north side of Walker Street is characterised by narrow setbacks to low built form. Council's preference for a 4.5 metre setback would allow the street planting to be enhanced, thus screening the higher built form on the south side. On balance the Committee considers that a three metre setback from Walker Street is acceptable, if the level four setback is increased to 4.5 metres. However, an increased setback within Walker Street to preserve Trees 1 and 2 will be required. As Mr Galbraith observed in his arboriculture evidence, if no changes are made to the building envelopes, none of the proposed trees to be retained will survive.

As suggested by Ms Jordan, transition of the built form at the intersection of High Street Close with Walker Street will be required. The Concept Plan and building heights table in the DPO should provide additional guidance to ensure that building heights in the part of Area 2 along the Walker Street frontage are limited to three storeys, graduating to eight storeys further back.

The Committee supports the retention of Trees 25-29 and the setback along part of High Street Close will require modification to retain the nominated trees. The Committee supports Mr Sheppard's recommendation to set back the upper two levels along this frontage. It agrees that an eight storey building will be prominent in this location and a setback of upper levels will moderate its visual impact.

Along the Merri Creek boundary, the Committee supports Mr Sheppard's recommended increase in the upper level setbacks now shown in the revised DDO. However, it considers that the ground level setback from the southern boundary should remain as exhibited at five metres. It notes that at the eastern end of this frontage, built form is proposed far closer to the boundary than the existing buildings. Further, while the opportunity for informal surveillance of the creek reserve is a positive aspect of the proposal, the Committee considers that it would be inappropriate to locate private open space for Estate residents along this edge.

Conversion of the internal street into open space, as suggested by the Committee, presents the opportunity to replace the existing underutilized south facing yards with north facing open space, while maintaining passive surveillance of the reserve from the apartments facing it. Planting with appropriate indigenous species along this edge can contribute to an enhanced creek environs.

The Committee supports the inclusion of the Merri Creek Guidelines in the schedule and recommends DHHS and Council, in consultation with the relevant land manager and the Merri Creek Management Committee facilitate the rehabilitation of the Merri Creek reserve as an adjunct to the renewal of the Estate. Photographs tendered at the hearing indicate that with a four-storey building edge, with upper levels set back, it is likely that this will be achieved when new planting in the reserve is mature.

(iii) Findings

The Committee finds that:

- the setbacks to Walker Street and High Street Close should be amended to incorporate the Tree Protection Zone (TPZ) of Trees 1, 2 and 25 to 29
- the level four setback in Area 1 should be increased to 4.5 metres
- the DPO13 should be amended to require a transition of height from three storeys at the junction of Areas 1 and 2, up to eight storeys further back in Area 2
- the top two levels of the built form envelope of Area 2 facing Walker Street and High Street Close should be setback by three metres
- the Area 3 setback should be five metres
- the exposed carpark edge along the Merri Creek frontage should be deleted and planting with appropriate indigenous species should be incorporated along this edge in preference to private open space
- the setback of the top two levels in Area 3 facing Merri Creek should be increased to nine metres.

The Committee's proposed changes to DPO13 can be found in Appendix D.

5 Traffic and parking

The key issues to be addressed include:

- increase in traffic and its impact on the surrounding road network
- parking rates.

Traffic and parking issues common to all Estates such as differential parking rates, sustainable transport and car park safety and management are discussed in Common Issues Report in Chapter 4.

The key access and parking elements of the draft Amendment consist of:

- a permeable road, bicycle and footpath network throughout the site connecting to the existing local road and bicycle network
- 222 parking spaces consisting of:
 - a combination of podia car parks providing 203 spaces
 - approximately 19 spaces on the internal road network

5.1 Increase in traffic generation and impacts

(i) Evidence and submissions

The ability of the surrounding road network to absorb the increase in development traffic was a significant issue for the community. Several submitters flagged the already congested nature of the nearby arterial and local road network, and said it would not be capable of accepting additional development traffic. In particular, the Committee was advised McLachlan Street/Westgarth Street, local road intersections with High Street, and Walker Street and McLachlan Street are used as 'rat runs'. This creates congestion and potential safety issues, and some submitters referred to crashes on the surrounding road network. Several submitters considered that the traffic surveys were not representative².

DHHS called Mr Walsh of Traffix Group to give evidence on traffic and parking issues. He concluded that there are no traffic reasons why the development should not proceed.

The project would generate an additional 540 vehicle movements per day; 54 vehicle movements during the AM and PM peak hour periods. Mr Walsh noted that his traffic generation was particularly conservative as the rate was applied to all properties, irrespective of whether a car parking space was provided.

Mr Walsh distributed development traffic across the local road network, based on existing traffic surveys (which were resurveyed after Walker Street was reopened after the street works) and parking distribution across the site. He advised that the development could generate approximately 11 additional vehicle movements in the peak periods at nearby local intersections. In his opinion, this level of traffic is relatively low (on average not more than one vehicle every five minutes) and road network improvements would not be required.

² Based on the original amendment traffic report when Walker Street was closed for road works; however as part of Mr Walsh's evidence, he undertook new surveys after the road had re-opened negating this issue.

Mr Walsh acknowledged the congested nature of the surrounding arterial road network in peak periods and that motorists exiting the side streets can experience delays. However, his observations of the operation of these intersections suggest there is spare capacity to accommodate additional traffic. He noted that the High Street/Westgarth Street signalised intersection and the pedestrian operated signals south of High Street Close (Walker Street) metered traffic creating gaps to allow motorists to enter and exit the nearby side roads.

In relation to the crash history around the site, Mr Walsh advised that there had been a number of right turning crashes at or near the Westgarth Street/McLachlan Street intersection which warrants Council exploring safety improvements at this location, irrespective of the draft Amendment. At other locations, there were few crashes and no clear trend.

VicRoads had no objection to the Amendment.

Council accepted Mr Walsh's traffic projections but submitted that:

- High Street Close should be the primary access to site
- KEEP CLEAR line marking be installed on High Street at High Street Close to reduce the impact of right turning vehicles on tram movements
- traffic management be installed on local streets to further enhance safety
- all development parking should be accommodated on site
- a pedestrian shared path along Merri Creek (north side) is supported, subject to ongoing maintenance responsibility being resolved.

(ii) Discussion

The Committee acknowledges that many of Melbourne's arterial roads are congested during peak hours and it is appropriate to consider the traffic implications of the development on the immediate road network. The Committee is satisfied that the road network and nearby intersections will continue to perform satisfactorily with the additional development traffic. In particular, Mr Walsh's traffic modelling shows that in peak periods at nearby local intersections, the additional traffic on average, will be no more than one vehicle every five minutes. As such, additional or remedial traffic management works would not be required.

Council requested that traffic management treatments be installed to further enhance safety, however it did not provide traffic survey data or evidence to support its position. In relation to installing 'Keep Clear' line marking on High Street, Mr Walsh advised that VicRoads requirements would not be met as this treatment is used to allow vehicles to get off and not onto the arterial road.

While not related to the draft Amendment, the Committee notes that there are a number of crashes occurring at and near Westgarth Street/McLachlan Street intersection that warrant further investigation to identify what measures could be implemented to enhance safety and address the crash history. VicRoads 'Blackspot' funding to improve safety may be available, and could be considered by Council.

(iii) Findings

The Committee finds that:

- the existing road network can safely and satisfactorily accommodate the additional traffic likely to be generated by the proposed development and remedial traffic management works are not required on the surrounding road network.

5.2 Parking rates

(i) Evidence and submissions

Parking was a significant issue. Further background material is discussed in Common Issues Report at Chapter 4. A summary of Mr Walsh's parking overlay rates is shown in Table 5. Council supports applying the Parking Overlay Schedule 1 to the site.

(ii) Discussion

Mr Walsh's analysis suggested that there should be adequate parking for the existing Estate residents, but the Committee accepts that some residents and neighbours experience difficulty finding a parking space.

Based on ABS average car ownership data the site will generate a parking demand for 189 spaces, with 185 spaces proposed to be supplied as shown in Table 5. The Design Framework shows over 222 spaces could be provided ensuring there is no need for development parking to spill onto Walker Street.

Table 5: Northcote parking supply and demand assessment

Use	No.	ABS		Proposed	
		Av. car ownership	Av. parking demand	Parking rate	Parking supply
Public					
1 bedroom	57	0.4	23	0.6	34
2 bedroom	33	0.6	20	0.6	20
3 bedroom	5	0.9	5	0.6	3
Total	95		48		57
Private					
1 bedroom	70	0.8	56	0.7	49
2 bedroom	57	1.1	63	1.0	57
Total	127		119		106
Total (Public & Private)	222		167		163
Visitors Dwellings (All)	222		22	0.1	22
Total	222		189		185
Design Framework – indicative site parking supply					222

Notes: For example; Public 1 bedroom parking demand (57×0.4 (ABS av. car ownership) = 23 spaces), parking supply (57×0.6 (proposed parking overlay rate) = 34 spaces)

The Design Framework plans show around 222 spaces in the podia car parks and along the internal road network providing sufficient supply for the proposed development. The

Committee notes that the Design Framework is indicative only, but it does demonstrate that it is possible to provide adequate parking on the site.

(iii) Findings

The Committee finds:

- the proposed Parking Overlay rates are satisfactory.

5.3 Infrastructure upgrades

There are two issues on which the Committee considers it appropriate to provide a high-level assessment. They are whether DHHS and/or its delivery partner contributes to the cost of:

- High Street tram stop upgrade
- shared path to the pedestrian bridge at McLachlan Street.

(i) Evidence and submissions

Tram stop upgrade

Yarra Trams submitted that the existing tram stop platforms are too narrow, do not have weather protection and should be upgraded and this should be incorporated into the DPO. Transport for Victoria expressed similar views.

Mr Walsh acknowledged that the tram stop could be upgraded, but considering the small increase in population from the development compared to the surrounding area, it would be inequitable to expect the developer to contribute the bulk of this funding. He said potentially providing some shelters would be more appropriate.

Walker Street - shared path extension

There is broad support for the shared path along Merri Creek on south side of the development. Council believes a development contribution is appropriate to provide for an extension for this path to the pedestrian bridge (providing access to the Capital City trail and Rushall train station) at McLachlan Street (approximately 80 metres in length).

DHHS submitted that these works would be beyond the scope of the project and that potentially a platform or similar structure may need to be constructed due to the steep terrain, making this short section of path potentially very expensive.

(ii) Discussion

In the Common Issues Report, the Committee raised the possibility of development levies being used to fund, in part, some off-site community and related infrastructure items.

Tram stop upgrade

The Committee can see benefit in upgrading the tram stop but does not believe it is necessary to tie these works into the DPO. While existing and new residents will gain benefit, so will the broader local community. The burden to upgrade the tram stop should not fall solely to this development.

Walker Street - shared path extension

For most of the length of the southern boundary of the site, there is sufficient space at the top of the escarpment to at least install a footpath, but there are large trees and other constraints. The Committee notes on the TravelSmart map that McLachlan Street is classified as providing on-street bicycle lanes and a similar classification for Walker Street may be appropriate.

Further investigations are required as to the most appropriate and cost effective solution that is mindful of the interface between the site and Merri Creek. In relation to funding of these works, further discussion between DHHS, Council and potentially the delivery partner is appropriate.

(iii) Findings

The Committee finds:

- DHHS should pursue opportunities to consider development contributions to infrastructure such as a shared path extension.

6 Other issues

6.1 Merri Creek and arboriculture

Submissions raised issues with the potential for a higher density development to encroach and overshadow the Merri Creek and the importance of the large trees on the site.

(i) Evidence and submissions

Biosis Pty Ltd undertook a flora and fauna assessment of the site (January 2016), which was exhibited with the amendment documentation, and stated:

The study area exists within a highly urbanised environment. The flora and fauna values of the site have been highly modified by a long history of occupation and development. As a result, the site contains little biodiversity value. There is no remnant indigenous vegetation within the study area. All vegetation present has been established as part of amenity plantings and gardens.

Vegetation within the Walker Street site consists of species planted as part of landscaping works or gardens, and include non-site indigenous Australian natives such as Lemon-scented Gum, Giant Honey-myrtle, Cootamundra Wattle and Sweet Pittosporum. Exotic planted species include Pepper Tree and Chinese Elm.

Biosis noted that the Grey-headed flying fox may use the site on occasions for foraging or roosting opportunities and recommended retaining fruit-bearing trees as part of any future development if possible. The ecologists recommend that DHHS should consider the objectives of the ESO1 when developing the site and may choose to incorporate site indigenous plantings into landscaping works to enhance the ecological value of the Merri Creek corridor.

Galbraith and Associates prepared the initial tree assessment for the Walker Street, Northcote Estate (31 January 2017).

Mr Galbraith provided arboricultural evidence and noted there are 35 trees of various ages across the site, none of which are native to Victoria. He stated that while DHHS propose to retain trees 2, 9, 10, 22, 23, 25, 26, 27, 28 and 29, this would not be possible in the exhibited built form response to the Design Framework as the proposed setbacks would necessitate the removal of most of the trunks and for the rest, the root zones would be compromised.

He suggested that redesign of the buildings would be required if the trees, particularly Tree 1 (eucalypt species) and Tree 2 (English Elm) were to remain. He noted Tree 2, within the Walker Street frontage, is probably the oldest on site, being approximately 70 years old. A number of submissions mention this Elm tree, for example Submission 9 stated:

This tree was saved when Walker Street Estate was first developed over 60 years ago. It had grown through the body of a derelict car and the car was cut away to preserve the tree. The tree has been my air- conditioner, cooling me and my flat on a hot summers day. I would hope this tree is preserved as part of the potential redevelopment of the Estate.

Mr Galbraith's evidence regarding the Merri Creek environs is that the slope is covered in English Elms suckers, becoming a serious weed issue. He suggested that replanting with indigenous species needs to be considered for the site in accordance with the aims of the ESO1.

The Merri Creek Management Committee (Submission 41) stated:

On parts of the site, a 5m setback may not achieve the setback specified in the Merri Creek Development Guidelines 2004. These Guidelines specify a minimum 22m setback from the top of the escarpment. It will be important to clarify the location of the site boundary in relation to the top of the escarpment. This should be done before finalising planning changes to ensure consistency and the ability to achieve the minimum 22m setback from the top of escarpment.

They stated that the "ESO Schedule 1 that applies to the site seeks to ensure that the scenic qualities and visual character of the waterway corridor are not compromised by the inappropriate siting of buildings. It is MCMC's view that the proposed height of 5-6 storeys is excessive for the sensitive creek interface, especially given the limited setback of only 5m".

Other submissions raised issues in regard to encroachment, overshadowing and interface treatment with the creek from the proposed redevelopment. These are discussed in Chapter 4.

As discussed, Darebin Council and the Merri Creek Management Committee are supportive of a pedestrian path along the Merri Creek, however noted the location of the proposed pedestrian path should avoid impacts on the environmental qualities of the Merri Creek environs. Further, consideration of responsibilities for ongoing management and maintenance of the Creek environs should be addressed.

(ii) Discussion

There are many trees on the site that are important to the amenity of the existing residents within the Estate as well as neighbouring residents.

In terms of proposed setbacks between building and trees that will be retained, Mr Galbraith stated that setbacks would need to be revisited because of the impact on the trees that DHHS want to retain.

Mr Galbraith, in line with evidence given at other hearings, agreed that the *AS4970-2009 Protection of trees on development sites* should be reflected in the DPO schedule, which the Committee supports.

The Committee asked Mr Galbraith whether the replacement trees should be a mix of exotic and native species appropriate for this urbanised site, to which he responded it should.

In regard to the Merri Creek interface, the Committee considers that compliance with the Development Guidelines for Merri Creek should be required. The Committee notes that no changes to the ESO1 are proposed and that this overlay, which aims to protect the values of the Merri Creek and environs, will remain.

The Committee acknowledges that there are State and Local Planning Policies protecting the Merri Creek and that it is important that no further encroachment into the Merri Creek environs occurs as part of the redevelopment of the Estate.

(iii) Findings

The Committee finds that:

- the setback to Merri Creek should be established having regard to the Merri Creek Development Guidelines
- DHHS and Council work together to resolve the location of the pedestrian pathway.

6.2 Aboriginal cultural heritage

Andrew Long and Associates undertook a desktop audit (25 January 2017) of known and predicted Aboriginal cultural heritage values of the site, which was exhibited with the amendment documentation.

Due to the proximity of Merri Creek, the activity area is partially within an area of Aboriginal cultural heritage sensitivity (ACHS) as defined in Regulation 23 of the *Aboriginal Heritage Regulations* (2007). This zone of ACHS encompasses the entirety of the site, as shown in Figure 3.

Figure 3: Zone of cultural heritage sensitivity



The report noted that the site has been subject to prior works constituting significant ground disturbance across the zone of ACHS. This is evidenced through the current structures on the property, and the methods of construction that may be associated with them. The report advised that because of previous disturbance a mandatory Cultural Heritage Management Plan, in accordance with section 46 of the *Aboriginal Heritage Act* 2006 should not be required.

Importantly, Andrew Long and Associates noted that

This opinion does not imply that Aboriginal cultural heritage places are not present within the activity area, or are not at risk of impact from the proposed activity. It is simply stated that that the Aboriginal Heritage Regulations 2007 do not require a mandatory CHMP in this instance.

The Committee acknowledges the report of Andrew Long and Associates.

Appendix A: List of submitters

No.	Submitter	No.	Submitter
1	Yarra Trams	24	Rosemary Ingram
2	Nicholas Legge	25	Lauren Zoric
3	Geoffrey Wescott	26	Jasmin Laurance
4	Thi Hong Nhung Nguyen	27	Salvatore Furfaro
5	Christina Hewish	28	Cultivating Community
6	Jessica Faye Laruffa	29	Victorian Public Tenants Association
7	Ismail Abdulrahman	30	Fiona Todd
8	Asha Omar	31	Matthew Hamilton
9	Eileen Artmann	32	Eliza Hutchison
10	Najat	33	Victoria Marles
11	Samiya Ame	34	Jonathan March
12	Wilo Yasin	35	All Saints Anglican Church, Northcote
13	Melbourne Unitarian Peace Memorial Church	36	Alexander Knox
14	Ratepayers Group Darebin	37	Pamela Miller
15	City Of Darebin	38	Jeremy John Tillyard Evans
16	Timothy Berry	39	Simon Gibson
17	John Francis McKenzie	40	Charles Bickford
18	Megan Burrows	41	Merri Creek Management Committee Inc
19	Irene Haas	42	Transport for Victoria
20	Anica Niepraschk	43	Fitzroy Legal Service Inc
21	Katrina Harris	44	Merri Creek Management Committee Inc
22	Carolyn Lunt	45	VicRoads
23	Jika Jika Community Centre	46	Nicholas Legge

Appendix B: List of appearances

DELWP, represented by Cassie Hannam (Senior Planner) and Darcy Daniher (Planner)

DHHS, represented by Rory O'Connor of Norton Rose Fulbright, with Jessica Cutting (Principal Project Manager), Emma Dean (Senior Project Manager), with evidence from:

- Mark Sheppard of David Lock Associates on urban design
- Sophie Jordan of Sophie Jordan Consulting on planning
- Jason Walsh of Traffix Group on traffic
- Robert Galbraith of Galbraith & Associates on arboriculture

City of Darebin Council, represented by Darren Wong, with Gilda Di Vincenzo (Principal Strategic Planner)

All Saints Anglican Church Northcote, represented by Alma Ryrie - Jones

Merri Creek Management Committee Inc, represented by Louisa Macmillan

Nicholas Legge

Katrina Harris

Jessica Laruffa

Fiona Todd

Eileen Artmann

Matthew Hamilton

Appendix C: Document list

No.	Date	Description	Presented by
1	09/08/17	Submission – Summary of current and proposed controls	Mr O'Connor, DHHS
2	06/09/17	Report – Notification Report, Northcote Estate	Mr Daniher, DELWP
3	25/09/17	Submission – Part A and Expert Witness Statements from Mr Sheppard on urban design, Ms Jordan on planning, Mr Galbraith on arboriculture and Mr Walsh on traffic	Mr McCardle, DHHS
4	26/09/17	Correspondence – Letter of withdrawal from hearing	Ms Pacheco, Transport for Victoria
CA1	2/10/17	Summary of notification, Group A sites	Ms Hannam, DELWP
CA2	"	Written submission, Fitzroy Legal Service	Mr Ryan, Fitzroy Legal Service
CA3	"	Part B submission – Tranche A	Ms Brezzi, DHHS
CA4	"	DHHS Public Housing Renewal Program Information Sheet	"
5	06/10/17	Revised Schedule 13 to the Development Plan Overlay	Ms Kenny, DHHS
6	09/10/17	DHHS Part B Submission	Mr O'Connor
7	"	Revised Concept Plan and Interface diagrams	"
8	"	Existing and proposed open space calculations	"
9	"	PowerPoint slides – Mark Sheppard	"
10	"	Photographs of Merri Creek Interface	Mr Wong, Darebin City Council
11	"	Trees to be retained and removed	Mr Galbraith
12	"	Trees on street	Mr Wong
13	10/10/17	Submission, All Saints Anglican Church	Ms Ryrie - Jones
14	"	Darebin Council Submission	Mr Wong
15	"	Tracked Change version of DPO13	"
16	"	VCAT decision P969/2017	"
17	"	DPO2 – Stonnington Planning Scheme	"
18	"	Submission and PowerPoint	Mr Legge
19	"	Phase 3 Consultation Summary	Ms Cutting, DHHS
20	"	Photos of open space podia	"
21	"	Submission and future management plan	Ms McMillian, Merri Creek Management Committee
22	"	Survey and Title Plans	Ms Cutting
23	12/10/17	Revised Notification Reports	Mr Daniher
24	"	Walker Street vicinity public land ownership	Ms McMillian
25	"	Further submission	Mr Feenane, VPTA
26	"	Email – re change to date of closing submissions	Ms Harwood, PPV
27	17/10/17	Revised DPO13	Ms Cutting
28	23/10/17	Plans – tree plan and tree protection zone	Mr O'Connor
29	"	Photos of trees on site	"

No.	Date	Description	Presented by
30	"	Further submission to revised DPO schedule	Mr Legge
31	"	Land parcel map, County of Bourke	Mr O'Connor
32	"	Land ownership cadastral map	"
33	"	Titles of crown parcels	"
34	"	Merri Creek interface sections	"

Appendix D: Revised Schedule 13 to Clause 43.04 Development Plan Overlay

SCHEDULE 13 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO13**.

SOCIAL HOUSING RENEWAL - WALKER STREET, NORTHCOTE

This Schedule applies to land in PC367392 on Walker Street, Northcote (referred to in this Schedule as 'the site'). Refer to the boundaries shown on the Concept Plan included in this Schedule.

1.0 Requirement before a permit is granted

-- A permit may be granted before a Development Plan has been approved for the following:

- The removal or demolition of any building that is carried out in accordance with a Construction Management Plan (CMP) prepared in accordance with this Schedule
- Earthworks and site preparation works that are carried out in accordance with a CMP and Arboricultural Assessment Report prepared and implemented in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites, in accordance with this Schedule
- The construction of minor buildings or works that are carried out in accordance with a CMP prepared in accordance with this Schedule
- Consolidation or subdivision of land
- Removal, variation or creation of easements or restrictions.

Before granting a permit the Responsible Authority must be satisfied that the permit will not prejudice the future use and integrated and orderly development of the site in accordance with the development plan requirements specified in this Schedule.

2.0 Conditions and requirements for permits

--/-- Prior to the commencement of any permitted demolition, buildings or works, a detailed CMP as relevant to that demolition or those buildings or works must be prepared to the satisfaction of the Responsible Authority. The plan must be prepared in accordance with the requirements of Clause 3.0 of this schedule for a CMP

3.0 Requirements for Development Plan

--/-- Prior to the preparation of a Development Plan, a **Resident/Community Engagement Strategy** must be prepared to the satisfaction of the Responsible Authority which establishes the mechanisms by which the residents and the community will be provided with information and opportunities for feedback during the preparation of the Development Plan. The Strategy must include a requirement that the Development Plan be made available for public inspection for 15 business days prior to its consideration by the Responsible Authority.

A Development Plan must include the following requirements.

General

The Development Plan must be prepared to the satisfaction of the Responsible Authority in consultation with Darebin City Council.

The Development Plan must demonstrate the following:

- high quality integrated social and private housing that is socially, economically and environmentally sustainable that delivers high levels of residential amenity and liveability

- an increase in the number of social housing dwellings that achieves dwelling diversity across the site with a range of one, two and three or more bedroom dwellings, balancing issues of equity in the delivery of social and private housing that is well integrated and is 'tenure blind'
- integration with the surrounding area by responding to existing or preferred neighbourhood character, enhancing the public realm and existing networks and delivering 'good neighbour' outcomes
- opportunities for legible access and address points for the site, buildings and spaces, including defining private, communal and public spaces that foster social connections between residents and the wider community and that prioritise pedestrian and bicycle access within and external to the site
- landscaping and communal open space (including communal parks, playgrounds and other pocket spaces) that is resilient, well connected and enhances the sense of place, sustainability and liveability of the site and local area that meets the needs of both the social and private housing residents
- delivery of adaptable buildings and spaces that are accessible and practical for people of all abilities and respond to the future needs of residents.

Land Use

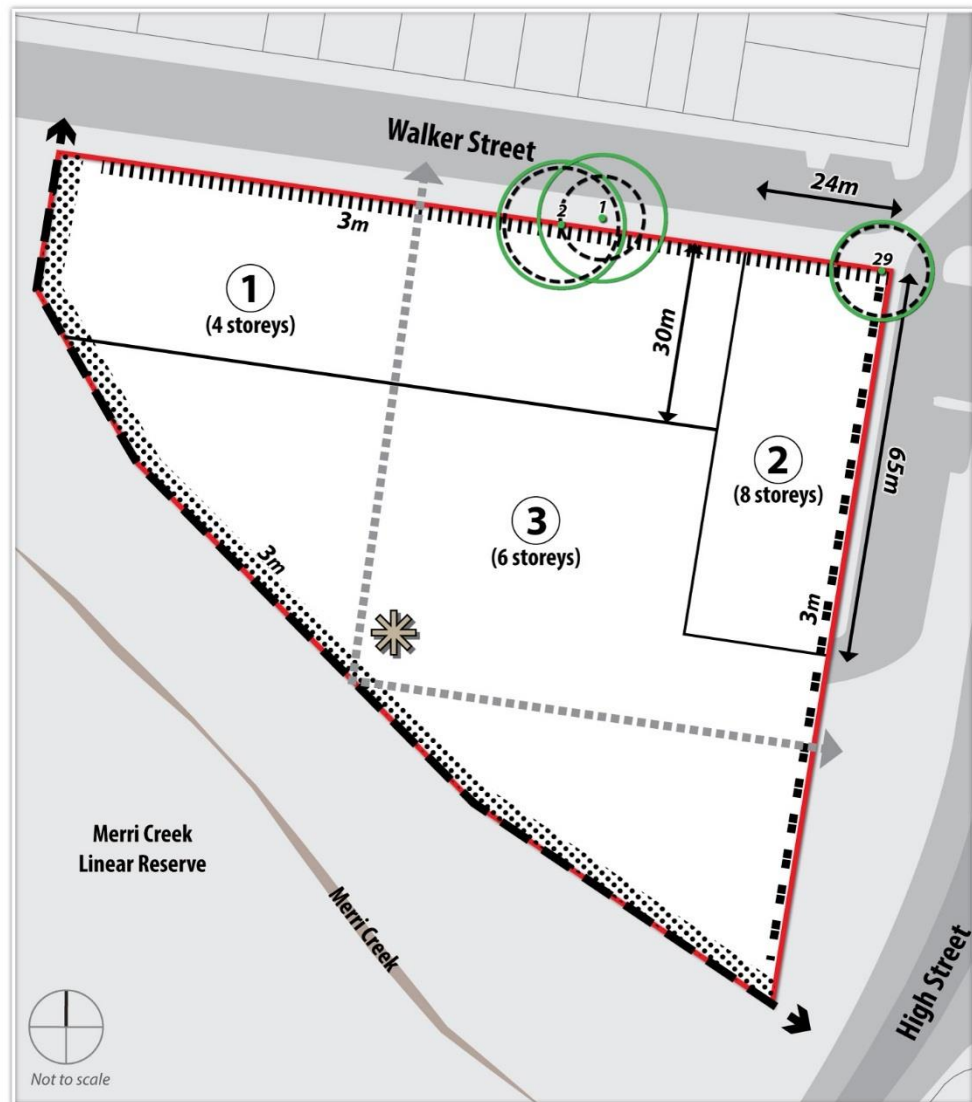
The Development Plan could show or make provision for:

- community facilities in appropriate locations at ground level where they will be accessible to all residents of the Estate and the surrounding community. The Development Plan must demonstrate that potential amenity impacts can be appropriately managed.

Built Form (Heights and Setbacks)

The Development Plan must be generally in accordance with the Concept Plan forming part of this schedule to the satisfaction of the Responsible Authority.

Concept Plan



LEGEND



Site



Internal connections



Pedestrian Path



Potential location of new open space area



Area (with associated building height)



Trees to be retained (refer Tree Assessment prepared by Galbraith Associates dated 31.01.2017)

INTERFACE TREATMENTS (with associated boundary setbacks)

3m Interface Treatment A

3m Interface Treatment B

3m Interface Treatment C

Precinct	Maximum Building Height	General	Interface treatment
1	4 storeys		A
2	8 storeys		A and B
3	6 storeys		B and C

Committee notes re Concept Plan

- ***The reference to 'Interface Treatments' in the legend needs to be amended to say 'Interface Treatments (with associated minimum ground level boundary setbacks)'.***
- ***Continue Interface A along the length of Walker Street and through to the 30m line on the west interface***
- ***Indicate the need to graduate building heights between 4 and 8 storeys at the Walker Street/Hugh Street intersection***

The Development Plan must show:

- In each Area, the maximum building height must not exceed the 'maximum building height' provided in the table to the Concept Plan
- Built form fronting High Street designed to enhance the gateway approach into Darebin City from the south across Merri Creek.
- Built form to the corner of Walker Street and High Street graduated to avoid an abrupt change in building height with the lower rise built form fronting Walker Street.
- Transition in scale down to lower built forms fronting Walker Street and Merri Creek.

(Note, the Committee has deleted the Interface Diagrams - these need to either be re-drawn or provided in a table format):

- Buildings that do not encroach within the following building setbacks:
 - Interface Treatment A (Walker Street) – 4.5 metre street setback up to 3 storeys and an additional 4.5 metre setback above 3 storeys. Increased setbacks should be adopted as necessary to allow high and medium value trees to be retained.
 - Interface Treatment B (High Street) – 4.5 metres to 3 storeys and an additional 4.5m setback after which built form is to transition to 8 storeys
 - Interface Treatment C (Merri Creek) – 5 metre setback up to 4 storeys and an additional 6 metre setback above 4 storeys, increased to allow for high and medium value trees to be retained.

Precise setbacks to be determined following resolution of the Merri Creek pathway.

Other Built Form Requirements

- Buildings that respond to, and complement the Merri Creek environs, having regard to the Merri Creek Development Guidelines 2004 and the Merri Creek and Environs Strategy 2009-2014.
- Buildings that respond appropriately to topographical conditions.
- Buildings adjacent to Merri Creek to minimise visual and landscape impacts, including use of materials and colours that reflect the natural setting of the creek environment.
- Buildings that cast no additional overshadowing to the Merri Creek waterway and pedestrian path on the south side of the creek, between 11am and 3pm on the 21 June (winter solstice).
- Buildings that allow for good levels of surveillance over the creek environment and avoids car parking structures facing the creek.
- Minimisation of light spill into the Merri Creek valley.
- Building envelopes that are adapted to:
 - Protect trees 1, 2, 25-28 and 29 as identified in the report prepared Galbraith & Associates dated 31 January 2017 in accordance with *Australian Standard AS 4970-2009 Protection of Trees on Development Sites* for root and canopy protection; and
 - Provide levels of direct sunlight to the public realm, communal open space and surrounding footpaths on 22 September (equinox) that are commensurate with the

proposed use of the spaces and ensure the amenity enjoyed by existing and future residents is not unreasonably compromised.

- Active frontages to High Street, Walker Street, Merri Creek, internal connections and communal open space areas, through the following:
 - Avoiding large expanses of blank wall, large service areas, garbage storage areas, car parking and co-located or continuous garage doors along ground floor frontages; and
 - Provision of individual entry doors to ground floor dwellings that have frontages to a road or internal connection.
- Where non-residential uses are proposed, provision of the following:
 - A minimum 4m floor to floor height;
 - An entrance and/or clear glazed window at the street frontages of each individual non-residential use; and
 - Weather protection at the street frontages of the non-residential uses.
- Visual bulk of buildings reduced through the placement of balconies and use of discontinuous forms, articulated facades and varied materials.
- The location of car parking spaces within basement levels or suitably concealed within buildings or behind features with active frontages.
- Cohesive architectural design throughout the site, with the use of high quality, durable and low maintenance materials.
- Appropriate mitigation measures to minimise the adverse impacts on existing sensitive uses in proximity of the site.
- Appropriate noise attenuation measures to minimise noise impacts on proposed dwellings from High Street, the South Morang Railway Line and any non-residential uses on the site.

Landscape and Open Space

The Development Plan must show

- A new centrally located public open space area, generally located as shown on the Concept Plan. This area may form part of the communal open space required under Clause 55.07-2 or Clause 58.03-2.
- Retention of trees 1, 2, 25-28 and 29 as identified in the report prepared by Galbraith & Associates dated 31 January 2017 in accordance with *Australian Standard AS 4970-2009 Protection of Trees on Development Sites* for root and canopy protection.
- Replacement of any high or medium value tree identified in the required Arboricultural Assessment Report and the Galbraith & Associates report dated 31 January 2017 on a two for one ratio.
- Additional street trees along the High Street and Walker Street frontages, subject to agreement from Darebin City Council.
- Recognition, enhancement and protection of the integrity of the Merri Creek landscape, environment and recreation functions which is generally consistent with the *Merri Creek Development Guidelines 2004* and the *Merri Creek and Environs Strategy 2009-2014*, including:
 - Appropriate landscaping buffer and treatments along Merri Creek to be provided with a shared pathway which may be located wholly or in part on public land subject to agreement from Darebin City Council; and
 - Vegetation protection and enhancement, and proposed landscaping.
- New trees along the central open space connection

- Reuse of the existing public art located on the site within the open space area and/or internal connections.

Circulation

The Development Plan must show:

- A legible circulation system within the site.
- Accessible car parking for residents, workers (if applicable) and visitors.
- Accessible bicycle parking for residents and visitors, and bicycle servicing facilities.
- A shared path (pedestrian and cycle) adjacent to the Merri Creek frontage of the site that connects with High and Walker Streets and midway with the connection to Walker Street generally located as shown on the Development Plan. This path may be located wholly or in part on the subject land subject to agreement from Darebin City Council.

Required documents, plans and reports

The following documents, plans and reports must form part of any Development Plan (as applicable if the Development Plan is approved in stages), and must be prepared to the satisfaction of the Responsible Authority:

1. A **Planning Report Planning Report** that demonstrates how the recommendations of the others plans required by this Schedule have been incorporated into the proposed development of the land.
2. A **Site Context Analysis** prepared in accordance with Clause 55.01 or Clause 58.01 of the Planning Scheme that includes, but is not limited to:
 - The urban context and existing conditions showing topography, the surrounding and on site land uses, buildings, noise sources, access points, adjoining roads, cycle and pedestrian network and public transport;
 - Views to be protected and enhanced, including views of and from the site; and
 - Key land use and development opportunities and constraints.
3. **Preliminary Architectural Plans** that show the distribution and design of built form on the site to be generally in accordance with the Concept Plan included in this Schedule and must comply with the heights and setbacks in this Schedule, including, but not limited to:
 - A design response to the Site Context Analysis in accordance with Clause 55.01 or Clause 58.01 of the Planning Scheme;
 - Demonstration of compliance with the requirements of Clauses 55 and 58 as relevant;
 - Demolition works;
 - Building envelopes including maximum building heights, building setbacks, and building depths;
 - The proposed built form edge and interface treatments to High Street, Walker Street and Merri Creek;
 - Conceptual elevations and cross-sections, indicating level changes across the site;
 - Shadow diagrams of both existing conditions and proposed shadows to be prepared at the September equinox at 9am, 12 noon and 3pm;
 - Shadow diagrams of both existing conditions and proposed shadows to be prepared at the June solstice at 9am, 12 noon and 3pm;
 - Images which show how the proposed built form will be viewed from the High Street corridor, Merri Creek and the adjoining residential area to the north;

- The mix of dwelling types and sizes for each precinct including a mix of social and private housing;
 - The mix of land uses, including non-residential uses such as retail, commercial and community facilities and the location of these uses to each building or precinct;
 - Any retail and commercial uses limited to the High Street frontage;
 - Vehicle access, circulation and parking locations;
 - Waste collection zones to each building and primary points of access of waste vehicles;
 - Pedestrian and bicycle connections through the site, which are prioritised over vehicle connections;
 - The primary vehicle access point for the land being from High Street Close;
 - Open space area/s surrounding buildings and the proposed use and access of all spaces;
 - The relationship between proposed buildings and works and surrounding land uses and development, including:
 - Existing residential properties on the opposite side of Walker Street;
 - Merri Creek;
 - High Street corridor.
4. An **Integrated Transport and Traffic Management Plan** that addresses, but is not limited to:
- The range and scale of uses anticipated on the site;
 - The estimated population of residents, visitors and workers (if applicable);
 - Estimated vehicle trip generation levels resulting from use and development within the site;
 - Vehicle ingress and egress points and estimated levels of usage;
 - The likely impacts of the proposed development on the arterial and local roads and any mitigating works required such as off-site traffic management treatments;
 - The location of on-site car parking for residents, visitors and workers (if applicable). The location of car parking spaces should be situated at basement level or suitably concealed within buildings;
 - Provision for loading and unloading of vehicles and means of access to them, including waste, delivery and furniture removalist vehicles;
 - Provision of a safe and accessible pedestrian and bicycle network within the site and connecting to the external network;
 - Green Travel Plan initiatives that can be adopted to reduce private car usage by residents, visitors and workers (if applicable), including a new resident awareness and education program and opportunities for the provision of a car share program;
 - Provision for secure bicycle storage for residents and workers (if applicable), end of bicycle trip facilities for workers (if applicable) and short term bicycle parking for visitors;
 - Identify any improvements or alterations to existing infrastructure, as a result of the development;
 - The views of Transport for Victoria (VicRoads and Public Transport Victoria) and Darebin City Council.
5. An **Arboricultural Assessment Report** that addresses, but is not limited to:
- Assessment of trees on or adjacent to the site, including retention value;
 - Recommendations for the protection of trees to be retained to conform to *Australian Standard AS 4970-2009 Protection of Trees on Development Sites* to ensure long-term

health, including designation of tree protection zones (for roots and canopy) and structural root zones;

- Recommendations for trees to replace the removal of any trees of moderate or high retention value required to be removed where replacement trees provide equivalent amenity value to the residents and the public realm.

6. A **Tree Management Plan** that addresses, but is not limited to:

- Identifying trees to be retained;
- Detailing the methodology for protecting trees identified for retention, including the provision of high visibility tree protection fences at least 1.8 metres tall before construction commences, and measures to protect the trees, including their canopies, during construction.

7. A **Landscape and Open Space Plan** that addresses, but is not limited to:

- Existing vegetation to be retained as assessed in an Arboricultural Assessment Report prepared in accordance with this Schedule;
- New canopy trees and landscaping within the public realm and communal areas / open space areas;
- Landscaping areas within private open spaces;
- Street trees along High Street, Walker Street and internal connections;
- A planting theme that:
 - Complements existing trees to be retained on the site and the surrounding neighbourhood character and the High Street corridor;
 - Protects and enhances the Merri Creek landscape;
 - Demonstrates water sensitive urban design outcomes.
- Delineation of communal and private open spaces and the treatment of these interfaces;
- Hard and soft landscaping treatments of the public realm and communal open spaces;
- Interface treatments between High Street, Walker Street and Merri Creek, including boundary fences;
- Integration of sustainability and water sensitive urban design measures;
- Opportunities for communal gardens;
- Maintenance responsibilities.

8. A **Dwelling Diversity** report that must:

- Demonstrate how the development will achieve an appropriate level of dwelling diversity for both the social and the private components across the site
- Include the number and extent of one, two and three bedroom plus dwellings for social and private housing
- Provide for additional initiatives that actively encourage affordable housing and co-housing opportunities.

9. An **Ecologically Sustainable Development Plan** that demonstrates how development on the site will achieve best practice standards and incorporate innovative initiatives for the site. The Plan is to address the areas of energy efficiency, water resources, indoor environment quality, stormwater management, transport, waste management, innovation and urban ecology. All buildings must be designed to achieve a minimum 5 star rating against the Green Building Council of Australia's Green Star rating system for design (or achieve and equivalent standard using an equivalent rating tool).

10. A **Services and Infrastructure Plan** that addresses, but is not limited to:
 - An assessment of the existing engineering infrastructure servicing the site and its capacity to service the proposed development;
 - A description of the proposed provision of all appropriate utility services to development parcels;
 - A stormwater drainage master plan, including measures to ensure appropriate protection of Merri Creek and the location of any on-site drainage retention facilities.
11. An **Environmental Site Assessment** that addresses, but is not limited to:
 - Site history and current site uses, including a photographic record of the buildings to be demolished
 - The extent of any filling that has occurred on the site, including area, depth and fill material;
 - The presence and depth, of groundwater at the site;
 - The contamination status of soil on the site;
 - If intrusive works are likely to occur during redevelopment works, an acid sulphate soil assessment
 - Advice on the need for a Site Remediation Strategy.
 - An assessment of risks for the proposed redevelopment of the site and recommendation for any required remediation.
 - An assessment of risks for the proposed redevelopment of the site and recommendation for any required remediation.
12. Where the development will be undertaken in stages, a **Staging Plan** that addresses, but is not limited to
 - The delivery of infrastructure and shared facilities within each stage to ensure the orderly development of the site;
 - Site management, such as resident amenity, vehicle access and parking, pedestrian access and protection of existing buildings, infrastructure and vegetation; and
 - Timeframes for the commencement and completion of each stage and any management of overlap between stages.
13. An **Acoustic Report** that addresses, but is not limited to:
 - Whether the proposed use and development of the Estate is likely to be affected by noise from nearby uses or abutting roads;
 - The likely effect of non-residential uses on the site on the amenity of nearby residential uses;
 - Methods to address the issues identified.
14. A **Waste Management Plan** that addresses a cohesive approach to waste and recycling collections for the entire development. The Waste Management Plan must:
 - Identify the location of bin storage areas that are sufficient to cater for waste that will be produced
 - Specify the type of bins to be used
 - Show where bins will be stored
 - Provide details of screening and ventilation of bin storage areas
 - Identify collection points

- Identify responsibility for taking bins out for collection and returning them to the bin storage area
- Specify how recycling materials will be managed and collected
- Specify bin collection times
- Show access routes for waste collection vehicles that do not rely on reversing movements.

The Waste Management Plan should explore:

- A waste management system that diverts organic waste from landfill
- Centralised and easily accessible areas located within the development where waste compactors could be stationed for all residents of the development to utilise.

15. A **Social Infrastructure Assessment** to inform potential community facilities, programs and services that may be delivered on site.

Decision guidelines

Before deciding on a request to approve or amend a Development Plan, the Responsible Authority must consider as appropriate:

- Relevant written comments received in response to the display of the Development Plan in accordance with Clause 3.0 of this Schedule.
- The views of:
 - Darebin City Council
 - Office of the Victorian Government Architect
 - Transport for Victoria (including Public Transport Victoria and VicRoads)
 - Other relevant agencies as required.