

## 7.10 AMENDMENT C201MORE - REZONING OF INDUSTRIAL LAND IN THE SHEPPARD AND NORRIS STREET, COBURG NORTH PRECINCT - DECISION GATEWAY 1 - AUTHORISATION

Director City Futures Kirsten Coster

City Strategy and Design

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### Officer Recommendation

That Council:

1. Using its powers as a planning authority under sections 8A and 8B of the *Planning and Environment Act 1987*, seeks authorisation from the Minister for Planning to prepare Moreland Planning Scheme Amendment C201more as shown in Attachments 1, 2 and 3 to this report.
2. Following receipt of the Minister's authorisation, exhibits Amendment C201more in accordance with Section 19 of the *Planning and Environment Act 1987* and as outlined in the Consultation section of this report.
3. Authorises the Director City Futures to make changes to the Amendment C201more based on conditions imposed in any authorisation granted by the Minister for Planning and to make any grammatical changes and correct any errors in the relevant documents.

<b>REPORT</b>
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### Executive Summary

The Moreland Industrial Land Strategy 2015-2030 (MILS) guides planning decisions for Moreland's Industrial land. The MILS identifies a number of small industrial sites/precincts that are poorly located for industrial or alternative commercial premises into the future. The MILS recommends that these sites/precincts can transition from industrial to residential use through land rezoning. This land rezoning will contribute to Moreland's housing supply and the establishment of quality residential environments.

Council has received a request to amend the Moreland Planning Scheme to rezone land at 3-5, 4, 6, 7, 8, 10 and 16-20 Sheppard Street, 2-4 and 6 Norris Street and part of 39A Shorts Road, all in Coburg North ('the Land'). The Land is classified in the MILS as 'Category 3: Transition to residential'. Land to the north of the precinct is in the General Residential Zone, to the south and east (on the opposite side of the Upfield Railway line) is industrial, whilst Hosken Reserve is located to the west. The Land includes a small part of the Reserve car park and its access from Sheppard Street.

Consistent with the MILS, the request is to facilitate a transition to quality residential environments that contribute to Moreland's housing supply. A combination of zoning is proposed with most of the land in the General Residential Zone and the larger landholding in a Mixed Use Zone. An Incorporated Plan Overlay is proposed to:

- restrict the height of any future buildings in the precinct;
- outline a preferred neighbourhood character;
- protect the amenity of Hosken Reserve;
- provide for affordable housing and improve access through the precinct for pedestrians, cyclists and service vehicles; and
- guide the types of secondary uses which are permitted in the Mixed Use Zone.

The land to be rezoned has been known to be used for industry, rubber manufacturing and the storage of chemicals. As this land is proposed to be rezoned to allow residential uses, the risk from potential contamination is proposed to be managed by applying an Environmental Audit Overlay to the land.

## **Previous Council Decisions**

### **Amendment C158 - Moreland Industrial Land Strategy 2015 - 2030 (Mils) - Consideration of Panel Report and Adoption – 13 July 2016**

*Council resolve:*

- 1. Note the findings and recommendations of the Panel appointed to consider Amendment C158 documented in the Panel Report dated 4 May, 2016 and included at Attachment 1.*
- 2. Adopt the revised Moreland Industrial Land Strategy 2015 - 2030 included at Attachment 4.*
- 3. Adopt Amendment C158 to the Moreland Planning Scheme, pursuant to section 29(1) of the Planning and Environment Act 1987, with the recommended changes shown in the revised amendment documentation included at Attachment 5.*
- 4. Delegate to the Director Planning and Economic Development the authority to finalise changes to the Moreland Industrial Land Strategy 2015 - 2030 and Amendment C158 in accordance with Council's resolution and also to undertake any changes as required to correct errors, grammatical changes and map changes.*
- 5. Submit Amendment C158 with changes to the Minister for Planning for approval, pursuant to section 31(1) of the Planning and Environment Act 1987.*
- 6. Notify all submitters of Council's resolutions above and of the Minister's decision on Amendment C158 once confirmed.*

## **1. Policy Context**

### **Council Action Plan**

The Council Plan 2017-2021 has strategic initiatives to enhance liveability, affordability, and sustainability by guiding growth, and excellence in urban design and development. The Council Plan 2017-2021 also acknowledges the challenge of growing the city's capacity to provide suitable housing and facilities for residents, while retaining and enhancing our streetscapes and public spaces.

Item 24 of the Council Action Plan seeks to facilitate these initiatives by implementing the Moreland Industrial Land Strategy 2015-2030 (MILS) through proponent led amendments.

### **Planning Policy Framework**

The Moreland Planning Scheme outlines that Council looks to manage growth by directing most of Moreland's growth to areas with access to shops, services, and public transport. The Planning Scheme also includes policy to guide rezoning of industrial land in areas identified as Transition Residential Areas. In planning for Moreland's expected population growth and diversity, the Scheme outlines Council's commitment to encouraging a diversity of housing and to facilitate the provision of affordable housing.

## **Moreland Industrial Land Strategy 2015-2030, Economic Development Strategy 2016-2021 and A Job in Moreland**

The Economic Development Strategy identifies the need for more local jobs, and that Moreland experiences demand to develop space that has traditionally been used for employment for residential purposes. Council's role in keeping a balance between land uses and ensuring that there is new land for housing whilst retaining sufficient space for employment floorspace is addressed through the Moreland Industrial Land Strategy (MILS), and more recently in the A Job in Moreland (AJiM) report.

The MILS guides planning decisions about the future of Moreland's industrial land. The MILS categorises all industrial land, by site or precinct, into one of three strategic categories as follows:

- Category 1: Core Industrial and Employment Areas - maintain land for industry and other employment uses;
- Category 2: Support a transition to a broader range of employment uses and seek to prioritise employment uses over residential uses; or
- Category 3: Support change in some areas to facilitate quality residential development that contributes to housing supply

The MILS provides a clear framework for land rezoning and identifies when rezoning should occur. The proposed Moreland Planning Scheme Amendment C201 (the Amendment) is consistent with the strategic intent of MILS and the framework plan that identifies the site within Category 3: Transitional-Residential Areas.

The A Job in Moreland report details the employment floorspace that Moreland needs now and into the future to provide space for jobs in the municipality. The report found that there is sufficient space within the City's activity centres and Category 1 and 2 precincts for this floorspace. Implementation of the MILS for Category 3 precincts remains appropriate.

## **2. Background**

### **Site and Surrounds**

The subject precinct comprises fifteen land parcels that are used and developed for industrial purposes, as well as three smaller land parcels which fall within the Hosken Reserve car park and access. In combination they have an area of approximately 1.74 ha. The area to be rezoned is shown in red outline in the image below.

Land owned by Council that is currently being used to access the Hosken Reserve car park has also been included in the amendment. This is to ensure that the access and circulation in the area is considered in a holistic way.



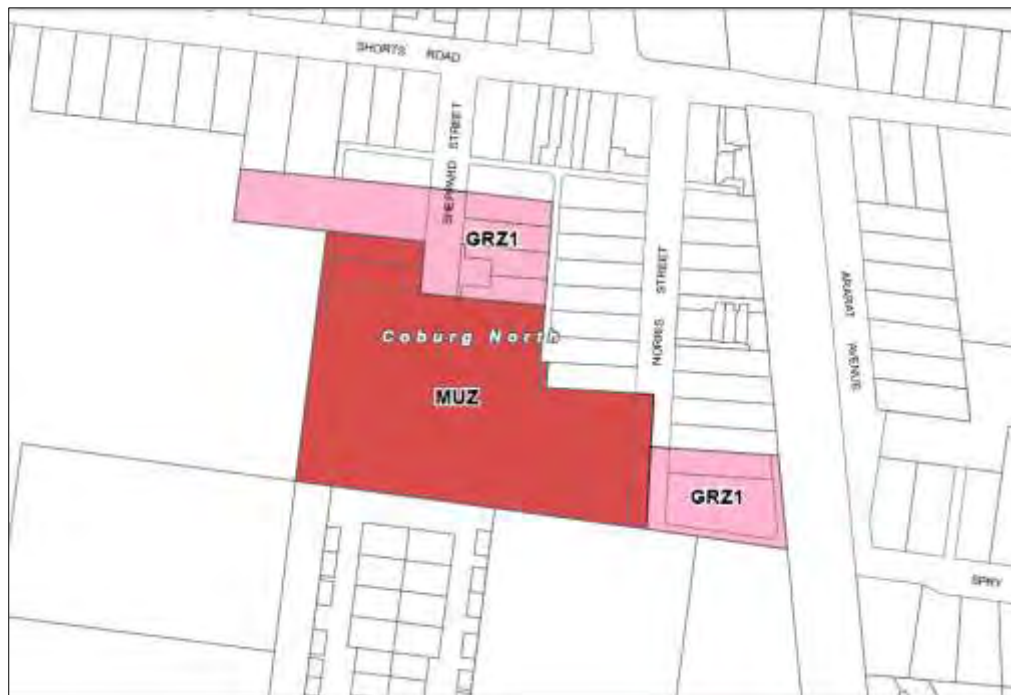
The majority of properties are not in active use for industrial purposes, with previous manufacturing activity relocating elsewhere.

Site address	Title Reference	Current land use
2 Norris Street Coburg	Vol. 7074 Fol. 666	Vacant
4 Norris Street Coburg	Vol. 7074 Fol. 640	Vacant
6 Norris Street Coburg	Vol. 6628 Fol. 521	Vacant
3-5 Sheppard Street Coburg	Vol. 9575 Fol. 475	Mainly storage and limited use
7 Sheppard Street Coburg	Vol. 7154 Fol. 606	Mainly storage and limited use
Part 39A Shorts Road Coburg	Vol. 7434 Fol. 725	Access to Hosken Reserve and rear of 7 and 16-20 Sheppard Street.
Part 39A Shorts Road Coburg	Part Vol. 9260 Fol. 272 (Approximate dimensions of 0.3m x 39m)	Within Hosken Reserve car park.
Part 39A Shorts Road Coburg	Part Vol. 11976 Fol. 167 Portion of ROW	Within Hosken Reserve car park.
1/4 Sheppard Street Coburg	Vol. 11890 Fol. 036	Unknown
2/4 Sheppard Street Coburg	Vol. 11890 Fol. 037	Office
3/4 Sheppard Street Coburg	Vol. 11890 Fol. 038	Unknown
4/4 Sheppard Street Coburg	Vol. 11890 Fol. 039	Warehouse and office
5/4 Sheppard Street Coburg	Vol. 11890 Fol. 040	Unknown
6 Sheppard Street Coburg	Vol. 9872 Fol. 144	Storage
8 Sheppard Street Coburg	Vol. 10067 Fol. 989	Storage
10 Sheppard Street Coburg	Vol. 10067 Fol. 990	Vacant
16-20 Sheppard Street Coburg (main allotment)	Vol. 9427 Fol. 603	Foundry
16-20 Sheppard Street Coburg (small parcel)	Vol. 9665 Fol. 521	Foundry

Recent planning approvals on the land include Planning Permit MPS/2008/737, which allowed three storey Arts and Crafts Studios at 4 Sheppard Street. Planning Permit MPS/2019/467 allowed three storey Warehouses at 2-6 Norris Street. Whilst the former has been built the latter has not, although all structures on the land have recently been demolished.

### **Proposed Zone and Overlay Provisions**

It is proposed to rezone the land to the Mixed-Use Zone and General Residential Zone as shown in the map below and Attachment 1. It is also proposed to apply the Incorporated Plan Overlay and Environmental Audit Overlay to the land as shown in Attachment 1.



Locating the majority of the land in the General Residential Zone and applying the Incorporated Plan Overlay, ensures that it will be developed to a height that is complementary to the surrounding area. The Mixed-Use Zone has been proposed for properties in the south western corner of the Land to allow higher development as part of a mixed-use development in this location. This will allow small offices and studios at the base of a four to five storey building at the interface with Hosken Reserve and industrial properties to the south. Any overshadowing from development in this Zone adjacent Hosken Reserve will be limited to the car park and to industrial land to the south.

Along with the change to zoning, planning requirements have been prepared to guide future development of the land (via an Incorporated Plan Overlay). Attachments 2 and 3 include specific requirements and guidance for the land, dividing it into five precincts. These include requirements to:

- Provide affordable housing as part of development of each lot. Provision is made for a payment in lieu depending on the size of the sites;
- Allowance for service and emergency vehicles to turn around as part of development of the largest lot (16-20 Sheppard Street). This will address both needs associated with that development and the existing lack of turning space in the street.
- Limit the height of development in the Mixed-Use Zone adjacent to 11 Norris Street to no more than three storeys; four storeys on 7 Sheppard Street; and no more than five storeys elsewhere on 16-20 Sheppard Street. A maximum height of three storeys applies in the General Residential Zone;

- Provide a public pedestrian and cyclist route from Hosken Reserve to Norris Street through 16-20 Sheppard Street.
- Provide tree planting in accordance with Council's recently approved tree canopy and landscaping requirements on all lots, with additional planting to the Hosken Reserve interface.

The Environmental Audit Overlay will ensure that any risk to human health is managed before residential uses commence. Consequential changes are also proposed to the Moreland Planning Scheme as shown below and at Attachment 2:

- The Housing Framework Plan in Clause 02.04 modified to show the area as 'significant change' – an area that allows housing that is more intense because of its location next to Hosken Reserve
- The schedule to Clause 72.04 (Incorporated Documents) amended to include reference to the incorporated plan titled 'Sheppard and Norris Street Coburg North Incorporated Plan, 2021'.

### **3. Issues**

#### **Potentially contaminated land**

Potentially contaminated land is defined in Ministerial Direction No. 1 – Potentially Contaminated Land, as land used or known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel (if not ancillary to another use of land). This also includes land that may have been contaminated by other means such as by ancillary activities, including contamination from surrounding land, fill using contaminated soil or agricultural uses.

A desktop assessment of existing and historical uses within the Precinct 16 indicates that the site has medium potential for contamination as defined in the Ministerial Direction and Planning Practice Note 30 – Potentially Contaminated Land.

The proposed zones will allow for residential use and other sensitive uses. To ensure that the environmental conditions of the land are appropriate for any sensitive use to operate on the site, an Environmental Audit Overlay (EAO) is proposed to be applied. The EAO will require an environmental audit to be conducted where a sensitive use or the construction of a building associated with a sensitive use is proposed on the land.

#### **Movement through the precinct**

Sheppard and Norris Street are both no-through roads without court bowls for easy turning. Vehicles are able to turn at the access point to Hosken Reserve on Council land. This road arrangement currently results in industrial vehicles, including heavy trucks, utilising the surrounding residential road network for access to the Land. The lack of court bowl also means that larger vehicles, including Council's waste collection trucks have in the past used the driveway at 2 Norris Street to turn. There is also limited connection to Hosken Reserve from Norris Street.

The difficulty with truck access to the land is a key reason the MILS recommends its transfer to residential use. The Amendment ensures that the development of 16-20 Sheppard Street will include provision for either the turning of service and emergency vehicles within each street or a connection between the two. It also requires a public thoroughfare through the site for alternative modes of transport. The Incorporated Plan also encourages the provision of a connection through to the railway line if a crossing is created to the Upfield Bike Path in the future.

Future planning applications for the land will also require traffic assessments. These assessments are dependent on the future design and layout of proposed development.

## **Relationship with Hosken Reserve**

The proposed amendment proposes an improved relationship between the Sheppard Street properties and Hosken Reserve by requiring a landscaped interface between the two. This includes passive surveillance of the parkland from all levels of buildings and providing pedestrian and cyclist connectivity. The Incorporated Plan will not impact on Council's ability to implement the draft Hosken Reserve Masterplan. The orientation of the land and the building heights proposed ensure that any shadow cast from development will be primarily to car parking and access areas.

## **Neighbourhood character**

The land currently has a distinctly different character to the surrounding residential area. Its redevelopment creates potential for a new neighbourhood character that will create a pleasant environment for both existing and future residents in the area. It also provides an opportunity for connections through to Hosken Reserve. The Incorporated Plan requires a landscaped interface to Hosken Reserve, and that a transition in both height and frontage setbacks is provided between the existing residential area to the north and more intensive development in the south western corner.

## **Affordable housing**

The proponent has expressed a willingness to include requirements for affordable housing within the new planning scheme controls. A contribution toward affordable housing for households that have very low and low household incomes is included in the requirements. For development up to and including four storeys in height, 5 per cent of the total number of dwellings must be for affordable housing. For development of five storeys in height 15 per cent of the total dwellings must be for affordable housing.

## **Existing industrial premises in the precinct**

The General Residential Zone prohibits industrial uses, including industry and warehouse, while they require a permit in the Mixed-Use Zone. The existing businesses within the precinct may continue lawful operations supported by the provisions of Clause 63 of the Moreland Planning Scheme (Existing Use Rights). The Amendment seeks some protection for both these businesses, those to the south, and the amenity of future residents by requiring permit applicants to identify and address any impacts as part of their development.

Previous work undertaken to support the Moreland Industrial Land Strategy (MILS) provides the strategic justification for this proposed transition from industrial to residential land.

## ***Impact on existing planning permit***

Planning Permit MPS/2019/467 was issued on 29 September 2020 and permits the use of the land at 2-4 and 6 Norris Street for warehouses, the construction of 14 triple storey buildings on the land and a reduction in the standard car parking requirements. This permit would be able to be acted upon if the use and development were commenced prior to the gazettal of the proposed amendment. If this occurs, the Warehouse use would enjoy existing use rights along with the currently existing industrial land uses in the precinct.

## **Community impact**

The proposal has the potential to impact positively on the community with respect to a reduction in adverse amenity and traffic impacts from residual industry on the land; the availability of affordable housing; access for alternative transport and service vehicles; and an improved interface with Hosken Reserve.

### ***Third party notice and appeal rights***

The nature of the Incorporated Plan Overlay is that any planning application which is consistent with the Incorporated Plan is exempt from third party notice and appeal rights. The Incorporated Plan contained in Attachment 3 has been drafted with regard to this feature of the Overlay and includes requirements for:

- Generous side and rear boundary setbacks to surrounding land;
- Compliance with ResCode Standards for overlooking and daylight to neighbouring open space;
- Street setbacks;
- Road infrastructure; and
- Neighbourhood Character and Landscaping.

The Incorporated Plan and proposed use of the General Residential Zone for most of the lots also means that new construction adjacent to existing dwellings can be no taller than three storeys.

Applications which do not meet all of the Incorporated Plan's requirements will not be exempt from public notice and appeal rights. Including this detail in the Incorporated Plan as part of the amendment will allow neighbours to consider and provide feedback during the amendment process.

### **Climate emergency and environmental sustainability implications**

Redevelopment of the precinct, including proposed requirements for tree planting on the lots, will increase permeable space on the land and reduce the urban heat island effect in this location. New dwellings on the land will be required to meet Council's Environmentally Sustainable Design Policy as part of any future planning application.

### **Economic sustainability implications**

Council recognises the need to maintain and expand employment floorspace and the 'A Job in Moreland' report details the employment floorspace that Moreland needs now and into the future to provide space for jobs in the municipality. The report found that there is sufficient space within the City's activity centres and Category 1 and 2 precincts for this floorspace. Implementation of the MILS for Category 3 precincts remains appropriate.

### **Legal and risk considerations**

The Hosken Reserve Car Park has occupied two allotments and part of the land at 16-20 Sheppard Street for several decades. Action has not been taken to date to regularise the ownership of this land. The Incorporated Plan seeks to commence a dialogue with the owner of 16-20 Sheppard Street in relation to the occupied portion of their land.

Council is unable to include land that it does not own within the Public Park and Recreation Zone, and as a result this amendment proposes to include these parcels within the Mixed-Use Zone. Once ownership has been established, the land could be rezoned to reflect its ongoing use in association with the Reserve.

### **Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. The assessment identifies that the proposed rezoning does not unreasonably limit or interfere with any Human Rights, including property rights. The amendment, if authorised, will go through a statutory process that includes public exhibition and consideration of submissions.



## **Gender Impact Consideration**

The implications of this report have been assessed in accordance with the requirements of the *Gender Equality Act 2020*. The Act requires Council to undertake a gender impact assessment when developing or reviewing any policy, program or service which has a direct and significant impact on the public.

This gender impact assessment concludes that the proposal will have a positive gender equity impact in Moreland by providing additional affordable housing; improving passive surveillance of Hosken Reserve and providing improved safety for a range of transport options.

## **4. Community consultation and engagement**

Council officers have engaged extensively with the proponent in preparation of the amendment. A face to face meeting was held with interested landowners which also resulted in ongoing dialogue with the purchaser of one allotment. The Department of Environment, Land, Water and Planning has also been consulted on the proposed Amendment.

Public consultation will be conducted as part of the formal statutory exhibition process for the Amendment. It is anticipated that exhibition will occur toward the end of 2021 for a period of four weeks after notice of the Amendment is published in the Government Gazette. Letters of notice will be sent to prescribed Ministers, relevant public authorities, owners and occupiers of land affected by the amendment, including properties directly adjoining the subject site, sports clubs based at Hosken Reserve and members of the Hosken Reserve Masterplan Refresh Group. In addition, notice will include:

- Notice of the preparation of the Amendment in the Government Gazette and *The Age* and *Herald Sun* newspapers;
- Communication through Council's website and social media platforms;
- Making copies of Amendment documentation, including background material, available:
  - On Council's website;
  - At Hosken Reserve with a notice board containing fact sheets and a QR code to the website;
  - At Moreland Service Centres and the Coburg, Glenroy and Fawkner Libraries for the public to access (unless COVID-19 restrictions mandate the closure of these facilities during the exhibition period);
  - In hard copy by post to residents upon request.

Strategic Planning officers will be available during the public exhibition process to provide advice.

All submissions will be considered as part of the consideration of the amendment by Council and any independent Panel appointed to consider submissions to the amendment.

## **5. Officer Declaration of Conflict of Interest**

Council officers involved in the preparation of this report have no conflict of interest in this matter.

## **6. Financial and Resources Implications**

The landowner will meet statutory fees and costs associated with the amendment. This includes all costs to exhibit and administer the amendment and costs resulting in the matter being considered by a Planning Panel appointed by the Minister.

Administrative costs associated with facilitating the amendment and Council officer resourcing will be met by the Strategic Planning Unit operating budget.

## 7. Implementation






The Planning Scheme Amendment process includes the following stages:

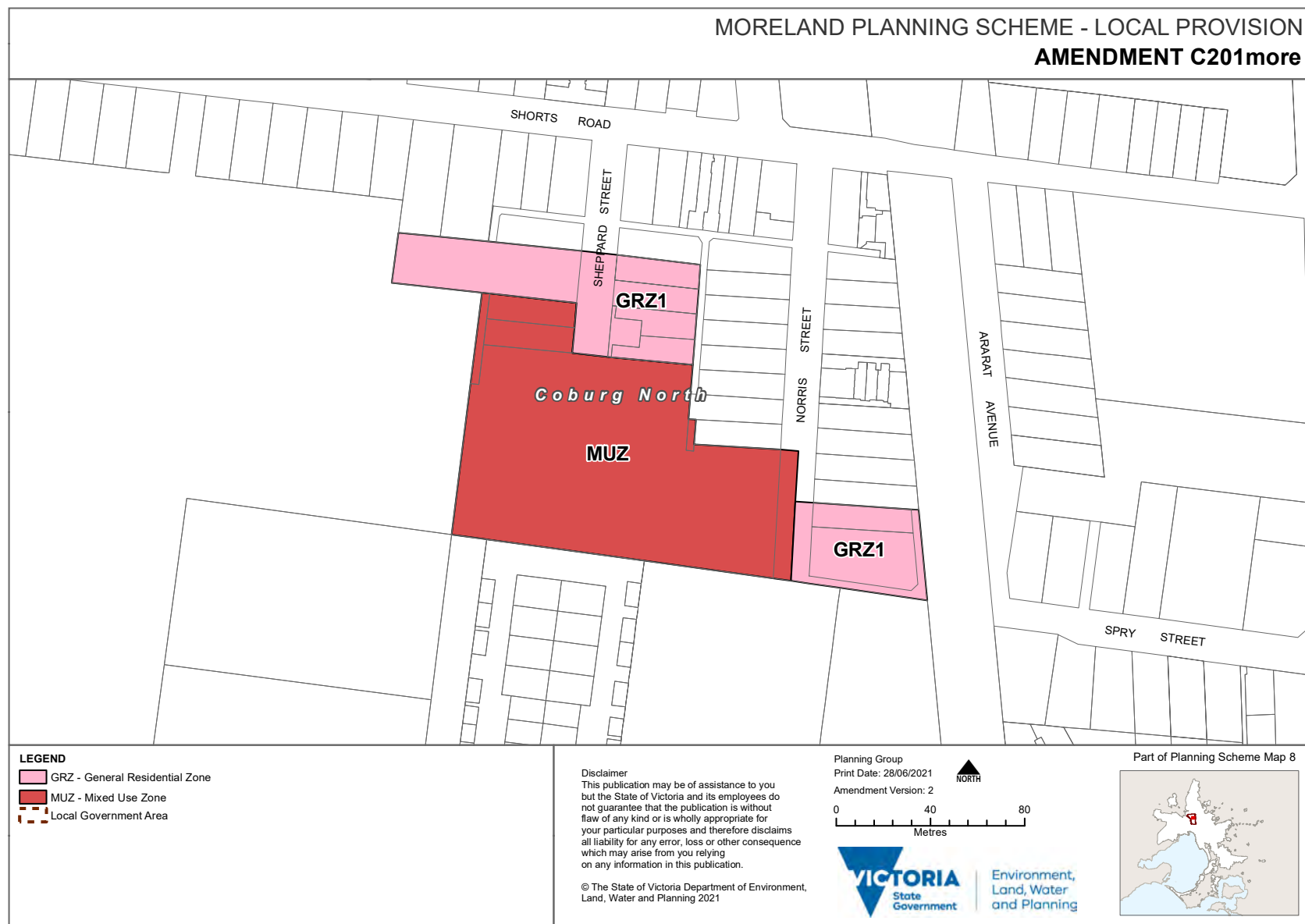
- Seek authorisation to prepare Amendment C201 more from the Minister for Planning.
- Following authorisation, exhibit the amendment in accordance with section 19 of the *Planning and Environment Act 1987*.

The following timeline is broken down into key 'decision gateways' for Council. The timeline is approximate and subject to Ministerial approval timelines and Planning Panels Victoria reporting.

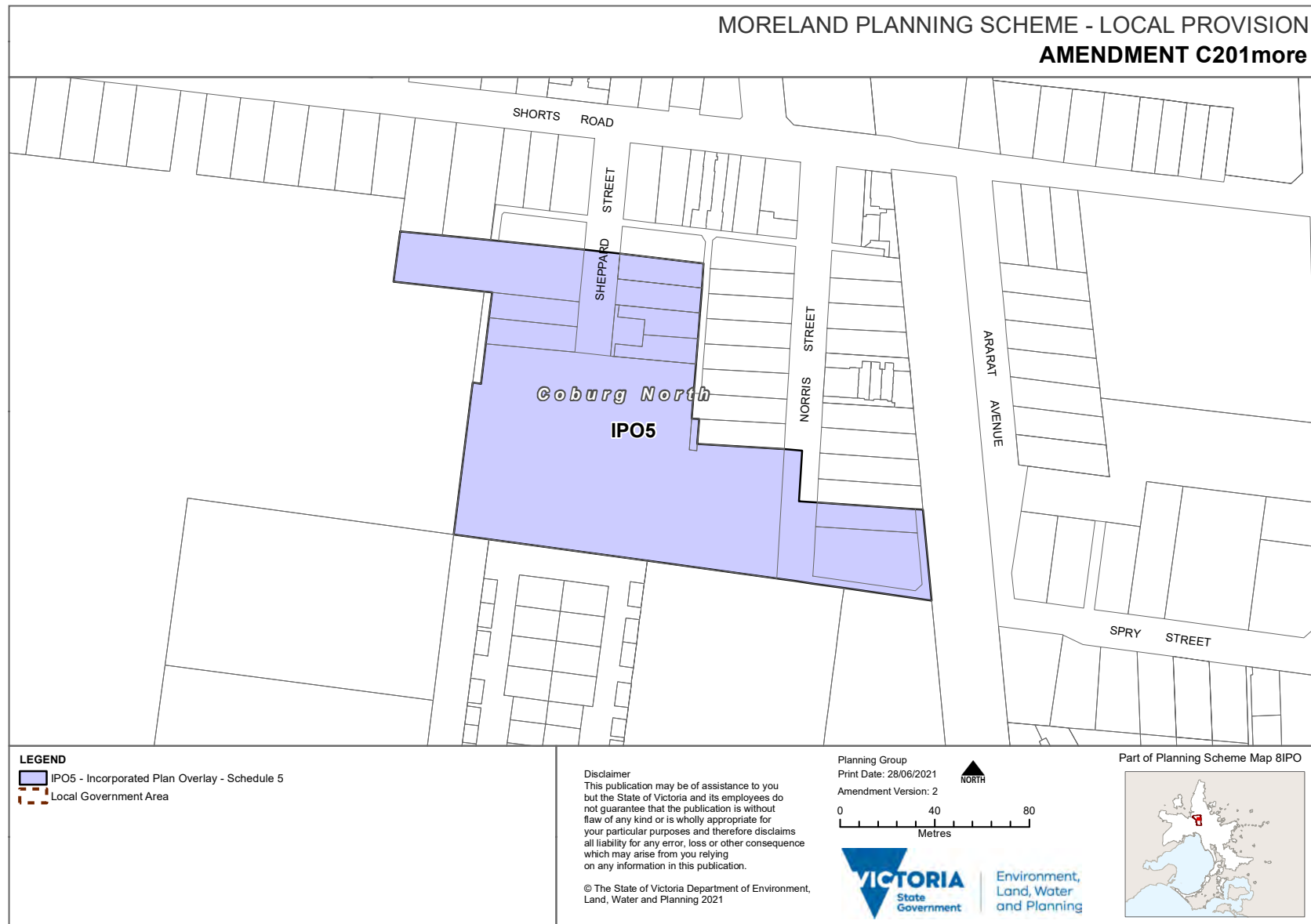
- Decision Gateway 1: Authorisation and exhibition (current report);
- Decision Gateway 2: Consider submissions and request a Panel (February 2022);
- Decision Gateway 3: Panel Report review and approval request (July 2022).

### Attachment/s

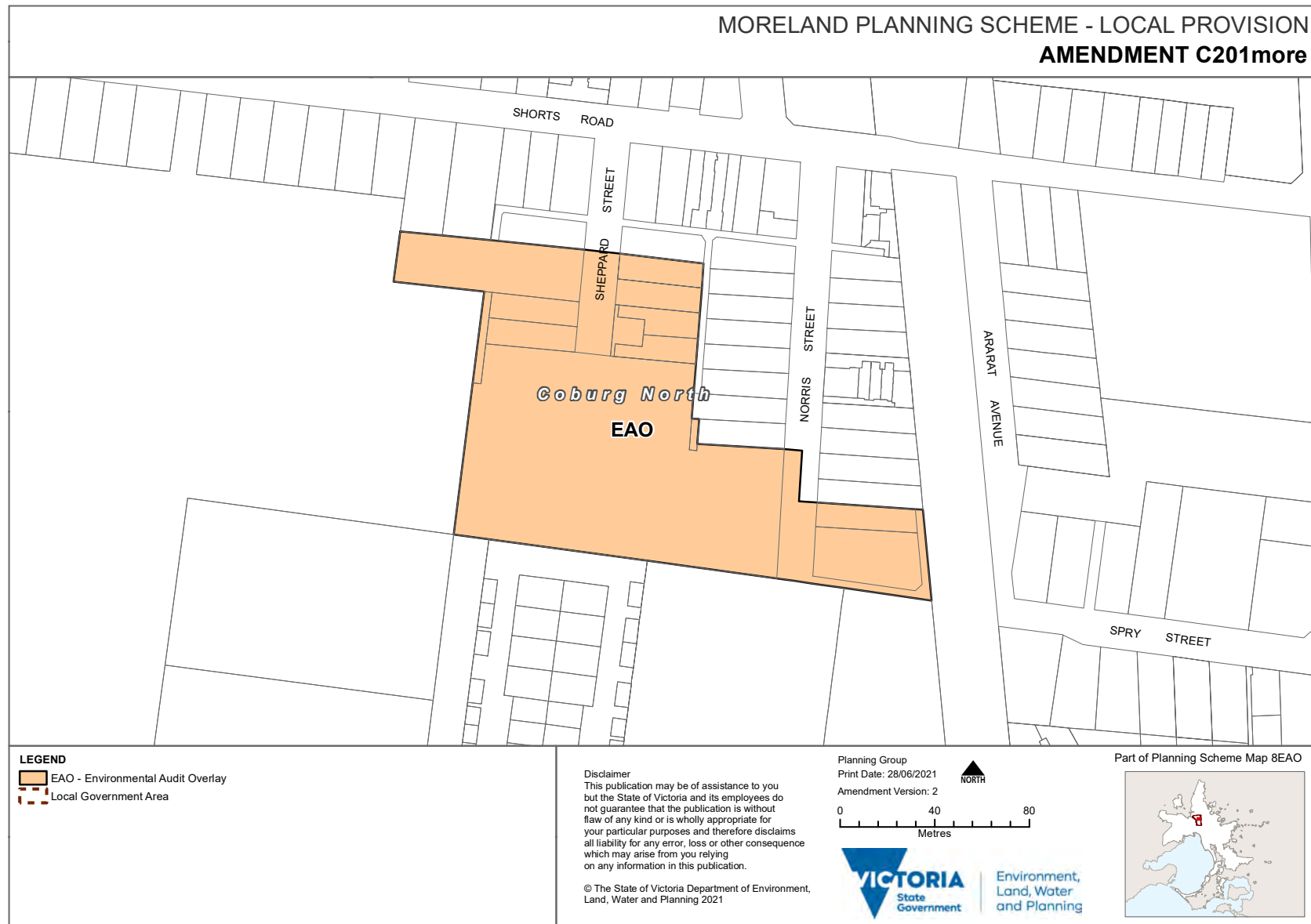
1	 	Amendment Maps	D21/281502
2	 	Planning Scheme Provisions	D21/282353
3	 	Incorporated Plan	D21/282948



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## MORELAND PLANNING SCHEME

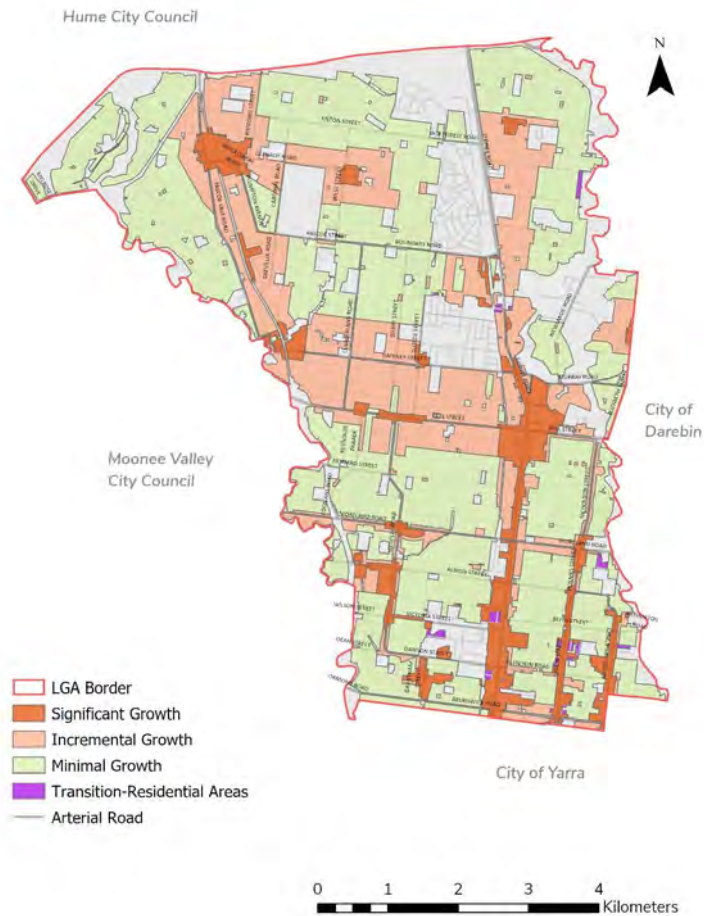
## 02.04 STRATEGIC FRAMEWORK PLANS

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The plans contained in Clause 02.04 are to be read in conjunction with the strategic directions in Clause 02.03.

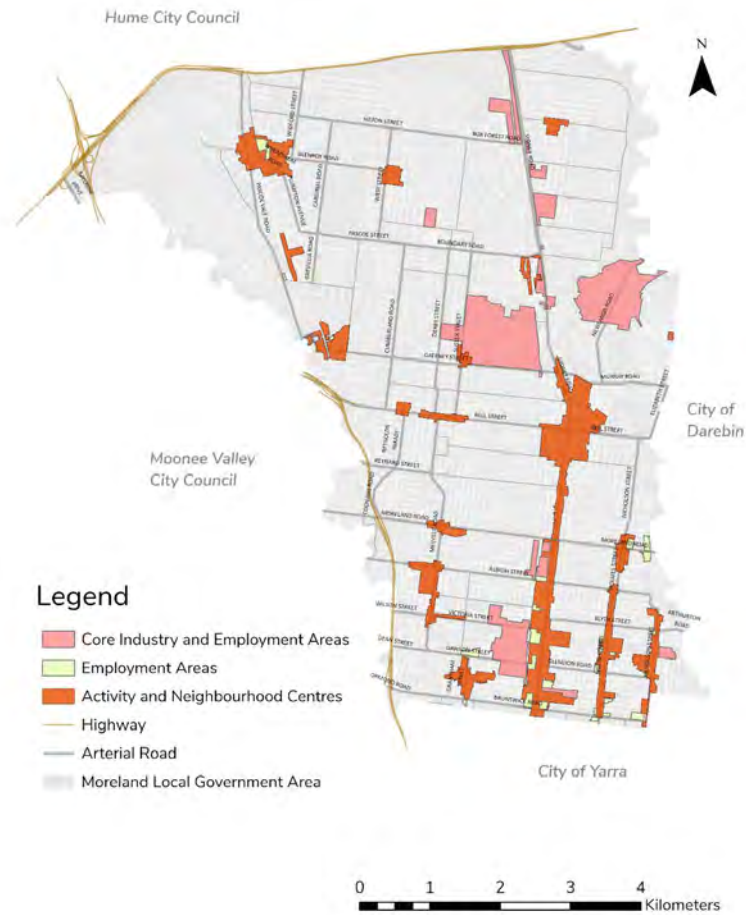
## Activity Centre Framework Plan



**MORELAND PLANNING SCHEME****Housing Framework Plan**

# MORELAND PLANNING SCHEME

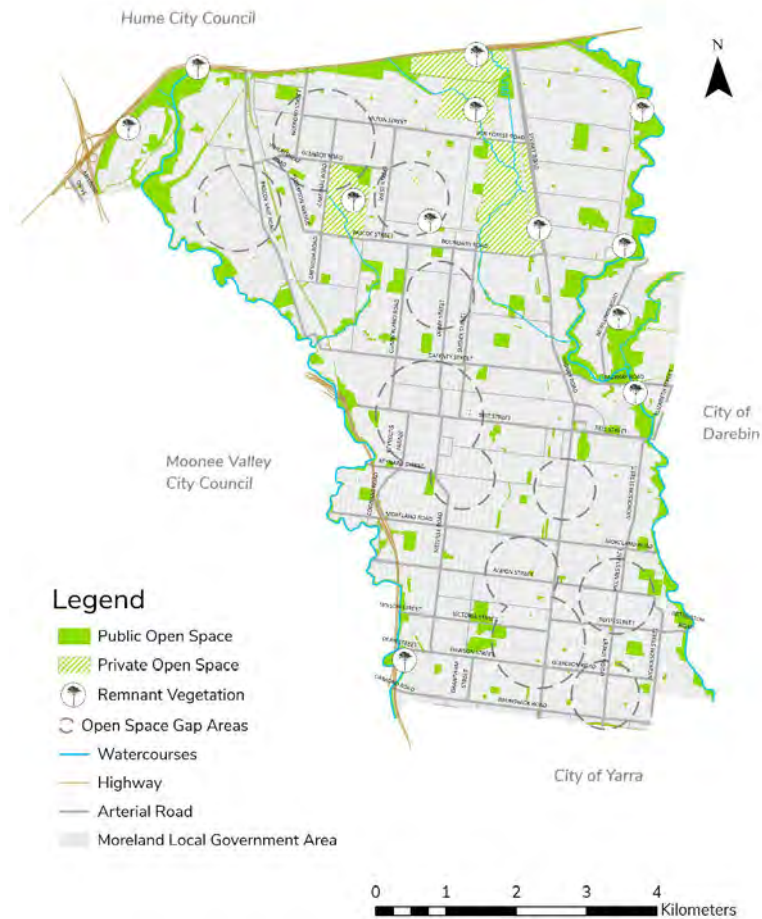
## Economic Development Framework Plan





# MORELAND PLANNING SCHEME

## Open Space Framework Plan



## MORELAND PLANNING SCHEME

### Transport framework plan



## AMENDMENT C201 MORE

C201 more

**SCHEDULE 5 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY**

Shown on the planning scheme map as **IPO5**

**SHEPPARD STREET PRECINCT – COBURG NORTH****1.0****Requirement before a permit is granted**

C201 more

None specified.

**2.0****Permits not generally in accordance with incorporated plan**

C201 more

A permit may be granted to construct a building or to construct or carry out works that is not in accordance with the incorporated plan if those buildings and works are in association with an industrial land use to which Clause 63.01 applies.

A permit may be granted for a use that is not in accordance with the incorporated plan.

A permit may be granted for a development that is not in accordance with the incorporated plan unless that plan states that a permit must not be granted for the form of development proposed.

**2.0****Conditions and requirements for permits**

C201 more

The following conditions and/or requirements apply to permits:

**Affordable Housing Contribution**

- All permits for subdivision, the construction of two or more dwellings on a lot or the construction of a building for use for Accommodation on the land must include conditions requiring the owner/s of the land to enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 which must provide, to the satisfaction of the responsible authority that:
  - The land owner must make a contribution towards affordable housing (Affordable Housing Contribution) to the satisfaction of the Council.
  - For the purposes of the agreement “affordable housing” is to have the same meaning as any definition of that phrase contained within the *Planning and Environment Act 1987*, or any other definition as agreed between the land owner and the Council.

The agreement must:

- Include terms which provide for the manner in which the Affordable Housing Contribution is to be made, including when and how the contribution is to be made.
- Provide that Affordable Housing is to include accommodation for households having Very Low and Low Household Incomes.
- Provide for the Affordable Housing Contribution that is to be made by the land owner to be determined as follows:
  - For development up to and including four storeys in height: A number of dwellings equal to 5% of the total dwellings that are constructed on the land, or any lesser number of dwellings as agreed between the parties, must be identified as Affordable Housing Dwellings by the land owner.
  - For development five storeys in height: A number of dwellings equal to 15% of the total dwellings that are constructed on the land must be identified as Affordable Housing Dwellings by the land owner.
  - Where the permit is for Accommodation other than dwellings the manner in which the number of Affordable Housing Dwellings is to be calculated.

- The Affordable Housing Dwellings are to be made available by the land owner for purchase by a Housing Agency which is registered as either a housing association or housing provider under the *Housing Act 1983* (Housing Agency).
  - The price at which the Affordable Housing Dwellings are to be made available for purchase to a Housing Agency must not exceed an amount that is 50% less than the most recent 12-month median unit price for Coburg North as published in the Victorian State Government 'Victorian Property Sales Report - Median Unit by Suburb Quarterly' as at the date the agreement to purchase is made (Offer Price).
  - Alternatively, the land owner and the purchaser may agree to a purchase price that is different to the Offer Price for any or all of the Affordable Housing Dwellings.
  - If the number of dwellings to be provided is not a whole number then the land owner must instead make to a Registered Housing Association an Affordable Housing Payment.
  - The amount of the Affordable Housing Payment must not be less than an amount equal to the number of dwellings to be constructed, multiplied by a figure which represents 2.5% of the most recent 12-month median unit price for Coburg North as published in the Victorian State Government 'Victorian Property Sales Report - Median Unit by Suburb Quarterly' as at the date the agreement to purchase is made.
- Provide that the Affordable Housing Dwellings are, to the satisfaction of the Responsible Authority, to include a mix of dwelling sizes and configurations; have internal layouts identical to other comparable dwellings in the building and are externally indistinguishable from other dwellings in the development.
  - Provide that it is open to the parties to reach agreement as to any other, alternative method by which the land owner can make or deliver the Affordable Housing Contribution.
  - Provide that where the parties have agreed on a contribution as being the alternative method by which the Affordable Housing Contribution may be provided, and the land owner makes a contribution that is in accordance with that agreed method, then any obligation of the land owner to make the Affordable Housing Contribution has been fully and finally discharged.
  - Provide that the cost of preparing and lodging the agreement, including any Land Titles Office registration fees, must be paid for in full by the owner(s).

#### **Impact of Industrial land uses**

- Applications to construct two or more dwellings on the land or to use and develop the land for Accommodation must detail how the impact of existing industrial uses in the immediate area, including residual industrial uses within the Precinct, on occupants of the proposed building are to be addressed to the satisfaction of the Responsible Authority.

#### **Landscape Plan**

- Applications must be accompanied by a landscape plan showing existing vegetation retained (on the subject site and adjacent to the site, as appropriate) and any proposed for removal, tree and vegetation selection, planting plan and irrigation system in accordance with the incorporated plan and the *Moreland Tree Planting Manual for Residential Zones, 2019*.

#### **4.0**

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#### **Decision Guidelines**

None specified

#### **5.0**

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#### **Preparation of the incorporated plan**

The purpose of the Incorporated Plan is to provide built form and layout guidance for redevelopment of the land for residential purposes.

An incorporated plan must include the following requirements:

- Measures to support the provision of quality residential development that includes a range of dwelling typologies and building heights, with a focus on higher built forms in the south western portion of the site and development of up to three storeys adjacent to existing residential properties;
- Provision of a quality public realm interface including a public pedestrian connection between Sheppard Street and Hosken Reserve, a high level of passive surveillance of the Reserve and quality landscape design to integrate into the parkland context.
- Roadworks to enable service vehicles to safely access and egress the precinct.
- The provision of a public connection between the southern ends of Sheppard Street and Norris Street;
- The provision of trees and other vegetation to contribute to a new neighbourhood character, soften the interface of buildings with the street and with Hosken Reserve and to reduce the urban heat island effect.

## MORELAND PLANNING SCHEME

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## SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

### 1.0

#### Maps comprising part of this planning scheme:

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- 1, 1DCPO, 1DPO, 1EAO, 1EMO 1ESO, 1HO, 1LSIO, 1PO
- 2, 2DCPO, 2DPO, 2EAO, 2EMO, 2ESO, 2HO, 2LSIO, 2PO, 2SBO
- 3, 3DCPO, 3EAO, 3DDO, 3EMO, 3ESO, 3HO, 3LSIO, 3PO, 3SBO, 3SCO
- 4, 4DCPO, 4DDO, 4EAO, 4ESO, 4HO, 4LSIO, 4PO, 4SBO, 4SCO
- 5, 5DCPO, 5EAO, 5EMO, 5ESO, 5HO, 5LSIO, 5PO, 5SBO, 5SCO
- 6, 6DCPO, 6DDO, 6EAO, 6EMO, 6ESO, 6HO, 6LSIO, 6PO, 6SBO
- 7, 7DCPO, 7DDO, 7EAO, 7EMO, 7ESO, 7HO, 7PO, 7SBO
- 8, 8DCPO, 8DDO, 8EAO, 8EMO, 8ESO, 8HO, 8IPO, 8LSIO, 8PAO, 8PO, 8SBO, 8SCO
- 9, 9DCPO, 9DPO, 9EAO, 9EMO, 9ESO, 9HO, 9LSIO, 9PAO, 9PO, 9RXO, 9SBO
- 10, 10CLPO, 10DCPO, 10DDO, 10DPO, 10EAO, 10EMO, 10ESO, 10HO, 10LSIO, 10PAO, 10PO, 10SBO
- 11, 11DCPO, 11DDO, 11EAO, 11ESO, 11HO, 11IPO, 11PAO, 11PO, 11SBO, 11SCO
- 12, 12DCPO, 12DDO, 12EAO, 12EMO, 12ESO, 12HO, 12LSIO, 12PAO, 12PO, 12SBO, 12SCO
- 13, 13CLPO, 13DDO, 13DCPO, 13DDO, 13DPO, 13EAO, 13EMO, 13ESO, 13HO, 13IPO, 13LSIO, 13PAO, 13PO
- 14, 14DCPO, 14DDO, 14DPO, 14EAO, 14HO, 14IPO, 14PAO, 14PO, 14SBO, 14SCO
- 15, 15DCPO, 15DDO, 15DPO, 15EAO, 15EMO, 15ESO, 15HO, 15LSIO, 15PO, 15SBO, 15SCO

## MORELAND PLANNING SCHEME

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Proposed  
C201more

## SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

### 1.0

#### Application of zones, overlays and provisions

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Proposed  
C201more

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

- The Design and Development Overlay Schedule 24 to development in Neighbourhood Centres to implement built form guidelines.
- The Commercial 1 and 2 Zones, Mixed Use Zone and Design and Development Overlay to the Brunswick Activity Centre to ensure appropriate built form, public realm and improved amenity outcomes.
- The Activity Centre Zone to the Coburg Activity Centre.
- The Commercial 1 and 2 Zones and the Residential Growth Zone to the Glenroy Activity Centre.
- The Industrial 1 and 3 Zones to the majority of land in the Core Industry and Employment Areas to support industry and complimentary businesses and prohibit residential uses.
- The Commercial 2 Zone in areas identified as Core Industry and Employment Areas to facilitate restricted retail uses and prohibit residential uses.
- The Industrial 3 Zone or Commercial 2 Zone to areas identified as Employment Areas to prioritise employment.
- The Incorporated Plan or Development Plan Overlays to areas identified as Employment Areas where confirmation of the location of employment uses is required.
- The Mixed Use Zone, Residential Growth Zone or General Residential Zone to areas identified as Transition Residential Areas to facilitate residential uses.
- The Design and Development or Incorporated Plan Overlays to areas identified as Transition Residential Areas where confirmation of design and site layout or a statement of preferred character is required.
- The Heritage Overlay to places of recognised State or Local heritage significance.
- The Design and Development Overlay to ensure appropriate built form, public realm and improved amenity outcomes.
- The Environmental Significance Overlay to protect the Moonee Ponds, Merri, Edgars and Merlynston Creek corridors.
- The Development Contribution Plan Overlay to land where there is a need to collect contributions towards community infrastructure.
- The Development Plan Overlay or Incorporated Plan Overlay to implement adopted master plans.
- The Erosion Management Overlay to recognise and protect areas prone to erosion, landslip or other land degradation process.
- The Land Subject to Inundation Overlay and Special Building Overlay to recognise and protect flood prone areas.
- The Environmental Audit Overlay over potentially contaminated land where sensitive land uses or other 'at risk' impacts may be proposed.
- The Parking Overlay to promote mode shift and sustainable travel.

## MORELAND PLANNING SCHEME

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## SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

### 1.0

#### Incorporated documents

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Proposed  
C201more

Name of document	Introduced by:
13-17 Duggan Street, Brunswick West Incorporated Plan – June 2003	C25
21-35 Hope Street, Brunswick Incorporated Plan – September 2003	C36
Bell and Moreland Level Crossing Removal Project Incorporated Document, October 2019	C178more
Brunswick Terminal Station Incorporated Document, 2012	C140
Camp Road, Campbellfield Level Crossing Removal Project Incorporated Document, April 2017	GC63
City of Moreland Residential Development at 42 St Phillip Street, Brunswick East 23 May 2003	C44
Geotechnical Declaration and Certification Form, Moreland City Council, November 2012	C83
King Khalid Islamic College Primary School Campus Incorporated Plan - May 2004	C41
Melbourne City Link Project – Advertising Sign Locations, November 2003	VC20
Moreland Heritage Exemptions Incorporated Plan 2019	C174morept1
Moreland Tree Planting Manual for Residential Zones, December 2014	C153
Pentridge Coburg Design Guidelines and Masterplan, February 2014	C154
Pentridge Village Design Guidelines and Masterplan, August 2009	C125
Moreland Development Contribution Plan, January 2015	C133
Sheppard and Norris Street Coburg North Incorporated Plan, 2021	C201
Signage on sports grounds Incorporated Document, June 2019	C169more
Statements of Significance Incorporated under Clause 43.01	
▪ Attached Houses, 23 & 25 Luscombe Street, Brunswick, Statement of Significance, September 2019	C174morePt1
▪ Attached Houses, 46 & 48 Gold Street, Brunswick, Statement of Significance, September 2019	C174morePt1
▪ Attached Houses, 60 & 62 Glenlyon Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Bell Street Bridge, Corner of Bell Street and Nicholson Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ Bethany Gospel Hall (former), 235 Victoria Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Brunswick & Coburg UFS Dispensary (former), 228 Melville Road, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ 'Canals House', 7 Parkview Avenue, Brunswick East, Statement of Significance, September 2019	C174morept1



## MORELAND PLANNING SCHEME

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Proposed  
C201more

Name of document	Introduced by:
▪ 'Closer Settlement House ('Ranche')' 9 Waxman Parade, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ Closer Settlement Houses, Statement of Significance, September 2019	C174morept1
▪ Coburg Police Station (former), 160-162 Bell Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ Concrete House, 1 South Daly Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ Corner Shop (former) & Residence, 80 Union Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Corner Shop (former) & Residence, 103 Albion Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Corner Shop (former) & Residence, 209 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Dairy & Milk Bar (former), 136A Nicholson Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ 'Devon' (House), 38 John Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Faiman & Sons Warehouse (former), 443 Albion Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ First City of Brunswick Scout Hall (former), later Brunswick Cinema, Toscana Social Club, 273 Victoria Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Fleming Park,' 47-51 Albert Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ 'Forfarshire' (House), 86 Laura Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Former Millers Ropeworks, now RMIT University, 29 Dawson Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Former Prestige Mill Complex, 159-165 Donald Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Former W.T Rawleigh and Co – factory & warehouse, 60 Dawson Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Glen Iris' & 'Hazel Glen', 28 & 30 Albert Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Hickford Street Precinct, Statement of Significance, September 2019	C174morept1
▪ House, 5 Bank Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 5 Laura Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 8 Aintree Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ House, 19 Balmoral Avenue, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ House, 23 Evans Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 23 Holmes Road, Brunswick East, Statement of Significance, September 2019	C174morept1

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Name of document	Introduced by:
▪ House, 31 Burnell Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ House, 38 David Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 46 Murdock Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 94 Hope Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 96 Lydia Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 112 Moreland Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 137 Albert Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 195 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 307 Brunswick Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House, 685 Park Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ House & Canary Island Palm, 255 Nicholson Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ House & Front Fence, 33 Newman Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ House & Front Fence, 22 Grantham Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ House & Front Fences, 92 & 94 Whitby Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ Houses, 63 & 65 Union Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ H.P.L. Morris Chemist (former) & Residence, 153 Reynard Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ 'Kororoit' (Concrete House), 70 Heller Street, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ 'Lochiel', 9 Aberdeen Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Lough Brae' (House) 35 Cassels Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Meaker Avenue Precinct, Statement of Significance, September 2019	C174morept1
▪ 'Moorefield' (Outbuilding), 2/197 The Avenue, Coburg, Statement of Significance, September 2019	C211more
▪ 'Moreland Baptist Church Complex' 384 Moreland Road, Brunswick West, Statement of Significance, September 2019	C174morept1
▪ 'Oamaru' (Aitken House), 26 Walsh Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ 'Oomah' (House), 73 Hope Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Primitive Methodist Mission Hall, 170 Albert Street, Brunswick,	C174morept1

## MORELAND PLANNING SCHEME

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Proposed  
C201more

Name of document	Introduced by:
Statement of Significance, September 2019	
▪ Rogers Memorial Reserve, 109 Cumberland Road, Pascoe Vale, Statement of Significance, September 2019	C174morept1
▪ Shop (former) & Residence, 105 Munro Street, Coburg, Statement of Significance, September 2019	C174morept1
▪ Shop & Residence, 425 Sydney Road, Coburg, Statement of Significance, September 2019	C174morept1
▪ Shops & Residences, 431 & 433 Sydney Road, Coburg, Statement of Significance, September 2019	C174morept1
▪ State Savings Bank of Victoria (former), 840 Sydney Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace, 163-169 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace, 183-187 Edward Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace, 206-210 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terraces, 233-239 Brunswick Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses, 16 & 18 Glenlyon Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses (23 – Canaway House, 25 – Albert House) 23 & 25 Albert Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses (31 – Inverurie, 33 – Keithall), 31 & 33 Lygon Street, Brunswick East, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses, 109 & 111 Albert Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses, 140 & 142 Edward Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses (213 - Ethel, 215 – Edith, 217 – Alice, 219 – Betty), 211-219 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses, 241 & 243 Victoria Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses & Fences, 76 & 78 Hope Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Terrace Houses & Fences, 134-136 Barkly Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'The Elms' (House), 683 Park Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ Tinning Street Precinct, Statement of Significance, September 2019	C174morept1
▪ 'Tyrone' (House), 193 Brunswick Road, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Uxbridge' (House) 16 Horne Street, Brunswick, Statement of Significance, September 2019	C174morept1
▪ 'Victoria Hotel', 380-382 Victoria Street, Brunswick, Statement of Significance, September 2019	C174morept1

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Proposed  
C201more

Name of document	Introduced by:
<ul style="list-style-type: none"> <li>War Service Homes (Brick), Statement of Significance, September 2019</li> </ul>	C174morept1
<ul style="list-style-type: none"> <li>War Service Homes (Timber), Statement of Significance, September 2019</li> </ul>	C174morept1
<ul style="list-style-type: none"> <li>Waxman Parade Precinct, Statement of Significance, September 2019</li> </ul>	C174morept1
<ul style="list-style-type: none"> <li>Yorkshire Textile Mills (Former), 2-4 Inverness Street, Brunswick East, Statement of Significance, September 2019</li> </ul>	C174morept1
Tramway Infrastructure Upgrades Incorporated Document, May 2017	GC68



**Moreland**  
City Council

# Incorporated Plan

**Sheppard Street & Norris Street,  
Coburg North**

**2021**



## The Land

The Sheppard and Norris Street Incorporated Plan applies to land at 3-5, 4, 6, 7, 8, 10 and 16-20 Sheppard Street, 2-4 and 6 Norris Street, part of 39A Shorts Road, and the former right of way abutting the western boundary of 11 Norris Street, Coburg North (the Land).

The Land, as depicted on Map 1, forms the southern sections of Sheppard Street and Norris Street, Coburg North. It extends eastward to border the Upfield Rail Corridor and westward to Hosken Reserve.



Map 1: The land to which this Incorporated Plan applies

The Land is also known as Precinct 16 to the Moreland Industrial Land Strategy 2015-2030, which identifies it for transition from industrial to residential development. Remaining properties in Sheppard Street and Norris Street, as well as the majority of those in Shorts Road are residential in nature, whilst land to the south is located within the Industrial 1 Zone.

Public access to Hosken Reserve has traditionally been provided over one of the allotments, which is owned by Council. Car parking and access to the Reserve occupies privately owned land, whilst some Sheppard Street properties and the Australian International Academy (a secondary school) at 56 Bakers Road also informally utilise Council owned land for significant secondary vehicular access. It is noted however that the Council owned land connecting Sheppard Street and the Reserve is not formally a road and the nature of this access may alter over time.



## How to read this document

The Sheppard Street and Norris Street Coburg North Incorporated Plan (the Plan) provides built form and layout guidance for the Land as required by Schedule 5 to the Incorporated Plan Overlay of the Moreland Planning Scheme. Planning applications will be assessed for compliance with the Plan as well as relevant clauses of the Scheme, with an application which is generally in accordance with the Plan being exempt from the need for public notification.

The Plan includes Objectives, a Statement of Preferred Neighbourhood Character, and requirements that either 'must' or 'should' be complied with. Whilst a permit may be granted to vary a 'should' requirement, such an application is not generally in accordance with the plan and is therefore not exempt from public notification. The 'must' requirements are mandatory, and cannot be varied with a permit.

In a number of instances decision guidelines are provided to aid the assessment of proposals which include an alternative design response. Assessment will also have regard to the objectives of this Plan and relevant provisions of the Moreland Planning Scheme.

## Precincts

The Plan divides the Land into five precincts with a range of interfaces, as depicted on Map 2.



Map 2: Precinct and Interface Plan

**Building Height**

This Plan includes maximum building heights for Precincts 2, 3 and 4. In determining and applying the specified maximum building heights throughout the Plan:

- A basement is not a storey for the purposes of calculating the number of storeys contained in a building.
- Building height does not include architectural features and service equipment including plant rooms, lift overruns, structures associated with outdoor open space areas and other such equipment provided that the following criteria are met:
  - No more than 50% of the roof area is occupied by the equipment (other than solar panels);
  - The equipment is located in a position on the roof so as to minimise additional overshadowing on neighbouring properties and public spaces;
  - The equipment does not extend higher than 3.6 metres above the maximum building height; and
  - The equipment and screening is integrated into the design of the building to the satisfaction of the responsible authority.
- A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.
- If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the building height is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.



## Objectives

The objectives of the Plan are to:

### **Use, Buildings and Works, and Subdivision**

- Facilitate the provision of residential development on the Land including a range of dwelling typologies and building heights;
- Achieve a mix of dwellings, including affordable dwellings, on the Land;
- Provide increased building heights and residential densities in the south-western corner of the Land and lower heights elsewhere;
- Increase dwelling yield by encouraging the consolidation of land prior to development; and
- Allow limited non-residential land uses that deliver a net community benefit within the Mixed Use Zone.

### **Design and Appearance**

- Outline key aspects of the preferred neighbourhood character for the precinct;
- Encourage a high level of passive surveillance of Hosken Reserve and quality landscape design to integrate into the parkland context;
- Provide trees and other vegetation to contribute to a new neighbourhood character, soften the interface of buildings with the street and with Hosken Reserve and to reduce the urban heat island effect.

### **Infrastructure and Facilities**

- Facilitate safe access to the land for service and emergency vehicles;
- Improve access to Hosken Reserve from the east for pedestrians and cyclists;
- Identify where the provision of a land, rather than purely financial, contribution to public open space may be appropriate; and
- Create a welcoming and landscaped public realm.

## Statement of Preferred Neighbourhood Character

Redevelopment of the Sheppard Street and Norris Street Coburg North industrial precinct will create a new, predominantly residential, neighbourhood character which will include:

- A higher dwelling density and site coverage than surrounding residential development;
- Development of up to five storeys in the south western corner of the land, transitioning to three storeys for land in the General Residential Zone, as shown on Map 3;
- Integration of generous landscaping through the retention of existing canopy trees (where practical) and the planting of new canopy trees and vegetation;
- Active facades to public and communal spaces, including opportunities for direct access to ground floor dwellings from the public realm;
- A softening of the visual bulk of development through building articulation, fine grain materials such as brick or timber cladding, and landscaping;
- Articulation, including breaks between buildings, to avoid continuous built form as experienced from the public realm;
- Low front fences;
- The inclusion of low or visually permeable fencing to Hosken Reserve; and
- Measures to ensure that vehicle parking areas are not dominant within the street scene.

Where non-residential uses are provided these will be part of a predominantly residential mixed-use development; located on the ground floor; and sited and designed to facilitate interaction with the surrounding area and surveillance of the public realm.



Map 3: Maximum building heights by precinct

## Requirements for Use Applications

The Use tables contained in the Zone applying to the land provide details of the uses which do not require a permit (Section 1), those that require a permit (Section 2), and those that are prohibited (Section 3). The following requirements apply to planning permit applications which seek approval for Section 2 uses within the Mixed-Use Zone.

The provisions of Table 1 will be applied to determine whether a permit application for a proposed use is generally in accordance with this Plan. The table does not apply to applications which fall within Section 1, such as an application which includes up to 250m<sup>2</sup> of office and/or 150m<sup>2</sup> of Food and Drink Premises.

Table 1: Section 2 uses consistent with this plan

Use	Requirements
Car Park	Must be located adjacent to the western boundary of Precinct 3. Must be used in conjunction with the use of 39A Shorts Road (Hosken Reserve) as a Minor Sports and Recreation Facility.
Office (where the condition in Section 1 is not met)	Must be located on the ground floor of the building. The leasable floor area, combined with the leasable floor area of any uses other than Dwelling, Informal Outdoor Recreation, Residential Village and Retirement Village, must not exceed 15% of the ground floor level of the building.
Informal Outdoor Recreation	The use is generally in accordance with the Incorporated Plan.
Residential Village	The use is generally in accordance with the Incorporated Plan.
Retail Premises (where the condition in Section 1 is not met)	Must be located on the ground floor of the building. The leasable floor area, combined with the leasable floor area of any uses other than Dwelling, Informal Outdoor Recreation, Residential Village and Retirement Village, must not exceed 15% of the ground floor level of the building.
Retirement Village	The use is generally in accordance with the Incorporated Plan.

Where an alternative use is proposed the responsible authority must consider:

- Whether the proposal, including the size of tenancies, is consistent with the Objectives of this Plan; and
- The impact of the proposed use on the amenity of the area.

## Requirements for Buildings and Works Applications

### All land

The following requirements apply to all land within the Incorporated Plan area.

#### Site consolidation

Consolidation of sites is encouraged and the number of vehicular access points should be minimised.

#### Boundary Setbacks and Articulation

##### Street and Hosken Reserve setbacks

##### Norris Street setbacks for Precinct 4 and 6 Norris Street

The Norris Street setback of buildings in Precinct 4 and on 6 Norris Street should be consistent with Table 2.

Table 2: Norris Street setbacks for Precinct 4 and 6 Norris Street

Scenario	Lower two storeys and any basement	Third storey
There is an existing building on the abutting property to the north	The average of 3m and the setback of the front wall of the existing building on the abutting property to the north.	The average of 6m and the setback of the front wall of the existing building on the abutting property to the north.
There is no existing building on the abutting property to the north	3m	6m

##### Remainder of the Land

Street setbacks and setbacks to Hosken Reserve and its accessway for the remainder of the Land should be consistent with Table 3.

Table 3: Street and Hosken Reserve setbacks\*

	Three storey development	Four storey development	Five storey development
Lower two storeys and any basement	3m	3m	3m
Third storey	6m	3m	3m
Fourth storey	-	8m	3m
Fifth storey	-	-	8m

\* In Precinct 3 setbacks are to be measured from the proposed Reserve boundary and are not to include that land currently used for car parking.

##### Balconies

Balconies should not encroach into these setbacks, except at the upper level where balconies with transparent balustrades (i.e. clear glass or similar) may be provided at a setback which matches the level below.

### Setbacks to industrial land and land affected by this Plan

Development should include setbacks to land affected by this Plan and to industrially zoned land in accordance with Table 4.

Table 4: Setbacks to side and rear boundaries

	Three storey building	Four storey building	Five storey building	
			Lower four storeys	Fifth Storey
Setback of <ul style="list-style-type: none"> <li>a wall containing a living room window, or</li> <li>a main balcony</li> </ul>	4.5m	6m	6m	9m
Setback of remainder of building	2m	3m	3m	4.5m

### Setbacks to residentially zoned land not affected by this Plan

Development should ensure that for boundaries to residentially zoned land not affected by this Plan:

- Standards B17, B21 and B22<sup>1</sup> of Clause 55.04 of the Moreland Planning Scheme are met;
- Construction on or within 200mm of a side or rear boundary does not exceed:
  - 10 metres in length, unless the wall abuts a rear laneway;
  - 3.6 metres in height, with an average height of 3.2 metres, unless the wall abuts a rear laneway and replaces an existing wall to the same height or higher;
- The building height does not exceed:
  - 6.9 metres or the height of the existing building, whichever is the greater, within 5 metres of the rear boundary; and
  - 9.9 metres or the height of the existing building, whichever is the greater, within 10 metres of the rear boundary.

### Passive surveillance

Development must provide a range of opportunities for passive surveillance of the public realm and communal areas on the land.

This should include:

- Potential for passive surveillance of Hosken Reserve, existing and proposed roads, alternative transport links and communal spaces from multiple windows, including windows at each level of any proposed building; and
- Use of boundary treatments that allow surveillance at the ground level.

### Landscaping

Development must include space for the planting and growth of new canopy trees and vegetation to soften development from the street and Hosken Reserve and contribute to a landscaped character.

This should include the planting detailed in Table 5.

<sup>1</sup> Copies of the Standards are included at the end of this document for reference.

Table 5: Planting requirements

Precincts 1, 4 and 5	Precincts 2 and 3
<p>The provision of at least one canopy tree in the front setback to existing and proposed streets for each 10m of street frontage. The trees are to meet the following requirements:</p> <ul style="list-style-type: none"> <li>• Front setbacks of less than 4.5m: <ul style="list-style-type: none"> <li>– Located in a permeable area within the site of at least 10m<sup>2</sup> and 4.5m wide</li> <li>– Reach a height of 6m – 8m at maturity</li> <li>– Achieve a canopy width of at least 5m at maturity</li> </ul> </li> <li>• Front setbacks of 4.5m or more <ul style="list-style-type: none"> <li>– Located in a permeable area within the site of at least 4.5m x 4.5m</li> <li>– Reach a height of 8m – 15m at maturity</li> <li>– Achieve a canopy width of at least 7m at maturity</li> </ul> </li> </ul> <p>At least one canopy tree within the secluded private open space of each dwelling that meets the following requirements:</p> <ul style="list-style-type: none"> <li>• Located in a permeable area within the site of at least 4.5m x 4.5m</li> <li>• Reach a height of 6m – 8m at maturity</li> <li>• Achieve a canopy width of at least 5m at maturity</li> </ul> <p>Additional planting along any vehicle accessway or alternative transport link, with the canopy tree(s) located to provide shading to the link and accessway.</p>	<p>The provision of at least one canopy tree in the front setback for each 10m of street frontage and at least one tree in the setback to Hosken Reserve for each 10m of abuttal to the Reserve. For the purpose of this requirement abuttal is considered to include land within 400mm of the Reserve. The trees are to meet the following requirements:</p> <ul style="list-style-type: none"> <li>• Located in a permeable area within the site of at least 10m<sup>2</sup> and 4.5m wide</li> <li>• Reach a height of 6m – 8m at maturity</li> <li>• Achieve a canopy width of at least 5m at maturity</li> </ul> <p>Additional planting along any alternative transport link and vehicle accessway provided on site, with the canopy tree(s) located to provide shading to the link and accessway.</p>

Where an alternative landscape response is proposed the responsible authority must consider:

- Whether an alternative combination of canopy trees or climbers will achieve an equivalent or increased canopy cover to the requirements lists.
- The suitability of the proposed location and soil volume for canopy tree health.
- Whether the landscaping proposed will provide suitable shading and cooling of the urban environment to reduce heat absorption and re-radiation of hard surfaces.

### Parkland Interface

Development adjacent to Hosken Reserve must be designed to provide a landscaped interface with the parkland and to provide appropriate sightlines for users of the Reserve car park and accessways.

This should include:

- The provision of landscaped setbacks to the Reserve;
- Low or visually permeable fencing to the Reserve, with fencing adjacent to vehicle accessways and alternative transport links designed to maintain sightlines for users of those routes; and
- Landscaping between proposed boundary fencing and any adjacent car park, accessway or future footpath ('paved area') within the Reserve, as detailed in Figure 1.

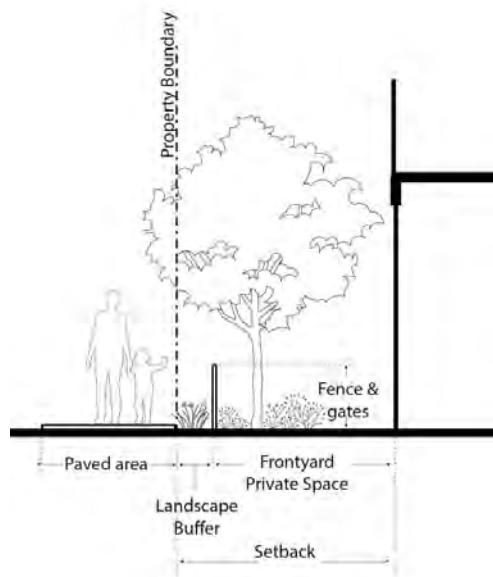


Figure 1: Hosken Reserve Interface

## Precinct 1

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Precinct 1 shares its northern boundary with land within the General Residential Zone Schedule 1 (GRZ1). It is similarly located within the GRZ1. There are no precinct-specific controls for this land within the Plan.

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## Precinct 2

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Precinct 2 abuts Hosken Reserve to the west, but its remaining interfaces are to land affected by the Incorporated Plan. It is located within the Mixed Use Zone. Development on this land will have limited impact upon the amenity of existing housing and may extend to four storeys in height. Alternatively, part of the land may be developed in association with Hosken Reserve.

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### Building Height

A building must not be constructed that exceeds a building height of 13.5m or contains more than four storeys. This height cannot be varied with a permit.

### Hosken Reserve Access

Redevelopment of all or part of the vehicle accessway located on the southern half of the Precinct for access to, and landscaping associated with, Hosken Reserve is in accordance with this Plan.

## Precinct 3

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Precinct 3 abuts industrial land to the south and Hosken Reserve to the west. It is located within the Mixed Use Zone. New buildings on this Precinct will have limited impact upon the amenity of residential properties outside the Land and may extend to five storeys in height. The impact of development on the Sheppard Street streetscape will need to be carefully considered. Community benefit in the form of improved vehicular, pedestrian and bicycle access for the Land is to be provided as part of development of this precinct.

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### Building Height

A building should not be constructed that exceeds a building height of 13.5m or contains more than four storeys. Where a height of more than 13.5m or four storeys is proposed a higher standard of Environmentally Sustainable Design must be demonstrated.

A building must not be constructed that exceeds a building height of 17.5m or contains more than five storeys. This height cannot be varied with a permit.

Compliance with the requirement for a higher standard of Environmentally Sustainable Design should be achieved through delivery of:

- Individual and average NatHERS ratings of at least 1.5 stars above the minimum required by the National Construction Code at the time of issue of any planning permit;
- A minimum 70% BESS rating; and
- Provision of renewable energy technologies, including batteries, to the satisfaction of the responsible authority.



**Western boundary setback**

A portion of the western edge of the site is currently occupied by a car park serving Hosken Reserve. This land varies in width and extends from the current building line to the western property boundary, as depicted in Figures 2 and 3. The siting of buildings should facilitate the transfer of this portion of the site to Council.



Figure 2: Relationship between 16-20 Sheppard Street and Hosken Reserve car parking



Figure 3: Western boundary of 16-20 Sheppard Street

### Access

Development must provide:

- Access to and through the site for alternative modes of transport (e.g. walking and cycling), and
- Road infrastructure to ensure that service and emergency vehicles are able to attend the Land safely.

Compliance with this requirement should be achieved through either a Connector Road or Court Bowl layout, as detailed in Table 6. Either option is anticipated to require some modification to the public roads contained in Precincts 1 and 5, at the expense of the developer.

Table 6: Access options for Precinct 3

	Road	Alternative Transport Link
<b>Connector Road layout</b>	The provision of a road to Council's satisfaction connecting Sheppard Street and Norris Street. The road should be either a public road or made permanently available for public use by an alternative means to the satisfaction of the responsible authority.	Provision of a walking and cycling link between the proposed public road and Hosken Reserve. The link should be open to the sky and should be either a public road or made permanently available for public use by an alternative means to the satisfaction of the responsible authority.
<b>Court Bowl layout</b>	Modifications to Sheppard Street and Norris Street to allow vehicles, including service and emergency vehicles, to turn within a public road at the termination of each street.	Provision of walking and cycling links connecting Sheppard Street, Norris Street and Hosken Reserve. The links should be open to the sky and should be either public roads or made permanently available for public use by an alternative means to the satisfaction of the responsible authority.

The proposed road and alternative transport link/s will form part of the public realm in assessment of a planning application. They should be designed to provide a high level of amenity and safety and include:

- Alternative transport link widths as depicted in Figure 4 save that:
  - Porches that are less than 3.6 metres high may encroach up to 2.5 metres into the garden space shown; and
  - Where an alternative transport link is located at the edge of the Land the overall width may be reduced by reducing the width of the garden space adjacent to the boundary of the Land;
- Landscaping, including tree planting, that supports the amenity, attractiveness and safety of the public realm;
- Use of soft and hard landscaping treatments to imply boundaries between the alternative transport link/s and adjoining private spaces;
- Lighting; and
- Passive surveillance from living areas and non-residential uses at the ground floor.

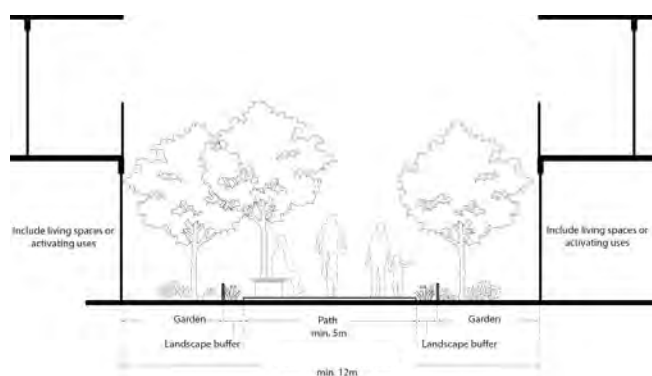


Figure 4: Alternative transport link section

Where an alternative design response is proposed the responsible authority must consider:

- Access and egress for service and emergency vehicles to all land within the Incorporated Plan Overlay;
- Whether the accessway from Sheppard Street to Hosken Reserve within Precinct 2 has been declared a public road;
- Permeability of the precinct and public access to Hosken Reserve by pedestrians and cyclists;
- The report of a traffic engineer with respect to anticipated traffic volumes and demand for on street car parking within existing and proposed roadways.

Any internal roads, laneways and alternative transport links that are intended to be vested in Council must be designed and constructed in accordance with Moreland City Council standards (including dimensions) and where appropriate make provision for two-way vehicular traffic, vehicles associated with waste management, safe pedestrian access for all, bicycles and tree planting.

### **Built form**

Development should incorporate breaks in the built form to reduce the bulk of the building as experienced from the public realm (including proposed road/s and alternative transport link/s); provide light, outlook and ventilation for future residents; provide visual connections to the adjoining public open space and provide space for landscaping, through:

- Constructing a number of separate buildings, which may be linked below ground level;
- Ensuring that the roads and alternative transport access links required by this Plan are open to the sky and include space for landscaping;
- Use of setbacks in accordance with Tables 3 and 4;
- Ensuring that if a Court Bowl road layout is proposed the alternative transport link aligns with Sheppard Street, creating a break in the built form at the abuttal of the Precinct with Sheppard Street.

### **Site activation and community**

Development should facilitate interaction between occupants of the different buildings in the precinct and between the precinct and the surrounding area including by:

- Locating non-residential occupancies on the ground floor with layouts that draw people into the site and create activation of the ground plane at different times of the day.
- Ensuring that communal spaces at ground floor and on the roof enable a range of activities and each are accessible to all occupants of the precinct.

**Landscaping**

Additional objectives for landscaping of the Precinct are to:

- Use the public, communal and private landscape to expand the ecology of Coburg, including use of indigenous and endemic species to provide habitat for native fauna;
- Establish a clear landscape hierarchy, denoting public, communal and private open spaces; and
- Use soft and hard landscape treatments to imply thresholds between communal and private spaces.
- Development should use permeable paving, landscaped terraces and green roofs to reduce hard surface cover.

**Precinct 4**

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Precinct 4 is located within the Mixed Use Zone, however its sensitive interfaces mean that a lower built form and increased landscaping is appropriate compared to that sought in Precincts 2 and 3.

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**Building Height**

A building should not be constructed that exceeds a building height of 11m or contains more than three storeys. If the Precinct is developed in conjunction with Precinct 3 minor intrusion of 13.5m or four storey construction into the southern and western edges of Precinct 4 may be appropriate.

A building must not be constructed that exceeds a building height of 13.5m or contains more than four storeys. This height cannot be varied with a permit.

**Precinct 5**

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Precinct 5 shares its northern boundary with land within the General Residential Zone Schedule 1 (GRZ1). It is located within the GRZ1.

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**Access**

Development should facilitate safe access from Norris Street to the east of the precinct to enable future connection to the Upfield Shared Path for pedestrians and cyclists through:

- The provision of a public alternative transport link from Norris Street to the south-eastern corner of the Precinct. This may be located either partially or wholly within the right of way which forms part of the precinct;
- Maintenance of sightlines for users of the alternative transport link, including the use of low or visually permeable fencing adjacent to this interface;
- The provision of adequate space for landscaping along the alternative transport link to improve the amenity of the area.

## Requirements for Subdivision Applications

### All land

The subdivision must support the development objectives of this Plan.

The consolidation of small lots to encourage better development is encouraged.

### Precinct 3

#### Access

Subdivision must provide public access through the site for alternative modes of transport (e.g. walking and cycling) and include the provision of road infrastructure to allow service and emergency vehicles to attend the Land safely through:

- The provision of road and alternative transport link infrastructure as detailed in Table 6;
- The transfer of any public road to Council; and
- Implementing measures to ensure ongoing public access over any private road or alternative transport link, to the satisfaction of the responsible authority.

Where an alternative design response is proposed the responsible authority must consider:

- Whether permanent access to and through the site for the public has been provided;
- Access and egress for service and emergency vehicles to all land within the Incorporated Plan Overlay;
- Whether the accessway from Sheppard Street to Hosken Reserve within Precinct 2 has been declared a public road;
- Permeability of the precinct for, and public access to Hosken Reserve by, pedestrians and cyclists;
- The report of a traffic engineer with respect to anticipated traffic volumes and demand for on street car parking within existing and proposed roadways.

#### Public open space

Subdivision layouts should provide that part of Precinct 3 identified in this Plan as currently occupied by a car park serving Hosken Reserve as a portion of the Public Open Space contribution payable unless alternative arrangements for the transfer of this land to Council have previously been entered into.

#### Common Property

All lots within the Precinct should have entitlement to each area of communal space located at ground floor level and on rooftops.

## Clause 55 Standards specifically referenced

### Standard B17

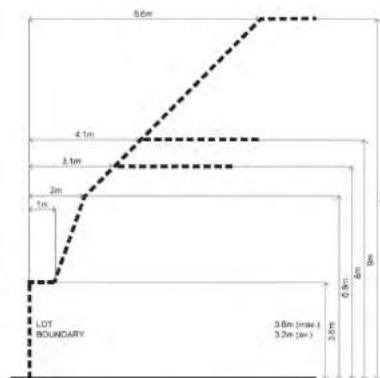
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

**Diagram B1 Side and rear setbacks**



### Standard B21

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

### Standard B22

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

### Diagram B4 Overlooking open space

