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Proposed C218dare

**SCHEDULE 2 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE**

Shown on the planning scheme map as **ACZ2**.

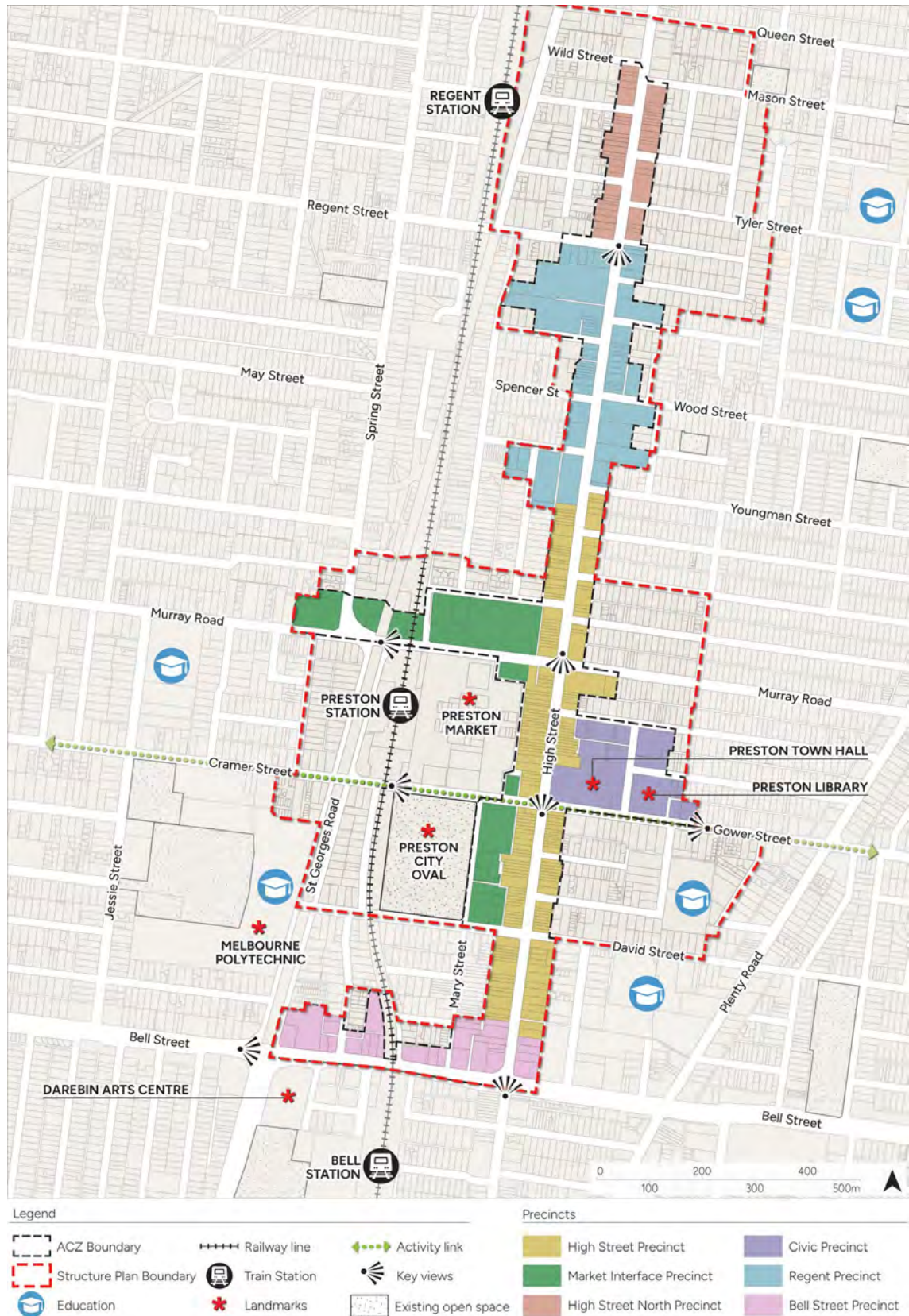
PRESTON CENTRAL MAJOR ACTIVITY CENTRE

1.0

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Preston Central framework plan

Map 1. Preston Central Framework Plan



**2.0**

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**Land use and development objectives to be achieved****Land use**

To enhance the role of the Preston Central Major Activity Centre as the pre-eminent activity centre in Darebin and the region.

To ensure the Centre remains a vibrant hub containing a diverse range of retail, hospitality, entertainment, community, education, and civic activities.

To provide a diversity of employment opportunities including increased office space, light industry, and uses that support the creative and cultural industries.

To ensure the Centre remains a welcoming centre that provides a diversity of housing in terms of type, size, tenure, and price range, including affordable housing.

**Built Form**

To support built form typologies that range in height from 4 to 10 storeys and respond to the preferred design outcomes for each precinct.

To ensure built form responds to residential interfaces and respects existing amenity.

To ensure built form creates active frontages at ground level, contributes to safety in the public realm, and creates a visually interesting interface with the street.

To create a green centre that incorporates landscaping and passive design elements in new development.

To ensure all development achieves high-quality urban design and architectural outcomes.

**Public realm and open space**

To provide safe and accessible public spaces in new development.

To ensure public spaces have good access to sunlight and shelter from the wind.

To encourage the provision of public art in new developments.

To protect areas of public open space.

To recognise Preston City Oval as Preston's primary open space area.

**Access, movement and parking**

To encourage development that supports greater uptake of sustainable and active forms of transport.

To improve walking and cycling permeability through the creation of new connections and expanded footpaths across the movement network.

To ensure loading, servicing and car parking areas do not negatively impact on the streetscape and character.

## 3.0

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## Table of uses

## Section 1 - Permit not required

| Use  | Condition  |
|--|--|
| Accommodation (other than Community care accommodation, Corrective institution, Dwelling Residential Hotel, Rooming house) | Must not be located at ground floor level.<br>Any frontage at ground floor level must not exceed 2 metres (other than a Bed and breakfast and Caretaker's house).  |
| Art and craft centre   |  |
| Automated collection point   | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>The gross floor area of all buildings must not exceed 50 square metres.   |
| Cinema   |  |
| Cinema-based entertainment facility  |  |
| Community care accommodation   | Must meet the requirements of Clause 52.22-2.<br>Where located in the High Street North or High Street precincts: <ul style="list-style-type: none"> <li>Must have a ground floor level frontage not exceeding 2 metres and access must not be shared with a dwelling (other than a caretaker's house).</li> <li>Must be located on the first floor or above.</li> </ul>   |
| Dwelling   | Must not be located at ground floor level.<br>Must be located on second floor and above in Regent, Market Interface, and Bell Street Gateway precincts.<br>Any frontage at ground floor level must not exceed 2 metres (other than a Bed and breakfast and Caretaker's house).   |
| Education Centre   | Must be located to have a frontage to High Street or Bell Street where located in the Bell Street precinct.<br>Where located in the High Street North or High Street precincts: <ul style="list-style-type: none"> <li>Must have a ground floor level frontage not exceeding 2 metres and access must not be shared with a dwelling (other than a caretaker's house).</li> <li>Must be located on the first floor or above.</li> </ul>   |
| Exhibition Centre  |  |
| Home based business  |  |
| Industry (other than Refuse disposal, Research and development centre, Rural industry and Automated collection point)      | Must be in the Regent, Market Interface, or Bell Street precincts.<br>Must not be a purpose listed in the table to Clause 53.10 except for bakery, small goods production and joinery.<br>The land must be at least the following distances from land (not a road) in a residential zone, land used for a hospital, primary school, secondary school or a corrective institution or land not in this zone used for any other education centre, or land in a Public Acquisition |

## DAREBIN PLANNING SCHEME

| Use   | Condition  |
|---|--|
|   | <p>Overlay to be acquired for a hospital, primary school, secondary school, or any other education centre or a corrective institution on land not in this zone:</p> <ul style="list-style-type: none"> <li>▪ The threshold distance, for a purpose listed in the table to Clause 53.10.</li> <li>▪ 30 metres, for a purpose not listed in the table to Clause 53.10.</li> <li>▪ If a purpose listed in the table to Clause 53.10, the land must be at least the threshold distance from land used for a dwelling or residential building.</li> </ul> |
| Informal outdoor recreation   |  |
| Interpretation centre   |  |
| Library   |  |
| Minor sports and recreation facility (other than Informal outdoor recreation, Open sports ground and Outdoor recreation facility)                         | <p>The leasable floor area must not exceed 250 square metres.</p> <p>Where located in the High Street North or High Street precincts:</p> <ul style="list-style-type: none"> <li>▪ Must not have a ground floor frontage exceeding 2 metres and access must not be shared with a dwelling (other than a caretaker's house).</li> <li>▪ Must be located on the first floor or above.</li> </ul>   |
| Office  | <p>Where located in the High Street and High Street North precinct any frontage at ground floor level must not exceed 2 metres, unless the office is a bank, real estate agency, travel agency, or other office where the floor space adjoining the frontage is a customer service area accessible to the public.</p>  |
| Place of assembly (other than Drive-in theatre, Exhibition centre, Place of Worship, Library, Cinema, Cinema based entertainment facility, and Nightclub) | <p>The leasable floor area must not exceed 250 square metres other than in Civic Precinct.</p>   |
| Place of Worship  | <p>The gross floor area for all buildings must not exceed 250 square metres.</p>   |
| Research centre   | <p>Must not be located in the High Street North or High Street precincts.</p>  |
| Residential Hotel   | <p>Where located in the High Street North or High Street precincts:</p> <ul style="list-style-type: none"> <li>▪ Must have a ground floor level frontage not exceeding 2 metres and access must not be shared with a dwelling (other than a caretaker's house).</li> <li>▪ Must be located on the first floor or above.</li> </ul>   |
| Retail Premises (other than Shop and Gambling premises)   |  |
| Rooming house   | <p>Must meet the requirements of Clause 52.23-2.</p> <p>Where located in the High Street North or High Street precincts:</p>   |

## DAREBIN PLANNING SCHEME

| Use   | Condition  |
|---|--|
|   | <ul style="list-style-type: none"> <li>Must be located on the first floor or above.</li> <li>Must have a ground floor level frontage not exceeding 2 metres and access must not be shared with a dwelling (other than a caretaker's house).</li> </ul> |
| Shop (other than Adult sex product, Bottle shop, and Supermarket) |  |
| Supermarket   | The leasable floor area must not exceed 900 square metres in High Street and High Street North.  |
| <b>Any use listed in Clause 62.01</b>                             | Must meet requirements of Clause 62.01.  |

### Section 2 - Permit required

| Use  | Condition  |
|--|--|
| Adult sex product shop   | Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school, or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school. |
| Bottle shop  |  |
| Brothel  | Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land use for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.   |
| Gambling premises  |  |
| Industry (other than Refuse disposal, Rural industry and Automated collection point) | Must not be a purpose listed in the table to Clause 53.10 except for bakery, small goods production and joinery.   |
| Nightclub  |  |
| Service station  |  |
| Warehouse  |  |
| <b>Any other use not in Section 1 or 3</b>   |  |

### Section 3 – Prohibited

| Use  |
|--|
| Ensure that uses listed have a basis in the metropolitan/major activity centre or regional centre structure plan |
| See Section 3 of 37.08-2 for relevant provisions   |
| Agriculture (other than Apiculture and Crop raising)   |

**Use**

Corrective Institution

Major sport and recreation facility

Motor Racing Track

Refuse disposal

Saleyard

**4.0**

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**Centre-wide provisions****4.1**

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**Use of land**

A permit is not required to use land for the purpose of Local Government, providing the use is carried out by, or on behalf of, the public land manager.

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

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

**4.2**

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**Subdivision**

None specified.

**4.3**

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**Buildings and works**

No permit is required to construct a building or construct or carry out works for the following:

- Install an automatic teller machine.
- Alter an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter
  - At least 80 per cent of the building façade at ground level is maintained as an entry window with clear glazing.
- Install an awning that projects over a road if it is authorised by the relevant public land manager.
- Alter or extend one dwelling on a lot. This exemption does not apply to the extension of a dwelling if it is on common property.
- Construct or extend an out-building (other than a garage or carport) on a lot, provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than three metres above ground level.

**Provision of affordable housing**

Unless otherwise agreed to by the responsible authority, a permit must not be granted to construct a building or construct or carry out works for a dwelling until an agreement under Section 173 of the Planning and Environment Act 1987 (the Act) has been entered into between the owner of the land and the responsible authority that provides for the following:

- The landowner must contribute towards affordable housing (Affordable Housing Contribution) to the satisfaction of the responsible authority.
- For the purposes of the agreement “affordable housing” is to have the same meaning as any definition of that phrase contained within the Act.
- 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.
- The agreement must provide for an Affordable Housing Contribution defined as:
  1. 6 per cent of dwellings provided at 30 per cent discount to a registered housing agency; or
  2. Translation of the value that would otherwise be provided by the landowner under option 1, to: Provision of dwellings at nil consideration to a registered housing agency; Provision of dwellings at a discount to market value to a registered housing agency; Long-term leasing of dwellings to eligible households at a discount to market rent, overseen by a registered housing agency; Cash-in-lieu contribution to a registered housing agency; and/or Any other model as agreed by the responsible authority.
- If option 2 is pursued:
  - The value of the Affordable Housing Contribution is to be calculated by reference to the dwellings that are agreed to be sold at a discount as agreed with a registered housing agency, or the median unit value in the development as determined by an independent and qualified valuer; and
  - The term of use and discount is to be determined with regards to the Net Present Value of the Contribution and the number of dwellings to be facilitated.
- The Section 173 Agreement should subsequently set out further details including:
  - Dwelling mix;
  - Term of use;
  - Timeframes for delivering the obligation;
  - How the delivery model will result in dwellings that are appropriate for eligible households with regards to each of the matters under the Act.

The cost of preparing and lodging the agreement, including any registration fees, must be paid for in full by the owner/s.

#### **4.4**

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#### **Design and development**

The following design and development requirements apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a built form requirement expressed with the term 'must'.

A permit may be granted to vary a built form requirement expressed with the term 'should'.

An application for buildings and works that does not meet a built form requirement expressed with the term 'should' must demonstrate how the development will meet the relevant design objectives and the relevant built form outcomes.

Regardless of whether the built form requirements are met, an application for buildings and works should meet the relevant built form outcomes.

#### **Definitions**

For the purpose of this Schedule the following definitions apply:

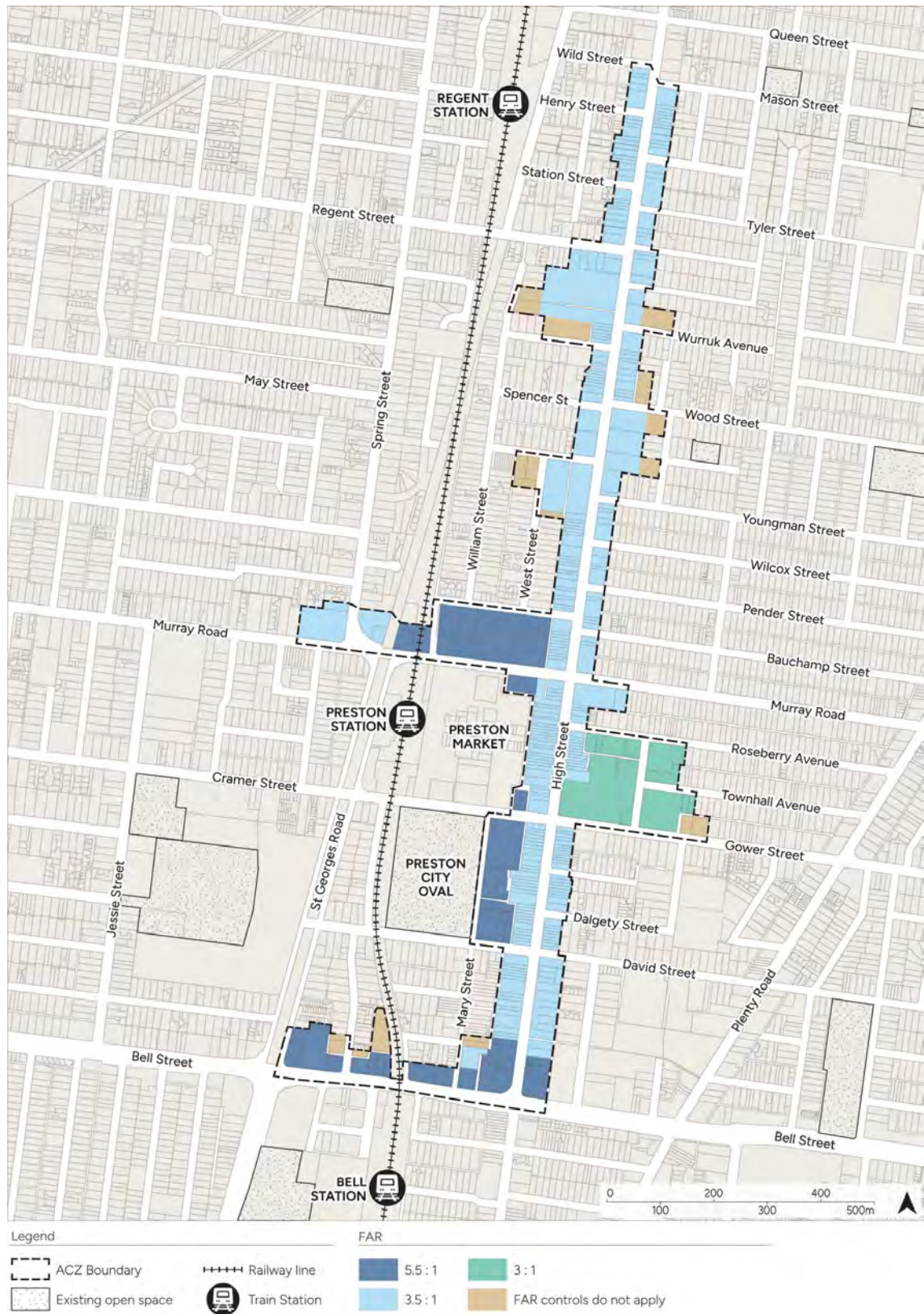


- **Additional shadow** means any shadow cast beyond that cast by the applicable street wall height controls in Map 9 or any shadow cast from existing buildings and structures, whichever is the greater. This does not include incidental elements such as canopies, verandahs, artwork, screens or trees.
- **Floor Area Ratio (FAR)** means the gross floor area, of all buildings on a site, including all ground floor setbacks enclosed areas, services, lifts, car stackers and covered balconies, divided by the area of the site. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor.
- **Building Height** means the vertical distance from natural ground level to the roof or parapet at any point but does not include:
  - Lifts, stairs, rooftop plant and solar panels.
  - Structures and equipment associated with communal or green areas that occupy 50% or less of the roof area.
- **Heritage place** means a building, site or area subject identified on the Victorian Heritage register and/or within a heritage overlay.
- **Laneway** means any road that has a boundary to boundary width less than 9 metres.
- **Large site** means any site with a total area of 1,000 square metres and above.
- **Street wall** means that part of a building constructed within 0.3 metres of an existing or proposed street, laneway or public open space.
- **Street wall height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the street wall.
- **Ground floor landscape** means the percentage of the site required to be dedicated to ground floor landscaping.
- **Setback** has the same meaning as in Clause 73.01.
- **Sleeve** means to position active uses between large floorplate tenancies, carpark or service areas and the public realm to achieve an active and safe street edge.
- **Site coverage** has the same meaning as in Clause 73.01.
- **Building separation for primary outlook** is the view from main living room within and between developments.
- **Building separation for secondary outlook** is the view from bedrooms and studies of apartments and the view from commercial occupancies within and between developments.

## Floor Area Ratio (FAR)

An application to construct a building or carry out works must not exceed the maximum FAR specified in Map 2.

**Map 2 - Maximum FAR requirements**



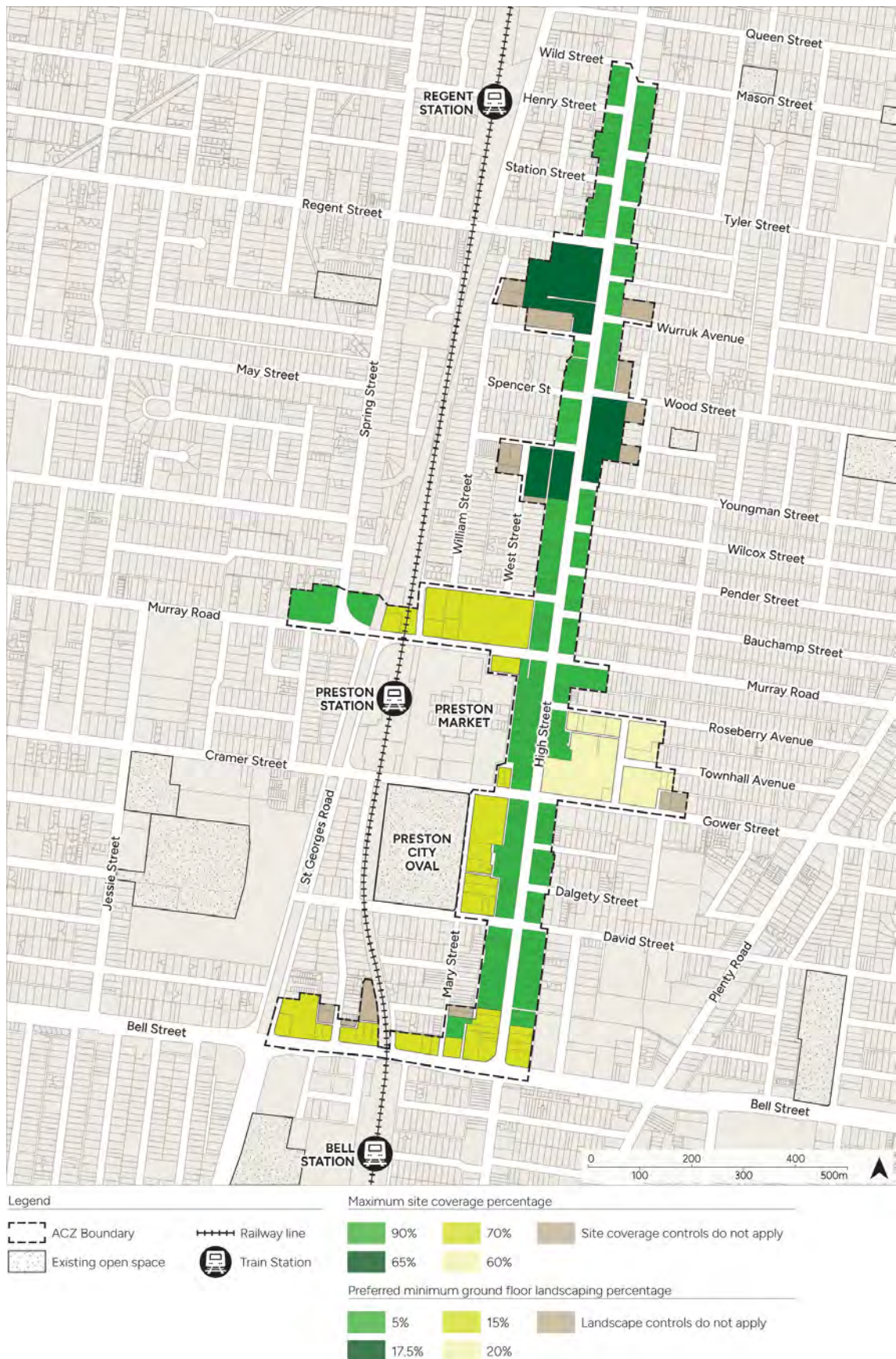


## Site coverage and ground floor landscaping

Buildings and works must not exceed the site coverage requirements outlined in Map 3.

Development should provide a minimum ground floor area for landscaping as outlined in Map 3.

**Map 3 - Site coverage and ground floor landscape requirements**



## DAREBIN PLANNING SCHEME

Areas for landscaping should:

- Provide canopy cover and, at a minimum, include canopy trees in accordance with Table 1.
- Consist of permeable surfacing, including sufficient area for deep soil planting of canopy trees in accordance with Table 2.
- Include smaller trees, shrubs, and ground cover.
- Incorporate native and indigenous planting, where possible.
- Retain existing trees where appropriate.
- Be located in communal/public areas, where possible.
- Be functional and useable and incorporate furniture, where possible.
- Not include hard surfaced areas such as car parking and driveways.
- Include opportunities for Water Sensitive Urban Design.

**Table 1 - Canopy tree requirements**

| Landscape area              | Canopy trees                             |
|-----------------------------|--|
| 50 square metres or less    | At least 1 Type A tree                   |
| 50 to 150 square metres     | At least 1 Type B tree                   |
| 150 to 350 square metres    | At least 2 Type B trees or 1 Type C tree |
| 350 square metres and above | At least 2 Type C trees                  |

**Table 2 - Soil requirements for trees**

| Tree type | Tree in deep soil<br>Area of deep soil                | Tree in planter<br>Volume of planter soil           | Depth of planter soil |
|-----------|---|---|-----------------------|
| A         | 12 square metres<br>(min. plan dimension 2.5 metres)  | 12 cubic metres<br>(min. plan dimension 2.5 metres) | 0.8 metres            |
| B         | 49 square metres<br>(min. plan dimension 4.5 metres)  | 28 cubic metres<br>(min. plan dimension 4.5 metres) | 1 metre               |
| C         | 121 square metres<br>(min. plan dimension 6.5 metres) | 64 cubic metres<br>(min. plan dimension 6.5 metres) | 1.5 metres            |

**Table 3 - Tree type**

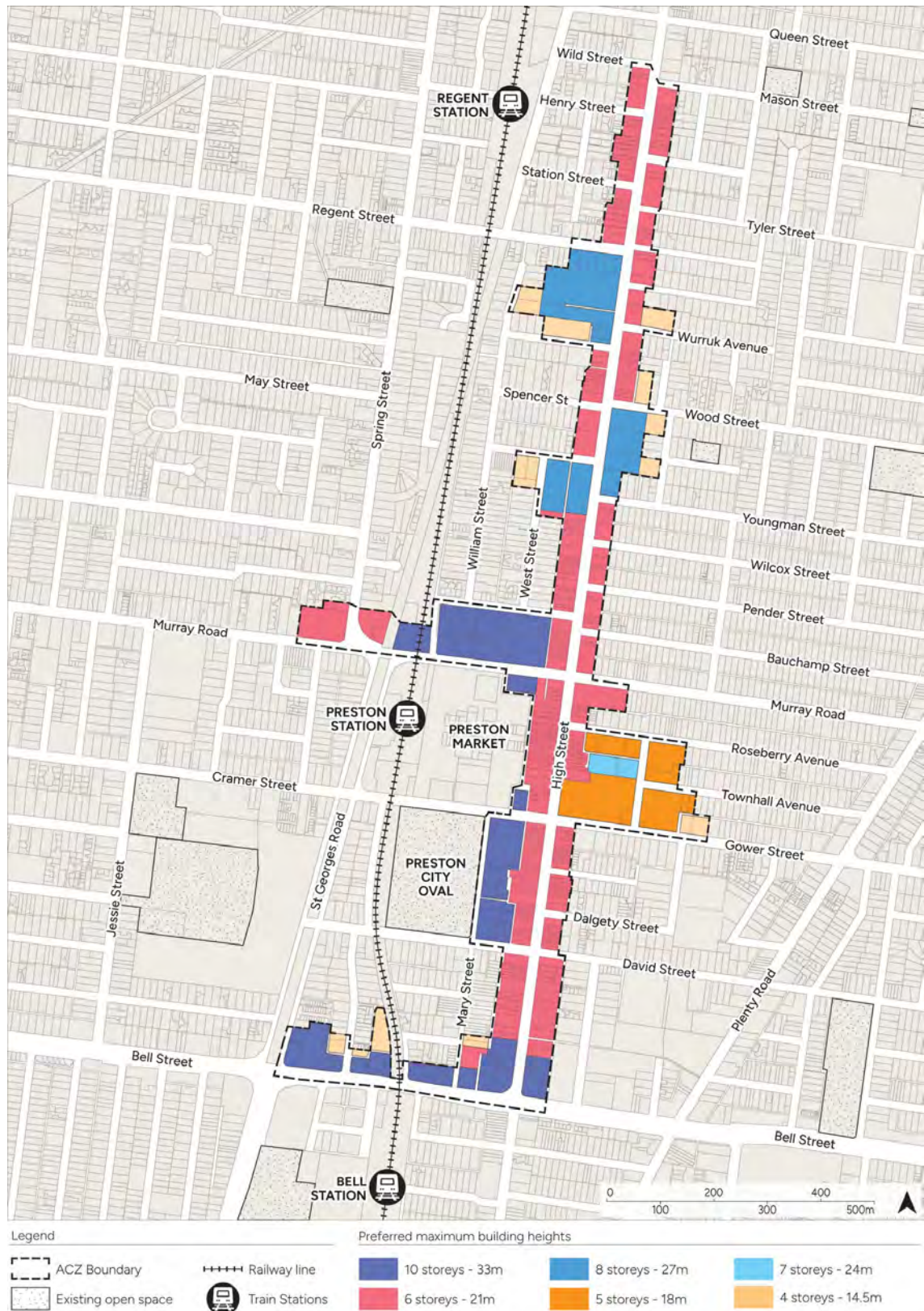
| Tree type | Minimum canopy diameter at maturity | Minimum height at maturity |
|-----------|-------------------------------------|----------------------------|
| A         | 4 metres                            | 6 metres                   |
| B         | 8 metres                            | 8 metres                   |
| C         | 12 metres                           | 12 metres                  |



## Building height

The height of a building should not exceed the preferred maximum building height outlined on Map 4.

**Map 4 - Preferred maximum building height requirements**

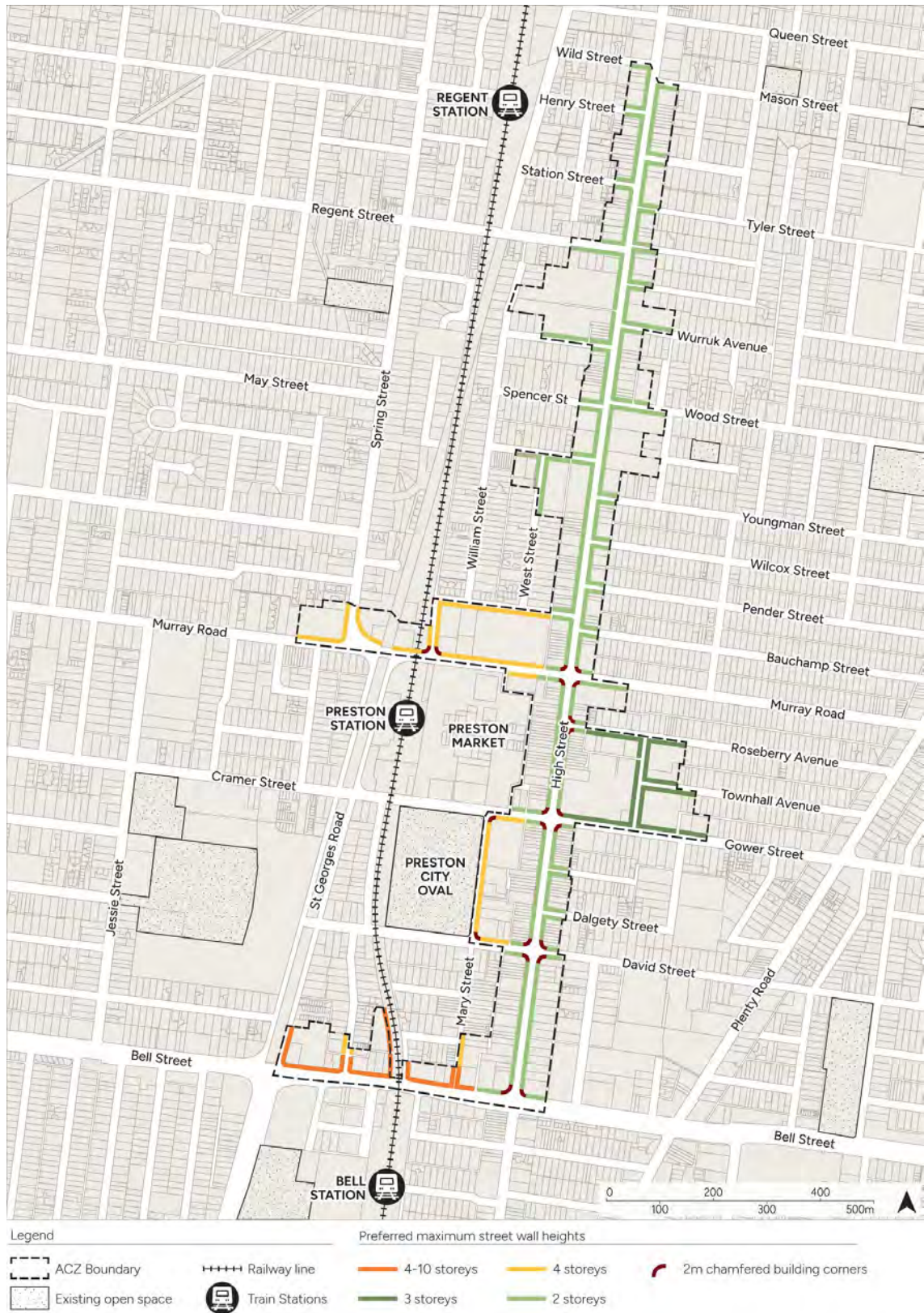




## Street wall height

Street walls should not exceed the preferred maximum street wall height outlined in Map 5.

**Map 5 - Street wall height requirements**

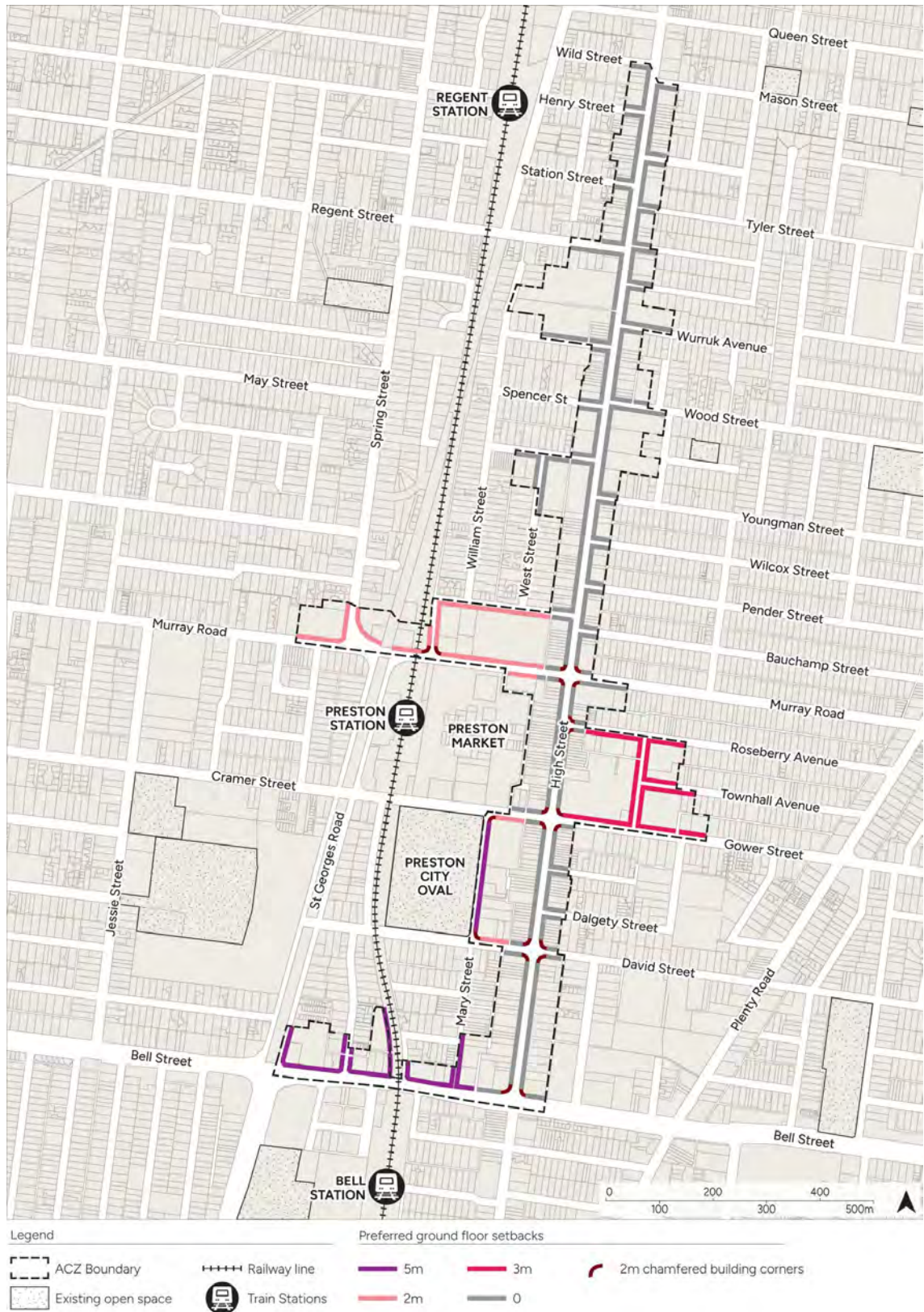




## Ground floor setbacks

Ground floor setbacks should meet the preferred setbacks outlined in Map 6.

**Map 6 - Ground floor setback requirements**



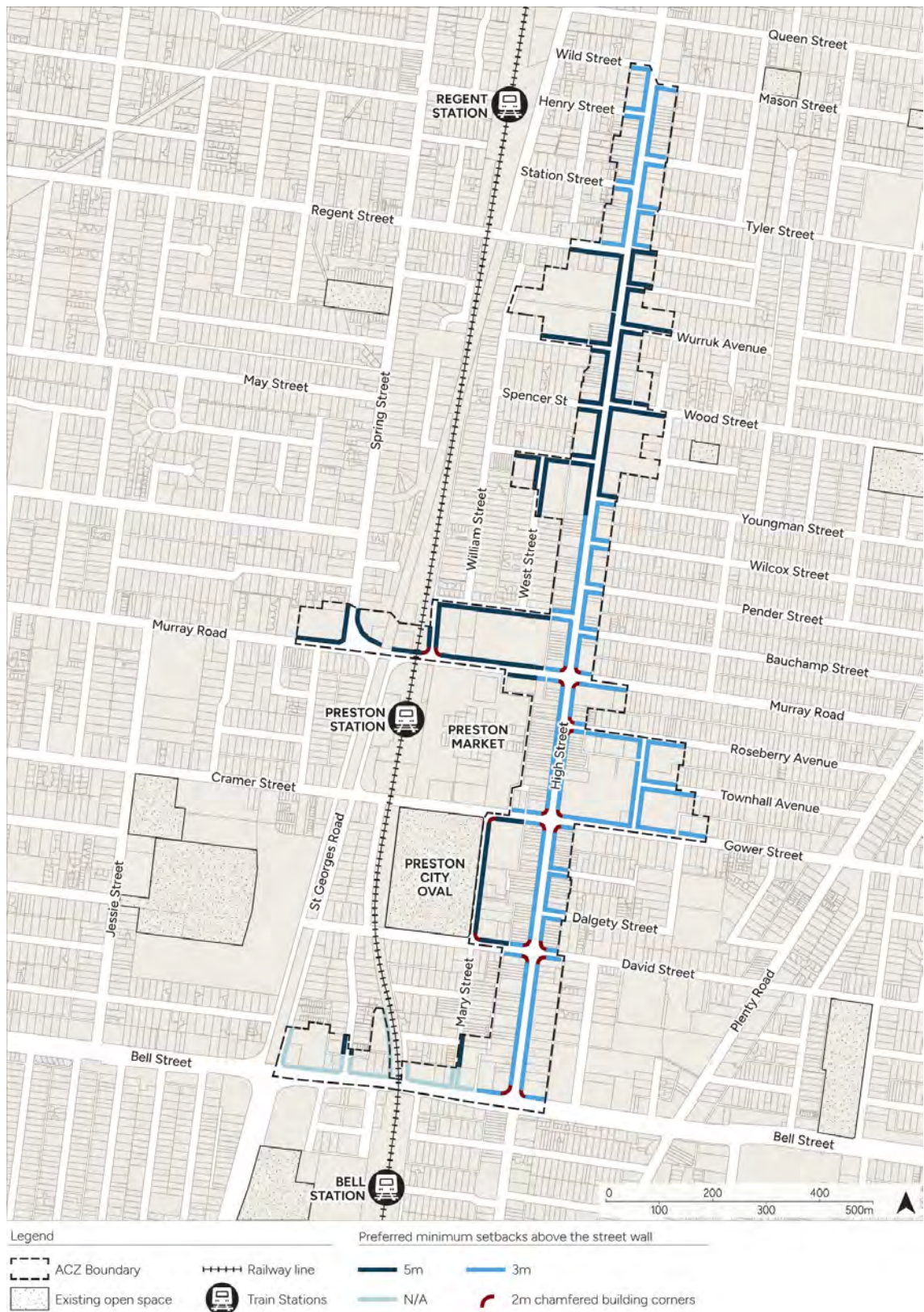


## Setbacks above street wall height

Built form above the preferred maximum street wall height should meet the preferred minimum setbacks outlined in Map 7.

Building corners should be chamfered at key intersection in the High Street Precinct and Market Interface Precinct in accordance with Map 7.

**Map 7 - Setbacks above street wall height requirements**

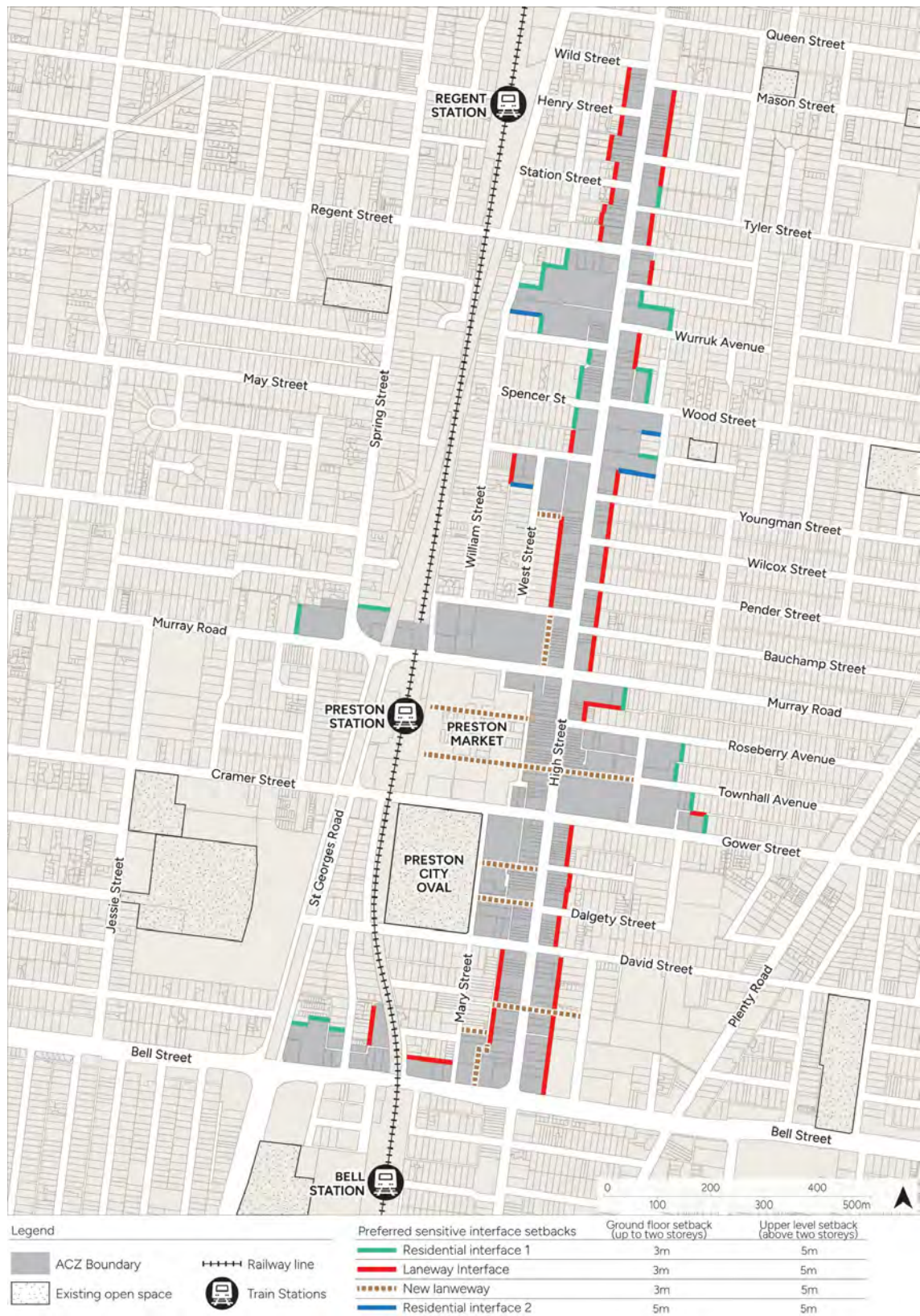




## Sensitive interface requirements

Where specified in the locations on Map 8 the identified setbacks should be met.

**Map 8 - Sensitive interface requirements**



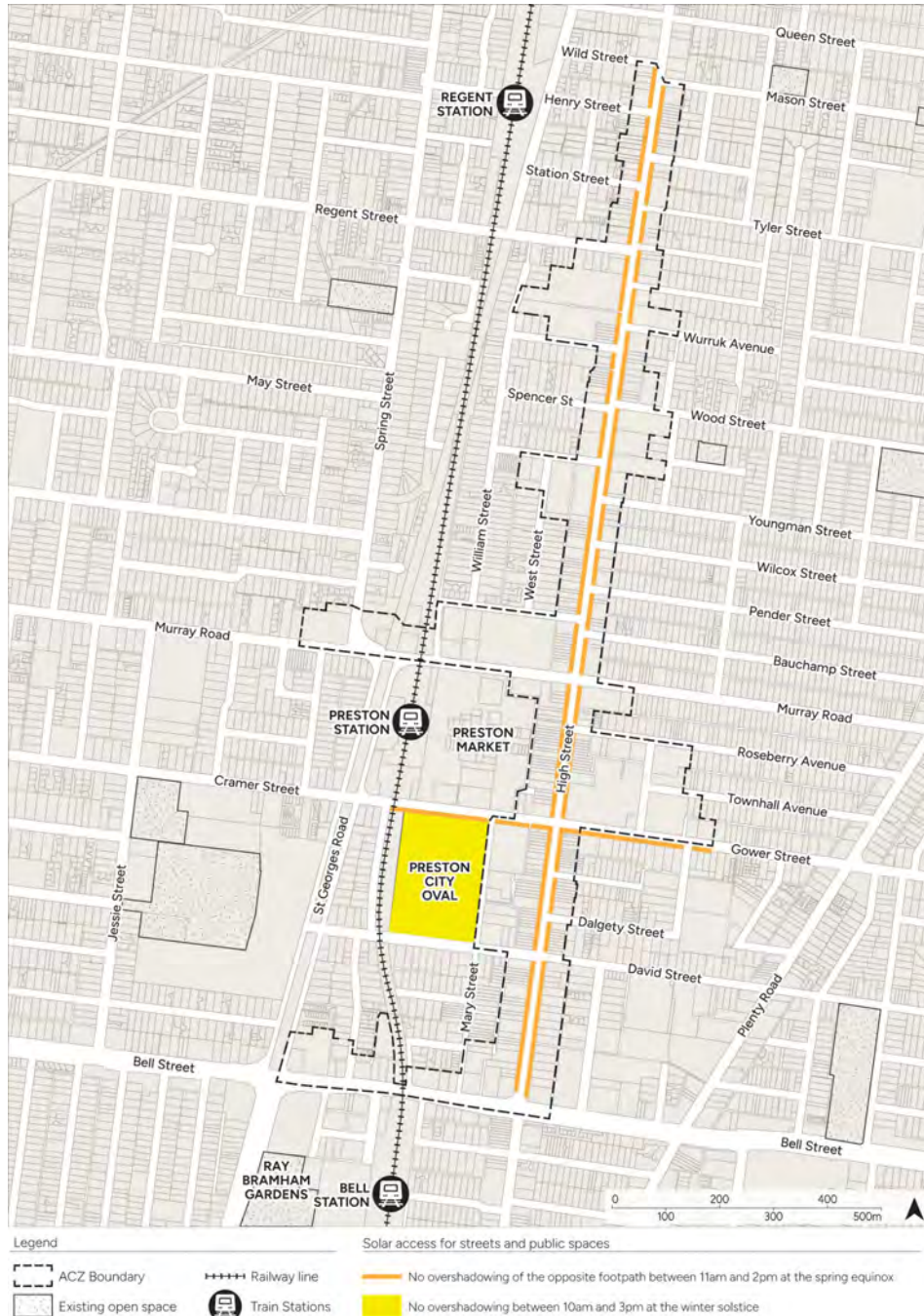


## Solar access

Buildings must not cast any additional shadow over the public spaces shown in yellow on Map 9 of this Schedule between 10am and 3pm on 21 June (the Winter Solstice).

Buildings must not cast any additional shadow onto the opposite footpath in High Street or the Southern Footpath in Gower Street and Cramer Street (land coloured orange) between 11am and 2pm on 22 September (the Spring Equinox). This is measured from the property boundary to the existing kerb line.

**Map 9 - Solar access requirements**



### Building separation

Separation between buildings should not be less than the preferred distance outlined in Table 4.

**Table 4 - Building separation distances for primary and secondary outlooks**

| Height          | Primary outlook | Secondary outlook |
|-----------------|-----------------|-------------------|
| 1 to 4 storeys  | 12 metres       | 6 metres          |
| 5 to 8 storeys  | 18 metres       | 9 metres          |
| 9 to 10 storeys | 24 metres       | 12 metres         |

### Building design and street interface

Development should contribute to an active ground level frontage along street interfaces by:

- Providing at least 80 per cent of the length of the ground level frontage as a glazed entry or window, excluding columns and frames.
- Incorporating high quality finishes and design detailing, including recesses, thickness, tactility, and depth, in street facades that add visual interest.
- Designing ground floor spaces so that they can accommodate active uses such as retail, food and drink premises, and shops high levels of interaction between what happens internal to the building and the street through displays or regular entrances.
- Integrating landscaping and footpath trading opportunities at ground level.
- Avoid blank walls (including painted concrete), tinted or opaque windows, and long frontages with minimal pedestrian entrances.
- Locating site services and utilities in locations with minimal impact on the frontage of the building.
- Designing spaces to ensure accommodation uses and other uses with minimal activity (i.e. minimal engagement with the street or pedestrian foot traffic) can be accommodated at upper levels of development.

Upper levels of development should incorporate elements that increase passive surveillance of streets such as balconies, terraces, and windows.

Buildings should include principles of Crime Prevention Through Environmental Design and Universal Design.

Upper-level building materials should be distinguishable from street wall level materials.

Development on large sites that include multiple dwellings should adopt a diversity of typologies, forms, and design elements within a cohesive design framework rather than a single continuous form.

Floor to ceiling heights should be a minimum of:

- 4 metres at ground and first level.
- 3.5 metres above first level.

Buildings should include adaptable design techniques to ensure that alternate uses can be accommodated over time.

Residential entrances should have a clear sense of address and be easily distinguishable from commercial entrances.

### Access and movement

Development should provide new laneway connections as shown on Map 8.

New laneways should be:

- Publicly accessible and open 24 hours a day.
- Clear to the sky, where possible.
- Attractive, well-lit, and provide a clear line of sight from one end to the other and opportunities for passive surveillance.

Development should:

- Provide car parking in a basement.
- Provide vehicle access at the rear of sites, secondary frontages, or laneways.
- Minimise the number of vehicle crossovers.
- Avoid the creation of new and, where possible, remove existing vehicle crossovers along High Street.
- Sleeve car parking areas where it is provided at upper levels of development by accommodation, commercial, or other occupied spaces.
- Provide separate vehicle and pedestrian access points.
- Provide loading bays at the rear of buildings where possible.

### Noise

Where new buildings include accommodation or childcare use:

- Above or immediately adjoining an Industry or Food and drink premises; or
- within 80 metres of the Mernda Railway Line or Transport Zone 2.

The design response should achieve the following noise attenuation levels:

- Not greater than 35dB for bedrooms, assessed as an LAeq, 8h from 10pm to 6am.
- Not greater than 40dB for living areas, assessed as an LAeq, 16h from 6am to 10pm.

New buildings should incorporate noise attenuation measures and suppression techniques to ensure noise does not unreasonably affect the acoustic amenity of land within a Residential Zone.

### Wind effects

A permit cannot be granted for buildings and works which are not in accordance with the assessment method outlined in Figure 1.

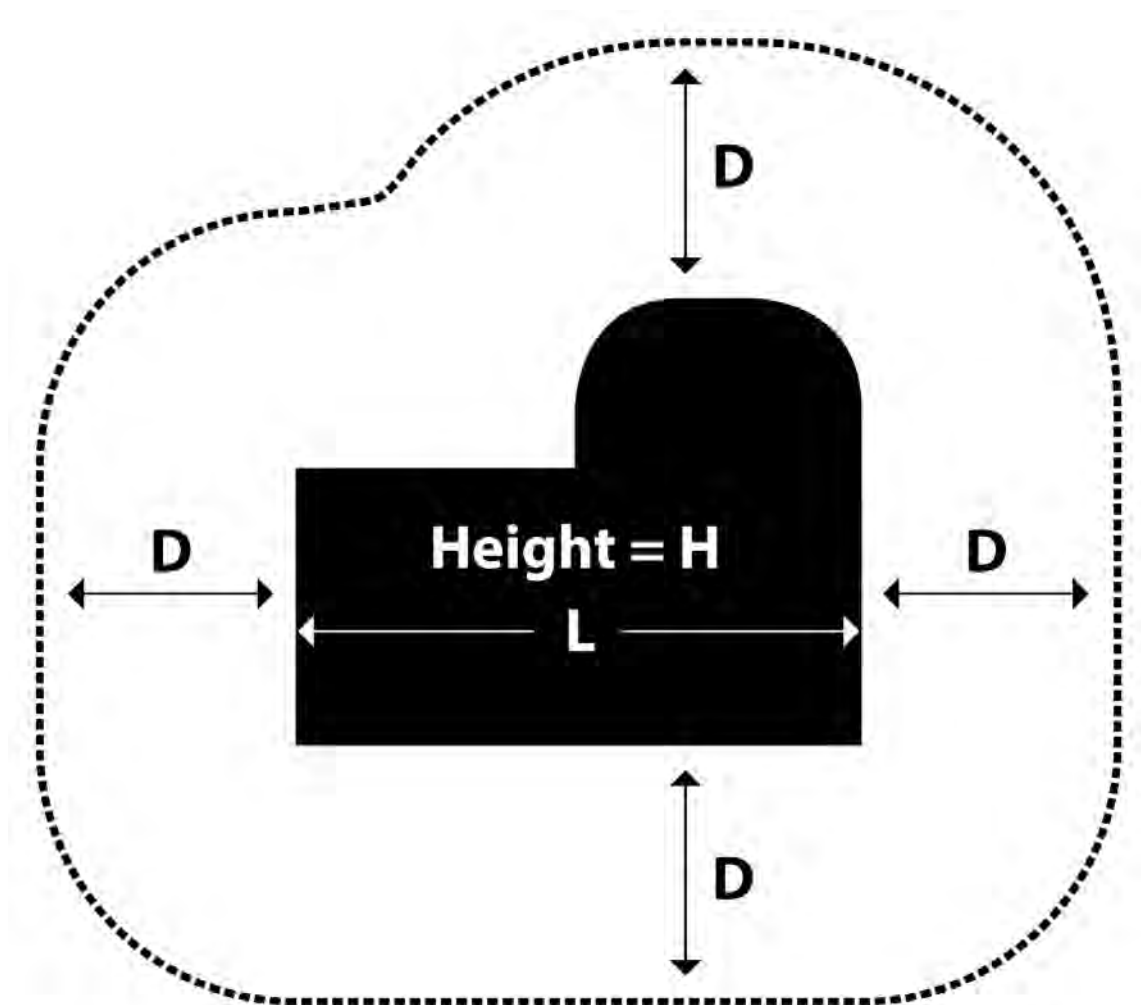
Buildings and works with an overall height equal to, or greater than 16 metres:

- Must not cause unsafe wind conditions as specified in Table 5 on public land, publicly accessible areas on private land, private open space and communal open space; and
- Should achieve comfortable wind conditions as specified in Table 5 in public land and publicly accessible areas on private land.

Trees and landscaping should be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Figure 1. Calculations of wind effects requirements



***Assessment distance  $D$  equals greater of:***

$L/2$  (Half longest width of a building)

OR

$H/2$  (Half overall height of a building)

Table 5 - Wind effects requirements

| Wind conditions             | Requirement  |
|-----------------------------|--|
| Comfortable wind conditions | <p>Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than:</p> <ul style="list-style-type: none"> <li>3 metres per second for sitting areas.</li> <li>4 metres per second for standing areas.</li> <li>5 metres per second for walking areas.</li> </ul> |

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Unsafe wind conditions

Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.

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## 5.0

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## Precinct provisions

### 5.1 Precinct 1 – High Street Precinct

#### 5.1-1

#### Precinct objectives

- To facilitate a wide range retail, cultural, food and drink, community, and office uses that enhance the vibrancy of the precinct and its role as the retail/cultural core of the Centre.
- To enhance the day and night-time economy through mixed-use development that provides a range of uses that are accessible at various times of the day.
- To support accommodation uses at upper levels of buildings as part of mixed-use development.
- To support a mid-rise scale of 4-6 storeys that is consistent with the fine-grain heritage fabric of the precinct.
- To enhance the pedestrian environment through active uses and human-scale design at the street interface.

#### 5.1-2

#### Precinct guidelines

- Development should maintain the fine grain character of High Street through a combination of:
  - Vertical built form and design elements that seek to integrate with the existing streetscape rhythm of narrow lots and buildings.
  - The provision of small-scale retail, cultural, entertainment, and food and drink uses at ground level.
  - Maintaining the dominance of the street wall through visually recessive upper level built form.
- Continuous weather protection (canopies/verandahs) should be provided over footpaths along High Street.

### 5.2 Precinct 2 – Civic Precinct

#### 5.2-1

#### Precinct objectives

- To facilitate the use of land for public institutions and community services such as library uses, public open space, multipurpose community spaces, and cultural uses, alongside residential (including affordable housing) and commercial uses (including affordable workspaces).
- To support mid-rise buildings between 5-7 storeys that is of a high design quality and complements existing heritage places within the precinct.
- To provide improved pedestrian permeability through the precinct and enhanced activation of existing connections.

**5.2-2 Precinct guidelines**

- New car parking facilities should be provided underground or sleeved above ground to reduce the dominance of parking on the higher amenity Gower and High Streets.
- The configuration and layout of Council owned land, including surface car parking, should be improved to make more efficient use of land to provide increased Council and other community services.

**5.3 Precinct 3 – Market Interface Precinct**

**5.3-1 Precinct objectives**

- To facilitate employment generating uses as part of a mixed-use precinct that includes office, creative industries, small-scale manufacturing, retail, and recreational uses.
- To support residential development that integrates with the mixed-use nature of the precinct and provides a high level of amenity for residents.
- To support buildings between 8-10 storeys.

**5.3-2 Precinct guidelines**

- Development should provide an active ground level where it interfaces with public spaces such as streets, parks, or public reserves by:
  - Orienting active land uses so that they address these interfaces.
  - Incorporating the street interface active frontage design elements as outlined in Clause 4.4.
- Ground floor setbacks along Murray Road and the south side of Cramer Street should provide publicly accessible spaces such as widened footpaths and improved pedestrian spaces alongside integrated landscaping.
- Landscaping opportunities should be maximised within the ground level front setback of development along Mary Street to enhance the connection with Preston City Oval.

**5.4 Precinct 4 – Regent Precinct**

**5.4-1 Precinct objectives**

- To facilitate employment generating uses as part of a mixed-use precinct that includes office, creative industries, small-scale manufacturing, retail, and recreational uses.
- To support residential development that integrates with the mixed-use nature of the precinct and provides a high level of amenity for residents.
- To enhance the pedestrian environment through active uses and human-scale design at the High Street interface.

**5.4-2 Precinct guidelines**

- Continuous weather protection (canopies/verandas) should be provided over footpaths along High Street.

**5.5 Precinct 5 – High Street North Precinct**

**5.5-1 Precinct objectives**

- To create a vibrant local commercial and cultural precinct by facilitating a wide range of retail, cultural, food and drink, community, and office uses.
- To support accommodation uses at upper levels of buildings.
- To enhance the pedestrian environment through active uses and human-scale design at the street interface.
- To support mid-rise development up to 6 storeys that is consistent with the fine-grain heritage fabric of the precinct.

**5.5-2 Precinct guidelines**

- Development should maintain the fine grain character of High Street through a combination of:
  - Vertical built form and design elements that seek to integrate with the existing streetscape rhythm of narrow lots and buildings.
  - The provision of small-scale retail, cultural, entertainment, and food and drink uses at ground level, where appropriate.
  - Maintaining the dominance of the street wall through visually recessive upper level built form.
- Continuous weather protection (canopies/verandas) should be provided over footpaths along High Street.

**5.5 Precinct 6 – Bell Street Precinct****5.6-1 Precinct objectives**

- To prioritise employment generating uses such as office, small-scale manufacturing, and large format retailing uses.
- To support residential uses at upper levels of development in a way that does not undermine the primary employment function of the precinct.
- To support buildings of up to 10 storeys.
- To enhance the pedestrian environment of Bell Street..

**5.6-2 Precinct guidelines**

- Ground floor setbacks along Bell Street should:
  - Provide publicly accessible spaces such as widened footpaths and improved pedestrian spaces.
  - Maximise opportunities for landscaping.

**6.0 Application requirements**

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The following application requirements apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written statement that provides a design response including how the development responds to the objectives and requirements set out in this schedule and in the Preston Central Structure Plan (2023) and the physical surrounds and adjacent uses.



- A Waste and Recycling Management Plan which demonstrates, as appropriate:
  - Strategies for waste minimisation during the construction phase and once construction is complete.
  - Likely waste generation by users of the building (including the market).
  - Provision and allocation of bins for garbage, recycling, green waste, e-waste etc.
  - The location and dimensions of bin storage areas, chutes, etc., including access points for collection.
  - The proposed method and frequency of waste and recycling collection.
  - Provision of signage to ensure that waste is disposed of correctly and that contamination is minimised.
  - Opportunities to minimise, reuse and recycle waste on site.
- An application to use land for Industry must be accompanied by:
  - An Amenity Impact Assessment that considers the following impacts on surrounding use and development:
    - Noise
    - Airborne emissions from the proposed use.
    - Potential emissions on land or water.
    - Traffic, including hours of delivery and dispatch.
    - Light spill or glare.
- For applications with mixed use, retail, and/or commercial 1:50 scale elevation drawings of the primary, ground floor (street level) façade, accompanied by a detailed materials schedule and written statement explaining how the design of the ground floor face contributes to a highly detailed design, encouraging pedestrian activity and informal surveillance of the street from within the building.
- A Landscape and Urban Design Concept Plan for all publicly accessible spaces and pedestrian walkways detailing:
  - The location and indicative concepts for landscaped areas;
  - Street trees;
  - Public lighting;
  - Signs;
  - ESD and water conservation elements;
  - Furniture;
  - Waste bins
  - How public spaces have been designed to allow access for all ages; and
  - Public art.
- A Transport and Parking Report which includes details on:
  - Existing traffic conditions.
  - Anticipated traffic generation and distribution as a consequence of the proposal.

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- Pedestrian and vehicle (including bicycle and motorcycle) access points into, around and through the site, including disability access.
- Proposed circulation of street network, including designation of street hierarchy.
- The location of, and access to, public transport and bicycle routes and facilities relative to the proposed buildings and works, access to them and where appropriate, proposed user facilities.
- Details of bicycle and vehicle parking and loading, including location and access for waste recycling, storage and removal.
- Details of the provision of car-share spaces.
- Location, design and operation details of loading and unloading facilities including management arrangements, hours of access and circulation of vehicles ensuring conflict between loading bays, car park areas and non-motorised transport is minimised.
- Details of electric vehicle infrastructure (if relevant).
- An application for use or development for accommodation, child-care, or place of assembly above or immediately adjoining an Industry or Food and drink premises must be accompanied by an Acoustic Assessment prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority which:
  - Includes recommendations for noise attenuation measures designed to ensure that:
    - Internal noise levels in bedrooms are not greater than 35dB LAeq, 8h when measured between 10 pm and 6 am.
    - Internal noise levels in living areas are not greater than 40dB LAeq, 16h when measured between 6 am and 10 pm.
  - For areas other than sleeping and living areas, the median value of the range of recommended design sound levels of Australian Standard AS/NZ 2107:2016 (Acoustics – Recommended design sound level and reverberation times for building interiors).
  - Includes recommendations for any noise attenuation measures required to meet the applicable noise level objectives.
  - Includes additional considerations, where relevant, to address:
    - Potential noise character (tonality, impulsiveness or intermittency):
    - Noise with high energy in the low frequency range; and
    - Transient or variable noise.
- An application for the use or development of land for accommodation, child-care centre, or place of assembly within 80 metres from the centre of the nearest track associated with the Mernda Rail Line or that is adjacent to a Transport Zone 2 must be accompanied by a Noise, Vibration and Light Spill Report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority which:
  - Includes recommendations for noise attenuation measures designed to ensure that:
    - Internal noise levels in bedrooms are not greater than 35dB LAeq, 8h when measured between 10 pm and 6 am.
    - Internal noise levels in living areas are not greater than 40dB LAeq, 16h when measured between 6 am and 10 pm.
  - For areas other than sleeping and living areas, the median value of the range of recommended design sound levels of Australian Standard AS/NZ 2107:2016 (Acoustics – Recommended design sound level and reverberation times for building interiors).

- Includes recommendations for any noise attenuation measures required to meet the applicable noise level objectives.
- Includes additional considerations, where relevant, to address:
  - Potential noise character (tonality, impulsiveness or intermittency);
  - Noise with high energy in the low frequency range; and
  - Transient or variable noise.
- For all applications of more than four storeys (or 16 metres above natural ground level) in height, the following information must be provided:
  - A 3D massing model showing:
    - The potential overshadowing impact of the development on the public realm and the open space of adjoining properties.
    - How the design (including building height and setbacks) contributes to the public realm of the activity centre whilst having regard to the adverse effects of visual bulk.
  - A Key Views Assessment using scaled three dimensional images and diagrams showing:
    - Street views of the proposed development using a ground level perspective in context with its surrounding development.
  - A Wind Assessment Report which addresses (but is not limited to) the following:
    - Short term stationary wind exposure for any proposed outdoor food and drink premises and new public open space;
    - Short term wind exposure for street frontages and trafficable areas used as a thoroughfare;
    - Design measures to minimise the effect of wind to streets and public open spaces to ensure that adverse wind effects over and above the conditions that are currently experienced at present are not created, such as landscaping with rows of hedges/trees, artwork/sculptures, solid canopies, building massing, recessed corners.

### 7.0

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#### Notice and review

An application to construct a building or construct or carry out works is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if:

- The proposed development does not meet the building height and setback requirements of Clause 4.4 of this Schedule.

An application to use the land for the purposes of an Adult sex product shop, Brothel, Gambling premises, Industry, Nightclub, Place of assembly (excluding place of worship), or Service station is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

### 8.0

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#### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme, which must be considered, as appropriate, by the responsible authority:

#### Land use

Whether the proposed use:

- Provides a mix of uses within the site to complement and support the strategic role of the Preston Central Major Activity Centre.
- Provides a mix of uses within the site to complement and support the strategic role of the Preston Central Major Activity Centre.
- Achieves the land use objectives outlined in Clause 2.0 and the precinct objectives in Clause 5.0.
- Provides an active frontage at ground level, particularly along High Street.
- Mitigates amenity noise, odour, vibration and other associated amenity impacts on residential areas adjacent to the Activity Centre Zone, primary and secondary schools, childcare centres, and hospitals.
- Provides adaptability of any space within the ground floor in High Street and High Street North precincts and first two floors in Regent, Market Interface, and Bell Street Gateway precincts to be used for commercial purposes.

### **Dwelling and residential building uses**

Whether the proposed use:

- Undermines the employment and economic development opportunities of the area.
- Is designed to effectively mitigate noise, odour, vibration and other associated amenity impacts from non-residential uses.

### **Built form**

Whether the proposed development:

- Contributes to the creation of vibrant and human-scale streetscapes and a high-amenity public realm.
- Achieves the built form objectives outlined in Clause 2.0 and the precinct objectives in Clause 5.0.
- Satisfies the built form requirements in Clause 4.4.
- Represents either an over development, or an underdevelopment of a site.

### **Variations to discretionary requirements**

Where a proposal seeks to exceed the preferred maximum building height or vary any of the discretionary setback requirements in Clause 4.4, the applicant must demonstrate the following (as appropriate):

- Whether the proposal will meet the relevant centre-wide objectives at Section 2.0 as well as the relevant precinct objectives and guidelines at Section 5.0.
- Whether the proposal will make a positive contribution to the streetscape and avoid adverse impacts on the public realm and identified heritage places.
- Whether the proposal will result in additional reductions in off-site amenity impacts to adjoining properties such as overshadowing, overlooking, visual bulk, and daylight access than would otherwise be achieved under a compliant scenario.
- Whether the proposal results in, or substantially facilitates, the delivery of appropriately secured public benefits including:
  - Affordable and other specialised housing in excess of any minimum requirement in this Scheme.
  - Ground level publicly accessible space or public through-block links.

- Whether proposals that exceed the preferred street wall height are consistent with any existing street wall height on the site.
- Whether the proposal provides majority commercial floor space in the first two levels of a building in Regent, Market Interface, and Bell precincts.
- Whether the proposal contains floor to ceiling heights that can accommodate commercial uses.

## **9.0 Signs**

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Sign requirements are at Clause 52.05. All land with a frontage to a Transport 2 or Transport 3 or Cramer Street are in Category 3. All other land is in Category 1.

## **10.0 Other provisions of the scheme**

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None specified.

## **11.0 Reference documents**

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Preston Central Structure Plan (2023)  
Preston Central Built Form Framework (2023)