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SCHEDULE 16 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO16**.

RYCO PRECINCT FOOTSCRAY

This schedule applies to land known as 11-19 Whitehall Street, Footscray. The land is bounded by Whitehall Street to the west, Moreland Street to the east and Bunbury Street to the south.

1.0 Requirements before a permit is granted

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

- Any earthworks associated with the remediation of the land in accordance with or for the purpose of obtaining a Certificate or Statement of Environmental Audit under the *Environment Protection Act 1970* provided the works are carried out in accordance with a Construction Management Plan prepared in accordance with this Schedule.
- The construction of that part of any building which is associated with the remediation of the land in accordance with or for the purpose of obtaining a Certificate or Statement of Environmental Audit under the *Environment Protection Act 1970* provided the works are carried out in accordance with a Construction Management Plan prepared in accordance with this Schedule.
- The removal of any building for the purpose of remediation of the land in accordance with or for the purposes of obtaining a Certificate or Statement of Environmental Audit under the *Environment Protection Act 1970* provided the works are carried out in accordance with a Construction Management Plan prepared in accordance with this Schedule.
- Subdivision of the land, provided that the subdivision is the consolidation of the land into a single parcel.
- Removal or creation of easements or restrictions.

2.0 Conditions and Requirements for Permits

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Except for a permit issued as provided for under Clause 1.0, a permit must contain conditions or requirements which give effect to the provisions and requirements of the approved Development Plan.

A permit must also contain the following conditions, where appropriate:

Construction Management Plan

Prior to the commencement of any development on land affected by environmental or historical significance, plans and/or any necessary reports demonstrating how the development will implement the recommendations set out in the Construction Management Plan forming part of the approved Development Plan must be submitted to the satisfaction of the responsible authority, Public Transport Victoria and Vic Track. Once approved the plans and/or reports will form part of the permit.

Open Space

All land identified as open area in the approved Development Plan (which is to be generally in accordance with the open area identified on the Concept Plan) must be

managed by a Body Corporate, and managed in accordance with the approved Landscape Concept Plan and does not form part of the public open space contribution.

Integrated Transport Plan

Prior to commencement of the development permitted by this permit, the recommendations set out in the Integrated Transport Plan that forms part of the approved Development Plan must be implemented to the satisfaction of the responsible authority, Public Transport Victoria and Vic Roads.

Adverse Amenity Impacts

The development must implement any recommendations set out in the various report(s) prepared pursuant to the requirement at Clause 3.0 (Adverse Amenity Impacts Report) of this Schedule to the satisfaction of the responsible authority.

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Requirements for Development Plan

A Development Plan must be generally in accordance with the Concept Plan forming part of this Schedule to the satisfaction of the responsible authority.

Supporting Information Requirements

The Development Plan must include the following documents, reports, guidelines and plans, prepared to the satisfaction of the responsible authority:

Planning Report

A planning report must be prepared to the satisfaction of the responsible authority that includes:

- How the proposed development plan will meet the requirements of Clause 56 of the Scheme as may be necessary; and
- Demonstrates how the recommendations of the Construction Management Plan, Adverse Amenity Impact Report, Heritage Plan, Integrated Transport Plan, Environmental Audit Report and Ecological Sustainable Design Strategy have been incorporated into the proposed development of the land.

Site Master Plan

A Site Master Plan must be prepared to the satisfaction of the responsible authority that includes:

- Land uses across the site;
- Key access points, including indicative vehicle and pedestrian crossovers;
- Urban design principles;
- Indicative staging plan to identify the proposed sequencing of development;
- Vehicular access points, road infrastructure works and traffic management for each stage of development
- Key public access link to the Footscray Arts Centre and Maribyrnong River through the site (generally in accordance with the location and scale of the open area identified on the Concept Plan); and

- Interface/access treatments.

Design Guidelines

Design Guidelines must be prepared to the satisfaction of the responsible authority.

The Design Guidelines must provide the following:

- Indicative building heights and setbacks;
- Shadow diagrams internal and external to the site for the equinox between 10.00am and 3.00pm based on the building envelopes or arrangement shown in the proposed Concept Plan;
- Bicycle parking provision, including an indicative layout of bicycle spaces situated within the site and along public thoroughfares adjacent to the site;
- Car parking provision, including an indicative layout of car parking spaces, and external and internal traffic routes detailing the exit and entry arrangement for vehicles;
- Indicative waste storage and collection points;
- Development concept plans including indicative elevations and cross sections;
- Indicative building materials, treatments, including reflectivity details and architectural styles throughout the site;
- Indicative siting and orientation of buildings having regard to passive energy efficiency techniques and the relevant considerations of Clause 15.01-1 Urban Design and Clause 55 (as appropriate) of the Scheme;
- Indicative treatments for key interface areas (e.g. between open space areas and proposed development, within existing streetscapes, and between residential and non-residential land uses and the proposed development);
- Any particular design measures recommended by the Activity Centre Design Guidelines (DSE 2005), the Design Guidelines for Higher Density Residential Development (DSE 2004) and Safer Design Guidelines Victoria (Crime Prevention Victoria and DSE 2005); and
- Any particular and relevant design measures recommended by the Construction Management Plan, Adverse Amenity Impact Report, Integrated Transport Plan, Heritage Plan, Ecological Sustainable Design Strategy, Environmental Audit Report and the Site Remediation Strategy (as appropriate).
- A written description of how the development will enhance the existing urban realm and minimise any adverse amenity impacts to adjacent or nearby sites. The written description must include the following details:

Built Form, with particular regard to the setback and articulation of upper levels to minimise shadow and bulk impacts;

Layout, with particular regard to passive surveillance, wind conditions, differentiation of commercial, office and residential uses and opportunity for communal public spaces;

Street Frontages, with particular regard to the Footscray Arts Precinct along Moreland Street, existing low scale residential uses adjacent to and abutting the site, and integration of a suitable architectural language and scale along the three street frontages.

Key Linkages, with particular regard to the provision of a link between Whitehall Street and Moreland Street providing an attractive unrestricted public access pedestrian and cycling connection to the Footscray Arts Centre and Maribyrnong River. The link should be well designed to provide passive surveillance for safety and sense of address and to provide a clear delineation between public and private open space.

The Guidelines must be consistent with the following vision and objectives:

Vision

“To create a vibrant, prosperous and sustainable mixed use precinct within the Footscray Central Activities Area, offering a range of housing, employment uses and activities, and which seek to achieve high quality built form and public realm, responsive to the site surrounds.”

Objectives

- To encourage a mixed use precinct that provides for local employment and services without compromising the amenity of residential areas;
- To provide a range of housing types, catering for different households;
- To ensure the built form and urban realm is designed to a high quality, providing good amenity for residents and other users of the site and surrounds;
- To assist with walking and cycling linkages proximate to the site and to key transport hubs, education, employment and services;
- To capitalise on the site’s proximity to the Maribyrnong River and Footscray Community Arts Centre;
- To ensure development respects both the existing and preferred urban form, including buildings, streetscapes and open space areas;
- To ensure new residential development is well protected from traffic noise and adverse amenity impacts;
- To ensure that sensitive land uses are protected from noise, vibration and emissions associated with the use and operation of the Bunbury Street Railway Tunnel and Railway Line;
- To minimise the impact of car parking along street frontages;
- To support ESD guidelines throughout the construction and design of the development, with particular regard to sustainable and cost effective design of buildings on site.
- To improve permeability and connectivity through the site and surrounding area through the provision of an public open space link between Whitehall Street and Moreland Street providing unrestricted public access for pedestrians and cyclists.

Integrated Transport Plan

An Integrated Transport Plan (ITP) must be prepared to the satisfaction of the responsible authority, Public Transport Victoria and Vic Roads. The Plan must consider and be designed to minimise any adverse social, economic and environmental affects. The Plan must provide the following details:

- The expected demand for travel by people who will live, work or visit the site and target transport mode split to encourage walking, cycling and use of public transport by future residents;
- An implementation plan which identifies:
- Existing and proposed public transport routes, stops and infrastructure (e.g. shelters, indented bay/s, signage, pedestrian crossings and potential locations for car sharing facilities) within the site and surrounds;
- Existing and proposed pedestrian and bicycle paths and bicycle parking within the sites and surrounds;

- Details of proposed traffic management and controls works on the land and nearby roads;
- Contributions to be made by the owner to the preparation, monitoring and implementation of the plan including the reasonable cost of works made necessary by the development;
- Contributions to the pedestrian signalisation at the intersection of Moreland Street and Hopkins Street;
- The timing, method and security for payment of any contribution;
- Strategies to promote the safety, health and wellbeing of all users within and surrounding the site, including nearby residents; and
- Provision for ongoing monitoring and review of the implementation of the plan.

Traffic Management Plan

A Traffic Management Plan (TMP) must be prepared to the satisfaction of the responsible authority and VicRoads. The Plan must provide the following details:

- The likely traffic generation of the proposed development;
- The likely traffic impacts of the proposed development on the site and the broader road, pedestrian and bicycle network;
- The likely traffic impacts of the proposed development along Bunbury Street, Whitehall Street, Moreland Street and Wingfield Street;
- The likely traffic impacts of the proposed development on car parking along nearby streets; and
- A road safety audit of the design and proposed traffic management measures and incorporating:
 - Recommended car and bicycle parking rates;
 - Road layout, road widths and reserves and site access;
 - The design of the footpaths, bicycle paths and shared pathways network;
 - Internal and external intersections, performance and treatments;
 - Traffic management measures and signalisation as may be appropriate;
 - Public transport routes and stops within the site and surrounds; and
 - The means of vehicular ingress and egress from the site to surrounding roads.

The Traffic Management Plan and Integrated Transport Plan may be combined to form one report, provided all details requested are included within the report and clearly identified for ease of assessment.

Landscape Concept Plan

A Landscape Concept Plan must be prepared to the satisfaction of the responsible authority. The Landscape Concept Plan must provide the following details:

- An overall landscape master plan for the site and adjacent areas, including a street tree master plan for the site and for the streets immediately fronting the site;
- A plant and materials schedule;
- A written description of the management of all reserves, landscaping areas and water sensitive urban design treatments;

- Proposed use, management and landscape plan for public open spaces;
- Typical cross sections for Bunbury Street, Whitehall Street and Moreland Street;
- Details of how the Landscape Concept Plan addresses any requirements of the Site Remediation Strategy for the land and any other relevant requirements of the Development Plan; and
- The provision of a safe and convenient pedestrian and bicycle open space link through the site and connecting with the surrounding area. Pedestrian links should be generally in accordance with the location and scale identified on the Concept Plan and include high quality paving materials and lighting.

Heritage Assessment Plan

Prior to the commencement of proposed buildings and works on the land, a suitably qualified person(s) shall prepare a further heritage assessment report which responds to the recommendations of the Biosis Heritage Assessment (2012). The assessment should address and consider:

- The Heritage Inventory listing for the site; and
- The delivery of future development options, including the possible retention or reinterpretation of pre-existing building materials on site.

Ecological Sustainable Design Strategy

An Ecological Sustainable Design Strategy and Action Plan (ESD Strategy Plan) must be prepared in consultation with, and to the satisfaction of the Responsible Authority which responds to the recommendations of the Hampton Sustainability Environmental Management Plan (2012).

The ESD Strategy Plan must address the major components of the proposed development and construction processes and:

- Demonstrate best practice and the use of recognised technologies;
- Compliance with all statutory obligations in environmental sustainability;
- Identify the level of sustainability performance standards to be adopted; and
- Demonstrate the means by which the agreed level of sustainable performance standards will be achieved.

The ESD Strategy Plan must be based upon the following principles:

- Energy conservation, with the objective of contributing in a significant way to local, national and international efforts to reduce energy usage and green house gas emissions;
- Water conservation, ensuring that water resources are managed in a sustainable way;
- Water sensitive urban design and reducing the impacts of stormwater on bays and catchments. Adopt the principles as detailed in the “Urban Stormwater Best Practice Environmental Management Guidelines”(Melbourne Water);
- Building design and layout must provide good solar access and daylight opportunities;
- Transport planning with the aim to encourage walking, cycling and use of public transport;
- Land-use and transport planning and infrastructure provision to contribute to improved air quality;
- Options to reduce the amount of waste generated and encourage increased reuse and recycling of waste materials;

- Building materials conservation, including consideration of their environmental impact and where practical, an accredited material will be specified;
- Sustainability options in demolition and construction practices, including seeking to reduce the amount of construction materials required through designing to standard dimensions, double backed units and where practical and feasible, items such as bathrooms and kitchens to be pre-fabricated offsite;
- Landscaping considering the provision of habitat, green spaces, climate control and reducing the 'urban heat island' effect; and
- Indoor environmental quality and healthy internal environments.

The ESD Strategy Plan must have regard to the following:

- If considered appropriate, the preparation of individual plans dealing with different aspects of the use and development;
- Specify when individual plans must be prepared;
- Identify responsibilities and detail an implementation and staging strategy;
- A strategy for review, maintenance and monitoring; and
- New resident awareness and education to promote the objectives of sustainability.

Site Remediation Strategy

Before a Development Plan is approved, a Site Remediation Strategy must be submitted to the responsible authority that addresses and makes recommendations in relation to the:

- Options and a preferred approach to the remediation of soil and groundwater;
- Targeted condition of the site as specified by the Environmental Auditor to suit the range of land uses;
- Locations across the site of proposed clean up work;
- Options for remediation technologies taking into account logistics, technology availability, estimated cost, and likely effectiveness;
- A schedule of remediation activities;
- Expected pattern/staging and indicative timeframes for signed Certificates and Statements of Environmental Audit across the site following the clean up of the site;
- Indicative site management and monitoring controls that will be necessary following each clean up activity; and
- Identifying the parties responsible for key activities and for subsequent site management and monitoring.

The Site Remediation Strategy may be prepared in stages where the development is prepared in stages and must be to the satisfaction of the responsible authority (and Environmental Auditor if required).

Adverse Amenity Impacts Report

An Adverse Amenity Impacts Report(s) must be prepared by a suitably qualified person(s) to the satisfaction of the responsible authority and the Department of Transport, Planning and Local Infrastructure (regarding the Bunbury Street Railway Tunnel and Railway line). The report must identify all potential adverse amenity impacts from nearby uses and consider:

- Whether the proposed use and development is likely to be affected by activity on any adjacent properties;

- Noise, vibration and air pollution impacts from adjacent areas, having regard to the type of industrial activity in the area and prevailing wind direction;
- Use and operation of the Bunbury Street Railway Tunnel and Railway Line; and
- Any natural environmental conditions on and surrounding the site.

If the report identifies that the proposed use and/or development may be adversely affected, specific recommendations must be provided with the report for appropriate measures to ensure the proposed use and/or development is not adversely affected by the identified impacts.

Dwelling Diversity & Affordable Housing Report

A Housing Report must be prepared to the satisfaction of the responsible authority. The report must provide:

- A demographic analysis of the types of people and households anticipated to live within the development;
- Demonstrate how the development will support the existing and future population of the Footscray Community;
- Proposed dwelling typologies for the development; and
- Demonstrate how the development proposes to provide 5% of the overall housing stock as affordable housing. The report must also include criteria for determining affordable housing stock.

Construction Management Plan

A Construction Management Plan (CMP) must be provided prior to any works including site remediation and demolition. The CMP must detail how the development of the land will be managed to ensure that the amenity of the nearby area is not detrimentally affected. The CMP must address; demolition, site remediation, bulk excavation, management of the construction site, land disturbance, hours of construction, noise, control of dust, public safety, construction vehicle road routes and traffic management, soiling and cleaning of roadways, discharge of any polluted water and stormwater, security fencing, disposal of site waste, and any potentially contaminated materials, location of cranes, location of site offices, parking for construction staff vehicles and heavy construction vehicles, storage of plant and equipment, redirection of any above or underground services, protection of nominated trees, and site lighting during any night works.

The CMP must also address methods for responding to complaints associated with the construction works and provide site manager contact details.

The CMP must satisfy the requirements of Public Transport Victoria and Vic Track to ensure that any development of the land (including site works, excavation and earthworks) do not have any impact on the Bunbury Street Railway Tunnel, Railway Line and associated infrastructure.

Services and Infrastructure Report

A Services and Infrastructure Report must be provided to identify all existing and proposed infrastructure requirements and easements (Water, Sewerage, Gas, Electricity, Telecommunications, Drainage, Storm Water overland flow points and Water Sensitive Urban Design) to service the proposed development. The report must also consider any impacts on sub-grade infrastructure of the adjacent Bunbury Street Railway Tunnel.

Public Realm Precinct Plan

A Public Realm and Arts Precinct Plan must be prepared to the satisfaction of the responsible authority. The Plan must detail how the development will contribute towards improving the public realm adjacent to the site, with particular regard to the Bunbury Street Public Art Walk. The plan must demonstrate how the development will:

- Contribute to the Bunbury Street Public Art Walk;
- Promote inviting, pedestrian-friendly public spaces which encourage social interaction and activities;
- Encourage safe and functional access for pedestrians, cyclists, public transport users and drivers; and
- Support a range of community uses and spaces, including the Footscray Community Arts Centre and Maribyrnong River.

4.0

Concept Plan

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