

29/03/2018
C157**SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO3**.**PUBLIC HOUSING RENEWAL – NEW STREET, BRIGHTON****1.0 Requirement before a permit is granted**29/03/2018
C157

A permit may be granted before a development plan has been approved to use or subdivide land, construct a building or construct or carry out works to the satisfaction of the Responsible Authority. Before granting a permit the Responsible Authority must be satisfied that the permit will not prejudice the future use and integrated and orderly development of the site in accordance with the Development Plan requirements specified in this Schedule.

2.0 Conditions and requirements for permits29/03/2018
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The following conditions and/or requirements apply to permits, as appropriate:

- Prior to the commencement of any permitted demolition, buildings or works, a detailed Construction Management Plan as relevant to that demolition or those buildings and works must be prepared to the satisfaction of the Responsible Authority. The Construction Management Plan:
 - must address (as relevant): demolition, bulk excavation, management of the construction site, hours of construction, noise, control of dust, public safety, construction vehicle road routes and traffic management (including location of construction vehicle access and worker parking), soiling and cleaning of roadways, discharge of any polluted water and stormwater, security fencing, disposal of site waste, location of cranes, location of site offices, storage of plant and equipment, redirection of any above or underground services and the protection of trees on or adjacent to the site to be retained in accordance with an Arboricultural Assessment Report prepared in accordance with this schedule.
- Prior to the commencement of any permitted demolition, buildings or works, a Waste Management Plan must be prepared to the satisfaction of the Responsible Authority that provides a cohesive approach to waste and recycling collections for the entire development. The Waste Management Plan must:
 - Identify and specify the type of bins to be used, location areas, where they will be stored, collection points and times, responsibility for collection and return, and details of screening and ventilation
 - Specify how recycling materials will be managed and collected
 - Show access routes for waste collection vehicles that do not rely on reversing movements.
 - Explore a waste management system that diverts organic waste from landfill
 - Explore centralised and easily accessible areas located within the development where waste compactors could be stationed for all residents of the development to utilise.

3.0 Requirements for development plan

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A Development Plan must include the following requirements.

General

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

The Development Plan must demonstrate the following:

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

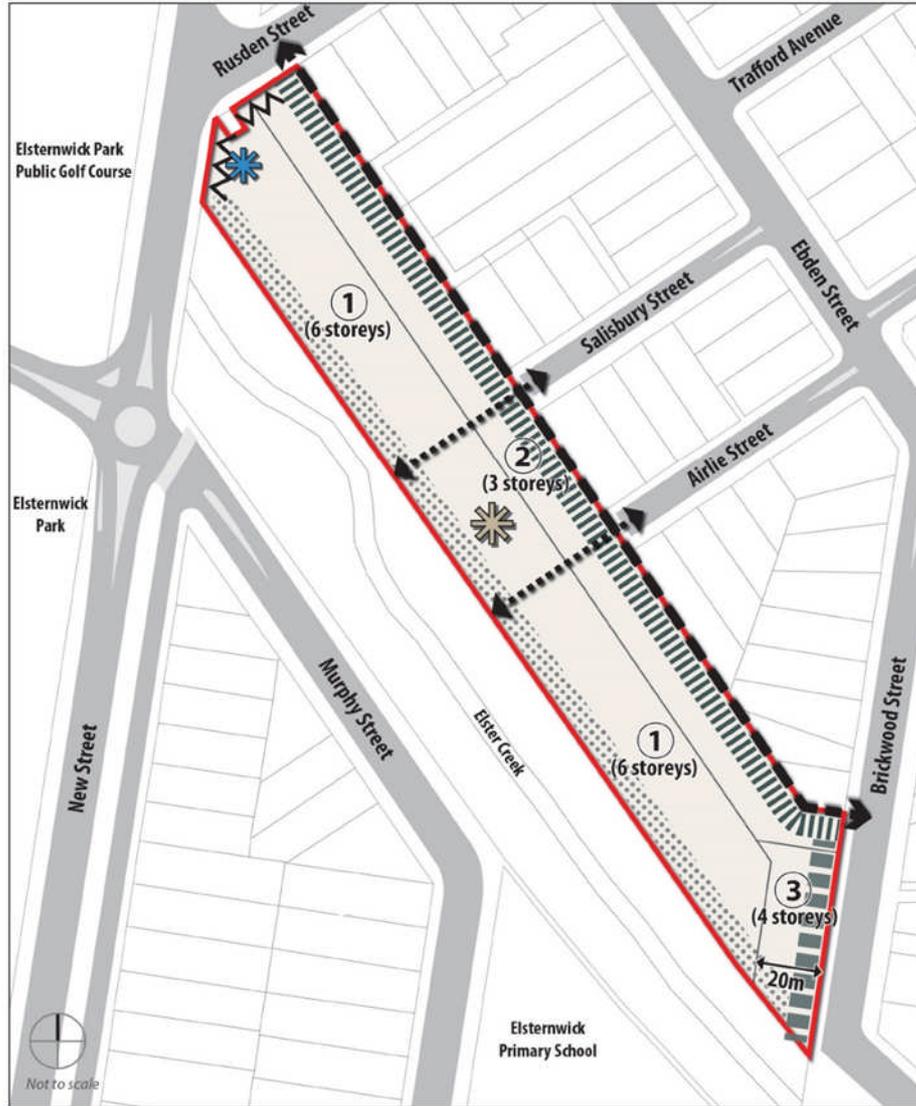
Land Use

The Development Plan could show or make provision for small scale retail, commercial or community uses to meet the needs of the local community, which are located at ground floor level and with frontage to New Street and/or Rusden Street.

The Development Plan must demonstrate that potential amenity impacts of these uses can be appropriately managed.

Concept Plan

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



LEGEND

-  Site
-  Internal connections
-  Pedestrian Path
-  Precinct (with associated maximum building height)
-  Potential location of new open space area
-  Potential small scale retail, commercial or community uses

INTERFACE TREATMENTS

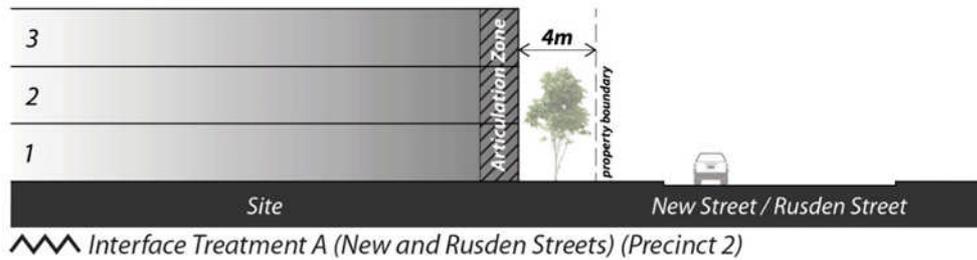
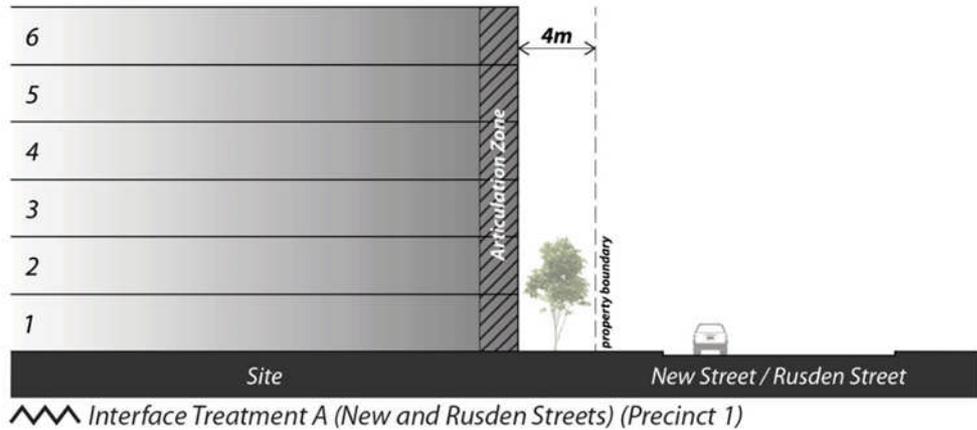
-  Interface Treatment A (New and Rusden Streets)
-  Interface Treatment B (Brickwood Street)
-  Interface Treatment C (Direct Residential Interfaces)
-  Interface Treatment D (Elster Creek)

PRECINCT	MAXIMUM BUILDING HEIGHT
1	6 storeys
2	3 storeys
3	4 storeys

Building Heights and Setbacks

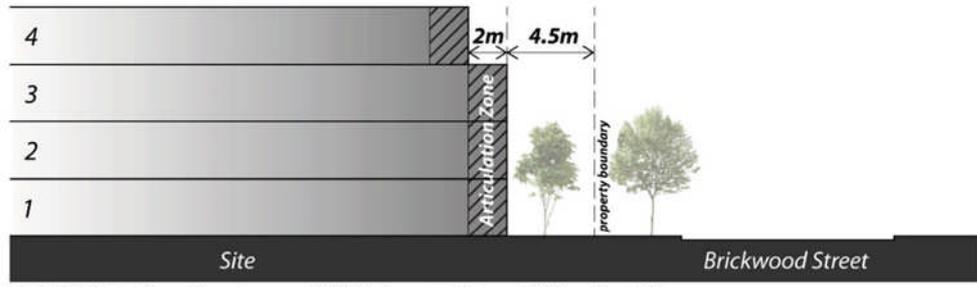
The Development Plan must show:

- Buildings that do not exceed the ‘maximum building height’ shown on the Concept Plan.
- Boundary setbacks as outlined in each relevant Interface Treatment or an increased setback in locations where necessary to protect existing trees to be retained or accommodate replacement canopy trees.
- For **Interface Treatment A (New and Rusden Streets)**
 - 4 metre boundary setback.



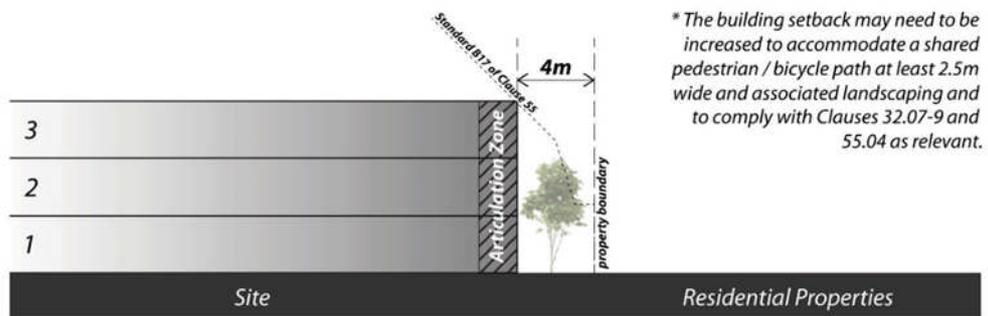
- For **Interface Treatment B (Brickwood Street)**
 - 4.5 metre boundary setback up to 3 storeys, and an additional 2 metre setback above three storeys.





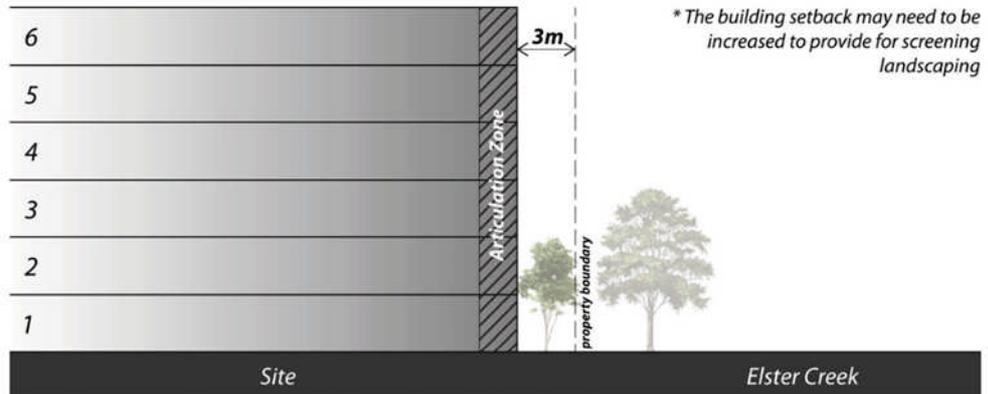
Interface Treatment B (Brickwood Street) (Precinct 3)

- For **Interface Treatment C (Direct Residential Interfaces)**
 - 4 metre boundary setback, increased as required to accommodate a shared pedestrian/bicycle path at least 2.5m wide and associated landscaping and to comply with Clause 32.07-9 and Clause 55.04 as relevant.

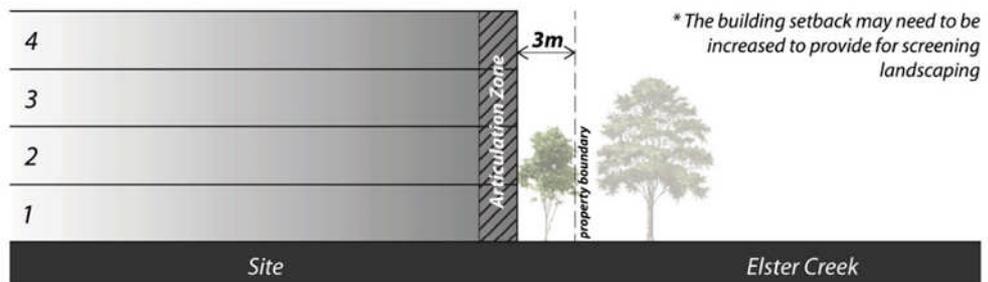


Interface Treatment C (Direct Residential Interfaces) (Precinct 2)

- For **Interface Treatment D (Elster Creek)**
 - 3 metre boundary setback increased in locations where necessary to provide landscaping along the boundary to visually screen the development from Murphy Street.



Interface Treatment D (Elster Creek) (Precinct 1)



Interface Treatment D (Elster Creek) (Precinct 3)

Other Built Form Requirements

The Development Plan should show:

- Highest built form adjoining Elster Creek and New Street with a transition downwards towards the north-east boundary and with the lowest built forms at residential interfaces.
- Separate building forms to provide a sense of spaciousness and avoid inappropriate visual dominance of buildings.
- Architectural and urban design outcomes that:
 - contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties
 - maintain a strong landscape character with buildings set within vegetated surrounds.
- Building envelopes that are adapted to:
 - protect any existing trees to be retained
 - ensure the site layout allows for regular breaks along each boundary to accommodate canopy trees and their associated Tree Protection Zone.
 - provide a minimum of 2 hours sunlight available to at least 50% of public open space areas on the site between 9.00am and 3.00pm on the September equinox
- Visual bulk of buildings reduced through the placement of balconies and use of discontinuous forms, articulated facades and varied materials, particularly in the articulation zones shown in the Interface Treatment Diagrams.
- Active frontages to publicly accessible areas and adjoining streets through:
 - provision of low and/or transparent fencing and landscaping to allow for passive surveillance
 - avoiding large expanses of blank wall, large service areas, garbage storage areas, car parking and co-located or continuous garage doors along ground floor frontages
 - provision of individual entry doors to ground floor dwellings that have frontages to a road or internal connection
 - building entries along the site boundaries that are highly visible from public pedestrian pathways and open spaces
 - the placement of entries, windows and balconies to facilitate passive surveillance of streets, open space and pedestrian paths.
- Buildings designed to front the shared pedestrian/cycle path along Interface C, to provide appropriate surveillance.
- Where non-residential uses are proposed, provision of the following:
 - a minimum 4 metre floor to floor height
 - an entrance and/or clear glazed window at the street frontages of each individual non-residential use
 - weather protection at the street frontages of the non-residential uses.
- The location of car parking spaces within basement levels or suitably concealed within buildings or behind features with active frontages, or behind appropriate architectural features. .
- The design, provision and layout of car parking should avoid and minimise impacts on medium and high retention value trees along boundaries.
- Cohesive architectural design throughout the site, with the use of high quality, durable and low maintenance materials and colours that blend in with the surrounding environment.

- Appropriate noise attenuation measures to minimise noise impacts on proposed dwellings from New and Rusden Streets and any non-residential uses on or adjoining the site.

Landscape and Open Space

The Development Plan should show:

- A new centrally located open space area of not less than 2,000 square metres as shown on the Concept Plan. This area may form part of the communal open space required under Clause 55.07-2 or Clause 58.03-2 and/or public open space.
- Open spaces which are large enough to accommodate a range of facilities, including community gardening, playgrounds and exercise equipment and that are well-lit to maintain safety of these areas.
- Retention of all trees identified in the required Tree Management Plan as trees to be retained.
- Tree planting and/or replacement as follows:
 - any high or medium value tree identified in the Arboricultural Assessment Report to be replaced on a two for one ratio
 - replacement trees that provide equivalent amenity value to residents and the public realm
 - additional street trees along the frontages of New, Rusden and Brickwood Streets, subject to agreement from Bayside City Council
 - new canopy trees in the centrally located open space area, along the shared pedestrian/bicycle path along Interface C, along the Elster Creek, along any internal connections and within any other new open space areas on the site.
- Landscaped buffers and setbacks at residential interfaces and Elster Creek, consisting of existing trees to be retained and/or replacement canopy trees to assist in screening the development.

Circulation

The Development Plan should show:

- Multiple vehicle access points to the site.
- The location of on-site car parking for residents, visitors and workers (if applicable).
- A publicly accessible shared path (pedestrian and cycle) along Interface C providing a connection between Brickwood Street and New Street/Rusden Street, as shown on the Concept Plan.
- Provision for secure bicycle parking for residents and workers (if applicable), end of bicycle trip facilities for workers (if applicable) and short term bicycle parking for visitors.
- Bicycle parking located at primary frontages and in proximity to pedestrian access ways.
- Bicycle parking provided at a minimum of:
 - one space per dwelling without a car space
 - one space per five dwellings with a car space
 - one space per 10 dwellings for visitors.
- Bicycle servicing facilities that are located in highly visible and well-lit places.

The internal connections shown on the Concept Plan are indicative only and further connections within the site and through the building envelopes should also be considered to ensure a highly permeable urban structure.

Required documents, plans and reports

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

1. A **Planning Report** that demonstrates how the recommendations of the others plans required by this Schedule have been incorporated into the proposed development of the land.
2. A **Site Context Analysis** prepared in accordance with Clause 55.01 or Clause 58.01 of the Planning Scheme that includes, but is not limited to:
 - the urban context and existing conditions showing topography, the surrounding and on site land uses, buildings, noise sources, access points, adjoining roads, cycle and pedestrian network and public transport
 - views to be protected and enhanced, including views of and from the site
 - key land use and development opportunities and constraints.
3. **Preliminary Architectural Plans and Design Report** that show the distribution and design of built form on the site which must be generally in accordance with the Concept Plan included in this Schedule, including, but not limited to:
 - a design response to the Site Context Analysis in accordance with Clause 55.01 or Clause 58.01 of the Planning Scheme
 - demonstration of compliance with the requirements of Clause 55 and Clause 58 as relevant
 - demolition works
 - building envelopes including maximum building heights, building setbacks to all interfaces, and building depths
 - the proposed built form edge and interface treatments to the adjoining streets, the adjoining residential properties, and the Elster Creek
 - conceptual elevations and cross-sections, indicating level changes across the site
 - shadow diagrams of both existing conditions and proposed shadows, to be prepared at both the September equinox and at 9am, 12 noon and 3pm, and demonstration of how the overshadowing criteria identified in this Schedule can be met
 - images which show how the proposed built form will be viewed from the surrounding area, particularly adjoining streets and adjoining residential properties and from the south side of the Elster Creek corridor
 - the mix of dwelling types and sizes for each area
 - the mix of land uses, including small scale non-residential uses (if any).
4. An **Integrated Transport and Traffic Management Plan** that addresses, but is not limited to:
 - the range and scale of uses that will be anticipated on the site
 - the estimated population of residents, visitors and workers (if applicable)
 - estimated vehicle trip generation levels resulting from use and development within the site
 - vehicle ingress and egress points and estimated levels of usage
 - the likely impacts of the proposed development on the arterial and local roads and any mitigating works required such as off-site traffic

management treatments. Specific consideration is to be given to the potential for traffic conflicts with Elsternwick Primary School, particularly during drop off and pick up times

- areas for loading and unloading of vehicles and access to those areas
 - Green Travel Plan initiatives that can be adopted to reduce private car usage by residents, visitors and workers (if applicable), including a new resident awareness and education program and opportunities for the provision of a car share program
 - if a new vehicle access point is proposed on Rusden Street, consideration of:
 - the location of the existing bus stop and electrical substation on Rusden Street
 - the impact on bus service provision
 - safety of pedestrians, cyclists and vehicles.
5. An **Arboricultural Assessment Report** that addresses, but is not limited to:
- an assessment of trees on or adjacent to the site, including their retention value
 - recommendations for the protection of trees to be retained to conform to *Australian Standard AS 4970-2009 Protection of Trees on Development Sites* to ensure long-term health, including designation of tree protection zones and structural root zones
 - recommendations for tree species to replace the removal of any trees of moderate or high retention value.
6. A **Tree Management Plan** that addresses, but is not limited to:
- identifying trees which are to be retained
 - detailing the methodology for protecting trees identified for retention, including the provision of high visibility tree protection fences at least 1.8 metres tall before construction commences, and measures to protect the trees, including their canopies, during construction.
7. A **Landscape and Open Space Plan** that addresses, but is not limited to:
- existing vegetation to be retained and the appropriate protection zones to allow for their retention
 - consideration of retaining the existing trees within the site along the Brickwood Street frontage, and supplementing and/or replacing them with new large canopy trees either within the site or within the Brickwood Street nature strip
 - a planting theme that complements existing trees to be retained on the site and the surrounding neighbourhood character and that demonstrates water sensitive urban design outcomes
 - new canopy trees and landscaping within the public realm and open space areas, along the shared pedestrian/cycle path along Interface C, along the Elster Creek boundary and along internal connections
 - delineation of public, communal and private open spaces and the treatment of these interfaces, which must include provision of low and/or transparent fencing and landscaping to allow for passive surveillance
 - hard and soft landscaping treatments of the public realm and communal open spaces
 - interface treatments between adjoining streets and residential properties, including boundary fences
 - integration of sustainability and water sensitive urban design (WSUD) measures with WSUD measures informed by the Stormwater and Flood Risk Management Plan maintenance responsibilities.

8. **A Dwelling Diversity Report** that must:
 - demonstrate how the development will achieve an appropriate level of dwelling diversity for both the social and the private components across the site
 - include the number and extent of one, two and three bedroom plus dwellings for social and private housing
 - provide for additional initiatives that actively encourage affordable housing opportunities.
9. **An Ecologically Sustainable Development Plan** that demonstrates how development on the site will achieve best practice standards and incorporate innovative initiatives. This Plan is to address energy efficiency, on-site renewable energy systems, resilience to climate related impacts to water resources, indoor environment quality, stormwater management, innovation and urban ecology. The Plan must ensure that all buildings will be able to achieve a minimum of 5 star rating against the Green Building Council of Australia's Green Star rating system for design (or achieve an equivalent standard using an equivalent rating tool).
10. **A Services and Infrastructure Plan** that addresses, but is not limited to:
 - an assessment of the existing engineering infrastructure servicing the site and its capacity to service the proposed development
 - a description of the proposed provision of all appropriate utility services to the development.
11. **An Environmental Site Assessment** that addresses, but is not limited to:
 - site history and current site uses, including a photographic record of the buildings to be demolished
 - the extent of fill that has occurred on the site, including area, depth and fill material
 - the presence and depth of groundwater at the site
 - underground infrastructure that has contamination source potential
 - the contamination status of soil on the site
 - if intrusive works are likely to occur during redevelopment works, an acid sulphate soil assessment
 - advice on the need for a Site Remediation Strategy.
12. Where the development will be undertaken in stages, a **Staging Plan** that addresses, but is not limited to:
 - the delivery of infrastructure and shared facilities within each stage to ensure the orderly development of the site
 - site management, such as resident amenity, vehicle access and parking, pedestrian access and protection of existing buildings, infrastructure and vegetation
 - timeframes for the commencement and completion of each stage and any management of overlap between stages.
13. **An Acoustic Report** that identifies:
 - whether the proposed use and development of the site is likely to be affected by noise from nearby uses or abutting roads
 - the likely effect of non-residential uses on the site on the amenity of nearby residential uses
 - methods to address the issues identified.
14. **A Social Infrastructure Assessment** to inform potential community facilities, programs and services that may be delivered on-site.

15. A **Community Engagement Report** which outlines the consultation which has occurred to inform the preparation of the Development Plan, including but not limited to the following stakeholders:

- Bayside City Council
- Office of the Victorian Government Architect
- Transport for Victoria (including Public Transport Victoria and VicRoads)
- Department of Education and Training Victoria
- Melbourne Water
- Estate Residents
- Community Groups
- Neighbouring owners and occupiers