

19/01/2006  
VC37

## **SCHEDULE 9 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as DDO9

### **MASON STREET, NEWPORT – RESIDENTIAL DEVELOPMENT ADJOINING NEWPORT LAKES RESERVE**

#### **1.0**

19/01/2006  
VC37

#### **Design objectives**

The design objectives for the area are:

- To encourage development of a concept plan for the whole area that promotes, cohesion between the parts, visual and physical linkages, landscaping consistent with the landscaping theme of the Newport Lakes Reserve, active frontages to external and internal street network.
- To ensure that the design and siting of buildings, including form, bulk, choice of materials and colours minimises the visual impact on the adjoining Newport Lakes Reserve.
- To encourage the layout of new development that maintains and enhances views from Mason Street to the Newport Lakes Reserve.
- To ensure that any development does not interrupt the escarpment line as viewed from the north and south lakes areas within the Newport Lakes Reserve.
- To ensure that any development makes provision to protect residential users from noise emanating from industrial or non-residential properties on the adjoining or nearby land.
- To ensure that the staged transition of this industrial area to residential use is managed in a manner that minimises impact on the existing/ongoing industries, Newport Lakes Reserve and the surrounding residential areas.

#### **2.0**

19/01/2006  
VC37

#### **Buildings and works**

- No buildings are to interrupt the escarpment line as viewed from the north and south lakes areas within the Newport Lakes Reserve other than a view substantially softened by landscaping.
- Buildings are to respect the form, character, scale, front setbacks and front boundary treatments of nearby residential developments in Johnston Street and Mason Street.
- Buildings and works are to include adequate separation from the parkland with landscape treatment within the setback that respects the existing vegetation in the Newport Lakes Reserve.

#### **3.0**

19/01/2006  
VC37

#### **Decision guidelines**

Before deciding on an application the responsible authority must consider:

- Whether a concept plan has been developed for the area.
- Whether the design and siting of any residential development will result in the imposition of unreasonable development constraints on the remaining industrial sites and any future residential use.
- Whether a suitable noise environment can be achieved by adoption of appropriate distance separation from industry noise or by the siting and design of dwellings including habitable rooms, windows, private open space and garages.

- Whether the development is designed and constructed to include noise attenuation measures such as acoustic fencing, double glazing, and if these are temporary, the approach to removing and/or replacing them.
- Whether the development complies with the minimum internal noise levels implied under the State Environment Protection Policy (Control of Noise from Commerce Industry and Trade) No. N-1.
- The need for safe and attractive pedestrian linkages between development sites and the Newport Lakes Reserve.
- Whether the proposal is accompanied by a landscaping plan (including uniform nature-strip planting, street tree species, other landscaping features, pedestrian, cycle and vehicular pavement materials and surfaces, street furniture such as lighting, bollards and seating) and is consistent with the landscaping theme in the Newport Lakes Reserve.
- Whether development proposals allow for an open visual and physical interface between residential areas and the Newport Lakes Reserve.
- Whether views from Mason Street to the Newport Lakes Reserve have been enhanced by the design of proposed development.
- Whether any development proposal includes measures to protect the vegetation in the Newport Lakes Reserve along the boundary.
- The fencing along the Newport Lakes Reserve boundary and the extent to which it promotes visual permeability.
- The form, scale, bulk, design and external finishes and materials of any buildings and works and the extent to which these respond to the context of the site.
- The volume and nature of additional vehicle movements, as quantified and assessed as part of a traffic impact assessment, and whether the impact of these on existing traffic arrangements (including roads, intersections, traffic situations, pedestrian and cycle paths) is safe, and that measures have been taken to reduce impacts on safety.
- Whether a Section 173 Agreement is to be entered into requiring the owner of 132-136 Mason Street, Newport to include a clause in any Contract of Sale for the land (or part of the land) and in any lease of the land (or part of the land) to the following effect:
  - “This land is in close proximity to nearby industrial land in Mason Street, Newport and may be affected by noise or other amenity impacts associated with the operations and activities conducted on that land. The purchaser/lessee should be aware of these industrial uses and potential amenity impacts”.
- Provision must be made for the Section 173 Agreements to sunset when the industrial sites at 100-122 Mason Street, Newport cease to be used for industrial purposes.
- Whether a Section 173 Agreement is required to ensure a signed report provided by a qualified acoustic engineer certifies upon the completion of the residential development that each residence on the eastern boundary of the property 132-136 Mason Street, Newport complies with internal noise level implied under the State Environment Protection Policy (Control of Noise from Commerce Industry and Trade) No. N-1.