

SCHEDULE 10 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO10**

12-36, 52-54 (IN PART) AND 68 CROSS STREET, FOOTSCRAY

1.0 Requirement before a permit is granted

24/04/2008
C58

A permit may be granted to use or subdivide land, construct a building or construct or carry out works (including demolition and other works related to the environmental audit and remediation) before a Development Plan has been approved, provided the responsible authority is satisfied that the subdivision, use or buildings or works will not prejudice the future use or development of the land in an integrated manner as contemplated by this Overlay and that land contamination and adverse amenity impacts have been addressed.

2.0 Conditions and requirements for permits

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Where a Development Plan has been approved under this schedule and it is deemed necessary by the responsible authority, the following conditions should be included on any planning permit granted for the subdivision or development of the subject land, in accordance with the approved Development Plan:

Open Space

Prior to commencing use of the development permitted by this permit, the permit holder must provide public open space in accordance with the approved Development Plan.

Integrated Transport Plan

Prior to commencing the use of the development permitted by this permit the permit holder must implement the recommendations set out in the Integrated Transport Plan (Clause 3.0) to the satisfaction of the responsible authority and the Director of Public Transport, Department of Infrastructure.

Adverse Amenity Impacts

Prior to commencing the use of the development permitted by this permit the permit holder must, to the extent that they apply to the land affected by this permit, implement the recommendations set out in the report(s) prepared pursuant to the requirement at Clause 3.0 (Adverse Amenity Impacts Requirements) of Schedule 10 to the Development Plan Overlay to the satisfaction of the responsible authority.

Conservation Management

Prior to the commencement of any development within any part of the land covered by a Heritage Overlay, the owner must submit plans and/or any necessary reports demonstrating how the development will implement the recommendations set out in the Conservation Management Plan prepared by HLCD Pty Ltd dated January 2005 (or as amended to the satisfaction of the responsible authority) to the satisfaction of the responsible authority. Once endorsed these plans will form part of the permit.

Design Guidelines

Prior to the commencement of any development or any stage of development, the owner of the land must provide design guidelines to the satisfaction of the responsible authority that are generally consistent with those forming part of the approved Development Plan for the site. The design guidelines are to specifically address:

- Building heights and setbacks;
- Fencing height and form;
- Car parking provision and location of garages, carports, car spaces and garage doors;
- Building materials and architectural styles throughout the site;
- Siting and orientation of buildings having regard to passive energy efficiency techniques;
- Interface treatments between open space areas and proposed development;
- Interface treatments of the Warleigh Road, Hocking Street and Cross Street frontages; and
- Sections of the site that have an interface with existing non residential land uses.

Once endorsed, the design guidelines will form part of the permit.

Environmental Management Plan

Prior to the commencement of any development or any stage of development, an Environmental Management Plan (EMP) must be prepared to the satisfaction of the responsible authority. The EMP must include noise, dust and stormwater protection measures during demolition and construction activities of the land.

Developer Contributions

Prior to the commencement of any development or any stage of development, a schedule of developer contributions must be prepared to the satisfaction of the responsible authority.

3.0

Requirements for the Development Plan

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Amenity Impacts Requirements

A Development Plan must include a report or reports prepared by a suitably qualified person(s) that identifies all potential adverse amenity impacts from nearby uses including, but not limited to:

- Whether the proposed use and / or development is likely to be adversely affected by the existing use at 52 – 54 Cross Street, Footscray;
- Whether the proposed use and / or development is likely to be adversely affected by the use of the rail line to the south of the subject site;
- Whether the proposed use is likely to be affected by the Wattyl Australia paint blending facility located at Graingers Road, West Footscray; and
- Whether the proposed use and / or development is likely to be affected by any noise sources.

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

Environmental Audit Requirements

Before a Development Plan can be approved:

- A Certificate of Environmental Audit must be issued for the land being in accordance with Part IXD of the *Environmental Protection Act 1970*; or
- An environmental auditor appointed under the *Environmental Protection Act 1970* must make a Statement of Environmental Audit in accordance with Part IXD of the Act that the environmental conditions of the land are suitable for the proposed use.

The Development Plan must accord with the conditions of any Statement of Environmental Audit.

Submission of Plans

A Development Plan must be prepared, generally in accordance with the attached Indicative Development Plan forming part of this Schedule to the satisfaction of the responsible authority. It must separately include the following documents prepared to the satisfaction of the responsible authority (and others as designated):

- An Integrated Transport Plan (ITP) prepared to the satisfaction of the Director of Public Transport, Department of Infrastructure which includes the following:
 - The expected demand for travel by people who will live, work or visit the site and a target transport mode split to encourage walking, cycling and use of public transport by future residents.
 - Traffic management procedures and strategies to discourage non-local traffic from passing into or through the local street network and to control traffic speeds and volumes in and around the site.
 - An implementation plan which identifies:
 - A schedule of initiatives (eg. behavioural change program, Wayfinding strategies) that will be undertaken to encourage walking, cycling and use of public transport by future residents;
 - Provision for ongoing monitoring and review of the implementation of the plan;
 - Responsibilities for ongoing implementation of the ITP including timing of proposed works relative to the staging of the development;
 - 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; and
 - The timing, method and security for payment of any contribution.
 - The ITP must also include a plan or plans which identify:
 - Details of the proposed road network, connections to existing roads and means of vehicular ingress and egress from the site to surrounding roads;
 - Existing and proposed bus routes, public transport stops and infrastructure (eg. shelters, indented bay/s, signage, pedestrian crossings and potential locations for car sharing facilities);
 - Existing and proposed pedestrian and bicycle paths and bicycle parking, including connections to bus stops and the West Footscray train station;
 - Details of any proposed public transport, bicycle or pedestrian works on the site and adjoining and nearby areas; and
 - Details of proposed traffic management and controls works on the land and nearby roads.
- Open Space and Landscape Plan, incorporating:
 - Location of existing trees that are to be retained and the tree protection measures required to provide for their retention;
 - An overall landscape master plan including street tree master plan;
 - Landscape and design concept plan for proposed open space; and
 - Street cross sections.

- Heritage Interpretation Plan providing options of how future development of the land will incorporate design components that reflect identified heritage values of the land and buildings contained therein which are generally consistent with the recommendations set out in the HLCD Pty Ltd report dated January 2005 (or as amended to the satisfaction of the responsible authority).
- Siting and Design Guidelines providing general details relating to:
 - Indicative building heights and setbacks;
 - Indicative fencing height and form;
 - Indicative car parking provision and location of garages, carports and car spaces and garage doors;
 - Indicative building materials and architectural styles throughout the site;
 - Indicative siting and orientation of buildings having regard to passive energy efficiency techniques; and
 - Indicative treatments for key interface areas (eg. between open space areas and proposed development, within existing streetscapes, and between non-residential land uses and proposed development).
- Environmentally Sustainable Design and Constructions Guidelines. These guidelines must be based upon the following principles, and provide actions and targets which demonstrate a high standard of environmental sustainability throughout the development:
 - Energy conservation & reduction of green house gases;
 - Water conservation;
 - Minimisation of fossil fuel usage associated with transport;
 - Waste minimisation;
 - Building materials conservation;
 - Landscaping;
 - Indoor environmental quality;
 - Maintenance; and
 - New resident awareness & education.

The Development Plan may be approved in parts to the satisfaction of the responsible authority provided that the future subdivision, use and development of the land in an integrated manner will not be prejudiced.

The Development Plan must provide for the following matters, as appropriate:

- A report which shows how the proposed development will satisfy the objectives (where relevant) of Clause 56 of the Maribyrnong Planning Scheme.
- How future development of the land will address all interfaces with abutting or nearby non-residential properties including, but not limited to, noise impacts and any other adverse amenity impacts in accordance with the recommendations of the report(s) prepared in response to the Adverse Amenity Impacts Requirements as listed in this Schedule, if necessary.
- The indicative stages in which the land is to be developed, including details of how development may occur in relation to continuing existing uses of the land at 52 – 54 Cross Street, Footscray. The Development Plan must detail how any future residential development and use on the land will coexist with any remaining non-residential uses taking into account the recommendations of the report(s) prepared in response to the Adverse Amenity Impacts Requirements as listed in this Schedule.

- Demonstration of how any recommendations arising from the potential adverse amenity impacts report/s have been incorporated into the Development Plan or can be satisfied at the subdivision/development stage.
- Dwellings along the south boundary of the site must not contain outdoor living areas adjacent to Cross Street and windows in south facing walls along Cross Street must be minimised.
- A range of lot sizes to accommodate a variety of dwellings types and sizes.
- Provision of an internal road layout and pedestrian and bicycle network.
- Identified heritage buildings, landscapes, forecourts and any other areas of heritage significance that are to be retained and demonstrate how the development responds to the heritage values of the site.
- Major physical infrastructure to accommodate the development including the provision of water, sewerage, drainage, electricity, gas and telecommunication services to be provided underground.
- The existing and proposed locations of easements for underground services.



INDICATIVE DEVELOPMENT PLAN

- 1. COMMERCIAL INTERFACE
- 2. EXISTING INDUSTRIAL INTERFACE
- 3. EXISTING RESIDENTIAL INTERFACE
- 4. NOISE SOURCE & AMENITY INTERFACE
Dwellings facing Cross Street must not have outdoor living areas adjacent to Cross Street & any openable windows in South facing walls of these dwellings must be minimised.
- 5. MIXED USE
Development to front Barkly Street.
- 6. HOUSING
Encourage diversity in housing types & design to provide an appropriate transition interface to adjoining land and developments.
- 7. HOUSING
Residential development to address Cross Street with an emphasis on integration with pedestrian & bicycle access.
- 8. HOUSING
Lot sizes transitioning from typical Warleigh Road sizes to increased densities on Cross Street
- WARLEIGH ROAD PRECINCT
Housing & streetscape design to respond to existing residential character of housing in Warleigh Road.
- HERITAGE PRECINCT
Heritage buildings to be retained and re-used for residential apartments
- VEHICULAR, PEDESTRIAN & BICYCLE CONNECTIONS
- PUBLIC OPEN SPACE
Indicative location