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## **SCHEDULE 7 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO7**.

### **WEST FOOTSCRAY NEIGHBOURHOOD ACTIVITY CENTRE AND BARKLY STREET EAST RESIDENTIAL PRECINCT (NORTH SIDE)**

#### **1.0 Design objectives**

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To encourage a range of well designed buildings with a consistent street wall height that supports a mix of active uses on ground floor level in the West Footscray Neighbourhood Activity Centre.

To encourage a range of well designed low-rise apartment buildings with landscaped front setbacks on consolidated sites in the Barkly Street East Residential Precinct.

To improve activation and utilisation of public spaces through active frontages to buildings along roads and public spaces in the activity centre and adjacent precinct.

#### **2.0 Buildings and works**

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A permit cannot be granted to construct a building or construct or carry out works in Precinct 1 or Precinct 2 which are not in accordance with the building height and street setback requirements specified in Tables 1 and 2 of this schedule.

A permit is not required under this overlay for any earthworks associated with the remediation of land in accordance with, or for the purpose of, obtaining a Certificate or Statement of Environmental Audit under the *Environment Protection Act 1970*. Earthworks must be carried out in accordance with a Remediation Action Plan and an Environmental Management Plan endorsed by the EPA appointed environmental auditor for the site.

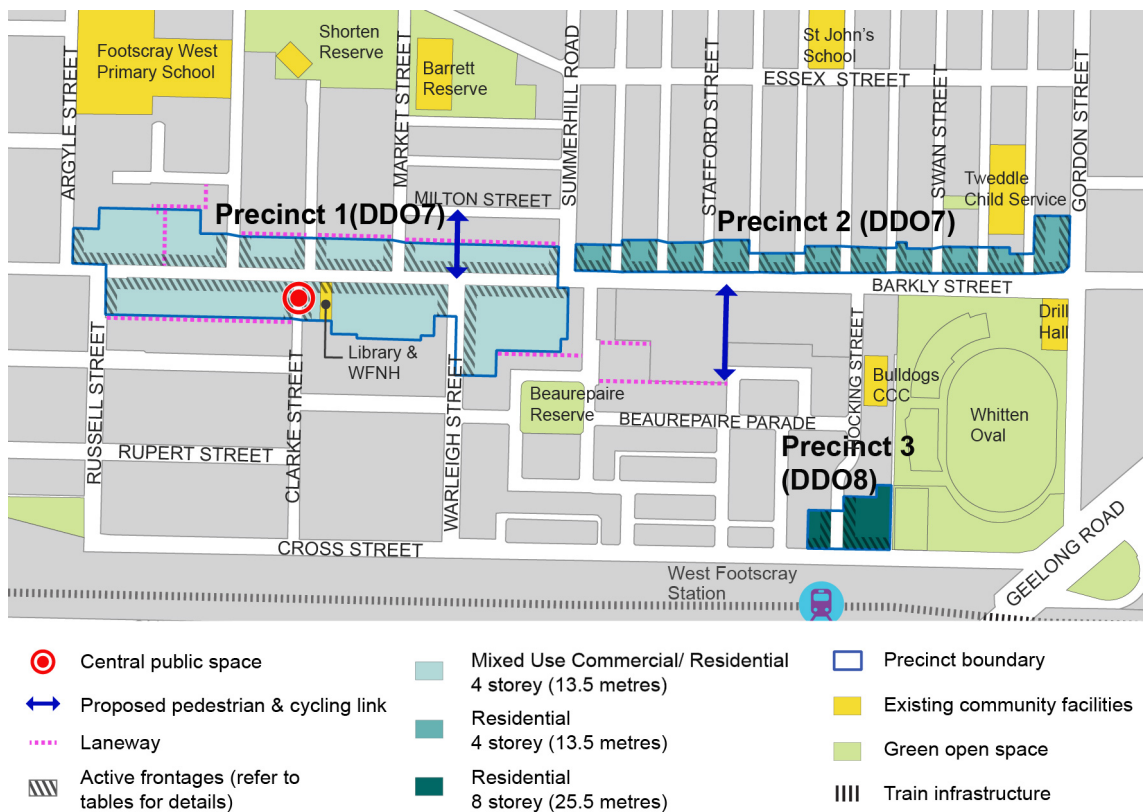
A permit is not required to construct or carry out buildings and works for:

- The installation of an automatic teller machine.
- An alteration to an existing building façade in Precinct 1 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 or window with clear glazing.
- Shade sails to an existing roof deck.
- An awning that projects over a road if it is authorised by the relevant public land manager.
- Buildings and works for the purpose of Local Government, Education or Transport provided the use is carried out by, or on behalf of, the public land manager.
- A single dwelling on a site greater than 300 square metres.
- An outbuilding with a gross floor area not more than 10 metres and a maximum building height not more than 3 metres above natural ground level.

The following buildings and works requirements in Tables 1 and 2 and shown in Figure 1 apply to an application to construct a building or construct or carry out works.

# MARIBYRNONG PLANNING SCHEME

**Figure 1: Preferred Character Plan of Precincts**



**Table 1: Precinct 1 - West Footscray Neighbourhood Activity Centre**

Design or Built Form Element	Requirement
<b>Building Height</b>	<p>Building height must not exceed 13.5 metres and four storeys, except for sites greater than 2000 square metres where building height must not exceed 16.5 metres (five storeys).</p> <p>Height of a storey at the ground floor level of a new building must be at least 4 metres measured from finished floor level to the ceiling.</p>
<b>Street Setback</b>	<p>Walls of buildings must be set back from the front street:</p> <ul style="list-style-type: none"> <li>0 metres up to and including a height of 10.5 metres with a continuous street wall edge.</li> <li>minimum 3 metres from the frontage above a height of 10.5 metres (three storeys).</li> </ul> <p>For a corner site, walls of buildings should have a 0 metre setback from the side street.</p>
<b>Side Setback</b>	<p>Where a wall does not include a habitable room window or balcony, the wall should be set back 0 metres to a side boundary.</p> <p>Above ground floor level, where a wall includes a habitable room window or balcony, the wall should be set back a 4.5 metres from the side boundary for a minimum length of 3 metres and be clear to the sky (except along the frontage).</p>

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Design or Built Form Element	Requirement
<b>Rear Setback</b>	A rear setback of a building should be designed having regard to Standard B17 of Clause 55.04-4, Standard B19 of Clause 55.04-3, Standard B20 of Clause 55.04-4, Standard B21 of Clause 55.04-5, Standard D14 of Clause 58.04-1 and Standard D15 of Clause 58.04-2 of the Maribyrnong Planning Scheme.
<b>Public Realm Interface</b>	<p>Incorporate an active frontage response at all ground level interfaces.</p> <p>Maintain a fine grain street pattern of buildings with a 6 metre width at ground level and incorporate vertical articulation.</p> <p>Ensure north-south pedestrian and cycling connections.</p> <p>Buildings on the north side of Barkly Street should be designed to ensure the footpath on the south side of the street receives full sunlight between 10am and 3pm on the 22 September.</p> <p>Where a laneway or secondary street exists, no vehicle access from the main street.</p> <p>Car parking area not visible from the street.</p> <p>Provide clearly visible and distinct entry points on the ground floor for residential uses on the upper levels (no alcoves or unsecured/setback entries).</p> <p>Incorporate 65-80% glazing and transparency on the ground floor façade.</p> <p>Incorporate windows on all levels of the building façade with direct access and outlook to the street frontage.</p> <p>Incorporate a canopy or awning over the footpath for the full width of the building frontage.</p> <p>Minimise the visual impact of service cabinets on the façade.</p> <p>Limit large signs.</p> <p>Plant and equipment (including air conditioning units and exhausts) should be integrated into the building design and appropriately screened.</p>

**Table 2: Precinct 2 - Barkly Street East Residential Precinct (north side between Summerhill Road and Gordon Street)**

Design or Built Form Element	Requirement
<b>Building Height</b>	Building height must not exceed 13.5 metres and four storeys.
<b>Street Setback</b>	<p>Walls of buildings must be set back:</p> <ul style="list-style-type: none"> <li>■ minimum 3 metres from the front street (incorporating landscaping).</li> <li>■ minimum 2 metres from the side street.</li> </ul>
<b>Side Setback</b>	<p>Where a wall does not includes a habitable room window or balcony, the wall should be set back 0 metres to a side boundary.</p> <p>Above ground floor level, where a wall includes a habitable room window or balcony, the wall should be set back 4.5 metres from the side boundary for a minimum length of 3 metres and be clear to the sky (except along the frontage).</p>

Design or Built Form Element	Requirement
<b>Rear Setback</b>	A rear setback of a building should be designed having regard to Standard B17 of Clause 55.04-4, Standard B19 of Clause 55.04-3, Standard B20 of Clause 55.04-4, Standard B21 of Clause 55.04-5, and Standard D15 of Clause 58.04-2 of the Maribyrnong Planning Scheme.
<b>Public Realm Interface</b>	<p>Incorporate an active frontage response at all ground level interfaces.</p> <p>Where a laneway or secondary street exists, no vehicle access from the main street.</p> <p>Car parking area not visible from the street.</p> <p>Provide clearly visible and distinct entry points for residential uses (no alcoves or unsecured/setback entries).</p> <p>Incorporate direct entries from the street to ground floor uses.</p> <p>Incorporate windows on all levels of the building façade with direct access and outlook to the street frontage.</p> <p>Incorporate low fences and setbacks to allow landscaped front yards with sufficient space for at least one medium size tree.</p> <p>Plant and equipment (including air conditioning units and exhausts) should be integrated into the building design and appropriately screened.</p>

### 3.0

#### Subdivision

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None specified.

### 4.0

#### Signs

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None specified.

### 5.0

#### Application Requirements

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The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Planning Report that demonstrates how the development satisfies relevant planning policies and clauses of the Maribyrnong Planning Scheme.
- An Urban Design and Context Report that demonstrates how the design responds to the existing urban context, preferred future development of the area, Preferred Character Plan of Precincts shown in Figure 1 and built form requirements in Tables 1 and 2 of this Schedule.
- An assessment of traffic and transportation issues including car parking design, provision, access and egress for future residents/occupants and visitors, and the relationship to the pedestrian, cycling and public transport network.
- An assessment of waste collection, removal and delivery areas for the proposed development.
- An Acoustic Report which includes a detailed assessment of potential noise impacts at different times of the day and week. This includes noise generated from abutting commercial activities and the surrounding road network.

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

- A report showing that the design of the development demonstrates high standards of environmental sustainability. The report should assess the design of the proposed development in the following areas:
  - Energy efficiency.
  - Measures to reduce or manage car parking demand and encourage sustainable alternative transport modes.
  - Integrated water management.
  - Waste minimisation.
  - Building materials.
  - Demolition and construction practices.
  - Landscaping.
  - Indoor environmental quality and natural lighting.
  - Other environmental sustainability issues impacting the proposed design.
- A Landscape Plan which shows information relating to:
  - The quantity and both botanical and common names of all proposed plants.
  - The size at time of installation and typical size (height and width) at maturity of all proposed plants.
  - Pot size for understorey planting and height for tree planting.
  - The ongoing management, including the maintenance needs of all plants within common areas.

## 6.0

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### Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development meets the built form requirements in Tables 1 and 2 and shown in Figure 2 of this schedule.
- Whether the response to noise, odour and overshadowing is acceptable.
- Whether the development provides suitable daylight, sunlight and outlook to proposed dwellings, habitable areas, landscaped areas and adjacent developments.
- Whether windows, terraces and balconies are appropriately oriented to the street or open space.
- Whether plant and equipment is successfully screened and integrated into the overall building design.
- How the location and design of exhaust flues and air conditioning units will ameliorate odour, heat and visual impacts on adjoining uses and streets.
- Whether the location, design and layout of car parking is an acceptable response to the public realm.
- The quality of pedestrian, bicycle and vehicular access and egress points and connections.

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- The impact of traffic and parking on the road network.
- Whether the development is environmentally sustainable.