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Proposed C114hbay

SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO2**.

PRECINCT 16 WEST

1.0

Objectives

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To create a residential area that is responsive to its context and provides a transition in character at its interfaces with existing adjoining residential areas and industrial operations.

To encourage sustainable urban renewal and increased housing affordability, diversity and density within the site.

To create varied, engaging and high quality architectural forms, landscaped environment and sustainable movement links.

To ensure residential development provides a reasonable level of amenity for future occupiers of the site, including but not limited to protecting future residents from the adverse impacts of industrial and traffic noise, odour, dust, vibration and the visual impact of the railway line and industrial development.

To protect the operations of the state and nationally significant Spotswood Locomotive Maintenance Centre from any potentially adverse effects of residential encroachment.

2.0

Requirement before a permit is granted

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A permit may be granted before a development plan has been approved for:

- Any buildings or works associated with the remediation of land in accordance with or for the purpose of obtaining a preliminary risk screen assessment statement stating that an environmental audit is not required or a Statement of Environmental Audit under the *Environment Protection Act 2017*.
- Subdivision.
- Creation, variation or removal of easements or restrictions.
- Any buildings and works associated with the existing operations at 5 Sutton Street.

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.

3.0

Conditions and requirements for permits

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The following conditions and/or requirements apply to permits unless otherwise agreed in writing with the Responsible Authority:

- Any development that will accommodate residential or other noise-sensitive uses must be designed and constructed to include noise attenuation measures. These noise attenuation measures must ensure that:
 - Industrial noise received at new residential or other noise-sensitive uses complies with the requirements of State Environment Protection Policy No N-1 (SEPP N-1) or equivalent EPA guidance. Where the nature of the development is such that it is not practical or reasonable to undertake an outdoor measurement of the industrial noise level, the measurement point for a noise sensitive area must be indoors in accordance with SEPP N-1 or equivalent EPA guidance. The indoor adjustment should not be greater than 15 dB. The assessment of noise emanating from the Spotswood Maintenance Centre must include a comprehensive assessment of the activities – both current and reasonably foreseen planned future activities (and address worst case and upset conditions).

- Train airborne noise received at new residential or other noise sensitive uses is attenuated to achieve a noise level of 55 dBA, L_{max} in bedrooms and a noise level of 60 dBA, L_{max} in living areas. These noise levels are to be measured internally near the centre of habitable rooms, with the doors, windows and ventilation closed. The measurements should be undertaken using a ‘fast’ meter time weighting, and must be achieved for 95% of train pass-bys (i.e. 5%, 1 in 20 trains may exceed).
- Train ground borne noise received at new residential or other noise sensitive uses is attenuated to achieve a noise level of 35 dBA, L_{max}, slow, in bedrooms and 40 dBA, L_{max}, slow, in living areas. These noise levels are to be measured internally near the centre of habitable rooms. The measurements should be undertaken using a ‘slow’ meter time weighting, and must be achieved for 95% of train pass-bys (i.e. 5%, 1 in 20 trains may exceed). This assessment of train ground borne noise is only to be applied for new residential or other noise sensitive uses where train ground borne noise is the dominant source of noise (i.e. higher than the train airborne noise).
- Road traffic noise received at new residential or other noise sensitive uses is attenuated to achieve the recommended design sound levels provided in Australian Standard design sound levels and reverberation times for building interiors. These noise levels are to be measured internally near the centre of habitable rooms, with the doors, windows and ventilation closed.
- Truck pass-by noise received at new residential or other noise sensitive uses is attenuated to achieve an internal maximum noise level of 55 dBA L_{max}, in bedrooms, during the night. These noise levels are to be measured internally near the centre of the room, with the doors, windows and ventilation closed.
- Any development that will accommodate residential or other vibration-sensitive uses must be designed and constructed to include vibration attenuation measures. These vibration attenuation measures must ensure that:
 - Train vibration received at new residential or other vibration-sensitive uses complies with the Australian Standards. Evaluation of human exposure to whole-body vibration, Part 2: Continuous and shock-induced vibration in buildings (1 to 80 Hz). Train vibration received at new residential or other vibration-sensitive uses should comply with the combined direction Curve 20, adjusted by the number of events ‘trade-off’ given by Note 5 to the Table based on the number of railway movements, but not in any case, lower than Curve 4. Train vibration is to be measured between 4–80 Hz using an accelerometer fixed to the floor near the centre of any habitable room.

The following conditions apply to permits for development:

- Prior to the occupation of any building, a report prepared by a suitably qualified acoustic and vibration consultant which certifies compliance with the noise and vibration attenuation criteria set out in clause 3.0 of Schedule 2 to the Development Plan Overlay must be provided to the satisfaction of the responsible authority.

4.0

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Requirements for development plan

A development plan, which may consist of plans and/or other documents, must be prepared for the site to the satisfaction of the responsible authority.

The development plan for the site or for any sub-precinct may be amended from time to time to the satisfaction of the responsible authority.

The development plan may be prepared in parts relative to the sub-precincts depicted on the Precinct 16 West Framework Plan if the responsible authority is satisfied that this will not prejudice the future use and integrated and orderly development of the site in accordance with the development plan requirements.

The development plan for the site or for any sub-precinct must be consistent with the following Vision for the site, and be generally in accordance with the Precinct 16 West Framework Plan to the satisfaction of the responsible authority.

Vision

- The site will become a sustainable residential community, integrated with Precinct 16 East and complementing the broader existing residential neighbourhood.
- The site will be redeveloped to provide a predominantly medium to higher density residential development, providing homes for a diversity of households including affordable housing and incorporating public open space and sustainable movement links.
- The development will implement innovative ESD features, providing opportunities for best practice in environmental management.
- The development will protect the ongoing operation of industrial land use and infrastructure, incorporating residential amenity protection measures that display a high level of architectural resolution, even if temporary in nature.
- The stages of the development will be managed to minimise amenity impacts to new residents until industrial uses on the site are discontinued.

The development plan(s) must include the following requirements to the satisfaction of the responsible authority:

General

- A site analysis plan that identifies the key attributes of the site (or the sub-precinct), its context, the surrounding area and its relationship with adjoining land.
- An urban context and analysis response that contains a thorough assessment of the opportunities and constraints of the site (or the sub-precinct).
- A land use summary including an indicative number or density of dwellings for the site or the sub-precinct.

Built form and layout

- Concept plans or equivalent documents that describe the layout and development of the site or the sub-precinct including:
 - building heights;
 - street layout;
 - indicative location of public open space (if proposed);
 - the siting and orientation of built form;
 - variation to building forms across the site or sub-precinct;
 - waste collection and storage locations;
 - graduation of taller buildings with reference to analysis of shadow, visual amenity impacts and the character of the area;
 - measures needed to ensure reasonable residential amenity is achieved given amenity impacts and emissions from non-residential uses;
 - indicative architectural and building design details including materials, styles, elevations and cross-sections;
 - a maximum average site coverage of 85%
 - setbacks including but not limited to:

HOBSONS BAY PLANNING SCHEME

- a minimum 4 metre setback from Sutton Street;
- a minimum 3 metre setbacks on internal roads.
- Design guidelines for the site (or sub-precinct) to ensure development will:
 - Integrate with development in adjoining sub-precincts and respect the character of established areas in particular the established character to the western side of Stephenson Street;
 - Provide appropriate internal amenity for new residents and protect the amenity of existing residents;
 - Provide for a diversity of dwelling types, as appropriate, to cater for a variety of housing needs;
 - Include active frontages for lots that share an interface with a reserve or street to ensure a quality design, surveillance and permeable outcomes as appropriate;
 - Include sustainable design features to address water management, solar access and energy saving initiatives, to deliver lower living costs for future residents and aid in the reduction of energy and water consumption, the generation of waste and greenhouse emissions;
 - Ensure out buildings and service areas have minimal visibility from any public open space or street;
 - Include temporary acoustic measures that are designed to a high standard and are not visually intrusive within the landscape;
 - Promote urban legibility and public access to and through the site;
 - Ensure new buildings are designed to distribute access to outlook and sunlight between built forms;
 - Demonstrate high quality built form outcomes that contribute to the built form character of the neighbourhood and its surrounds;
 - Ensure that building heights consider and respond to the overshadowing effects within the site;
 - Ensure that building heights provide an appropriate transition to site interfaces;
 - Ensure street level interface treatments contribute to high levels of pedestrian amenity and safety;
 - Provide acoustic design treatments that addresses the impact of existing and potential noise particularly from the Spotswood Maintenance Centre;
 - Collectively form a coherent and identifiable precinct;
 - Provide for safe and convenient vehicular and pedestrian access;
 - Minimise, where practical, the impact of vehicles on public space;

Access and transport

A traffic management report and car parking plan prepared by a suitably qualified engineering consultant that ensures the creation of a safe and efficient road network within and adjacent to the site. The traffic management report should include:

- The existing capacity of the surrounding road network;
- Existing roads, pedestrian, cyclist and vehicle access locations;
- An assessment of the impact of traffic and car parking generated by the use and development of the site;
- A summary of the internal road network (including street widths and general design) and its appropriateness when considered in relation to clause 56;

- Details of proposed car parking;
- The design of internal network to encourage cycling and pedestrians to travel through the site;
- How the impacts of new vehicle access points on pedestrian and bicycle priority routes will be reduced;
- Any proposed traffic management measures within the site or in the surrounding street network;
- Location and linkages to the public transport network;
- Any necessary transitional arrangements to ensure existing access rights are protected for the industrial operations at 5 Sutton Street, South Kingsville;
- No direct access from future dwellings to Stephenson Street;
- Proposed staging plan (if relevant);
- Measures to ensure development does not compromise the delivery of future public transport including new bus routes.

Use transition

Demonstrate measures to protect the ongoing industrial uses during transition of the site to residential use, including protection of existing access rights to 5 Sutton Street, South Kingsville while the industrial uses on this property continue. The development plan should include interim and ultimate arrangements in response to this issue with the interim arrangements demonstrating how the existing access from Sutton Street and via Blackshaws Road will be maintained.

Open space and landscape

A landscape report, which identifies:

- Key measures and objectives to ensure that a high quality public realm is achieved with details of proposed landscaping in streets and public open spaces;
- Links to existing and proposed open spaces;
- A landscape concept plan for public open space and roads, with indicative themes and planting schedules;
- Street and public open space cross sections to demonstrate an appropriate landscape outcome;
- Details of water sensitive design initiatives.

Site Remediation Strategy

A Site Remediation Strategy must be submitted with the Development Plan to the satisfaction of the responsible authority to address and make recommendations in relation to:

- Potential impacts of any land or ground water contamination on the proposed land use;
- The proposed pattern, siting and arrangement of land uses across the site or sub-precinct (including residential, public and community uses) and any particular design requirement the development may be subject to;
- Options and a preferred approach to the testing and clean up activities;
- An indicative site map showing locations across the site or sub-precinct of any identified contamination and any proposed clean up activities;
- A schedule of proposed clean up activities;
- Expected staging and indicative timeframes for any works required by the preliminary risk screen assessment or Statement of Environmental Audit across the site following the clean up activities for the site or sub-precinct, if required;

- Indicative site management and monitoring controls that will be necessary following each clean up activity; and
- The parties responsible for key activities and for subsequent site management and monitoring.

The Site Remediation Strategy may be prepared in stages.

Prior to the approval of Development Plans a preliminary risk screen assessment statement must be issued stating that an environmental audit is not required or a Statement of Environmental Audit must be prepared and approved for the site.

The Site Remediation Strategy must reflect the recommendation or requirement of any Statement of Environmental Audit or preliminary risk screen assessment statement.

Affordable housing

Measures to encourage that an affordable housing contribution is provided equivalent to 10 per cent of the total number of dwellings to be developed in each sub-precinct.

Acoustic and vibration impacts

A report, which addresses the following:

- An assessment of acoustic and vibration impacts on the site with reference to the existing Spotswood Maintenance Centre and the adjacent railway line. The assessment must include recommended measures to manage acoustic and vibration impacts at the ultimate developed outcome and also confirm that a reasonable interim arrangement can be achieved during development of the site.
- Identification of potential impacts on future development in the site.
- The proposed design treatment of the interface with industry, including setbacks, fencing, landscaping, internal building layout, noise attenuation construction measures and any other measures required to minimise impacts.
- Consider amenity of future residents in line with Standard D16 at Clause 58 of the Scheme, assuming that the site is located in a 'noise influence area'.

Environmentally Sustainable Development Strategy

An Environmentally Sustainable Development Strategy must be prepared which considers and responds to the proposed development and construction processes and:

- Demonstrates the incorporation of recognised technologies and best practice;
- Identifies and nominates the level of sustainability performance standards to be adopted;
- Assesses options by which the nominated level of sustainable performance standards will be achieved.

The ESD Strategy must have regard to the local policy, Environmentally Sustainable Development at clause 22.13.

Stormwater

A stormwater management strategy to the satisfaction of the council addressing the requirements for volumes and quality of stormwater runoff, details of on-site stormwater retention (if required) and how the development of the site will meet the requirements of Clause 53.18 – Stormwater Management in Urban Development.

Major pipeline infrastructure

A report that outlines the impact of the proposed development of that sub-precinct of the site adjacent to pipeline infrastructure both during construction and post-construction on the Somerton to Altona Licensed Pipeline, in the context of a pipeline risk assessment, and any measures required to ensure the ongoing maintenance and operation of the pipeline.

Staging

An indication of staging and anticipated timing of development for each sub-precinct as appropriate. This should include, but not limited to:

- Access arrangements into the site while the southern sub-precinct continues to operate as an industrial use;
- Temporary acoustic attenuation measures.

Precinct 16 West Framework Plan

