

19/07/2018  
C243**SCHEDULE 16 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO16**.

**111 QUEENS PARADE AND 433 SMITH STREET, FITZROY NORTH (FORMER FITZROY GASWORKS)**

This schedule applies to the former Fitzroy Gasworks site at 111 Queens Parade and 433 Smith Street, Fitzroy North bound by Smith Street, Queens Parade, George Street and Alexandra Parade.

**1.0****Requirements before a permit is granted**19/07/2018  
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A permit may be granted before a development plan has been approved for the following:

- Any buildings and works associated with the remediation of the land in accordance with or for the purpose of obtaining a certificate or Statement of Environmental Audit under the Environmental Protection Act 1970.
- Minor buildings or works.
- Consolidation of land or Subdivision.
- Removal or creation of easements or restrictions.

Before granting a permit, the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner and in accordance with the objectives for the site contained in this schedule.

The development plan must be prepared for the entire site as indicated on the indicative concept plan. The land may be developed in stages.

**2.0****Conditions and requirements for permits**19/07/2018  
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The following conditions and requirements apply to permits.

Except for a permit granted before a development plan has been approved in accordance with Clause 1.0, a permit must contain conditions that give effect to the provisions and requirements of the approved development plan.

Except for a permit granted before a development plan has been approved, a permit must contain the following condition:

- A construction management plan must be submitted to and approved which:
  - Details the measures to be implemented to minimise adverse impacts during construction on environmental values, including habitat, water quality, sites of biological and cultural significance and vegetation to be retained on site.
  - Details the measures to be implemented to minimise the generation of sediment on the site, the transport of sediment onto public roads and into drains and waterways and the generation of dust.
  - Shows the designation of tree protection zones for any canopy trees to be retained on the land.
  - Shows the location of site offices, site access and off-street vehicle parking for construction vehicles and employees, and traffic management.
  - Details the methods to be used for the collection and disposal of construction waste and the storage of construction materials.
  - Details the hours of construction on the site.
  - Details staging of construction.

- Details the management of public access and linkages around the site during construction.
  - Includes any works within the Smith Street, Queens Parade, George Street and Alexandra Parade road reserve.
  - Any measures required by an environmental auditor with respect to the site.
  - Describes the methodology for responding to complaints associated with the construction works.
  - Includes the site manager contact details.
- All works conducted on the land must be in accordance with the approved construction management plan to the satisfaction of the responsible authority.

### 3.0 Requirements for development plan

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A development plan must be prepared, generally in accordance with Table 1 and Figure 1, to the satisfaction of the responsible authority.

Development plan components

A development plan must include the following requirements and demonstrate how it responds to the following for the land:

- Develop a mixed use precinct comprising a variety of housing types, community facilities and public open space.
- Respond to the significance of Queens Parade and Alexandra Parade with built form that considers the design, height and visual bulk of the development in relation to surrounding land uses and developments and contributes to their significance as formal boulevards.
- Address Smith Street to strongly encourage the use of tram services in connection with development of the site, and to contribute to the streetscape character and vitality of the activity strip along the length of Smith Street.
- Create useable, safe and accessible public spaces to meet local needs and improve resident amenity and usability.
- Create pedestrian and bicycle access into and through the precinct to support its development and integrate activity in the area with surrounding neighbourhoods.
- Provide a range of dwelling types to cater for a variety of housing needs including the provision of up to 20% of dwellings as affordable housing (as defined at section 3AA of the *Planning and Environment Act 1987*).
- Provide community infrastructure to service the needs of the local area ensuring they compliment the adjoining proposed indoor sports courts and integration of the site with the adjoining proposed education facility.
- Incorporate sustainable design features to address water management, solar access and innovative energy saving initiatives.

#### Site design and land use

- Develop a coherent and identifiable precinct.
- Design to address and activate the public realm, without privatising its amenity.
- A minimum of 8% of the site to be provided as public open space.
- Position the school to front Queens Parade and centre the sports courts on the site as a key community node with ease of access to public transport.
- Support retail, office and other uses at street level.
- Promote urban legibility and high quality public access to and through the site including clear site lines and a choice of routes.

- Minimise over shadowing effects within the site and on adjoining land.
- Design public open spaces to have good solar amenity, good passive surveillance.
- Avoid buildings that disproportionately overwhelmed public spaces.
- Provide landscaping to reduce the visual impact of development, improve liveability and mitigate impacts of the urban heat island effect.
- Provision of street trees, high quality lighting and other streetscape enhancements.
- Retain the visual prominence of at least the top third of the individually significant Shot Tower from primary views when viewed from or through the site.

### **Built form**

- Provide a transition in buildings by reducing heights and increasing setbacks along sensitive interfaces with increased heights at the centre of the site in accordance with Table 1 and Figure 1.
- Create high quality architectural frontages with a sense of articulation, streetscape scale and rhythm.
- Articulate buildings to provide variety, visual breaks and promote a human scale to existing and new streets.
- Activate street frontages with windows at upper levels, building entries from main lobbies and ground floor apartments to contribute to street life and safety through passive surveillance.
- Avoid visually dominant buildings through use of discontinuous forms, well articulated facades and high quality materials that weather well and are environmentally sustainable.
- A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views and provide maximum sunlight to these spaces.
- Provide wind climate design to ameliorate wind conditions at street level, public spaces, balconies and adjoining properties.
- Provide acoustic design treatments that addresses the impact of existing and potential noise particularly from road traffic and trams.
- Avoid buildings taller than six storeys creating a ‘canyon’ effect to streets by distributing height and providing breaks in built form.
- Provide internal courtyards, supported by communal roof terraces and balconies facing out to the street in mixed use developments.
- Design all development parcels shown on Figure 1 as perimeter blocks. Perimeter blocks should be defined by groups of buildings, with a range of building heights, to create a fine grain and articulated streetscape.
- Avoid podium and tower typologies.

### **Movement**

- Design effective traffic management and car parking to service the whole site.. Innovative approaches to car parking provision will be considered.
- Provide for safe and convenient pedestrian, cyclist and vehicular access.
- Minimise vehicle entries to reduce impact on footpaths.
- Provide a new tram stop on Smith Street which is compliant with the requirements of the *Disability Discrimination Act 1992 (DDA)*.
- Provide two bicycle spaces per dwelling.

- Design vehicle access and egress to and from the site to avoid tram delays along Smith Street.

### **Required documents, plans and reports**

Prior to the preparation of a development plan the following must be prepared to the satisfaction of the responsible authority:

- **A community engagement strategy** which:
  - Establishes the mechanisms by which the residents and the community will be provided with information and opportunities for feedback during the preparation of the development plan.
  - Includes a requirement that the development plan be made available for public inspection prior to its consideration by the responsible authority.
- **A Site analysis and design response** which shows how the development responds to the development plans requirements that includes:
  - A site analysis that identifies the key attributes of the land, its context, the surrounding area and its relationship with existing and proposed uses on adjoining land.
  - A context analysis identifying neighbourhood features such as public transport, neighbourhood centres, walking and cycling connections.
  - Site plans which show:
    - The location of heritage buildings
    - The location of significant vegetation.
    - The siting and orientation of proposed buildings and the relationship to buildings on land adjacent to the site.
    - Treatments for key interface areas within the site and between the site and adjoining development, including interfaces to public realm and open space areas, interfaces to all existing and proposed streets and between different land uses.
    - The proposed uses of each building and estimated floor area for each use.
    - The location of open space and recreation facilities to be provided on the site broken down to show areas available to the public and private areas.
    - Key access points including proposed vehicle and pedestrian crossovers.
    - Movement networks vehicles, bicycles and pedestrians and their linkages to the adjacent movement networks.
    - The proposed internal street network and layout.
    - Indicative building entry and servicing points.
    - Building heights and setbacks that are generally in accordance with the Table 1 and Figure 1.
    - Elevations and cross sections for all buildings.
    - Siting and orientation of buildings having regard to passive energy and spacing between buildings.
    - Shadow diagrams for the equinox and winter solstice between 11am and 2am based on the building envelopes.
- **A planning report** that includes:
  - The site's urban context, including its physical surrounds, social and economic environment, a strategic view of the area in which it is located and its role over time.
  - An assessment of adverse amenity impacts of and to nearby land uses and how these are to be managed.

- An assessment of the development plan response to the state and local planning provisions within the Yarra Planning Scheme.
- A **heritage assessment** to assess the cultural heritage of the site and identify sites, buildings or structures of significance, which includes:
  - Identify sites, buildings or structures which have been assessed as significant.
  - Assess the extent to which a significant site, building or structure can be incorporated in the sites redevelopment.
  - Identify how the site heritage is to be interpreted in the future development of the site.
  - Provide guidance on the ongoing maintenance and management of the heritage places to be retained.
- A **landscape and public realm** concept plan which includes the following:
  - An overall landscape master plan for the site and adjacent areas, including a street tree master plan for the site.
  - An indicative plant and materials schedule.
  - A written description of the management of landscaped areas including sustainable irrigation treatments.
  - Principles for how future development will contribute to improving the public realm and promoting inviting, pedestrian public spaces.
  - Proposed use, management and ownership for public and private open spaces.
  - Details of how the plan responds to the requirements of any site remediation of the land.
- An **integrated transport plan**, prepared in consultation with Transport for Victoria, VicRoads and Yarra City Council which includes.
  - The likely traffic generation of the proposed uses and development including results from traffic modelling showing the likely traffic impacts on surrounding sites, the broader road network and public transport services.
  - Any works necessary to mitigate unacceptable impacts on the road network and unacceptable delays to public transport services caused by traffic generated by the proposed development, including the implementation and indicative timing of such works.
  - Details of a DDA compliant tram stop on Smith Street, at the full cost of the permit holder.
  - The indicative location of on-site car and bicycle parking for the land uses shown on the development plan.
  - Movement networks within the development plan area for vehicles, bicycles and pedestrians.
  - The indicative internal street network including the layout and proposed reservation widths.
  - Existing and proposed public transport routes and stops in the vicinity of the development plan area.
  - The location of bicycle and pedestrian paths in the vicinity of and connections to the development plan area.
  - Points of access to the site from adjoining roads, including any treatments necessary to enable access to the site.
  - Loading bays.
  - Techniques proposed to promote reduced car use and sustainable travel including investigation of a car share system and green travel plan initiatives.

- Details of infrastructure to safely connect the users of the site to public transport, cycle routes, neighbouring residential streets and activity centres.
- An **environmentally sustainable design strategy** which identifies sustainability performance standards, based on the following principles:
  - Energy conservation to contribute to local, national and international efforts to reduce energy usage and green-house gas emissions.
  - Water conservation, ensuring that water resources are managed in a sustainable way.
  - Water sensitive urban design and reducing the impacts of stormwater on catchments consistent with general principles as detailed in Urban Stormwater Best Practice Environmental Management Guidelines (Melbourne Water).
  - Reduction of the amount of waste generated and encouragement of increased reuse and recycling of waste materials.
  - Sustainability options in demolition and construction practices.
  - Landscaping considering the provisions of habitat, green spaces and climate control as appropriate.
- A **community needs assessment** which identifies:
  - Existing and planned services in the surrounding area and the impact the development will have on these services.
  - The need to provide additional community facilities on site or whether any existing community facility in the local areas should be upgraded or extended.
  - Funding and implementation mechanisms for the provision of required community infrastructure.
  - The location of any new community facilities on site or in the surrounding area.
- A **services and infrastructure plan** to identify:
  - Existing and proposed infrastructure requirements and easements (water, sewerage, gas, electricity, telecommunications, drainage, storm water overland flow points and water sensitive urban design) to service the proposed development plan area.
  - Any services that will require relocation.
  - The potential to place above-ground services underground.
- A **stormwater and flooding management strategy** prepared in consultation with Melbourne Water which includes:
  - The boundaries and dimensions of the site.
  - Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
  - The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.
  - Floor levels of the proposed buildings to Australian Height Datum.
  - Indicative cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
- A **dwelling diversity and affordable housing report** which includes:
  - A demographic analysis of the types of people and households anticipated to live within the development.

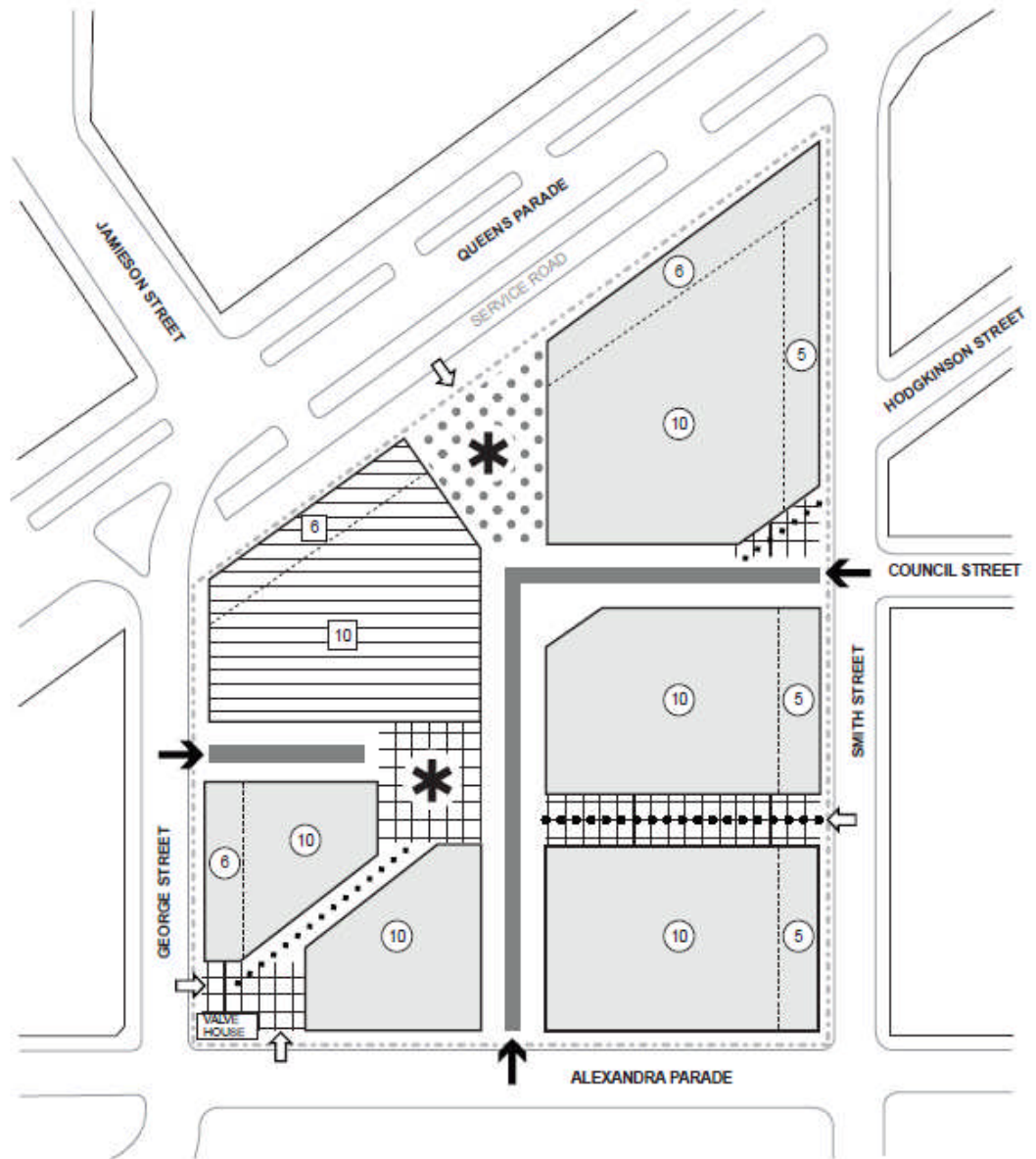
- How the development will support the existing and future population of the area.
- Proposed dwelling typologies for the development.
- How the development proposes to provide affordable housing and family friendly housing.

**Table 1: Building heights and street wall setbacks**



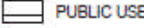










Street	Distance from boundary	Maximum height within setback*
Queens Parade	0 – 8 metres	20 metres (6 storeys)
	Greater than 8 metres	33 metres (10 storeys)
Smith Street between Queens Parade and Council Street	0 – 8 metres	17 metres (5 storeys)
	Greater than 8 metres	33 metres (10 storeys)
Smith Street between Council Street and Alexandra Parade	0 – 11.5 metres	17 metres (5 storeys)
	Greater than 11.5 metres	33 metres (10 storeys)
Alexandra Parade	0 – 22 metres	33 metres (10 storeys)
	Greater than 22 metres	33 metres (10 storeys)
George Street	0 – 12.5 metres	20 metres (6 storeys)
	Greater than 12.5 metres	33 metres (10 storeys)

\* Height in metres is the primary measure of height. Storey measure provides a guideline.

Figure 1: Concept Plan



LEGEND

- |   |  |   |                                 |
|---|--|---|---------------------------------|
|  | MIXED USE  |  | VEHICLE AND PEDESTRIAN ACCESS   |
|  | PUBLIC USE ZONE  |  | PEDESTRIAN / CYCLE ACCESS       |
|  | ARTICULATED MIXED-USE BUILT FORM TO A MAXIMUM HEIGHT - NO. OF STOREYS                      |  | PLAZA - PRIMARY PEDESTRIAN NODE |
|  | PUBLIC USE BUILT FORM TO A MAXIMUM HEIGHT - NO. OF STOREYS (EQUIVALENT RESIDENTIAL HEIGHT) |  | INTERNAL STREET                 |
|  | UPPER LEVEL SETBACKS   |  | PEDESTRIAN CONNECTIONS          |
|  | DPO BOUNDARY   |  | PASSIVE OPEN SPACE              |
|   |  |  | OTHER OPEN SPACE                |