

# Submission 1

Online submission to Maribyrnong Amendment C162

Received 9 November 2020



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The proposed bicycle crossing over the rail at Russell Street is a fantastic idea to connect up Seddon / Kingsville / Somerville Road / Stony Creek to West Footscray centres better and should be pursued.

## Submission 2

Online submission to Maribyrnong Amendment C162

Received 10 November 2020



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Hello there,

Received the Maribyrnong Planning Scheme Amendment C 162 today in the mail. Looks like there's a lot of exciting things planned for Footscray / West Footscray in the coming months and years.

I would like to voice my opposition to the section of the Amendment proposed for the West Footscray Station Mixed Use Precinct (4, 6 and 8 Cross St). I don't believe it is suitable to be increasing residential density to an eight storey height. It is wholly unnecessary and severely encroaches on existing residents. A build of this size will impact neighboring privacy and access to sunlight. Additionally, this density of living it will overwhelm local narrow, single lane streets. A residential building with a maximum height of four storeys - similar to that suggested for the Northen Side of Barkly street East would be much more suitable for the area and a more responsive build.

# Submission 3

Online submission to Maribyrnong Amendment C162

Received 11 November 2020



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I understand the plan but don't see any information to ensure that all new developments have to include parking. There is already very limited parking and adding more residential or commercial is only going to increase this need. Saying that it is near a station and doesn't need it doesn't actually work.

# Submission 4

**From:** [REDACTED]  
**To:** [AmendmentC162](#)  
**Subject:** Written submission - [REDACTED]  
**Date:** Thursday, 12 November 2020 3:25:29 PM  
**Attachments:** [Submission to council on proposed Amendment C162.pdf](#)

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Good afternoon!

Please find attached our submission on the matter of Amendment C162.

Yours sincerely,

[REDACTED]

## Submission to council on proposed Amendment C162 - planning controls in the West Footscray neighbourhood

[REDACTED]  
[REDACTED]

12<sup>th</sup> November 2020

Thank you for taking the time to consider our submission on the matter of rezoning West Footscray's Barkly Village and other areas specified in the Maribyrnong Planning Scheme.

We are a shared household of four people in their 20s. We have leased our home in West Footscray for over three years, and as individuals have lived in the area for multiple years beyond that. Our home is located close to the Barkly Street East precinct(s).

### WHAT WE LIKE

We support council's initiative to develop space currently underutilized along Barkly Street.

We support council's commitment to improving the walkability and mixed transport use of our neighbourhood, especially improvements to footpaths and lighting.

We support council's proposal to use environmental audits in identifying potentially hazardous sites.

We support, excepting any objections below, the development of the West Footscray Station Mixed Use Precinct as council has proposed in the amendment.

### GROUNDS FOR OPPOSITION

We strongly oppose the amendment in its current iteration.

We contend that the current amendment does not, in our view, sufficiently address negative social impacts as outlined in council's Municipal Strategic Statement (Objective 6).

We are concerned that the introduction of new medium-density housing will drive up rents, particularly in the absence of measures to control rent for long-term residents.

We are concerned that an influx of brand-new apartments will favour landlords and affluent individuals instead of West Footscray's working families, who remain deeply affected by this year's pandemic and economic downturn.

We urge the council to consider how the amendment could better advantage the community over private developers and business.

Above all, we urge council to incorporate more direct measures that combat isolation and inequality into the West Footscray Neighbourhood Plan.

## OUR ALTERNATIVES

We propose that council require new residential developments on Barkly Street to include an equal proportion of accessible social housing. This includes National Rental Affordability Scheme (NRAS) properties, community housing managed by a registered agency, and priority access housing.

We propose council rehabilitate and set aside land for a new outdoor community activity space on Barkly Street, complementing the West Footscray Neighbourhood House. Examples of what this space could offer include a communal BBQ area, basketball court, or community garden.

We note that the amendment brochure does not address any of the improvements to the West Footscray library and Neighbourhood House outlined in the West Footscray Neighbourhood Plan.

# Submission 5

Online submission to Maribyrnong Amendment C162

Received 15 November 2020



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My main concern is with regards to building heights. At present there seems to be a maximum of 4 storeys (including the ground floor). This gives the area an open feeling and preserves a 'village atmosphere'. My husband and I bought into the area for this very reason.

I think that this (presumed) height limit should remain the same.

I see no need for an 8 storey building near the railway station. As all of the immediate area is exclusively residential, or within easy walking distance, I can't understand why more is needed. Who benefits from such a high building?

I also think that encouraging 4 storey buildings in Barkley Street will change the whole ambience of the shopping strip. The road already feels quite narrow with cars parked on both sides of it and it would feel more like the CBD if all of the buildings were 4 storeys high. While the illustration looks bright and sunny, there would be substantial shadows for much of the day.

While much of the proposed development will enhance the area and will be welcomed, please be very cautious about raising height limits.

# Submission 6

Online submission to Maribyrnong Amendment C162

Received 16 November 2020



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For safety and clear identification (for example by emergency vehicles, deliveries etc) the alleyways immediately behind the Barkly village strip require naming and also upgrading as they are in a poor state, with potholes and intermittent flooding. This will be increasingly important as the Barkly village develops.



# Submission 7

Online submission to Maribyrnong Amendment C162

Received 17 November 2020



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I have concerns About the following proposals in C162: \* West Footscray Neighbourhood Activity Centre - "Built form guidelines of 4-5 storey maximum height": this will not retain the village feel and aesthetic of our gorgeous Barkly Village. We oppose to redevelopment above 2-3 storeys \* Barkly Stree East Side (Nrthrn side) - "Support low-rise apartments with landscaped front gardens": please provide more information on what a landscaped front garden is because most low-rise developments in the area just plant a tree out front which has no chance of growing in concrete and shade. \* West Footscray Station Mixed use precinct (4, 6 & 8 Cross St) - "Increased residential density to 8 storey height". We oppose built forms to 8 storeys - too high.

# Submission 8

## Online submission to Maribyrnong Amendment C162

Received 18 November 2020



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The current 2018 West Footscray Neighbourhood Plan provides the provision for the Barkly Village activity centre to have a building height limit of 4 stories, which represents an advance upon the previous neighbourhood plan supporting heights of between 2-3 stories. Given that the vast majority of current buildings that fall within the designated activity centre area are only 1 or 2 stories, it seems more reasonable to allow the centre to develop in accordance with the current 4 story limit than to increase this yet further to 5. When only one building to date has actually been built to 4 stories (and this has not been fully completed as yet), it would make more sense for the neighbourhood to 'grow' into the newest 4 story limit and thereby maintain some semblance of neighbourhood character and consistency, rather than precipitously increase the limit every 2 years or so. It therefore seems unnecessary and excessive at this point in time to increase the maximum height to 5 stories – this could always occur later on if developments in the area warrant it. A more specific comment pertains to the current supermarket carpark that is situated between Market Street and Summerhill Road, and Barkly and Milton Streets, which should not – in its entirety – form part of the West Footscray Neighbourhood Activity Centre (i.e. Barkly Village) and definitely should not in its entirety be zoned as Commercial 1. It is appropriate for the carpark land fronting Barkly Street – i.e. south of the alley that runs between Market and Summerhill – to be considered as part of the activity centre, as this would ensure continuity for the stretch of properties along Barkly Street to form a solid 'high street' block of larger commercial / residential buildings. However, it is inappropriate for the northern part of the carpark – i.e. north of that alleyway between Market and Summerhill, the street addresses 9-17 Milton Street – to be part of the proposed commercially zoned activity centre for the following reasons: 1) This portion of the carpark land is part of a street that is otherwise entirely zoned general residential zone schedule 1 – a clash of zoning that creates the potential for highly incongruous uses of land, building heights and built form along the same street. The council should not endorse a framework that would support this land situated on a residential street, currently surrounded by 1 and 2 story houses, to develop buildings of up to 5 stories in height, as this would create inconsistent neighbourhood character and significantly detract from the amenity of surrounding Milton Street residents, with the potential for overshadowing, overlooking and privacy issues. 2) Milton Street is a neighbourhood backstreet and so it is very difficult to understand why it – and only a small part of it at that – is to be included within the local area's main commercial activity centre. To zone this land as part of the main activity centre would be to encourage commercial and entertainment activities on a narrow, residential backstreet that is otherwise entirely zoned for low density residential use. Doubtless Milton Street was not originally designed to be a 'commercial' street and it is not well situated or well equipped to be one. In zoning part of it to fall within the neighbourhood commercial activity centre, the council risks creating serious carparking issues for local residents living on the street. Furthermore, this re-zoning would doubtless give rise to major congestion issues for Milton Street itself due to increased car traffic on a street that cannot support it – the street is very narrow and cannot accommodate car traffic flowing in two directions at the same time. On a more basic matter of principle, it would make more sense to zone all of the properties along Milton Street within the new activity centre

(and thus be commercial 1 zoned), or none of them (which to me seems like the more sensible option), rather than to zone only a small portion of the street in this way. Doing so would lay the foundation for future uses of the land fronting Milton Street to be out of step and scale with each other, and therefore at cross-purposes. 3) Zoning the entire plot of land that is currently the supermarket carpark north of Barkly Street as part of the activity centre (and commercial 1 zoned) jeopardises the future utility of the alleyway running between Market Street and Summerhill Road. At present, this very narrow alleyway is frequently used by residential and commercial properties that directly back onto it. As 4-5 story developments are built in the future across the stretch of Barkly Street that runs parallel to this alleyway, many/most/all of these future developments will plan for the residents of these buildings' multiple apartments to use the alley as a means of rear car access to park on-site, most likely via car stackers (as per recently approved planning applications). These developments will therefore put the capacity of the narrow alleyway to accommodate such increased traffic flow to the test. As such, it is imperative that the continuity of the alleyway between Milton and Summerhill be preserved to ensure it can provide a means for vehicles to enter and/or exit from 2 different access points. Zoning the entire carpark block as part of the main commercial activity zone could put financial pressure on the alleyway land to be sold for future large-scale developments, which would jeopardise the full stretch of the alleyway from Market to Summerhill and the multiple access points this currently provides. The alleyway is currently used, will be increasingly used in the future and therefore should be preserved in its current length. Given this, and as a way to preserve the optimal utility of the alleyway into the future, it would make more sense to zone the land south of the alleyway as part of the main activity area (commercial 1 zone) and the land to the north of the alleyway as general residential zone schedule 1, dividing the zoning of this large plot of land into two different zones that better suit the existing neighbourhood character and future uses that these stretches of land should serve. To summarise, the zoning of 509-511 Barkly Street – and specifically the carpark north of Barkly Street – to be re-zoned in its entirety as part of the main activity centre with commercial 1 zoning presents myriad issues for surrounding local residents, lays the foundation for the local neighbourhood character to become incongruous and inconsistent into the future, creates the potential for contradictory uses of land to occur in close proximity to each other, and is thus frankly illogical. If you were to plan a commercial activity centre and overall zoning for this local neighbourhood from scratch, it would not be done in such an irregular and inconsistent way with respect to this specific area of land. Simply looking at the map illustrating the Amendment C162 highlights that this specific area of the proposed activity area / commercial 1 zoning doesn't make sense on any level and should be changed along the lines that I have outlined above.

# Submission 9

## Online submission to Maribyrnong Amendment C162

Received 19 November 2020



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I am writing to oppose Amendment C162 in its current form. I believe that increasing the maximum building height in the West Footscray Neighbourhood Activity Centre to 5 storeys is excessive and unnecessary given that the recent 2018 West Footscray Neighbourhood Plan already increased the maximum building height to 4 storeys. After only 2 years I cannot see that a change in height is already required. Given that the vast majority of existing buildings in this area are 1-2 storeys and some also have narrow street frontages, 5 storey buildings would not suit the “village” character of West Footscray. As a resident whose property will back onto this activity centre, my and many of my neighbours’ single storey properties would be dwarfed by 5 storey housing and commercial developments. I also object to changing the existing zoning of 509-511 Barkly Street from a mix of Commercial 2 Zone, Mixed Use Zone and General Residential Zone- Schedule 1 to only Commercial Zone 1. [REDACTED] believe that Parcels K, C, B, E and G should maintain their existing General Residential Zone- Schedule 1 classification. All properties on both the North and South sides of Milton Street are currently General Residential Zone- Schedule 1, and exiting properties on the street are a mixture of 1-2 storey designs. Parcels K, C, B, E and G of 509-511 Barkly Street all front onto Milton Street and are separated from the other parcels by a laneway. Whilst all of these parcels are currently being utilized as car parking for the supermarket on Barkly Street, if the land was to be developed in the future, the proposed 4-5 storey maximum and potential commercial use would be out of character in appearance and use compared to the existing residential properties in Milton Street.

# Submission 10

**From:** [REDACTED]  
**To:** [AmendmentC162](#)  
**Subject:** RE: Submission from [REDACTED]  
**Date:** Thursday, 19 November 2020 11:36:00 AM  
**Attachments:** [Submission to MCC.docx](#)

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Please find attached a Submission regarding AmendmentC162 from -

Name: [REDACTED]

Address: [REDACTED]

Mob: [REDACTED]

Regards, [REDACTED]

To Whom It May Concern,

I have reviewed with interest the West Footscray Neighbourhood proposal. As an inner-city area, it is to be expected that development of higher density dwellings and greater commercial activity would occur. As an eleven-year resident of the area, I have watched the Barkly Village development with pleasure. There were many empty shop fronts when I came to the area and now there is greatly increased activity.

My one concern is that of parking. Parking is already difficult and obstructive to road users in this precinct. Recently there was an application for a 4-level dwelling between the Paint Spot and the Dosa Hut asking for reduced parking requirements below the accepted level. I live on the northside of Barkly Street just west of Barkly Village. I live in a unit that has parking for one car. The northside of Barkly Street was made 1-hour parking quite a few years ago. This makes parking for any visitors to the area exceedingly difficult. The overflow from the restaurants in Barkly Village, daily impinges well into the residential area. I can only think that parking will become a greater issue as density increases.

I read all the documents carefully and found no reference to, or provision for additional parking. I hope that that issue is not disregarded as it could greatly impact on the safety and liveability of the area for the local residents who are the rate payers in West Footscray. I would welcome hearing what provisions for parking are being made for increased commercial use of the area and within the higher density dwelling plans.



# Submission 11

Online submission to Maribyrnong Amendment C162

Received 19 November 2020



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Milton Street, West Footscray is a beautiful street in the suburb. It comprises almost exclusively 1 storey homes and a few 2 storey homes. The car park in the middle of the street is used for SIMS IGA and surrounding businesses. If this goes up for development of 3-5 storey high dwellings then this would be a very disappointing outcome for the street and for the neighbourhood. Local residents on this street are very close, and we have all invested so much in this area to keep it from becoming a theme park. We were all opposed to the 4 storey complex on the corner of Barkly and Market St which, now that it is complete is proof that huge developments like this, whilst they may suit the south side of Barkly St where the car yards are, do not work on the northern side of Barkly, which, barring the small shops opposite IGA (the post office and dentist etc.), comprises exclusively 1 and 2 storey family homes. I strongly encourage the council to take into consideration the generations of home owners in the street as well as the new families that have poured their life savings into an area that, when we all bought here, was a quiet and pleasant street and neighbourhood. I am not against development when it is done right and considers the local residents. The best outcome, in my opinion, for the Milton St Car Park is to split it in half - the Milton St side should be restricted to 2 storey dwelling only and the Barkly St side should really only be considered for 3 storey. After seeing the outcome of the building on the corner of Barkly and Market St and what it means for our local residents (unwanted overlooking, an eye saw in a street that is almost exclusively 1 storey, traffic - speed trap etc.), it really is a shame to see what was once a beautiful neighbourhood turn into hotchpotch of buildings due to poor planning and decision making from Council. Please, I urge Council to take our concerns seriously. With a well considered plan, West Footscray will become a sought after area. It will lose its charm if we allow 3 to 5 storey blocks on the northern side of Barkly St. What a shame.

# Submission 12

**From:** [REDACTED]  
**To:** [AmendmentC1.62](#)  
**Subject:** submission  
**Date:** Friday, 20 November 2020 11:51:06 AM

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Dear Sir/Madam

Thank you for the opportunity to make a submission in relation to the proposed changes to the Maribyrnong Planning Scheme.

Generally I support these changes insofar as I share its aims of increasing housing choice, strengthen economic opportunity and improve community spaces and services.

I would like to know more about the content of the built form guidelines 'to manage change, strengthen character, enhance the public realm and protect amenity' (brochure wording). The documents I have viewed online are either too high level or too specific to achieve these ends e.g. the Policy Framework Clauses and the overlay documents.

My concern is that developers will be able to meet the proposed regulations with an end product that does not achieve the aims you have articulated (and which I share).

My understanding is that Barkly St West Footscray was a thriving strip before Highpoint was built in the mid 1970s. The Economic Assessment misses this competitive context (as well as the competition of the far nicer shopping strips in Yarraville and Seddon). This understanding is a gap in the Potential Solutions that are proposed, which are pretty bureaucratic and underwhelming given the size of the ambition.

It assumes the problem is one of supply but without addressing the aesthetics and amenity issues very clearly and directly there is potential for low quality developers making the problem worse with cheap construction and empty shop fronts. There is a market failure here.

While the developers carry the financial risk, residents do have to live with it, and it would be a missed opportunity for the area.

In short, what is built needs to be really distinctive and special to boost the area - some guidelines about height are not going to be sufficient to achieve the aims of the changes.

[REDACTED]



# Submission 13

## Online submission to Maribyrnong Amendment C162

Received 22 November 2020



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WE SUPPORT: Local business growth - We support the principles of Amendment C162, particularly the increase in commercial zoning along Barkly Street, as long as this encourages genuine, open and accessible businesses that meet the needs and reflect the diversity of the West Footscray community. WE OPPOSE: Rezoning that allows four to five story buildings along Barkly street. This is too tall in a residential neighbourhood. Two to three stories would provide density, while ensuring that unwanted side effects such as shadowing and line of sight into neighbouring properties and overcrowding is minimised. Increased parking requirements. Parking on neighbouring streets, resulting from extra residences and businesses will be a potential problem and will need to be addressed. As Clive Street residents, we are concerned that this extra density will significantly increase on-street parking and would irreversibly impact the character of this historic residential street. No matter what is determined with regard to zoning, we would suggest parking restrictions be introduced, including resident parking permits. Additionally, we do not support angle parking on the western end of Clive Street. OPPORTUNITIES Environmental and beautification opportunities: As consideration is given to rezoning along Barkly street, we notice that there is little articulation of environmental activities and improvements in the area. The changes bring ample opportunity to emphasise green building, further greening and beautification of the adjoining areas. Two ideas: A central median strip with trees through Clive Street would reduce potential congestion by ensuring a focus on local parking, provide greater shade and protection and enhance the location's unique character. This approach should be applied to other streets in the area. This opportunity should also be taken to bury power lines and create street lighting that utilises solar power. One way traffic along Barkly street: to reduce congestion consider making Barkly street one way, with Essex street one way in the other direction (bordered by Ashely Street and Summer Hill Road). Both Barkly and Essex suffer from congestion caused by traffic flow and parking, which de-prioritise pedestrians and cyclists. This is a high risk zone, which has already resulted in one cyclist fatality and many near misses. Improve safety of crossing at Barkly Street between Russell and Argyle: The current crossing, used by a considerable number of primary school children, is dangerous. We have seen a number of vehicles run lights at this location. Consider moving crossing down to Barkely and Russell so that it is more visible. QUESTIONS 1). The Amendment documentation says: "The Amendment will generate positive environmental, social and economic effects resulting in a net community benefit". What specific environmental opportunities (green building requirements, congestion reduction, environmental benefits) would this amendment offer the local community ? 2) What are the plans re: parking? 3) Approximately how many new residences would be created through this amendment and what arrangements would be made to counter the impacts of higher density in this residential area? 4) What will be done to ensure that streets like Clive street are not negatively impacted by the higher density? 5) What will the council do to ensure that businesses along Barkley street are community facing and focused and not just shut off frontages that offer no community benefit? Thanks for the opportunity to comment. We are happy to discuss any aspect of what is written above, if required.

# Submission 14

Online submission to Maribyrnong Amendment C162

Received 23 November 2020



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Very concerned about the encroachment of units further back from Barkly Street over time and the change to the community feeling the suburb currently has now with single block housing and families. Will there be anything put in place to ensure the development does not encroach on these dwellings in the future?

# Submission 15

Online submission to Maribyrnong Amendment C162

Received 23 November 2020



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The suggested changes to WEST FOOTSCRAY NEIGHBOURHOOD ACTIVITY CENTRE (BARKLY VILLAGE) are: • Expand commercial and retail opportunities by extending the Commercial 1 Zone to cover majority of the centre. • Create a vibrant active centre by encouraging commercial/retail uses at ground floor and apartments above. I suggest that this zone be extended down Warleigh Road to Cross Street to accommodate more mixed use residential/retail/commercial.

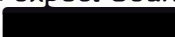
# Submission 16

Online submission to Maribyrnong Amendment C162

Received 23 November 2020



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In principle my family and I (and other residents I've spoken to) are in favour of the proposed amendments given a few important provisos. Firstly, as most properties in Swan Street (and surrounding streets) do not have off-street parking, we are concerned about the even greater problem that may occur. Having more than one car, we do not believe it is fair that we have to pay for the right to park on our street (sometimes around the corner) when AFL games/events take place. This has been a steadily growing problem and we fear will become untenable when a convention centre etc are established on the Whitten Oval precinct - not to mention the potential spill-over of resident/visitor etc cars from the development along Barkly Street. Football lovers ourselves, we however do not believe it is fair that the interests of the Western Bulldogs who are already financially supported by Council/ratepayers should take precedence over us. Frankly, we think it is ethically wrong that Council makes us pay for additional parking/visitors permits when it has in effect helped create the current parking problem. Secondly, population density in this area will increase significantly with the proposed changes, making adequate infrastructure a critical priority - especially in relation to road traffic, safety, and pollution, etc. Road traffic heading north towards Highpoint along Gordon St and Summerhill/Rosamond Rd is already impossible during peak/weekend shopping hours, and will be a nightmare under the proposed changes. It must be addressed! We feel strongly about these matters, especially as we pay among the highest municipal rates per capita, and expect Council to take these matters seriously and act equitably for residents. Thank you, 

# Submission 17

Online submission to Maribyrnong Amendment C162

Received 23 November 2020



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As a resident of West Footscray this all sounds fantastic. There are some points however I'd like to raise: 1) Parking on Clive Street and surrounds has become unmanageable. Businesses and customers alike park there to access Barkly Village. We currently require permit parking to ensure that residents and visitors have priority access. There are nearby carparks (near sims) that are within walking distance. 2) 5 Storeys seems excessive and may overshadow the houses on Clive Street. 4 storeys is more suited to the residential area and is less imposing. Thank you

# Submission 18

Online submission to Maribyrnong Amendment C162

Received 23 November 2020



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As a local resident on Wefo, I was shocked to see a plan to allow 4-5 story buildings along the Barkley St shopping centre and 8 stories close to the Whitten oval. The shopping strip is already crowded with cars overflowing into the side streets making it difficult to visit the area. Adding such high height limits will add to the congestion and detract from the area when you are trying to do the opposite. 8 stories is also completely out of character for the area and will become the new standard for future developments. Being so close to a train line will also mean developers try to remove car spaces to add more apartments, adding more congestion to the area. This is a good plan to create a new village atmosphere in Barkley St but not a high rise tunnel which is difficult to park and means locals are impacted due to cars parking in side streets. Keep the limits at 3 levels and the developers will still invest. If you want to make Barkly St more accessible, shift the bus routes to another street and plan more trees!

# Submission 19

**From:** [REDACTED]  
**To:** [AmendmentC162](#)  
**Subject:** Amendment C162 submission  
**Date:** Monday, 23 November 2020 9:55:16 PM

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Dear Council,

Thank you for the opportunity to respond to the proposed amendment to the Maribyrnong Planning Scheme. We write as owners of [REDACTED].

We are supportive of a lively commercial district along Barkly Street. We also believe that it is important to mix both residential and commercial interests in a development to ensure that buildings are used to their maximum potential and remain alive during all parts of the day.

However, we raise the following concerns that need to be addressed with any changes to planning schemes.

First, any suggestion of residential apartments or the like must include off street parking. It is incredulous to expect that any development not include at least one parking space per apartment, notwithstanding that a station is close by. However, it would be desirable to require that developments include at least two parking spaces, as it is unrealistic to expect that a double income family to have only one car.

Second, it is important that any residential or commercial development have adequate facility to load or unload goods that does not inconvenience Barkly Street and other streets. This is particularly important for residential apartments where people move in and out.

Third, we have concerns about the proposed height of the West Footscray Station Mixed Use Precinct. 8 stories is far too high and does not fit in with the character of the area.

Fourth, there should be a focus on requiring development to retain facades of buildings to ensure that Barkly Street does not become 'Anywheresville'. It is important to retain as much local character as possible.

Fifth, trees, trees, trees and trees.

Sixth, we have no pecuniary interest in the company that developed 'Barkly village' but would be pleased if the South Barkly Street East development was kept in the same style and colour as the rest of the development of the Olympic Tyre and Rubber site. It may look jarring otherwise.

Sincerely,

[REDACTED]

# Submission 20

Online submission to Maribyrnong Amendment C162

Received 24 November 2020



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I object to high rise density apartments in the area WEST FOOTSCRAY STATION MIXED USE PRECINCT (4, 6 AND 8 CROSS STREET) you want to allow 8 storey blocks. You must ensure the law states maximum of 4 storeys.



# Submission 21


Online submission to Maribyrnong Amendment C162

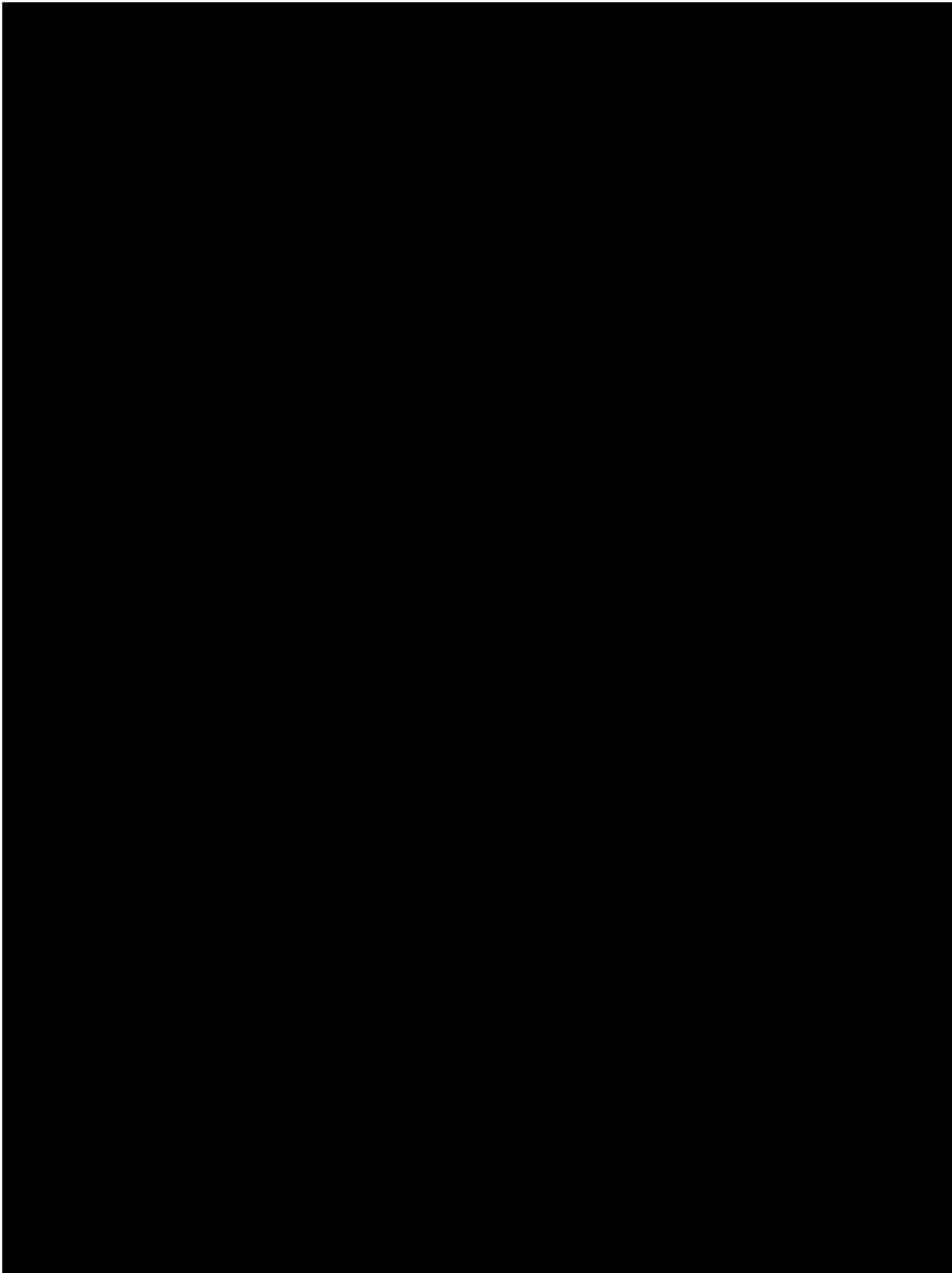
Received 25 November 2020



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Precinct 4 - 8 Cross Street.

 he area is already congested and if 8 storey apartments were approved and built would be totally inappropriate particularly given the privacy aspect to our property and the greatly increased car density. Our strong preference would be for this brick building to remain intact.



## Submission 22

Online submission to Maribyrnong Amendment C162

Received 25 November 2020



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I object to the planning by of an 8 story high rise at 8 cross st!! [REDACTED] would be severally impacted not only by the noise but by the height of the build! Also privacy is a big concern. 8 story balconies [REDACTED] would really diminish the look and appeal [REDACTED]. This should be zoned as 2 stories maximum

# Submission 23

Online submission to Maribyrnong Amendment C162

Received 27 November 2020



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Any new buildings or extensions, especially in zone 1, should include adequate parking spaces, as they are both, in short supply and causing dangerous driving conditions!

# Submission 24


Online submission to Maribyrnong Amendment C162

Received 28 November 2020



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Dear Council, I support the idea of improving the West Footscray neighbourhood and appreciate that you are considering improvements that benefit groups across the community. I also appreciate keeping apartments to be 4-storey low rise buildings only. As part of this project, please implement ways to make Barkly Street safer and better flowing. Currently, at precincts 2 and 4, the street is quite wide and comfortably accommodates cars, buses, parking and bicycles. However, at precinct 1, the road suddenly narrows significantly. There are narrow parking spaces on both sides of the road and the driving lanes are also narrow. This causes two major problems: 1. Motorised traffic and bicycles must merge and share a narrow lane in each direction, which slows down traffic and increasing the risk of a cyclist being injured. 2. Cars moving in and out of parking spaces (and people opening car doors into oncoming traffic) cause traffic congestion and are a danger to cyclists in particular. Pedestrians trying to cross the street are also in more danger as they may step behind a car that is about to reverse and they are less visible to drivers who have many more hazards to look for. These issues are exacerbated by the presence of large vehicles e.g. buses and people driving too fast through the Village. The issues continue to a lesser degree west of precinct 1, where the bicycle lane is also used for parking, forcing cyclists to swerve around parked cars so that they join and leave the main driving lanes every few metres. I recommend that council considers a number of complementary approaches, including: - removing parking on one side of the road so that a dedicated bicycle lane can run in each direction (with no parking allowed) - alternate parking options that do not cause congestion on Barkly Street and do not endanger cyclists and pedestrians - traffic calming measures.

Thank you 

# Submission 25

**From:** [REDACTED]  
**To:** [AmendmentC162](#)  
**Subject:** Submission to C162 on behalf of ESV  
**Date:** Monday, 30 November 2020 10:25:53 AM  
**Attachments:** [20201130\\_ESV\\_Submission\\_to\\_C162mari.pdf](#)

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Dear Sir / Madam,

Please see **attached** submission to Amendment C162 made on behalf of Energy Safe Victoria.

Kind regards,

[REDACTED]  
Senior Planning Consultant



[auldplanning.com.au](http://auldplanning.com.au)



30 November 2020

Maribyrnong City Council  
Strategic Planning Department  
VIA EMAIL: [AmendmentC162@maribyrnong.vic.gov.au](mailto:AmendmentC162@maribyrnong.vic.gov.au)

Dear Sir / Madam,

### MARIBYRNONG PLANNING SCHEME AMENDMENT C162MARI

I refer to your email dated 6 November 2020 providing Energy Safe Victoria (**ESV**) with notice of the exhibition of Amendment 162mari (**the Amendment**). ESV welcomes the opportunity to provide feedback to Maribyrnong City Council (**MCC**) in relation to the Amendment.

#### The Amendment

We understand that the purpose of the Amendment is implement *the West Footscray Neighbourhood Plan (2008) (WFNP)*. The West Footscray Neighbourhood Plan generally applies to land on either side of Barkly Street, between Gordon Street to the east and Argyle / Russell Street to the west, which is comprised of four precincts as shown in Figure 1.

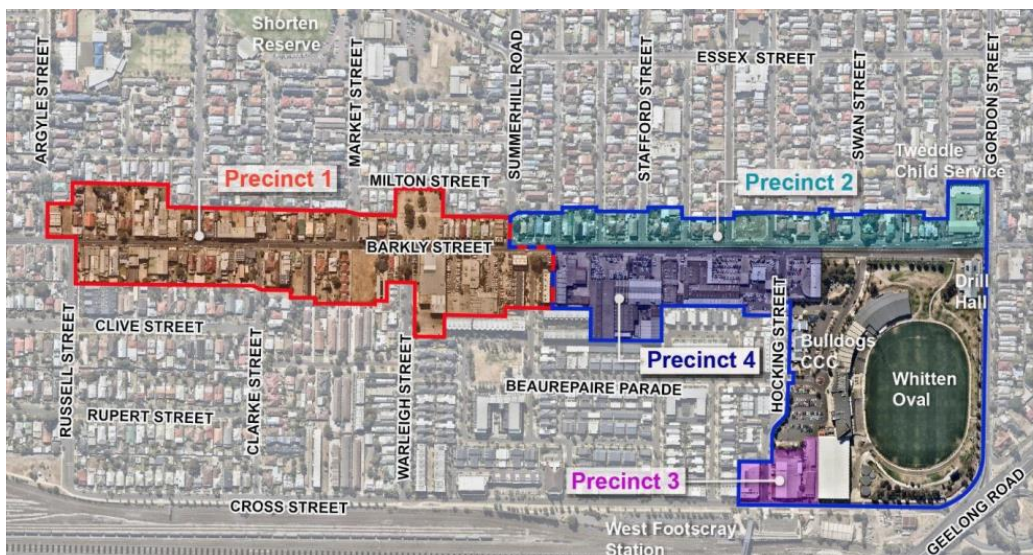


Figure 1: WFNP Precincts



The Amendment includes, amongst other things:

- Extending the existing Commercial 1 Zone (**C1Z**) further west to expand the commercial and retail section of the Barkly Village (between Summerhill Road and Buxton Street).
- Application of the General Residential Zone – Schedule 2 (**GRZ2**), which will enable low-rise (four storey) apartment development (north of Barkly Street, between Gordon Street and Summerhill Road).
- Application of a Design and Development Overlay (**DDO7**), which provides built form controls for development within the Barkly Street NAC.

### Planning Policy & Licensed Pipelines

Licensed Pipelines are pipelines regulated under the *Pipelines Act 2005*. The *Pipelines Act 2005* applies to ‘transmission’ pipelines that have a maximum design pressure exceeding 1050 kPa (gaseous hydrocarbons) and 345 kPa (liquid hydrocarbons) for the conveyance of gas, oil and other substances.

Licensed pipelines are recognised within the Maribyrnong Planning Scheme at Clause 19.01-3S (Pipeline Infrastructure). The objective of this clause is:

*To ensure that gas, oil and other substances are safely delivered to users and to and from port terminals at minimal risk to people, other critical infrastructure and the environment.*

This clause includes the following strategy:

*Recognise existing transmission-pressure gas pipelines in planning schemes and protect from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided.*

An existing licensed pipeline (Pipeline Licence No. 18) runs through the amendment area, via Summerhill Road, Barkly Street and Warleigh Road. The licensee for this pipeline is AusNet Services. Figure 2, below, shows the approximate location of the licensed pipeline within the WFNP area.



Figure 2: Existing Licensed Pipeline within West Footscray Village



The *Pipelines Act 2005* requires licensed pipelines be constructed and operated in accordance with *Australian Standard 2885: Pipelines—Gas and liquid petroleum (AS (N/ZS) 2885)*. The standard requires pipeline licensees to implement a range of safety measures to reduce foreseeable risks associated with operating a pipeline. This includes considering changes to land use in the vicinity of operational pipelines.

It is unknown whether MCC has sought feedback from AusNet Services in relation to the Amendment or how the proposal for land use change proximate to the licensed pipeline has considered risks to and from the pipeline.

It is recommended that MCC engage with AusNet Services to determine whether any additional protection to the pipeline is required as a result of proposed land use changes proximate to the licensed pipeline. This may require the preparation of a Safety Management Study (**SMS**) in accordance with AS(N/ZS) 2885. Ensuring risks associated with licensed pipelines have been satisfactorily addressed is consistent with the policy directions contained within Clause 19.01-3S.

Should an SMS be required, the agreed outcomes of the SMS should be incorporated into the Planning Scheme Amendment where relevant.

### **Recommendations**

ESV recommend that Maribyrnong City Council undertake the following actions:

- 1. Seek feedback on the Amendment from the relevant Pipeline Licensee (AusNet Services), including confirmation regarding whether an AS(N/ZS) 2885 Safety Management Study (SMS) is required.**
- 2. Relevant risk mitigation measures arising from the SMS should be included within the Amendment.**

We thank Council for the opportunity to provide feedback in relation to this matter.

Should you have any questions or require anything further please do not hesitate to contact me on [REDACTED] or [REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]  
**Manager, gas & pipeline infrastructure safety**

# Submission 26

Online submission to Maribyrnong Amendment C162

Received 4 December 2020

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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If there's to be more food outlets proposed in the development plan for West Footscray, can we please have more variety than Indian as that has always been pretty much all we have had on offer here in WeFo. We want to support local businesses, and while I like Indian food, we have to get in our car and drive elsewhere for some variety rather than walking locally as preferred. Also, I would love to see other retail businesses besides restaurants supported in these retail spaces. Again, you literally have to drive anywhere to get items like technology (phones/computer/multimedia, etc) which our roadways are extremely congested at the best of times.

# Submission 27



**City West Water Corporation**

ABN: 70 066 902 467

1 McNab Avenue  
Footscray Vic 3011 Australia

Locked Bag 350 Sunshine Vic 3020  
DX 30311 Sunshine

**citywestwater.com.au**

**Telephone** (03) 9313 8422

**Facsimile** (03) 9313 8417

07 December 2020

██████████  
Maribyrnong City Council  
Po Box 58  
Footscray VIC 3011

Dear ██████████

## PLANNING SCHEME AMENDMENT

**Property** : MARIBYRNONGPLANNING SCHEMME AMENDEMENT C162  
**Our Reference** : LND/20/01386

Thank you for your referral dated 06 November 2020 inviting City West Water's comments on the above mentioned Planning Scheme Amendment. I am pleased to advise you that as the water supply and sewerage authority we have no objections to the proposal

It would be appreciated if City West Water's reference number could be quoted on all correspondence.

If further information is required, please contact ██████████

Yours faithfully

██████████  
Manager Urban Development  
Infrastructure and Delivery

# Submission 28

## Online submission to Maribyrnong Amendment C162

Received 9 December 2020

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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My feedback refers to the Amendment C162 associated with Precinct 1: West Footscray Neighbourhood Activity Centre (Barkly Village). Specifically I object to the height of the proposed maximum storey guidelines. Proposed building heights of 4-5 storeys on Barkly St that allows 13.5m and up to 16.5 m for sites greater than 2000 square meters would cause several issues for surrounding residential properties around buildings of these heights. Namely these issues include but are not limited to: 1. Overshadowing of existing homes including backyards that neighbouring properties in the proposed zoning areas on Barkly St. 2. Given the Sun is always on the north side of properties, any development of height on the south side of Barkly St will directly impact all existing greenspace in neighbouring backyards causing a major loss of amenity and a resultant loss of living green space around homes. 3. Windows and living areas of any developments at those heights would overlook existing properties adjacent and behind the private properties leading to loss of privacy for these residents not only in their backyards but also in their homes. 4. Increased residential and building plant noise associated with air handling units would impact neighbouring properties e.g. West Footscray Library AHU has this issue. 5. The size and bulk of any 4-5 storey development on Barkly St would not only impact the street outlook along Barkly St but would also any provide an unwelcoming streetscape that would dominate the current open street scape and outlook for people using Barkly St and all private residences. An example of unsuitable development causing these issues is the new build on corner of Market St and Barkly St. 6. High density builds on Barkly St would also add to traffic congestion and lack of car parking availability for any existing and new businesses on Barkly St. This is particularly hazardous for school children walking and cycling to Footscray West Primary School. In summary, Council can still achieve the aims for the planning changes (as outlined in the proposed planning documentation) with a 2-3 Storey maximum building height without significantly impacting the character and feel of the neighbourhood or impacting the privacy and living standards of local residences. In summary, please revise the building heights in the proposed Amendment to a maximum of only 2-3 Storey.

# Submission 29



Our Ref: 5011294

10 December 2020

██████████  
Strategic Planner  
Maribyrnong City Council  
Corner Hyde & Napier streets  
FOOTSCRAY VIC 3011

Dear ██████████

## **RE: MARIBYRNONG PLANNING SCHEME AMENDMENT C162 – WEST FOOTSCRAY NEIGHBOURHOOD PLAN**

Thank you for the opportunity to provide a response in relation to the West Footscray Neighbourhood Plan currently on exhibition, referred to EPA via email on 6 November 2020.

### **Our Understanding of the Proposal**

EPA understand the proposal is to implement the West Footscray Neighbourhood Plan 2018. This includes the proposal to:

- rezone 509-511 Barkly Street, West Footscray from Commercial 2 Zone (C2Z) to Commercial 1 Zone (C1Z), and
- rezone 8 Cross Street, Footscray from C2Z to Mixed Use Zone (MUZ).

Noting that both the C1Z and MUZ allow sensitive uses, it is proposed to apply the Environment Audit Overlay (EAO) to ensure potentially contaminated land is suitably assessed, and if needed, remediated or managed prior to sensitive uses being allowed.

Also of interest to EPA is a former service station at 438-440 Barkly St, Footscray which is proposed to be rezoned from General Residential Zone – Schedule 1 (GRZ1) to General Residential Zone – Schedule 2 (GRZ2). It is noted that the EAO is not proposed to be applied to the site.

### **EPA's Previous Advice**

EPA provided a response in accordance with Ministerial Direction 19 (MD19) dated 17 July 2019 (EPA Ref: 5009787). Our response stated:

- While it is EPA's preference for site assessment and if necessary, remediation to occur ahead of any proposal to rezone land to enable sensitive use, it is accepted that the application of the EAO is appropriate as a means for Council to signal the need to address potential risk associated with the historical use of the land and potentially contaminated land.
- EPA understands that in regards to 438-440 Barkly Street Footscray that this site is a former service station site where a Statement of Environmental Audit was issued in 2016.

- Furthermore, we understand that the site was assessed as appropriate for beneficial and sensitive land use and is subject to a Groundwater Quality Restricted Use Zone (GQRUZ). It is therefore considered unnecessary to apply the EAO to this site.

It is noted that based on our advice the Explanatory Report states, *“The EPA were satisfied with the use of the Environmental Audit Overlay to manage environmental risk in relation to potentially contaminated land”*.

It appears that our acknowledgement of the EAO as an appropriate tool to identify that a site needs further assessment in the form of an audit prior to a sensitive use commencing may have been misinterpreted as support of the EAO’s application on 509-511 Barkly Street, West Footscray, and 8 Cross Street, Footscray. Therefore, EPA wishes to provide further comment to clarify our position on the amendment.

It is in this context that EPA provides the comments below.

### **Environmental Audit Overlay**

The decision to apply the EAO is one that should be undertaken in accordance with Ministerial Direction No. 1 – Potentially Contaminated Land (MD1), which requires that in preparing a planning scheme amendment that would have the effect of allowing “potentially contaminated land” to be used for a sensitive use, agriculture or public open space, a planning authority must satisfy itself that the environmental conditions of the land are, or will be, suitable for that use.

The requirement of Policy is that an assessment of the lands’ potential to be contaminated has been undertaken by the planning authority. Additionally, it should only be applied to land where sensitive uses could be established. It is in these circumstances that it is justified to require a higher level of assessment (through the environmental audit) to inform remediation works or management. The EAO is not simply a means of identifying land that is or might be contaminated and should not be used for that purpose.

This includes undertaking the following steps in identifying potentially contaminated land in accordance with the General Practice Note on Potentially Contaminated Land (PPN30):

- Conducting an inspection of the site (virtual at a minimum);
- Consideration of information available for the current and previous zoning, ownership or activities carried out on the site (Council rate records are a useful record of this information);
- Reviewing any existing assessments on contamination in the area;
- Considering any potential contamination from surrounding land uses; and
- Reviewing publicly available databases (e.g., Vic Unearthed, GEO Vic).

PPN30 also provides guidance to planning authorities to identify the appropriate level of assessment of contamination for both planning scheme amendments and planning permit applications. In addition, PPN30 lists those land uses deemed to have a high, medium or low potential for contamination.

### **509-511 Barkly Street, West Footscray**

Based on the information provided, there does not appear to be sufficient justification provided which demonstrates that the land is potentially contaminated. The Explanatory Report indicates that the site was previously used as a supermarket but does not set out the historical use of the land or its potential for contamination.

Where a planning authority is wishing to seek further information about the potential for a site to be contaminated, a Preliminary Site Investigation may be requested or commissioned, consistent with the *National Environment Protection (Assessment of Site Contamination) Measure 1999 (amended 2013)*

(NEPM). A PSI should contain sufficient information for a planning authority to determine that either:

- The site is not likely to be contaminated to a level which would pose a significant risk to the environment or human health under the proposed use/development scenario. No further assessment is required, or,
- The site is contaminated, or there is likelihood of contamination, that would pose a risk to the proposed use/development scenario. There is enough information to classify the site as potentially contaminated. There is sufficient information to derive a risk-based remediation or management strategy, or,
- The site is contaminated, or there is likelihood of contamination, that would pose a risk to the proposed use/development scenario. There is enough information to classify the site as potentially contaminated. Further assessment is required.

It is also noted that several environmental audits have been undertaken of the area around 68 Cross St, West Footscray which appear to be related to the use of tyre manufacturing. The audits undertaken indicate groundwater and soil contamination, requiring mitigation measures in order to be considered suitable for sensitive uses.

A PSI in accordance with NEPM standards should provide clarification regarding the need for an environmental audit for the land at 509-511 Barkly Street, West Footscray.

### **8 Cross Street, Footscray**

The Environmental Site Assessment provided (*Phase I Environmental Site Assessment 8-10 Cross Street, Footscray, Victoria, November 2008, prepared by Alpha Environmental*) found that the site was residential until early 1970, was then commercially developed in mid 1970s and used by Uncle Toby's factory until 1990. It was then used as an industrial service business (truck and car servicing) until 1994 and was then rented to Australia Post who conducted mail sorting and dispatching on-site.

While EPA is not able to provide a full technical review of PSI or ESA reports, or attest to the quality of any individual report, the following advice may assist:

- The historical use of industrial servicing may be considered automotive repair/engine works. This use has a high potential for contamination according to Table 1 in PPN30. It is noted that the proposal is to rezone the land to MUZ, which allows sensitive uses to occur. Subject to further clarification being provided regarding the historical use of the land, it appears to us that this use is considered Category A in accordance with Table 2 in the PPN30 and therefore an audit is required.
- The assessment identifies that there is the potential for soil contamination to be present on-site in the soils and recommends that an intrusive soil assessment be undertaken in accordance with Australian Standards 4482.1 – 2005 Guide to the sampling of sites with potentially contaminated soil. Part 1: Non-Volatile and Semi-Volatile compounds and AS 4482.2 – 1999 Guide to the sampling and investigation of potentially contaminated soil. Part 2: Volatile Substances in the event that the site to be redeveloped to determine the contamination status of the soils on-site.
- The conclusions of the assessment do not appear to be consistent with the potential for contamination as presented in PPN30.

While the ESA has been provided which demonstrates a level of assessment of the state of contamination on the site, the amendment documentation does not appear to provide justification which demonstrates that the land is potentially contaminated and requires an environmental audit.



## 438-440 Barkly St, Footscray

It is noted that 438-440 Barkly St, Footscray was previously used as a service station. Service stations have a high potential for contamination according to Table 1 in PPN30. While it is noted that the current zoning of GRZ1 allows sensitive uses, the proposal includes a change in zone to GRZ2, which allows sensitive uses to occur, it therefore appears to us that this is considered Category A in accordance with Table 2 in PPN30 and therefore an audit is required.

A Section 53X audit was undertaken on the land in accordance with the *Environment Protection Act 1970* in 2016 (EPA Ref: 8003177). A Statement of Environmental Audit was issued which concluded that the site is suitable for the beneficial uses associated with sensitive use (high density), commercial and industrial land uses subject to a series of conditions requiring:

- the application and continual management of a physical barrier on the site
- recommended restriction of the access of groundwater without further environmental testing
- the development and implementation of a series of plans including a Construction Environmental Management Plan (CEMP), Environmental Management Plan (EMP) and a Groundwater Quality Management Plan (GQMP).

Given that the land is potentially contaminated and sensitive uses are allowed under the zoning, the assumption should be that the EAO is applied to the land. Omitting the land from the EAO should require a similar line of evidence for the process of removing land with an EAO. PPN30 states that a planning authority should remove an EAO if the site is given a Certificate of Environmental Audit, where there are minimum restrictions or conditions on the use of the site, or the conditions have been complied with.

Contrary to our advice in accordance with MD19 for this site, as it is considered that the conditions in the Statement of Environmental Audit are not minimal restrictions, EPA considers that there may be merit in applying the EAO to 438-440 Barkly St, Footscray. Should a different use not assessed within the 2016 Statement of Environmental Audit (currently limited to high density residential, commercial and industrial uses) be proposed, the application of the EAO would ensure that an additional audit is required to ensure the suitability of the land for these uses.

### Managing compliance with audit conditions

Paragraph 14(2) of the State Environment Protection Policy (Prevention and Management of Contamination of Land) (SEPP-PMCL) states:

*In considering a request for a planning scheme amendment or an application for a planning permit in relation to potentially contaminated land, planning and responsible authorities:  
(c) should impose such conditions as it considers necessary to ensure any existing contamination identified in sub-clause (ii) is managed such that the site is suitable for the permitted use(s).*

This is further supported by subparagraphs 26 (3)(b)(i) & (ii) which states:

*Where a statement of environmental audit has been issued for a site:  
(b) to the extent that the Authority or a protection agency has required a Certificate or Statement to be provided, the Authority or protection agency, when making any decision dependent or conditional upon a Statement, should:  
(i) have regard to any conditions included in any Statement of Environmental Audit; and  
(ii) consider the need to impose conditions which require compliance with the Statement of Environmental Audit to be demonstrated.*



It is acknowledged that the future use of the land may not require a planning permit. A planning permit is the tool by which the conditions of a Statement of Environmental Audit are normally managed. To fill this gap, and satisfy the requirements of SEPP-PMCL, Council may choose to enter into a Section 173 Agreement to ensure compliance with the conditions of the Statement of Environmental Audit.

### **Deferring Audit Requirements**

In seeking to apply the EAO, this also means that the planning authority has decided that the environmental audit can be deferred.

Rather than an audit being carried out upfront, the application of the EAO will require an environmental audit to be completed prior to the commencement of any new sensitive use (residential, childcare centre, pre-school centre or primary school) or buildings and works associated with a sensitive use.

To meet the requirements of the EAO, the proponent will be required a completed audit to the responsible authority to confirm that the land is suitable for the intended use.

The Explanatory Statement to MD 1 suggests that it may be appropriate to defer the audit requirement if testing of the land before a notice of amendment is given is difficult or inappropriate. An example might be where the rezoning relates to a large strategic exercise or involves multiple sites in separate ownership.

If Council are deferring the audit by applying the EAO, justification should be provided as to why this is more appropriate than completing the audit upfront, prior to rezoning. The amendment does not appear to include justification as to why the audit should be deferred.

Consideration should also be given to the impact the proposal to apply the EAO has on future options for managing the ongoing use of the site. Where there are no planning mechanisms or tools (such as permit conditions) which allow for the management of ongoing requirements of an environmental audit, it may be better to complete an audit before rezoning.

An example would be a planning scheme amendment which has the effect of allowing residential dwellings to occur as a Section 1 use (no permit required) meaning that there are is no permit in place to which conditions can be attached.

### **Summary and Recommendations**

In its current form, the amendment does not appear to provide justification regarding the potential contamination of 8 Cross Street, Footscray and 509-511 Barkly Street, West Footscray, requiring a higher level of assessment (through the environmental audit) to inform remediation works or management.

Should the land be assessed by the planning authority to be potentially contaminated, the amendment does not provide justification as to why the EAO is more appropriate than completing the audit upfront, prior to rezoning.

EPA recommends the amendment documentation is clarified to provide justification that the land is potentially contaminated to the extent of requiring an environmental audit and why applying the EAO is more appropriate than completing the audit upfront.

Additionally, it appears that there may be merit in applying the EAO to the land at 438-440 Barkly St, Footscray based on the limitations of uses of the land under the Statement of Environmental Audit issued for the site. Further, as it appears that the future use of the site may not require a planning permit, Council may wish to consider entering a Section 173 Agreement to ensure the conditions of the Statement of Environmental Audit are complied with.

EPA is willing to meet with the planning authority to discuss our comments and our ongoing involvement in this process to ensure that EPA supports this planning process effectively.

If our assessment is not aligned with your view of the environmental risk, or if the proposal is amended, please contact [REDACTED] Senior Planning Officer on 1300 EPA VIC (1300 372 842), or at [stratplan@epa.vic.gov.au](mailto:stratplan@epa.vic.gov.au).

Yours sincerely,



Planning Team Lead (Strategic)  
Major Projects & Planning Unit  
EPA Victoria

## Submission 30

11 December 2020

[REDACTED]  
Maribyrnong City Council

**Proposal:** Planning scheme amendments

**Site location:** amdt C162mari - West Footscray Neighbourhood Plan (WFNP) 2018

**Melbourne Water reference:** MWA-1192534

**Date referred:** 06/11/2020

**Closing Date:** 14/12/2020

Thank you for providing Melbourne Water with the opportunity to provide comment on Amendment C162mari to the Maribyrnong Planning Scheme.

Melbourne Water has reviewed the proposed planning scheme amendment and supporting documentation, and would like to offer the following comments in response:

- Melbourne Water's review of the background reports relevant to drainage has aimed to ensure they reflect our requirements with respect to stormwater drainage and flood management in accordance with our functions as Regional Drainage, Floodplain Management and Waterway Management Authority under the Water Act 1989 and Monash Planning Scheme.
  - Melbourne Water notes that no background reports corresponding to the future drainage servicing requirements of the subject land have been provided to support this amendment, this information will be required prior to consideration of the future development applications within this precinct.
- Future development applications within this precinct must appropriately cater for the protection of existing Melbourne Water assets, and mitigate any impacts due to an increase in impervious surfaces across the catchment, associated with flood protection, water quality and waterway health.
- Melbourne Water reserves the right to apply additional comments and conditions when further details of the proposed works are supplied.

Melbourne Water can now provide our in-principle support to the proposed Amendment C162mari to the Maribyrnong Planning Scheme, which will rezone the land as described in the relevant amendment documentation. Melbourne Water notes that the information provided to date is very preliminary in nature and that more detailed investigation work (compliant with all relevant authorities standards and requirements) will need to occur prior to implementation of any of the outcomes proposed as part of this amendment and the supporting background reports.

Should you require any further information please don't hesitate to contact myself on

[REDACTED] or [REDACTED]

Kind Regards



Precinct Structure Planning Coordinator  
Catchment Strategies and Services, Development Services

# Submission 31

**From:** [REDACTED]  
**To:** [AmendmentC162](#)  
**Subject:** Amendment C162- submission- Barkly East, West Footscray  
**Date:** Friday, 11 December 2020 2:50:41 PM  
**Attachments:** [REDACTED]

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Dear City of Maribymong,

(Resending- with owners names indicated, please disregard the prior email)

We are [REDACTED] and are directly affected by the Amendment.  
Please find attached our consolidated response to the Amendment C162 to Barkly Street East.

Please consider the issues we have highlighted and proposed recommendations.

We look forward to hearing from you.

Regards, [REDACTED]

Note: I am writing on behalf of my fellow neighbours.

11 December 2020

**City of Maribyrnong**

[www.maribyrnong.vic.gov.au](http://www.maribyrnong.vic.gov.au)

**Re: Amendment C162- planning controls in the West Footscray neighbourhood  
Activity Centre: Barkly Street East and West Footscray Railway Station  
Precincts.**

We of [REDACTED], acknowledge and are generally supportive of City of Maribyrnong's proposal of activating of West Footscray Barkly Street activity centre, and the overall objectives of Amendment C162- planning controls in the West Footscray neighbourhood.

We acknowledge that greater Footscray has been endorsed by City of Melbourne and Victorian Government as an area of strategic importance as a "cultural heart of the west", health and education centre and has the potential to deliver significant jobs growth, sustainable development, and enhanced liveability (2019) Footscray is an inner-city suburb of Melbourne, that has had development resurgence over the past few decades coupled with a growing population.

Planning documents for Amendment C162, planning controls in the West Footscray neighbourhood Activity Centre, Barkly Street East and West Footscray Railway Station Precincts have distinct policy gaps to the following areas:

- A. Protecting and maintaining Footscray's ethnic diversity and reducing social impact on existing vulnerable ethnic and socio-economic communities.
- B. Sustainable Housing growth and lessons learnt from City of Melbourne.
- C. Specific details at a Neighbourhood and Building scale

**A. Protecting Footscray’s ethnic diversity and reducing social impact on existing vulnerable ethnic and low socio-economic communities.**

Footscray is historically an industrial area of Melbourne which has evolved over time to become one of the most ethnically diverse suburbs in Melbourne’s inner west(Oke et al., 2016) Footscray is also considered to be one of Melbourne’s disadvantaged municipalities (Oke et al., 2016) the current rapid gentrification of Footscray will further exacerbate disparities in access to equitable housing, community infrastructure support and cultural resources (Oke et al 2018) of vulnerable residents of Footscray. How does Barkly Street East contribute to the greater social infrastructure and community services of Footscray, beyond private commercial enterprise?

**B. Sustainable Housing growth and lessons learnt from City of Melbourne.**

Hodyl’s (2015) report highlights the negative flow-on impacts from City of Melbourne’s lack of residential density controls and policy gaps: lowered living standards due to lack of housing diversity and diminished housing quality; decreased share of public open space, and sometimes extreme population density (Hodyl, 2015). Ideally City of Maribyrnong should avoid the precedence set by City of Melbourne’s historic ad-hoc planning decisions (Buxton et al., 2016) otherwise the liveability and affordability of City of Maribyrnong will contribute to the lack of affordable and diverse housing typologies and unsustainable economic development within the neighbourhood.

Dan Andrew recently announced *Big Housing Build* to enhance social housing supply in the metropolitan and regional Victoria (Government, 2020), how is City of Maribyrnong responding to this initiative? Based on Footscray’s diverse socio-economic demographic, City of Maribyrnong should strongly advocate and facilitate integrated strategic planning opportunities for affordable or social housing in activity centres such as Barkly Street East and West Footscray Railway Station.

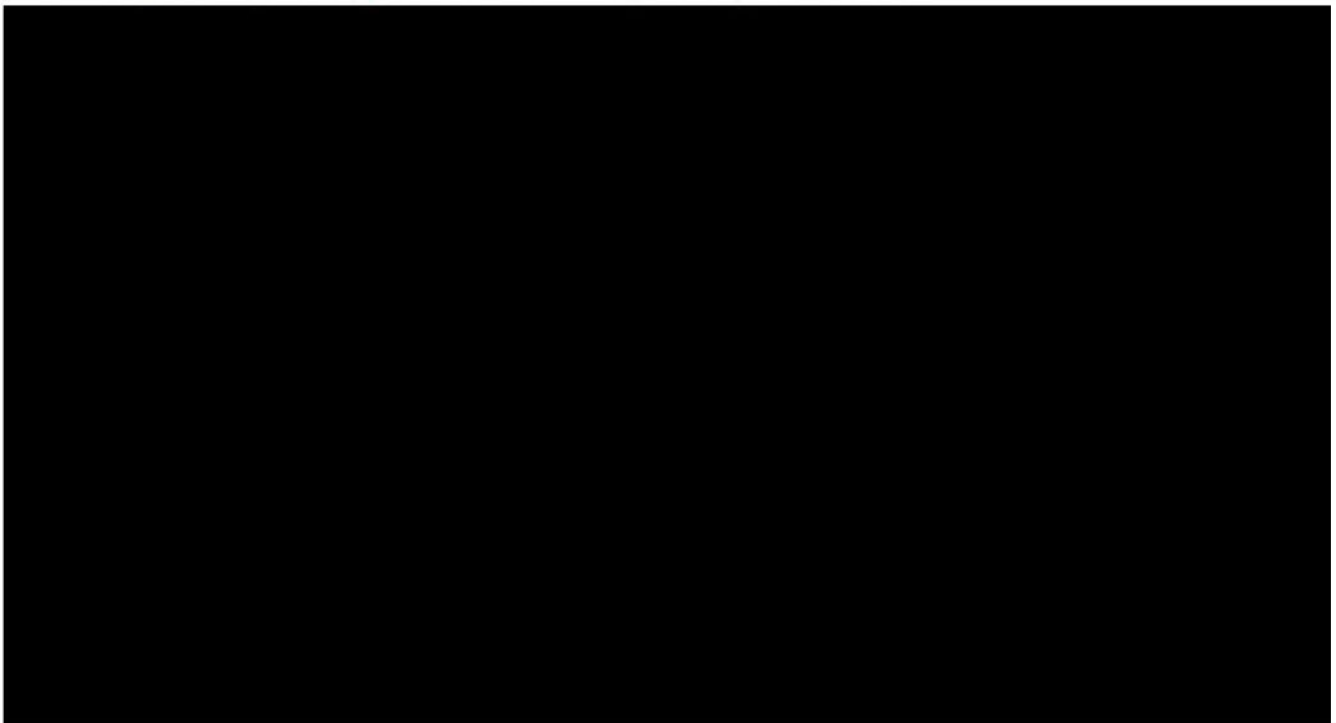
Social Partnership projects such as Elizabeth Street Common Ground (ESCG) is a transformative and proactive approach in accomplishing a shared vision of delivering affordable housing (AH) in City of Melbourne. We recommend further research into models of social partnerships to influence the general direction of Social Impact and Public Housing objectives. The ESCG model is a partnership between two not-for-profit (NFP) housing organisations, Victorian State Government and Grocon P/L (McDonald, 2014). The partnership provided the opportunity for the NFP organizations to promote and enhance the awareness of AH issues across networked sectors in the marketplace developing a common sense of motivation towards contributing to “a

community outcome rather than a financial outcome” (McDonald, 2014). Additionally the ESCG partnership provided a platform for sharing of financial resources, expertise in construction and essential knowledge in providing support for the socially vulnerable (McDonald, 2014). McDonald (2014) highlights the benefits of adopting this model: the reduction in government services costs supporting the vulnerable; enhancing the social values of participants and more importantly improving the quality of life of the tenants, who are ultimately the core motivation for providing AH.

Strategic planning and facilitation of social partnerships could potentially dispel the traditional relations between the public and private sector, changing the way resources are used and allocated (Albrechts, 2010), beginning with reversing the negative socio-economic outcomes of the neoliberal economy by engaging the private sector and “steering society towards the achievement of goals in the public good” (Buxton et al., 2016). How is Barkly street East contributing to the Affordable Housing objective?

### **C. Specific details at a Neighbourhood and Building scale**

[REDACTED] (highlighted in solid red) [REDACTED] of the proposed Barkly Street planning amendment zone, see Figure 1 below.



**Figure 1:** Aerial photograph of West Footscray: [REDACTED] development (solid red) partial C162 amendment extent (blue).



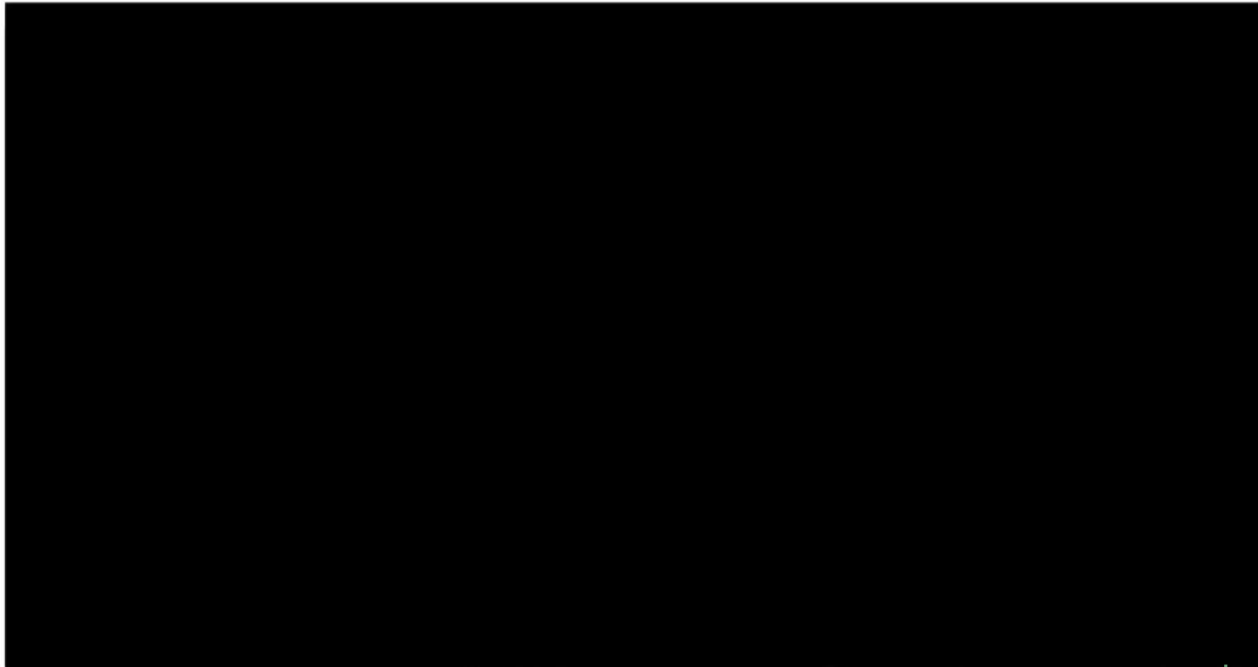


Diagram extracted from:  
**Maribymong Planning Scheme**  
**Clause 21.11-6 West Footscray**  
**Neighbourhood Activity Centre (p21 of 29)**

**Figure 2:** Barkly Street East and West Footscray Railway Station Precincts Framework Plan

## 1. Neighbourhood Scale

### a. Ethnic and Cultural Narratives:

- a. Footscray is an ethnically diverse suburb of Melbourne's inner west (Oke et al 2018). City of Maribyrnong's planning documents don't specifically reference or acknowledge considerations for inclusive planning policy objectives to continually support and facilitate Footscray's historically diverse ethnic, socio-economic and cultural narratives.

### b. Traffic Management:

- a. What are the Planning Policies to manage traffic density, speed and safety of pedestrians and cyclists impacted by private vehicular traffic that is intrinsically coupled with increased residential density?
- b. Are there proposed enhancements to West Footscray station as a transportation hub for buses and bicycles to reduce the traffic impacts of new residential and commercial developments?

### c. Environment and Landscape:

- a. How is West Footscray neighbourhood and Barkly Street activation contributing to mitigate climate change objectives and adapt to climate change issues such as Urban Heat Island effect?
- b. What is the nominal benchmark for public open space/ person targeted by City of Maribyrnong?
- c. Is there a Master plan highlighting Barkly Street, West Footscray strategic contribution to the open space network objective?
- d. Absence of details of land, property, building contamination and overarching objectives of remediation and protection of existing residential properties.

### d. Housing diversity and affordability:

- a. Absence of details on how Barkly street Precinct 1, 2 and 4 intends to meet objectives of Housing diversity and affordability.

### e. Commercial activity:

- a. Plan Melbourne's objectives are to develop localised 20minute neighbourhoods (State Government Victoria, 2016) to meet the daily needs of local residents, how does City of Maribyrnong translate this direction into planning policy to manage the type and diversity of commercial activity in Barkly Street East West Footscray?

## 2. Building scale:

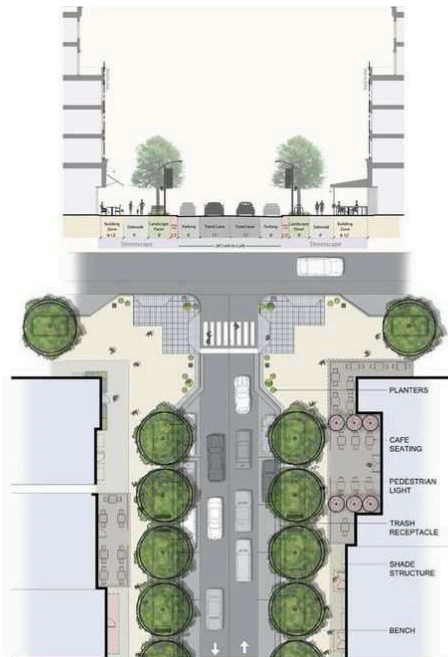
### a. Traffic Management and Carparking ratios:

- a. Absence of planning policies to address potential associated increased vehicular congestion due to targeted increase of residential density along Barkly Street, Footscray and on street activity zones.
- b. Detailed road sections to explain how Barkly street West Footscray will be upgraded to suit cyclists, pedestrians and new business activities
- c. Timeline of road upgrade (cycling lanes, landscaping and pedestrian paths) and relationship with planning policy amendments

### b. Relationship with existing residential properties:

- a. Requires more detail relating to how the new multi-level mix used developments 6 storeys (19.5m) will address adjoining boundaries to existing residential properties: overlooking, overshadowing and obstruction of prevailing winds
- b. Policies mitigating noise and air pollution from new commercial activity

### c. Relationship with Barkly Street:



**Figure 3:** Example of Street Sections and planning of a mixed-use area.



**Figure 4:** Example of Building Massing of Bell Street (Coburg Initiative)

- a. Relates to Traffic Management Item 2.a.b listed above
- b. Requires more details such as street sections, plans (refer to Figure 3) and 3d visual massing of Barkly Street to address the primary and secondary Barkly street interfaces of new developments? I.e. landscaped with softscape and hardscape, entrance setbacks, appropriation of public space; canopied areas for shade; public/ private zones. The plans, sections and massing diagrams can better explain the reasoning behind the 4storey (13.5m) and 6storey (19.5m) development height limitations as well as address the impacts on existing residential developments.
- c. Building Massing studies (refer to Figure 4) demonstrate how planning manages and envisions street level activation or redevelopment from a human centric and planning policy perspective, addressing concepts such as the development or impact of built form upon the Street character, public realm and human centred design thinking. And not fully rely on private sector proposals to create diversity and address human centred design.
- d. Barkly street mixed use and residential developments:
  - a. Refer to item 1.a.a; 1.d.a; 2.a.a; 2.b.a and 2.b.b.
  - b. There is lack of information for Barkly Street East-Southern side, other than a diagram (refer to Figure 2) in Clause 21.11-6 West Footscray Neighbourhood Activity Centre (p21 of 29)- indicating the development

as *Strategic Development Sites Mixed Use (employment use and higher density residential, 6 storey (19.5metres))*. **This area requires further development details as it** [REDACTED]

- c. There are height restrictions, but no mention of residential unit or population density targets.
- d. Considerations of development footprint and green plot ratios ie. development footprint vs landscaped replacement area (on and above ground)? Biophilic building design enhances mental and physical well-being of residents as well as enhance the urban environment of Footscray.
- e. Mandated minimum Green Building Code Requirements of Design, As-built and Operation? To address City of Maribyrnong's Climate Change objectives.
- f. Is City of Maribyrnong considering reductions or development incentives to reduce or support alternative transport modes for the proposed mixed use and residential developments considering the proposed Barkly Street West Footscray is <500m away from West Footscray station? Ie. electric car charging ports, electric car rental and bicycle parking. Development car parking reductions or alternative transport facility provision similarly implemented in City of Melbourne, which reduces development construction costs and cost to new homeowners.

**Conclusion :**

We acknowledge there are more iterations of the Planning amendment and strategic planning initiatives for the Barkly Street east proposal. We look forward to ongoing dialogue with City of Maribyrnong and anticipate further details on the items we have highlighted above.

Please contact [REDACTED] if you require further clarification.

Yours sincerely,

[REDACTED]  
[REDACTED]

## REFERENCES:

2019. Australia: Booming Footscray Our Newst Priority Precinct. *MENA Report*.
- ALBRECHTS, L. 2010. More of the same is not enough! How could strategic spatial planning be instrumental in dealing with the challenges ahead? *Environment and Planning B: Planning and Design*, 37, 1115-1127.
- BUXTON, M., GOODMAN, R. & MOLONEY, S. 2016. City growth, sustainability and planning. *Planning Melbourne:Lessons for a Sustainable City*. Melbourne: CSIRO Publishing.
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- MCDONALD, S. 2014. Social partnerships addressing affordable housing and homelessness in Australia. *International Journal of Housing Markets and Analysis*, 7, 218-232.
- OKE, N., SONN, C. C. & MCCONVILLE, C. 2016. Making a place in Footscray: everyday multiculturalism, ethnic hubs and segmented geography. *Identities*, 25, 320-338.
- STATE GOVERNMENT VICTORIA 2016. Plan Melbourne 2017-2050 *In: PLANNING* (ed.). Melbourne.

## Submission 32

Online submission to Maribyrnong Amendment C162

Received 17 November 2020



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Regarding Barkly st east ( northern side)... I am concerned about parking issues and traffic flow plans as a consequence of this amendment. Already my driveway is blocked by illegally parked cars, on average once a year, which stops me from being able to drive my car out of my property. Increased density often comes with either only 1 carspace per dwelling or none and many households have 2 cars so there will probably be increased demand for street parking with increased potentially illegally parked cars impacting my ability to get to work on time and costing me more for alternative transport. Regarding all amendments..The traffic flow through Barkly street is often congested so I have concerns that all of the amendments will result in increased traffic potentially exacerbating this problem.

# Submission 33

**From:** [REDACTED]  
**To:** [AmendmentC162](#)  
**Subject:** SUBMISSION WEST FOOTSCRAY NEIGHBOURHOOD PLAN  
**Date:** Monday, 14 December 2020 1:23:36 PM

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Dear Council,

1. Amendment C162 will markedly increase pressure on the available greenspace in the precinct. The rezoning of Barkly st from Gordon st to Argyle st to allow for 4 storey development must have controls to make sure open space for children and the well being of residents is ensured. Having a set back from the road does not ensure this. Commonly such setback are unusable as common space for residents.

Across the road at the Whitten Oval upgrade a car park and an Indoor Playing Field, occupying an area of 4,020 sqm, will replace open space that is currently free for residents to walk and sit on. This marks an overall loss of public space that the Neighbourhood Plan does not appear to take into account .

2. The issue of sound should be fully explored. The developments should mandate that baffling airborne sound to construction industry standards be met as the residents will be subject to major traffic and Whitten Oval event noise. Decibel readings should be gained for PA systems and sirens.

I direct you to <https://ref.epa.vic.gov.au/~media/Publications/1254.pdf> page 13; Public Address systems.

I have been unable to find regulations relating to the use of sirens. However, feedback from a number of residents, particularly police and paramedic workers, is that the Bulldogs test sirens early on match days, generally around 7 am, and this is distressing. Particularly for those doing shift work.

3. Provision for children's facilities are going to be user pays at the Whitten oval Complex. Provision for free open access to community playgrounds, kindergartens and a branch library seem to be essential for the development.

4. Loss of character of this amazing suburb is likely with this plan. Please put in place regulations to retain aspects of the 100 year old plus Victorian architecture. Can this be addressed by hiring historians and artists to interview residents and give feedback and ideas to the Strategic Planning on how the identity of the area can be saved.

5. Opening the entire stretch of Barkly st between Gordon and Argyle st to four storey development is overkill. Re-zoning should be done in smaller sections as a test case,

many thanks for your attention

[REDACTED]



## Submission 34

**From:** [REDACTED]  
**To:** [AmendmentC162](#)  
**Subject:** Re: West Footscray Neighbourhood Plan - West Footscray Neighbourhood Plan - November 2020  
**Date:** Sunday, 29 November 2020 5:14:11 AM  
**Attachments:** [clientLogo](#)

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Dear Council,

I live [REDACTED].

The proposed amendment (C162) would, in its current state, be disastrous for my home, life, and street. The current limit on houses in my street is 2 stories. The proposal would change that to 4 stories at the end of the street. Imagine having a huge house at the end of your street?

I support much of the plan, but there is so much area undeveloped on the other side of Barkly St (mostly Allan Mance car sales right now) which could be used as 4 story housing instead. That would not have such a horrible impact on existing residents' amenity. I am happy to see positive development, and most of the new buildings on that southern side of Barkly St near West Footscray station are great examples.

Please do not crowd us out with new builds as per the current incarnation of Amendment C162.

Thank you,  
[REDACTED]

On Friday, 20 November 2020, 1:54:26 pm AEDT, Maribyrnong City Council - City Futures Department <monitorcrms.mail@urbanenterprise.com.au> wrote:

[View this email online](#)

# Submission 35

**From:** [REDACTED]  
**To:** [AmendmentC162](#)  
**Subject:** Amendment C162  
**Date:** Tuesday, 8 December 2020 6:48:30 PM

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Hi,

I am not in favour of building apartments in the Footscray area.

There are already enough people and traffic in the area.

An 8 storey on Cross St will look like a hundred fish bowls.

4 storey on Barkly St too is too much. Whitten Oval (when the club actually allows access) will be crawling with people!

Allow the other inner suburbs to increase their density and keep Footscray what it is. We moved here to be away from high density.

If you must have increased population here, please keep niche and exclusive.

Limit the heights to double story.

Keep it classy and don't stuff us in a can of sardines.

Respectfully yours



Submission 36

①

Nov. 21<sup>st</sup> 2020

MARIBYRNONG Planning Scheme Amendment C162.

First thing I notice is that the lane behind residential properties b/w Russeu & CLARKE STREETS is part of the amendment. why?

Does this mean the lane becomes "COMMERCIAL"?

Use of the lane by certain businesses can only be described as deplorable.

- ① Contract rubbish removal.
- ② Waste Management Areas. (designation/placement).
- ③ Amplified music in beergardens/outside areas.
- ④ "LIVE" performances on site.
- ⑤ After hours - restaurant closed, beergarden still operating.
- ⑥ Indiscriminate use of spotlights/floodlights to illuminate outdoor areas.
- ⑦ Animal problems - Dogs, cats, rats, mice.




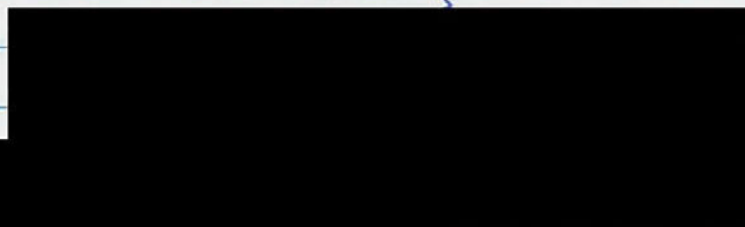
Re C/62.  
②Nov 21<sup>st</sup> 2020.

⑧ Parking or lack thereof: Both employees and patrons use Clive St. as their daily and nightly parking option. Leading to illegal parking on and over resident's driveways. I have photos. Not to mention, the parking of cars far too close to the vehicle in front of it. Barely millimetres b/w them in many cases. Ridiculous.

⑨ The use of Clive St by many "commercial" vehicles that deliver to Barkley St. ie Food transport, waste management trucks.

⑩ The dumping of rubbish after hours. After 200hrs This has been going on since 2011. Still has not been eradicated.

Yours sincerely,



Re. C162.  
③

Dec. 2<sup>nd</sup> 2020.

In summary, I would prefer the previous

⑩ Ten points of dispute be dealt with prior  
to any "amendment." If any further information  
is required, please ask..

again sincerely



P.S. I am aware of the "demerit points system  
for Licenced Premises.



# Submission 37

## Online submission to Maribyrnong Amendment C162

Received 14 December 2020



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- Barkly St is in need of serious improvement. It could be wonderful. It is far too car-orientated. From Gordon St to Summerhill Road needs to be completely redesigned to have a separated bike path with an above ground divider between the path and the cars. It is wide enough at this section of Barkly St to also have a strip of grass down the middle with trees. Maribyrnong overall and West Footscray lacks leafy streets and safe cycling infrastructure. - The original Whitten Oval plans and an excellent campus style flow between West Footscray station to Barkly St. This has been removed completely from all the plans and now Number 4, 6 & 8 Cross St will have 8 storey residential zoning. It will be great to have cafes at the bottom. However the idea to make West Footscray Station flow straight into the Whitten Oval precinct outside of the oval between Hocking St & Whitten Avenue would have created an incredible community based activity centre. Now the area will be disjointed. - Appreciate the Amendment is proposing to have increased residential density so close to a Train Station, this is important and necessary. However this needs to be met with a focus on the environment/nature and cycling and pedestrian safety. - Maribyrnong council area in general has appalling cycling infrastructure. Absolutely unacceptable to be honest. High density apartment living encourages cycling as a primary mode of transport, yet Barkly St and connecting roads are grossly inadequate for cyclists. There cannot be a plan to rezone and allow increased high density residential properties in this area unless proper cycling and pedestrian infrastructure is implemented along with it. - Any rezoning should have cycling infrastructure at the forefront. It provides the perfect opportunity to redesign and create new roads that serve the whole community and the environment, not just cars. - Lastly, there were proposals in the Whitten Oval redevelopment plans for Cross St to be redirected and the existing site at the South end of the oval developed into mixed use facilities for the Western Bulldogs and the community. This was an excellent idea and I wish for it to be included in this rezoning and Amendment process. The current road is dangerous and the space between Cross St and the train line is currently wasted. Redirecting Cross St along the train line would allow for the separated bike path to be continuous and also travel along the train line and around into Buckingham St. Instead of what it currently is, a very dangerous crossing at the Gordon St on ramp under the Geelong Road bridge. If the land between Cross St and the train line is left and developed otherwise, eg for residential buildings, this would be a devastating loss of opportunity to move Cross St and acquire extra land that can be used by the community eg as green space, mixed use facilities with the Western Bulldogs. As well as making a safe route via bike towards the city. - Skimping on maximising the Whitten Oval development and it's campus style connection to West Footscray Station, crowd capacity, bike and pedestrian access, beautification of surrounding streets and Cross St redirection under Geelong Rd misses a golden opportunity to become the undisputed home of Women's football in Australia. - This rezoning and Amendment process has incredible potential which I hope to see utilised. \*\*To note - I am not a regular cyclist. I desperately want to get out on my bike and use it as a primary mode of transport - to improve my health, save money and help the environment. However my council's infrastructure does not allow me to safely do so. Please find attached photos of what the West and this West Footscray neighbourhood could look like.







Cross Street Entr

PC









# Submission 38

Online submission to Maribyrnong Amendment C162

Received 15 December 2020

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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I object to the plan of increasing Barkly Street East and West Footscray Station Mixed Use Precinct density to high density and develop high rise buildings around these areas. All buildings of surrounding area are at maximum height of 4 storey. If high rise buildings were to be constructed, this would fundamentally change the character of the Barkly Street and Banbury Village precinct. Residents at Banbury Village bought and invested in this area to move away from CBD and appreciate the "village" characteristics of the area. Any new building should have plenty of green areas and substantial set back from the main road. Residents do not want poorly constructed high rise buildings with no set back as with many new apartments constructed in Footscray. The worst of its kind is the Joseph Road precinct apartment blocks. It is dangerous as it has no set back from the main road and is unsightly. It serves no benefits to the existing and incoming community other than substantially increase the profits of the developers.

Our Reference: S20-3544  
Your Reference: C162

Enquiries: [REDACTED]  
Telephone: [REDACTED]  
E-Mail: [subdivisions@downergroup.com](mailto:subdivisions@downergroup.com)

Date: 15-Dec-2020

**Strategic Planning team**

Maribyrnong City Council, Strategic Planning Amendment C162  
PO Box 58  
Footscray VIC 3011

Dear Sir/Madam,

**RE: Notice of Preparation of an Amendment  
NEIGHBOURHOOD PLAN 2018, WEST FOOTSCRAY**

Thank you for your letter dated 6-November-2020 and accompanying documentation, seeking our comments on the Amendment C162 to the Maribyrnong Planning Scheme, to facilitate implementation of the land use and build directions of the West Footscay Neighbourhood Plan (2018).

We advise that AusNet Gas Services Pty Ltd is the owner of substantial gas assets throughout Greater Melbourne metropolitan area and regional Victoria, and that Downer – Utilities is their Operations and Maintenance provider. As part of this arrangement, we provide engineering support and act as their referral authority.

The land affected by the proposed changes to the Maribyrnong Planning Scheme is in a close proximity to AusNet Services 400mm diameter gas transmission pipeline (Pipeline Licence 18) which traverses along Warleigh Road, Barkley Street and Summerhill Road. Pipeline Licence 18 is a regulated asset and is operated in accordance with the requirements of the Victorian Pipelines Act 2005 and AS/NZS 2885.1:2018.

AusNet Gas Services pursuant to Section 19 (1) and 56 (1) (b) of the Planning and Environment Act 1987 has no objection to proposed planning scheme amendment, subject to the following conditions:

1. The associated development and construction activities in the vicinity of the gas transmission pipeline shall adhere to the requirements of the Victorian Pipeline Act 2005 and AusNet Services 'Condition of Works' TS 2607.2 and TS 2607.3
2. The development or the usage of the land affected by Amendment C162 must not adversely impact the current location class of the pipeline, i.e. must not constitute in High Density or Sensitive land uses within measurement length (as determined by AS/NZS 2885.6), unless a Safety Management Study as per requirements of AS/NZS 2885.1:2018 and in conjunction with AusNet Services is carried out by the applicant, to identify and mitigate the threats to the pipeline.

For any further enquiries relating to this submission please feel free to contact the undersigned by E-Mail: [subdivisions@downergroup.com](mailto:subdivisions@downergroup.com)

Yours faithfully,

[Redacted Signature]

Technical Officer  
Downer - Utilities







# Submission 41

**From:** [REDACTED]  
**To:** [AmendmentC1.62](#)  
**Subject:** West Footscray Station mixed use precinct (4,6 and 8 Cross Street)  
**Date:** Monday, 23 November 2020 1:01:57 PM

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Hi there, thanks for the opportunity to have my say re this development.

My primary objection is to the building of an 8 storey block of apartments in the Station precinct.

## **Building Height limits**

This development will be built next to Banbury Village which supports low storey height maximum of 3-5 storeys. This has also been favoured by nearby Footscray and Kingsville/ Seddon. It is incongruous to have an apartment block of 8 storeys such as the one in Footscray in Paisley Street.

## **Traffic**

There is already a big increase in traffic around the station and Cross Street. The traffic flow from Cross Street into one-way streets frequently leads to traffic jams in these streets. Sometimes it takes me 30 minutes to get through and under the Middle Footscray underpass to get to Seddon/ Yarraville. It's really unpleasant. Warleigh St and Cross Street are the main entry/exit roads for locals and people coming from West Footscray etc. If you were able to offer a solution to traffic problems and flow through - I'd appreciate it.

## **Banbury Village**

The Village has over 300 homes and is already a high density area, so it will only add to existing problems by increasing housing density. Banbury was promoted as a 'green' village to encourage residents to have one or no car. But so many residents have children now, and own more than one car, and only one garage.

There has also been a big increase in the traffic travelling through Banbury Village in recent years - particularly since the Cross Street traffic humps were installed. This will only increase over time. Banbury Village has narrow streets, allowing single car passage where there are cars parked on both sides of the road. As a resident of Banbury Village, I have frequently seen cars having to back into private property in order to allow passage of traffic coming in the opposite direction.

In addition, there are no speed limits. Cars now speed through the Village without concern for children - there has been an increase in the number of families with young children now resident in Banbury.

## **Parking - residential and station**

Station parking is generally full by 8am and residents find people parking in Banbury Village. Despite 2-hr parking signs, this makes no difference and the Village is not patrolled. Has even one ticket been issued? This will only get worse with an increase in the use of the station once the tunnel lines are open.


To have a large residential building in this area is going to add to the parking problems. Even if the Station Precinct development is promoted as a 'green' concept building and encourages residents to have no cars, of course people have children and end up with extra cars.

## **Whitten oval**

I'm generally supportive of activities there. It is very public minded. However, when the

train pulls in with residents and footy fans, you can be stuck at the zebra crossing for up to ten minutes while people cross. This can surely be managed better in future.

Overall I am positive about change, but seeing how Barkley Street has become an obstacle course over recent years, it makes it really difficult for local residents to do local activities. I hope that any suggested development does not impact adversely on local shops such as IGA, Seddon, Central West, Footscray - these are all great shopping destinations. I don't want a Coles supermarket in the station precinct.

Many thanks for this opportunity, cheers, 

# Submission 42

**From:** [REDACTED]  
**To:** [AmendmentC162](#)  
**Subject:** C162 FEEDBACK  
**Date:** Monday, 16 November 2020 11:43:52 PM

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Hello C162 Council committee

////

I would like to make the following suggestions:

**Allow maximum 3 storey high and 2 levels or more below ground for more car parking.**

Also the 4-5 levels is something I strongly object to due to **overshadowing** and destroying the neighbourhood character and streetscape.

I understand more housing and thus density us needed. 4 or 5 storeys is WAY TOO HIGH! This is a village that's been created, not the CBD. (Maybe near the station 4-8 storeys is fine bit not the hub of the residential area)

There definitely needs to be **more car parking** in the area, lots more **bike parking racks scooter parking etc**

Provide more car parks as the street is so narrow already and can just cope with buses on this road and the congestion.

Also, make **clearly defined route from the eat Footscray station to the shopping precinct between Argyle st to market street**, so people can find it *as a destination shopping place with trendy cafes , retailers and quality shops*. Right now the area is drab with low quality unkempt shops and retailers generally.

Barkly st needs to be widened to accommodate the congestion

Needs a "Eat Street " like Eaton mall Oakleigh as a destination and permanent place to eat out any day of the week. Have an open space and gardens for relaxing, dining and to give the community a place to gather. (Maybe habe food truck visits too).

Leave Whitten oval as is

Barkly st east area = sounds excellent then needs pathways to Barkly street by foot and bike for days out/ outings and links from the train station to argyle st shopping/dining area (like Brunswick does- very accessible).

////

Kind regards

[REDACTED]



21 December 2021

[REDACTED]  
Strategic Planner  
City of Maribyrnong  
PO Box 58  
FOOTSCRAY VIC 3011

*Sent via email:*

[REDACTED]  
[amendmentC162@maribyrnong.vic.gov.au](mailto:amendmentC162@maribyrnong.vic.gov.au)

Dear [REDACTED],

**Submission to Amendment C162 to the Maribyrnong Planning Scheme (West Footscray  
Neighbourhood Centre)  
495-507 Barkly Street, West Footscray**

Fabcot Pty Ltd, a wholly owned subsidiary of Woolworths Limited, has entered into a contract to purchase the land at 495-507 Barkly Street, West Footscray and by agreement with the landowner now stands in the shoes of the landowner in the submission of [REDACTED] ([REDACTED]). It is our intention to participate in the upcoming panel hearing process under the name of [REDACTED] or, if appropriate, we respectfully request Council to refer this further submission to the planning panel.

Fabcot intends to develop the land for a full line supermarket. This is achievable subject to a permit, and based on sound activity centre policies, within the current Mixed Use Zone. However there are strong strategic planning grounds for the land to be included within the Commercial 1 Zone. Amendment C162 should bring this about.



Figure 1 – Aerial Photograph Subject Site



Amendment C162 proposes to implement the land use and built form directions of the West Footscray Neighbourhood Plan 2018 (WFNP) including the rezoning of land and the introduction of revised built form controls in the form of an updated Schedule 7 to the Design and Development Overlay.

Within the Amendment, the subject land is located within 'Precinct 1 West Footscray Neighbourhood Activity Centre'. However, as exhibited, the land would remain within the Mixed Use Zone.

Fabcot generally supports Council's decision to initiate a review of the planning framework for the West Footscray Neighbourhood Centre, and specifically to create '*an integrated mixed-use centre that will support more intense street level activity and a resident population in medium density developments*'.

However, we wish to make the following submissions:

## **Proposed Rezoning**

The subject land is currently included within the Mixed Use Zone (MUZ) pursuant to the provisions of the Maribyrnong Planning Scheme.

The Amendment proposes to extend the current Commercial 1 Zone (which generally extends from Russell Street to Clarke Street) further east along the southern side of Barkly Street up to and including the land to the immediate west of the subject land (509-511 Barkly Street).



It is our submission that the Commercial 1 Zone should extend further east along the southern side of Barkly Street to include the subject land in the Commercial 1 Zone.

The retail and town planning reasons to support the application of the Commercial 1 Zone include:

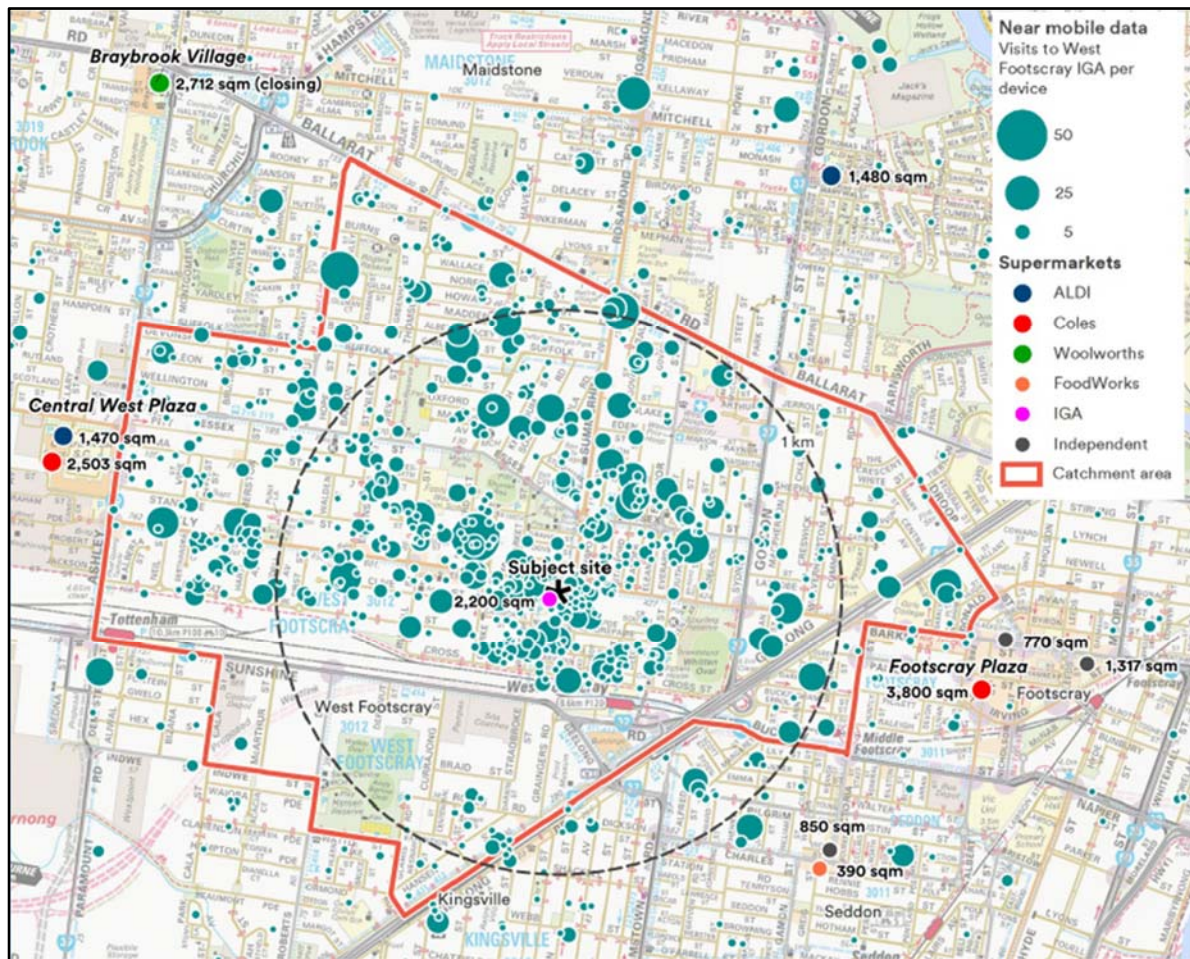
- The subject land is within the West Footscray Neighbourhood Activity Centre and the Commercial 1 Zone is a better zoning fit than the Mixed Use Zone.
- Consistency with the outcomes proposed for the remainder of the existing Mixed Use 3 Zoned land along the northern side of Barkly Street that is to be rezoned to the Commercial 1 Zone.
- The Commercial 1 Zone will strengthen the West Footscray Neighbourhood Centre and ensure a full-line supermarket is an as-of-right use, and there are no other sites in the centre that can accommodate such an outcome.
- There are strong economic, and demand and supply reasons, to facilitate the delivery of a full-line supermarket in the West Footscray Neighbourhood Activity Centre.
- The Commercial 1 Zone aligns better with the 'core retail' and commercial function of Precinct 1 within the West Footscray Neighbourhood Activity Centre'.
- The Commercial 1 Zone and a full line supermarket will promote a stronger retail function within the centre that assist in achieving the '20-minute' neighbourhood concept, noting the lack of a full line supermarket within a reasonable proximity.
- It would mean that the Commercial 1 Zone boundary would be aligned with the applicable DDO boundary.
- **Strong economic demand factors given the lack of floorspace for supermarket to meet the needs of the catchment, culminating also in a lack of local product and price competition and a disincentive to shop locally meaning longer car based trips.**

An analysis of economic demand and supply supports the introduction of a full-line supermarket in the West Footscray Neighbourhood Activity Centre:

- The likely catchment area extends 1.5 km from the site as illustrated in Figure 2 below, and there are no existing full line supermarkets in the catchment.



Figure 2 – Likely catchment area



- Within the catchment area, the estimated resident population is 20,905 persons at June 2021.
- Between 2016 and 2021, the catchment grew by 2.2% and this growth rate is expected to increase to 2.99% between 2021 and 2031 realising a catchment population of 27,944 persons in 2031.
- Food and grocery expenditure within the catchment area is estimated as \$130 million in 2021, and this will increase to \$209 million in 2031.
- Based on Melbourne metropolitan averages, the 2021 catchment indicates a demand for 6,627 sqm of supermarket floorspace increasing to 8,858sqm at 2031.
- Economic sustainability, and minimising escape expenditure in order to achieve economic benefits for other retail and commercial uses within the centre.



- '20 minute city' / sustainability principles – the facilitation of a full line supermarket is an important function within a Neighbourhood Activity Centre. Or in other words, the lack of a full line supermarket means that there is more reliance on private motor vehicle trips etc.

## **Building Height Provisions & Mandatory Built Form Controls**

Pursuant to the draft DDO7 provisions, 'mandatory' controls are proposed for Precinct 1 and 2 in relation to overall maximum building height and minimum upper level setbacks.

It is our submission that any future built form controls for the subject site should provide flexibility to ensure that optimum development outcomes can be achieved, consistent with the strategic objectives for the activity centre.

We also note that Planning Practice Note 59 states that:

- *A performance based planning scheme is able to accommodate variation, innovation, unforeseen uses and development or circumstances peculiar to a particular application to produce results beneficial to the community.*
- *Mandatory provisions in the VPP are the exception. The VPP process is primarily based on the principle that there should be discretion for most developments and that applications are to be tested against objectives and performance outcomes rather than merely prescriptive mandatory requirements.*

In summary, we trust that Council is comfortable referring this submission to the planning panel, and we look forward to collaborating with Council in getting the framework for the West Footscray Neighbourhood Centre right, and delivering a range of social, economic, physical and sustainability outcomes.

If you have any questions, please don't hesitate to contact the undersigned on

██████████ [@woolworths.com.au](mailto:██████████@woolworths.com.au) or ██████████.

Yours sincerely,

Regional Development Manager – Property Development