



## Planning Assessment Report

Mixed Use Development

6 Cross Street, Footscray

July 2024

**Prepared for**

**Cross Street Footscray Pty Ltd**

**Project No  
1117**

**Prepared by  
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**Revision History**

Revision	Date	Details	Author / Position	Authorised	
				Name / Position	Signature
A	18 July 2022	Draft Report for client review	Bethany Rote Town Planner	Michael Dunn Director	Original Signed
B	18 July 2022	Final Report	Bethany Rote Town Planner	Michael Dunn Director	Original Signed
C	9 July 2024	Updated Report (S87A Amendment)	Lachlan Smith Town planner	Michael Dunn Director	Original Signed

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# 1.0 Introduction

This report has been prepared by Metropal Planning Solutions to support an application under Section 87A of the *Planning and Environment Act 1987* to amend planning permit TP274/2016(3).

Planning Permit TP274/2016 was issued by Maribyrnong City Council at the direction of VCAT on 7 March 2018. The permit was amended (also via the Section 87A pathway) on 5 December 2022. As amended, the permit allows *Construction of a multi level building containing dwellings, use land for a food and drink premises and place of assembly, reduction of car parking requirement.*

The permit was further amended under Section 72 of the *Planning and Environment Act 1987* on 21 March 2024 to amend permit conditions 32 and 33 which relate to requirements for an environmental audit.

We note that architectural drawings were most recently endorsed (via secondary consent) on 23 May 2024. The amendments approved were limited to internal rearrangement of the floor layouts and some minor modifications of the building facade.

A further secondary consent application is currently before Council (submitted on 19 June 2024) for various minor amendments to the design and this report has been written on the expectation that this further secondary consent amendment will be approved shortly (and thus the starting point for describing proposed amendments to the design as part of this application are where there are departures from the 19 June 2024 secondary consent submission).

We note that construction of the building is well underway with the basement construction well advanced.

Many of the amendments to the design which are now proposed have been made possible by the recent gazettal of Amendment C162 to the Maribyrnong Planning Scheme (gazetted on 22 February 2024). Amendment C162 implements the *West Footscray Neighbourhood Plan* and rezoned the subject site from General Residential Zone to Mixed Use Zone (MUZ) and introduced new built form controls by way of a revised Schedule 8 to the Design and Development Overlay (DDO8). The proposal responds to these new planning controls by seeking to amend the existing permit to allow a greater range of commercial uses on the ground and mezzanine levels of the building.

A substantial number of the proposed dwellings (54 in total) are now proposed to be social and affordable housing, delivered in partnership with BlueCHP. BlueCHP is a Tier 1 registered not-for-profit community housing association which currently owns more than 1,000 social and affordable dwellings across cities on Australia's eastern seaboard. BlueCHP intends to formalise an agreement with Cross Street Footscray Pty Ltd to purchase all of the units in Tower B (fronting Cross Street) within the development for the purpose of providing social and affordable housing. The internal configuration of the units in Tower B meets the Livable Housing Design Guidelines Silver level accreditation.

The subject site is located directly opposite the West Footscray Railway Station, is within a precinct where intensified development is strongly supported by policy (as outlined within the *West Footscray Neighbourhood Plan 2018* and the *Maribyrnong Housing Strategy 2018*) and is located immediately south of a car park associated with Whitten Oval sportsground and the campus of Victoria University. A three storey townhouse development has recently been completed immediately to the east of the site.

The amended design response will result in a genuine mixed use development by providing a wide range of commercial uses which better respond to the neighbourhood activity centre designation. Greater activation of the ground floor frontages to both Hocking Street and Cross Street with more extensive glazing and more substantial commercial tenancies.

In brief summary, the key amendments to the proposal are as follows:

- A decrease in the number of apartments to 109 (one fewer) comprising:
  - 30 x one-bedroom apartments (unchanged)
  - 73 x two-bedroom apartments (previously 75)
  - 6 x three-bedroom apartment (previously 5)
- Of the above apartments, 54 will be allocated to Social and Affordable Housing (all dwellings in tower B) including:
  - 16 x one-bedroom apartments
  - 35 x two-bedroom apartments
  - 3 x three-bedroom apartments
- Re-allocation and reconfiguration of the ground floor tenancies to remove the formerly proposed Place of assembly to comprise the following commercial tenancies:
  - One small format specialty grocery shop (868 square metres)
  - Five retail premises (varying in size from 23 square metres to 266 square metres with a total floor area of 716 square metres)
- Mezzanine level reconfigured to comprise a gym / wellness centre (1138 square metres) and an office (1038 square metres).
- Reconfiguration of Level 2 to provide access to central communal terrace area via a walkway to the eastern side of both towers rather than via corridors towards western side of each tower and consequential reconfiguration of apartments (apartments A.202 & B.209) and revisions to terrace design to provide revised facilities to users and addition of skylights to office tenancy below to improve daylight access
- Minor internal layout reconfigurations in Apartments A.204, A.304, A.404 A.702, A.703, A.705 and A.706, and minor adjustments to window sizing in A.504 due to the preferences of apartment purchasers
- Apartment A.604 is now a 3 bed apartment (was previously 2 bed) and Apartment A.603 is now a 1 bed apartment (was previously a 2 bed) due to preferences of apartment purchasers.
- Additional entry at the ground floor level fronting Hocking Street to provide stairs and lift entry to mezzanine level gym / wellness centre
- Overall increase in building height of less than one metre to accommodate lift overrun and revised floor to floor height for uppermost storey.
- Changes to the Basement level layouts to incorporate an 80 kilolitre water storage tank and other fire equipment to meet the requirements of fire authorities and removal of access to one elevator below Tower B. Two storage cages have been relocated from Basement Level 1 to Basement Level 2.
- Reallocation of the basement car parking spaces to reflect changes to commercial tenancies and apartment mix for revised allocation as follows (including a reduction in overall car parking spaces from 152 spaces to 149 spaces):
  - 49 social and affordable housing resident parking spaces
  - 55 private resident parking spaces
  - 4 staff parking spaces allocated to Retail 01 (small format grocery store)
  - 5 staff parking spaces allocated to the remaining retail tenancies (one each)
  - 12 parking spaces allocated to the Gym tenancy (5 staff and 7 visitor spaces for members)
  - 20 employee parking spaces allocated to the Office tenancy
  - 4 accessible parking spaces

The proposed amended mixed-use development will provide for the more efficient use of land within a precinct where significant change is strongly supported by State, regional and local planning policy.

The design response is consistent with the outcomes sought for the site in the State and local planning policies of the Maribyrnong Planning Scheme, with the proposal responding sympathetically to the preferred future character of the area.

Our application comprises the following architectural drawings prepared by Artisan Architects (all denoted as Revision G):

<b>Drawing No.</b>	<b>Title</b>	<b>Comments</b>
TP01	Ground Level 1 Plan	Proposed ground floor plan
TP 02	Level Mezzanine Plan	Proposed mezzanine level plan
TP 03	Level 2 Plan	Proposed first floor plan
TP 04	Level 3 Plan	Proposed second floor plan
TP 05	Level 4 Plan	Proposed third floor plan
TP 06	Level 5 Plan	Proposed fourth floor plan
TP 07	Level 6 Plan	Proposed fifth floor plan
TP 08	Level 7 Plan	Proposed sixth floor plan
TP 09	Roof Plan	Proposed roof plan
TP 10	Basement Level 1 Plan	Proposed basement level 1 plan
TP 11	Basement Level 2 Plan	Proposed basement level 2 plan
TP 12	Elevation 01; West Elevation	Proposed west elevation
TP 13	Elevation 02: South Elevation	Proposed south elevation
TP 14	Elevation 03: East Elevation	Proposed east elevation
TP 15	Elevation 04: North Elevation	Proposed north elevation
TP 16	Elevation 05: Internal South Elevation	Proposed internal south elevation
TP 17	Elevation 06: Internal North Elevation	Proposed internal north elevation
TP 18	Section AA	Proposed north-south section
TP 19	Section BB	Proposed east-west section
TP 30	Materials Schedule	Schedule of proposed facade materials
TP 32	Purchaser Changes Unit 304	Replacement BADS diagram for Apartment A.304
TP 33	Purchaser Changes Unit 404	Replacement BADS diagram for Apartment A.404
TP 34	Purchaser Changes Unit 504	Replacement BADS diagram for Apartment A.504
TP 35	Purchaser Changes Unit 603	Replacement BADS diagram for Apartment A.603

<b>Drawing No.</b>	<b>Title</b>	<b>Comments</b>
TP 36	Purchaser Changes Unit 604	Replacement BADS diagram for Apartment A.604
TP 37	Purchaser Changes Unit 702	Replacement BADS diagram for Apartment A.702
TP 38	Purchaser Changes Unit 703	Replacement BADS diagram for Apartment A.703
TP 39	Purchaser Changes Unit 705	Replacement BADS diagram for Apartment A.705
TP 40	Purchaser Changes Unit 706	Replacement BADS diagram for Apartment A.706

This report and the architectural drawings should also be read in conjunction with the following reports and plans:

- Traffic Impact Assessment – prepared by Movendo (July 2024)
- Sustainability Management Plan – prepared by LID Consulting (July 2024)
- Waste Management Plan – prepared by LID Consulting (July 2024)
- Landscape Concept Plans – prepared by MemLa (June 2024)

We also note that an updated Acoustic Engineering Report is being prepared by DDEG.

As detailed in this report, there are a range of strategies, policies and plans identified in the Maribyrnong Planning Scheme that are of relevance to this application to amend a planning permit.

The design of the building responds appropriately to the unique context of the site and will contribute positively to the surrounding area and will assist in achieving the vision set out in the West Footscray Neighbourhood Plan 2018 and as such we submit should be supported.

## 2.0 Proposal

Under the existing approval (planning permit TP274/2016(3)), the mix of commercial uses was to include a Place of Assembly, five Food and Drink Premises, a gym, library and function centres (for resident use only).

This application seeks to replace the Place of Assembly and reconfigure the ground floor to include six Retail premises. The largest of these tenancies (Retail 01) is intended to be a small format speciality grocery store (organic grocer). While the mix of the remaining tenancies is yet to be finalised, it is likely that there would be a combination of Food and drink premises, Takeaway food premises, and Shops. The resident only gym / sauna, library and function rooms will be replaced by a commercial gymnasium and Office tenancy. The wider range of commercial land uses are now possible following the rezoning of the site to Mixed Use Zone.

An amended Waste Management Plan has been prepared by LID Consultants and is enclosed with this submission. The WMP has taken the conservative approach of assuming that the five smaller Retail premises (Retail 00 and 02-05) would all be Food and drink premises, which produce waste at a higher rate than shops. This measure will ensure that waste storage and collection procedures will be adequate for any possible mix of tenancies into the future.

### 2.1 Proposed Amendments to Planning Permit

Given the proposed amendments to the design response, it is considered necessary to amend a number of permit conditions as well as the permit preamble.

#### 2.1.1 Permit Preamble

Planning Permit TP274/2016(3) currently allows for *Construction of a multi-level building containing dwellings, use land for a food and drink premises and a place of assembly, and reduction of car parking requirement.*

It is proposed to amend the permit preamble as follows (proposed amended wording in red text)

*Construction of a multi-level building containing dwellings, use land for a ~~food and drink premises and a place of assembly~~ an office exceeding 250 square metres, retail premises and restricted recreation facility, and reduction of car parking requirement.*

#### 2.1.2 Permit Conditions

##### Condition 1

It is proposed to amend condition 1(a) to refer to the set of architectural drawings which form part of the present application as follows (changes in red text):

- (a) *Changes provided on plans, prepared by Artisan Architects dated ~~October 2022~~ 5 July 2024 (Revision A G), addressing:*

We note that the balance of the condition 1 requirements could either remain or be deleted subject to Council and the Tribunal's preferred approach as necessary to reflect the amended drawings and to remove those conditions no longer considered warranted. We have identified specific sub-conditions that should be deleted or amended for consistency with the amended plans:

It is proposed to delete condition 1(a)(vi) which reads:

- iv) all air conditioning – condenser units to be located centrally on the mezzanine level*

The condenser units are no longer proposed on the mezzanine level and so this condition is redundant.

It is also proposed to delete condition 1(p) which was only necessary under the previous General Residential Zone (due to mandatory building height restrictions applicable under that zone that required that any amended design be no higher than that already approved):



p) Dimensioned overall building height to be 24.99 metres show on all elevations

## Condition 12

It is proposed to amend condition 12 to refer to the landscape plans which forms part of the present application, as follows (changes in red text):

- 12) Concurrent with the endorsement of plans, an amended landscape plan must be submitted and be to the satisfaction of the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The landscape plan must be generally in accordance with the landscape concept plans prepared by Memla P/L, dated ~~24 June 2022~~ 26 June 2024, drawing no.'s LC01 to LC034, except that the plan must show:...

## Condition 15

Condition 15 currently reads as follows:

### Acoustics

Concurrent with the endorsement of plans, an acoustic report prepared by a suitably qualified Acoustic engineer must be submitted and endorsed to form part of the permit. The report must consider the external and internal impacts of the railway, the place of assembly and the food and drink premises and other relevant noise sources on the proposed dwellings and provide solutions to mitigate these impacts. All of the recommendations of the acoustic report must be implemented prior to the occupation of the building, to the satisfaction of the Responsible Authority.

To reflect the change in commercial tenancies, it is proposed to amend this condition as follows (proposed amendments in red text):

### Acoustics

Concurrent with the endorsement of plans, an acoustic report prepared by a suitably qualified Acoustic engineer must be submitted and endorsed to form part of the permit. The report must consider the external and internal impacts of the railway, ~~the place of assembly and the food and drink premises~~ and other relevant noise sources on the proposed dwellings and provide solutions to mitigate these impacts. All of the recommendations of the acoustic report must be implemented prior to the occupation of the building, to the satisfaction of the Responsible Authority.

## Condition 16

It is proposed to amend condition 16 to refer to the Waste Management Plan which forms part of the present application as follows (changes in red text):

- 12) Concurrent with the endorsement of plans, an amended waste storage and collection management and recycling plan for the development must be prepared and be to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The landscape plan must be generally in accordance with the report prepared by Low Impact Development Consulting P/L, dated ~~June 2022~~ 4 July 2024, and have regard to the following matters:-

## Condition 21

Condition 21 currently reads as follows:

21 All food and drink premises uses may operate only between the hours of:

- 7am and 11pm Sunday to Thursday,
- 7am and 12 midnight Friday and Saturday

except with the written permission of the Responsible Authority.

Due to the flexibility allowed by the rezoning of the subject site to the Mixed Use Zone, no tenancies are nominated as Food and drink premises. We request that the condition be amended to read (changes in red):

21 All ~~food and drink premises~~ retail premises uses may operate only between the hours of:

- 7am and 11pm Sunday to Thursday,
- 7am and 12 midnight Friday and Saturday

except with the written permission of the Responsible Authority.

## Conditions 41 and 42

Conditions 41 and 42 currently read as follows:

### Place of Assembly

*41 The Place of assembly use may operate only between the hours of:*

- Monday-Friday: 9am-9pm*
- Saturday and Sunday: 9am-11pm*

*except with the written permission of the Responsible Authority.*

*42 No more than 400 patrons are allowed on the premises at one time except with the written consent of the Responsible Authority.*

As a place of assembly is no longer part of the proposal, we request that this condition be deleted.

## 3.0 Subject Site and Surrounds

### 3.1 Planning History

Planning Permit TP274/2016 was issued following a decision by the Tribunal on 7 March 2018 and allows for the *Construction of a multi level building containing dwellings, use part land for a food and drink premises, reduction of car parking requirement and reduction of loading bay facilities associated with the commercial use.*

Council issued an amended permit by order of the Tribunal under section 87A of the *Planning and Environment Act 1987* on 5 December 2022. As amended, the permit allows *Construction of a multi level building containing dwellings, use land for a food and drink premises and place of assembly, reduction of car parking requirement.*

The permit was further amended under Section 72 of the *Planning and Environment Act 1987* on 21 March 2024 to amend permit conditions 32 and 33 which relate to requirements for an environmental audit.

The permit remains current provided development is completed no later than 7 March 2026.

Architectural drawings were most recently endorsed by Maribyrnong City Council (via secondary consent) on 23 May 2024, providing for revised floor layouts, minor changes to the building facade.

The current approval under planning permit TP274/2016 was subject to two VCAT orders, the first dated 20 July 2017 (*Jabala Pty Ltd v Maribyrnong CC [2017] VCAT 1083*) and the second 2 March 2018 (*Jabala Pty Ltd v Maribyrnong CC [2018] VCAT 314*).

Many of the amendments to the design which are now proposed have been made possible by the recent gazettal of Amendment C162 to the Maribyrnong Planning Scheme (gazetted on 22 February 2024). Amendment C162 implements the *West Footscray Neighbourhood Plan* and rezoned the subject site to the Mixed Use Zone (MUZ) and introduced new built form controls by way of a revised Schedule 8 to the Design and Development Overlay (DDO8).

A further secondary consent application is currently before Council (submitted on 19 June 2024) for various minor amendments to the design and this report has been written on the expectation that this further secondary consent amendment will be approved shortly (and thus the starting point for describing proposed amendments to the design as part of this application are where there are departures from the 19 June 2024 secondary consent submission).

### 3.2 Subject Site

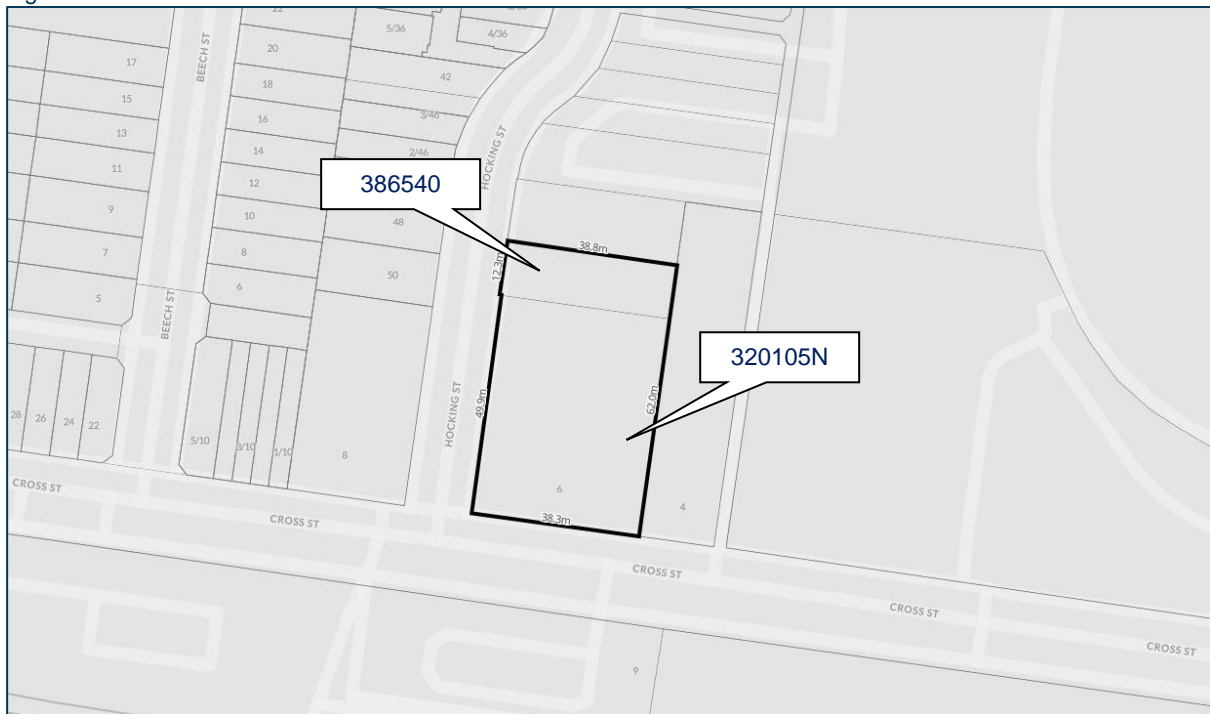
The subject site comprises two lots, with a street address of 6 Cross Street, Footscray and parcel descriptions of Lots 1 and 30 on Title Plan 386540W (northern lot) and 320105N (Southern lot).

The subject site is rectangular, with a relatively flat topography and is a corner site with a frontage onto Cross Street to the south of 38.5 metres and Hocking Street to the west of 62.2 metres. The rear (northern) boundary is 38.8 metres in length and the eastern side boundary is 62 metres. The total site has an area of 2393 square metres.

A cadastral plan (Figure 1) demonstrates that the lot sizes and shapes in the surrounding area are varied.

A recent search of the Certificate of Title (copy provided) has identified that the subject site not affected by any restrictive covenants or easements.

Figure 1: Cadastral Plan



Source: LandChecker 2022

Figure 3 illustrates the site and its immediate surrounds.

The subject site is currently a construction site and development is proceeding as approved under the existing planning permit.

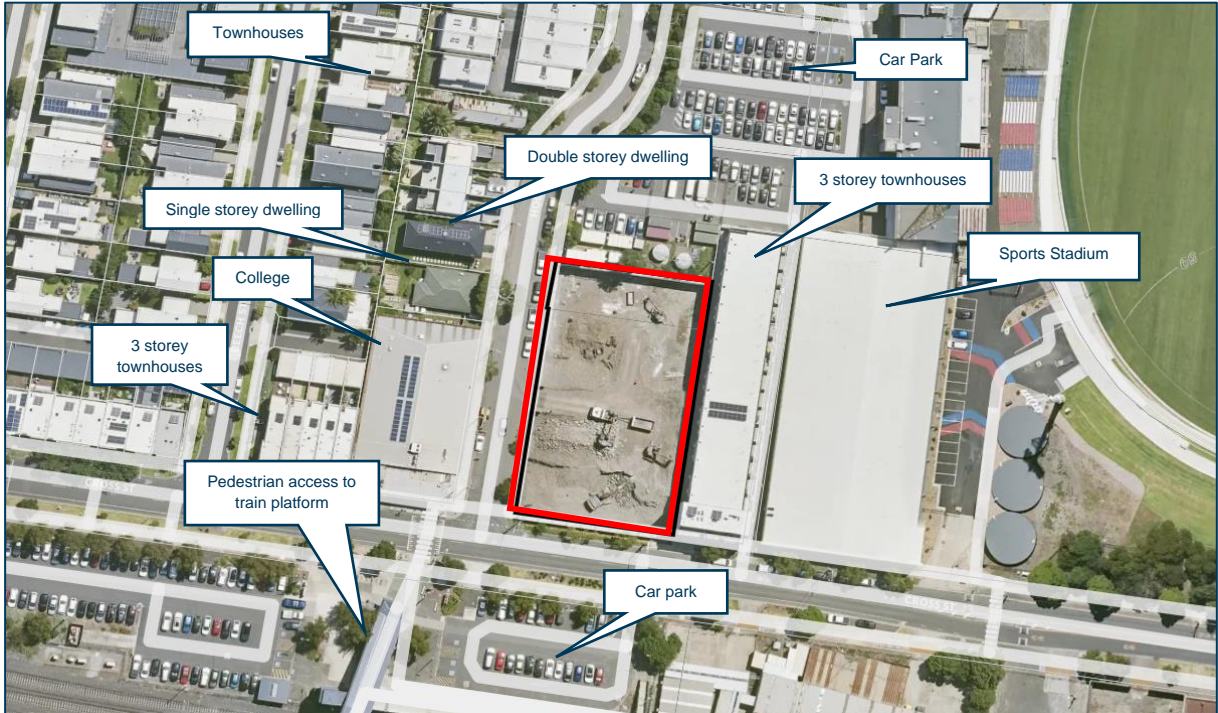
The site is located on the north eastern corner of Cross and Hocking Streets and directly opposite the upgraded West Footscray Railway Station to the south of the site and adjacent to car parking area for Victoria University Campus and the Western Bulldogs Football Club at Whitten Oval to the north of the site, which incorporates administrative, training, corporate and social activities as well as being the home of the VFL club.

The site is directly neighboured to the east by a townhouse development at 4 Cross Street which has been recently completed. A total of 17 three storey townhouses are orientated away from the subject site to the east (and one to the south) with the common five metre wide driveway abutting the shared boundary backed onto by ground floor garages. The upper two storeys are set back 1.8 metres from the shared boundary, notwithstanding townhouses 1-3 which are built to the boundary for a 7.9 metre section to the front of the site south). All habitable room windows facing towards the subject site incorporate obscure glazing to 1.7 metres thus preventing overlooking from and towards the subject site.

The site is opposite Central Australian College at 8 Cross Street to the west, which is located within a double storey brick building, a single storey traditional brick dwelling at 50 Hocking Street and a double storey contemporary dwelling at 48 Hocking Street.

The surrounding land to the west and north west is predominantly used for residential purposes with a range of one, two and three storey buildings of contemporary and traditional architecture with many townhouse and apartment developments closer to Cross Street.

Figure 2: Aerial photograph of site and immediate surrounds



Source: LandChecker – Image date 24 January 2024

Figure 3: Aerial photograph of site and broader surrounds



Source: LandChecker – Image date 22 January 2022

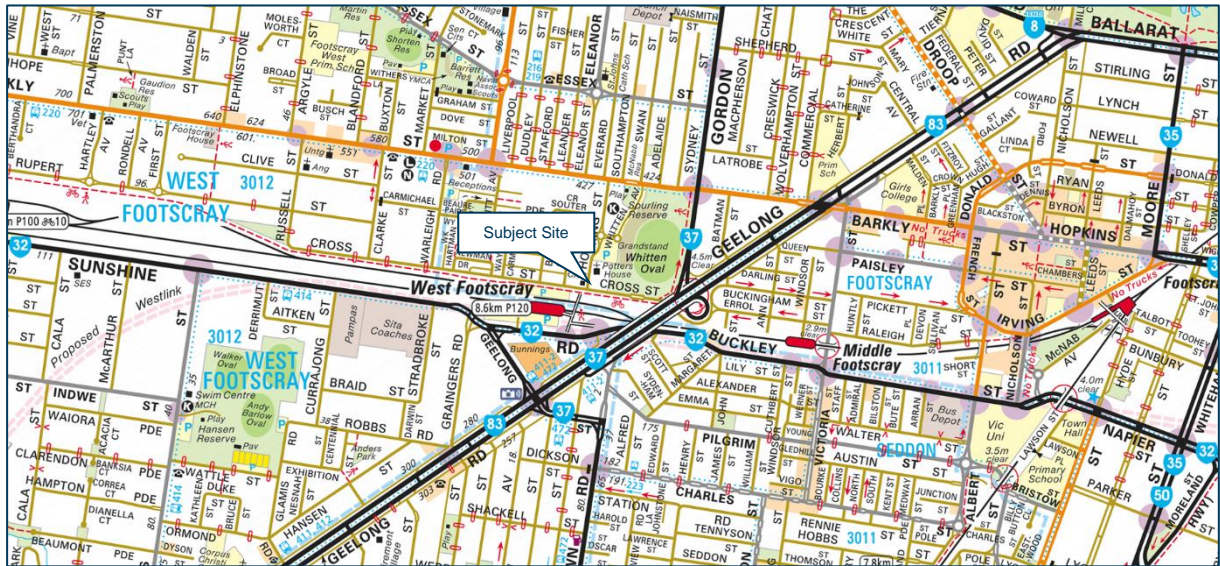
Figure 4 shows the site within its broader surrounds within Footscray.

The site is located within a small mixed use area bounded by the railway corridor to the south, Victoria University to the north and Geelong Road to the east. Lower density residential areas are located to the west and north west of the site.

The industrial area on the opposite side of the railway corridor (accessible via a footbridge) provides access to a large Bunnings hardware store and other industrial uses.

Barkly Street is located approximately 240 metres to the north of the site and provides access to some commercial amenities and transport options with the main commercial town centre of West Footscray located approximately 700 metres from the site along Barkly Street, including retailing, food and drink and community services such as a Library.

Figure 4: Site Locality



Source: StreetDirectory

The site is very well serviced by public transport options, being located opposite the West Footscray Railway Station.

The site area is also well serviced with a number of bus routes operating from West Footscray Railway Station and Barkly Street.

The site achieves a Walkscore of 84 (source: Walkscore.com) with most errands able to be accomplished on foot and many nearby transport options.

## 4.0 Planning Policy

### 4.1 Planning Policy Framework

The Planning Policy Framework (PPF) sets out the State Planning Policies which apply to all land in Victoria. The PPF is structured around nine themes, the themes that are of most relevance to this proposal are discussed in this section of the report.

The PPF recognises the need for integrated decision making which recognises and responds to the needs and expectations of the community relating to land for settlement, protection of the environment, economic well-being, various social needs, proper management of resources and infrastructure. These needs are to be met through land use planning by addressing those aspects of economic, environmental and social wellbeing that are affected by land use and development. Conflicting objectives are to be balanced in favor of net community benefit and sustainable development for the benefit of present and future generations.

The first theme identified in the PPF is Settlement (Clause 11). This Clause identifies that planning is to anticipate and respond to the needs of existing and future communities and to recognize the need for and contribute towards health and safety, diversity of choice, a high standard of urban design and amenity, energy efficiency and land use and transport integration. Planning is to support sustainable development by taking advantage of existing settlement patterns and investment in infrastructure and community facilities.

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#### Response

The development of the site reflects the desired future settlement pattern and makes for efficient use of very well located land.

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The Built Environment and Heritage theme is addressed in Clause 15 of the PPF. This Clause identifies that planning should ensure that new land use and development appropriately responds to its context and recognizes that quality built environments support the social, cultural, economic and environmental wellbeing of our communities. Planning should achieve high-quality urban design and architecture that contributes to the local urban character and sense of place and reflects the characteristics and aspirations of the community. New development is to enhance livability, diversity and amenity and safety of the public realm and make places more attractive.

Development proposals are to include a site analysis and descriptive statement which explains how the proposal responds to the site and its context.

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#### Response

The design of the proposal reflects the aspirations for the subject site as set out in the Maribyrnong Planning Scheme.

The development demonstrates a high-quality architectural response which will contribute positively to the streetscapes and respond appropriately to the residential interface to the east by providing appropriate setbacks and a significant break between the two tower elements.

The development will contribute towards a greater diversity in housing within the local area by providing high quality apartments in a locality dominated by detached dwellings. The amenity and security of the area will be

improved through passive surveillance of Cross Street and Hocking Street. The development will enhance the vitality of the mixed use precinct by providing increased commercial tenancies.

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The theme of housing is the subject of Clause 16 of the PPF. This clause recognizes the need for planning to provide for housing diversity. New housing is to have access to services and be planned for long term sustainability. Walkability is to be considered including walking access to activity centers, public transport, schools, and open space. The supply of housing in existing urban areas is to be increased by facilitating increasing housing yield in appropriate locations such as under-utilized urban land. Housing quality is to be considered in land use planning as is the efficiency of housing in terms of both water and energy use.

Housing affordability can be addressed by increasing choice in housing type, tenures and costs and by encouraging development which provides dwellings which are affordable to those on very low to moderate incomes. A mix of private, affordable and social housing should be provided in activity centers.

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## Response

The proposed development will provide increased housing diversity through the provision of 109 apartments of varying sizes within a locality dominated by detached dwellings. The proposal will contribute to the emerging higher density character within the West Footscray Railway Station precinct.

The proposed development will make appropriate use of the existing underutilised site.

The apartments will provide contemporary open plan kitchens, balcony spaces, living and dining areas.

The site has excellent access to public transport, retail and community services which are within short walking distance of the site.

The provision of apartments on this site will lead to reduced transport energy use given the excellent access to public transport services.

The proposal is consistent with the aspirations of the Maribyrnong Planning Scheme for this site as detailed in the Planning Policy Framework.

The inclusion of 54 Social and Affordable Housing dwellings aligns with strategic directions to improve housing affordability, especially in well serviced areas such as activity centres.

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## 4.2 Local Planning Policy Framework

### 4.2.1 Clause 21 - Municipal Strategic Statement

The Municipal Strategic Statement (MSS) of the Maribyrnong Planning Scheme sets out key policies and objectives regarding land use planning within the municipality. The MSS acts as a guide for planning decisions.

The Municipality's built environment is described at Clause 21.02 and it is outlined that new development should be responsive to the surrounding context and build on the quality of neighbourhood character, streetscape and heritage while also introducing new forms of development that enhances the role of the municipality in design, image and liveability

The municipality's population is culturally diverse with a lower proportion of younger and older age groups and a larger representation of families. The city has a comparatively higher proportion of single person households and increasing family households.



Clause 21.04-2 (Housing Growth) outlines that rapid population growth will result in the need to supply approximately 14,000 to 16,000 new dwellings by 2031 within the municipality.

Clause 21.05 sets out the environment and land values of the municipality. Climate change is addressed at Clause 21.05-2 and provides the following relevant strategies to achieve adaptation to the effects of Climate Change and to achieve a carbon neutral city by 2020:

To achieve sustainable building design, the following strategies are outlined at Clause 21.06-2:

- *Encourage development that encompasses best practice environmental sustainable design principles and operating practices.*
- *Encourage developments that meet the requirements of STEPS or SDS evaluation tools.*
- *Encourage the siting of new buildings and works to protect existing solar collecting devices and passive solar elements on adjoining buildings or land.*
- *Encourage the use of sustainable building materials, the reuse and recycling of waste building materials and reduce the amount of building waste generated.*
- *Encourage sustainable demolition and construction practices.*
- *Ensure that any Framework Plans, Development Plans, and Urban Design Guidelines consider and require environmental sustainable design.*

To achieve stormwater quality:

- *Encourage WSUD in all new developments where suitable, to meet or exceed best practice standards and reduce the impacts of stormwater on the bay and catchments.*

To manage stormwater resources sustainably:

- *Encourage developments that capture, store and re-use and recycle water for non-drinking purposes.*
- *Encourage drought proof landscaping and protection of existing vegetation considering reduced water availability, increased cost and uncertainty of supply.*
- *Encourage roof top gardens in multi level developments to provide opportunity for green spaces and food growing.*

Clause 21.07 of the MSS addresses Housing and outlines the opportunities to allow for significant residential development to cater to forecast population growth. The subject site is located within Substantial Change Area as partially identified on the House Framework Plan.

Clause 21.07-1 outlines the following relevant strategies for housing within Substantial Change areas:

- *Encourage residential development in substantial change areas to predominantly comprise medium and higher density housing in the form of townhouses; units; apartments; and shop-top dwellings.*
- *Encourage a range of dwelling types and sizes, including affordable housing, to be provided in larger developments.*
- *Ensure new development integrates with existing areas and communities.*
- *Ensure new larger scale developments establish a preferred urban design and architectural character that complements existing areas and creates safe and liveable communities.*
- *Encourage new higher density development to provide space for planting, communal spaces and rooftop gardens to improve amenity and liveability of dwellings.*
- *Support developments located away from sensitive interfaces that create a new, higher density urban character.*
- *Ensure development of sites greater than 60 dwellings are well served by public transport, the bike/shared path network, and cater for potential changes to the public transport network.*
- *Require larger scale residential land redevelopment to contribute to high quality, accessible open space for a range of activities.*

Objective 5 within Clause 21.07-2 encourages a mix of housing through the following strategies (as relevant):

- *Support increased housing choice by providing a diversity of dwelling types, sizes and tenures.*

- *Ensure new residential developments provide a mix of housing that caters for a range of households, lifestyles, age, incomes and life stages appropriate to the scale and nature of the project.*
- *Encourage larger developments to provide a range of dwelling types and sizes, including affordable housing.*
- *Encourage forms of housing suitable for the needs of an ageing population.*
- *Encourage forms of housing suitable for home based businesses.*

Objective 6 within Clause 21.07-2 encourages affordable housing through the following relevant strategies:

- *Support the provision of social housing, in particular development that improves the distribution of social housing across the municipality.*
- *Encourage public, social and affordable housing in activity centres, close to public transport and as part of developments on strategic redevelopment sites.*
- *Encourage the use of dwellings above shops in activity centres for affordable housing.*
- *Encourage new residential development to provide opportunities for public, social and community based affordable housing.*
- *Increase the overall stock of housing within the municipality, particularly medium and higher density development to ensure greater diversity to meet changing household needs.*

Clause 21.09 Transport supports the redevelopment of the West Footscray Railway Station and investigations into further station upgrades.

Clause 21.11-6 includes specific objectives and strategies applying to land within the West Footscray Neighbourhood Activity Centre and the West Footscray Railway Station precinct. The clause incorporates the objectives and strategies considered by the *West Footscray Neighbourhood Plan 2018* which identifies that the area has good access to public transport, community facilities and open space and recreational facilities. The railway station precinct will support the role and function of the neighbourhood activity centre in providing apartment developments and retailing/commercial opportunities.

Objective 2 within Clause 21.11-6 encourages *residential and limited commercial uses in the ... West Footscray Railway Station Precinct with apartment developments, recreation and community facilities*. The following strategies are of relevance:

- *Encourage residential uses in apartment developments*
- *Ensure that any retail, commercial and other employment uses complement the role of the West Footscray Neighbourhood Activity Centre*

Objective 3 within Clause 21.11-6 encourages a built form scale and design that responds positively to the preferred character of the precinct and includes the following relevant strategies:

- *Ensure a preferred built form character for development on Cross Street, adjacent to West Footscray Railway Station, of up to 8 storeys with upper level setbacks.*
- *Encourage development that is in proportion to the street width, with a street wall height that provides a high level of external and internal amenity and public realm improvements.*
- *Recognise the potential of large sites to provide quality living and working environments through development at increased scale.*
- *Encourage development to meet best practice environmentally sustainable design standards.*

Objective 4 within Clause 21.11-6 encourages the creation of a *high quality public realm that is attractive, safe and walkable*. Relevant strategies include:

- *Promote development that contributes to the natural surveillance of the street through windows, balconies, low fences and setbacks.*

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## Response

The site is well suited to accommodating a mixed use development of this scale with the proposed wider range of commercial land uses.

The proposal delivers on MSS objectives relating to high-quality architecture. The proposed building will make a positive contribution to the streetscape and is consistent with the preferred future character of the area.

The building will achieve a high degree of visual interest and design articulation through the use of façade variation, particularly between the lower and upper levels of the building and careful selection of materials to achieve a presentation that is orderly in appearance while creating visual interest.

The articulation and attention to detail will contribute positively to the character and identity of the activity centre.

The Sustainability Management Plan which forms part of the application demonstrates that ESD measures have been incorporated into the design to achieve improved energy efficiency, and the facilitation of energy and water conservation through appropriate initiatives.

The proximity of the site within easy walking distance of rail and bus services makes it well suited to achieving MSS objectives relating to reduced transport energy use. Bicycle parking facilities for residents will encourage bicycle use and achieve sustainable transport objectives sought in the MSS.

The provision of 54 Social and Affordable Housing dwellings, including a range of 1, 2 and 3 bedroom dwellings, demonstrates the proposal's commitment to improving housing affordability in a well located area with excellent access to transport, employment, shops and services.

The proposal demonstrates an excellent outcome for the strategic directions identified for the West Footscray Neighbourhood Activity Centre and the West Footscray Railway Station precinct. The proposal will contribute positively to the public realm with the activation of the Cross Street and Hocking Street frontages through the various Retail premises tenancies.

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#### **4.2.2 Clause 22 – Local Planning Policies**

There are no Local Planning Policies in Clause 22 that are of direct relevance to the proposal.

# 5.0 Planning Controls

## 5.1 Permit Triggers

We have identified the following planning permit triggers for this application:

- Clause 32.04-7 Mixed Use Zone - to construct two or more dwellings on a lot
- Clause 32.04-10 Mixed Use Zone - for building and works in relation for a Section 2 use (Office greater than 250 square metres, Restricted recreation facility and Retail premises)
- Clause 43.02-2 Design and Development Overlay - to construct a building or carry out works
- Clause 52.06-3 (Car Parking) – for the reduction to the on-site car parking requirements associated with the proposed mix of land uses (37 car parking spaces)

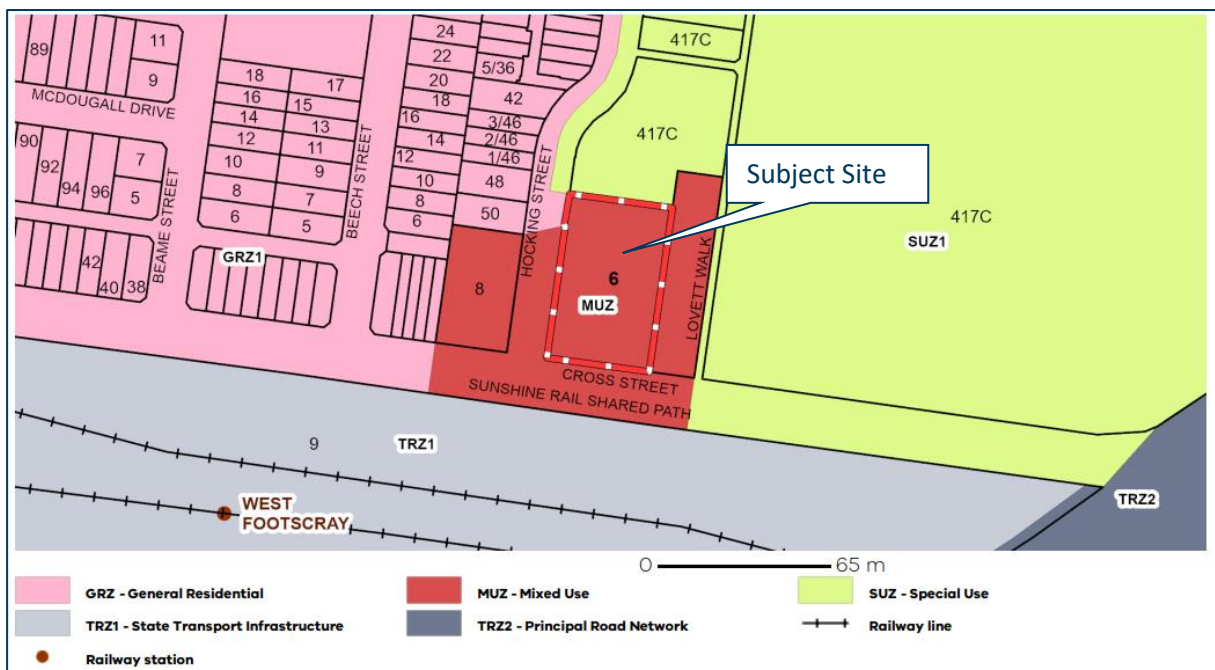
## 5.2 Zoning

The subject site is placed within the Mixed Use Zone (MUZ), as shown in Figure 5. The MUZ is not modified by a schedule to the zone under the Maribyrnong Planning Scheme.

Also visible in the zoning map below is the General Residential Zone – Schedule 1, which has been applied to the residential area to the west of the subject site.

The Special Use Zone abuts the site to the north which has been applied to the Victoria University land and Whitten Oval surrounding the site to the north and east.

Figure 5: Maribyrnong Planning Scheme - Zones



Source: VicPlan 2024

The purpose of the MUZ includes:

- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- To provide for housing at higher densities.

- To encourage development that responds to the existing or preferred neighbourhood character of the area.

Pursuant to Clause 32.04-7 a permit is required to construct two or more dwellings on a lot. Apartment developments of five or more storeys must meet the requirements of Clause 58.

As set out in Clause 32.04-2, the proposed Office (with a floor area of 1170 square metres), Restricted recreation facility (gym) and Retail premises are Section 2 uses for which a permit is required in the MUZ. Pursuant to Clause 32.04-10, a permit is required for buildings and works in relation to a Section 2 use

## Response

The proposed broader range of commercial land uses are in keeping with the role and function of the West Footscray Activity Centre and will support the purpose of the MUZ.

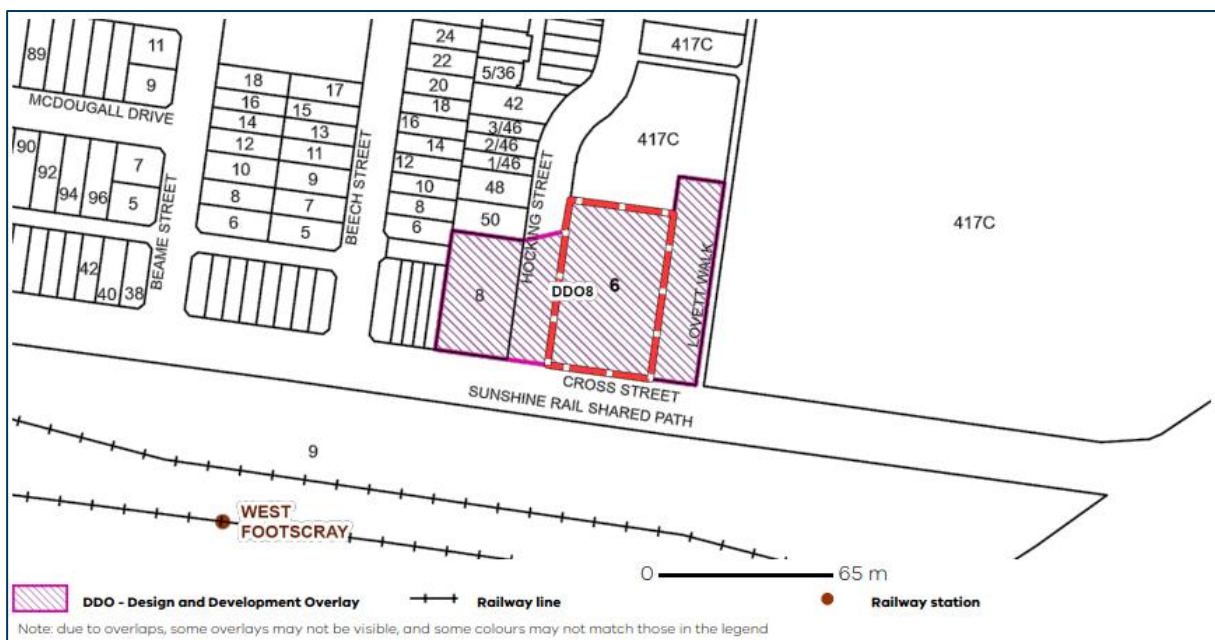
We note that Clause 58 had not been introduced into the Maribyrnong Planning Scheme at the time the permit was granted in 2018 and due to transitional provisions the standards are not required to be applied to the assessment of the application to amend the permit. We also note that the amendments to the residential levels of the building are very limited and driver by purchaser preference and thus we submit that a Clause 58 assessment is not warranted as part of this application.

## 5.3 Overlays

The subject site is affected (in whole or in part) by three overlays, Schedule 8 to the Design and Development Overlay, the Environmental Audit Overlay and the Special Building Overlay. A permit is required under each overlay for the proposal.

### 5.3.1 Design and Development Overlay

Schedule 8 to the Design and Development Overlay (DDO8) applies only to 4, 6 and 8 Cross Street, Footscray (West Footscray Railway Station Mixed Use Precinct). The recently gazetted Amendment C162 to the Maribyrnong Planning Scheme amended DDO8 and, as such, the built form controls that applied at the time of the initial application have been altered. Refer Figure 6



Source: VicPlan 2024

DDO8 contains the following design objectives:

- *To encourage well designed apartment buildings that support complementary uses at ground floor level.*
- *To facilitate mixed use development that is of high architectural and urban design quality, offers attractive and functional internal and external spaces and provides good amenity.*
- *To improve activation and utilisation of the public realm through active frontages to buildings along street frontages and public spaces.*
- *To ensure development responds to amenity of surrounding areas*

An application for a permit to construct a building or carry out works must include:

- *A Planning Report that demonstrates how the development satisfies relevant planning policies and provisions.*
- *An Urban Design and Context Report that demonstrates how the design responds to the existing urban context, preferred future development of the area, and the design and built form requirements specified in this Schedule.*
- *An assessment of traffic and transportation issues including car parking design, provision, access and egress for future residents/occupants and visitors, and the relationship to the pedestrian, cycling and public transport network.*
- *An assessment of waste collection, removal and delivery areas for the proposed development.*
- *An Acoustic Report by a suitably qualified acoustic consultant which includes a detailed assessment of potential noise impacts at different times of the day and week. This includes noise generated from abutting commercial activities, surrounding road network and aircraft noise. If the report identifies that the proposed use and/or development may be adversely affected, specific recommendations must be provided within the report for appropriate acoustic design treatments to be implemented to ensure the proposed use and/or development is not adversely affected by the identified impacts.*
- *A report showing that the design of the development demonstrates high standards of environmental sustainability. The report should assess the design of the proposed development in the following areas:*
  - *Energy efficiency.*
  - *Measures to reduce or manage car parking demand and encourage sustainable alternative transport modes.*
  - *Integrated water management.*
  - *Waste minimisation.*
  - *Building materials.*
  - *Demolition and construction practices.*
  - *Landscaping.*
  - *Indoor environmental quality and natural lighting.*
  - *Other environmental sustainability issues impacting the proposed design.*
- *A Landscape Plan which shows information relating to:*
  - *The quantity and both botanical and common names of all proposed plants.*
  - *The size at time of installation and typical size (height and width) at maturity of all proposed plants.*
  - *Pot size for understorey planting and height for tree planting.*
  - *The ongoing management, including the maintenance needs of all plants within common areas.*
- *An adverse amenity impact assessment consisting of a report(s) prepared by a suitably qualified person(s). The report(s) must identify all potential adverse amenity impacts (eg; noise, odour) from nearby land and uses including, but not limited to:*
  - *The recreation facility to the east of the subject site(s).*
  - *Use of the rail corridor to the south of the subject site(s).*
  - *The paint manufacturing facility at Graingers Road, West Footscray.*

*The report(s) must include specific design recommendations to address any potential adverse amenity impacts identified*

The following design standards under DDO8 apply to the subject site.

Building height should not exceed 25.7 metres (eight storeys)

Buildings should be set back from the street as follows:

- *Walls of buildings should be set back from the frontage*
  - *0 metres to a height of 19.5 metres (6 storeys) with a continuous street wall edge for development with a ground floor commercial use.*
  - *5 metres above a height of 19.5 metres (6 storeys).*
- *Walls of buildings should be set back from side streets:*
  - *0 metres at ground floor level.*
  - *3 metres above 19.5 metres (6 storeys)*

Side setbacks:

- *Where a wall does not include a habitable room window or balcony, the wall should be set back 0 metres to a side boundary.*
- *Above ground floor level, where a wall includes a habitable room window or balcony, the wall should be set back 6 metres to the side boundary*

Rear Setback:

- *At ground floor level, where a wall does not include a habitable room window or balcony, a 0 metre setback to a rear boundary.*
- *At ground floor level, where a wall includes a habitable room window or balcony, a 3 metre setback to a rear boundary.*
- *For Land at 4-6 Cross Street:*
  - *above ground floor level to a height of 19.5 metres (six storeys), a 6 metre setback to a rear boundary.*
  - *above a height of 19.5 metres (six storeys), a 9 metre setback to a rear boundary.*

Public Realm Interface:

- *Incorporate an active frontage response at all ground level interfaces.*
- *Car parking area not visible from the street.*
- *Provide clearly visible and distinct entry points for upper level residential uses (no alcoves or unsecured/setback entries).*
- *Incorporate windows on all levels of the building façade with direct access and outlook to the street frontage.*
- *Where ground floor land use is retail or commercial:*
  - *Incorporate 65-80% glazing and transparency on the ground floor façade.*
  - *Incorporate a canopy or awning over the footpath for the full width of the building frontage.*
- *Incorporate direct entries from the street to ground floor uses.*
- *Minimise the visual impact of service cabinets on the façade.*
- *Limit large signs*
- *Plant and equipment (including air conditioning units and exhausts) should be integrated into the building design and appropriately screened.*

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## Response

The proposal is consistent with the overall strategic visions of DDO8 and the relevant West Footscray Neighbourhood Plan 2018.

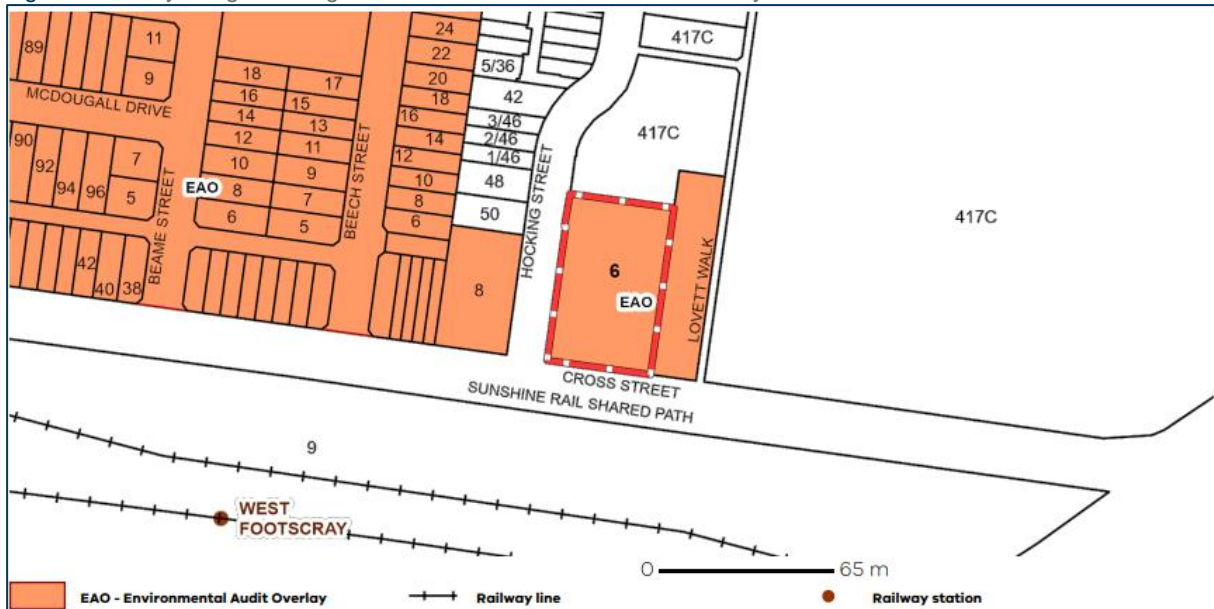
The proposal includes a minor increase in overall building height compared to the endorsed plans with a revised overall building height of 26.695 metres measured to the top of the centrally located plant and equipment screen on the roof top. While the overall building height exceeds the 25.7 metre preferred maximum building height

specified in DDO8, the parapet height is 25.25 metres and it is only the roof plant and equipment, including the lift overrun and plant screen, which exceeds the preferred maximum overall building height.

### 5.3.2 Environmental Audit Overlay

The Environmental Audit Overlay has been applied to the subject site and sites zoned General Residential Zone to the west.

Figure 6: Maribyrnong Planning Scheme – Environmental Audit Overlay



Source: VicPlan 2024

The purpose of the overlay includes *to ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.*

Before a sensitive use commences the following is required:

- A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or the proposed use; or
- An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use; or
- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or
- A statement of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the use or proposed use.

## Response

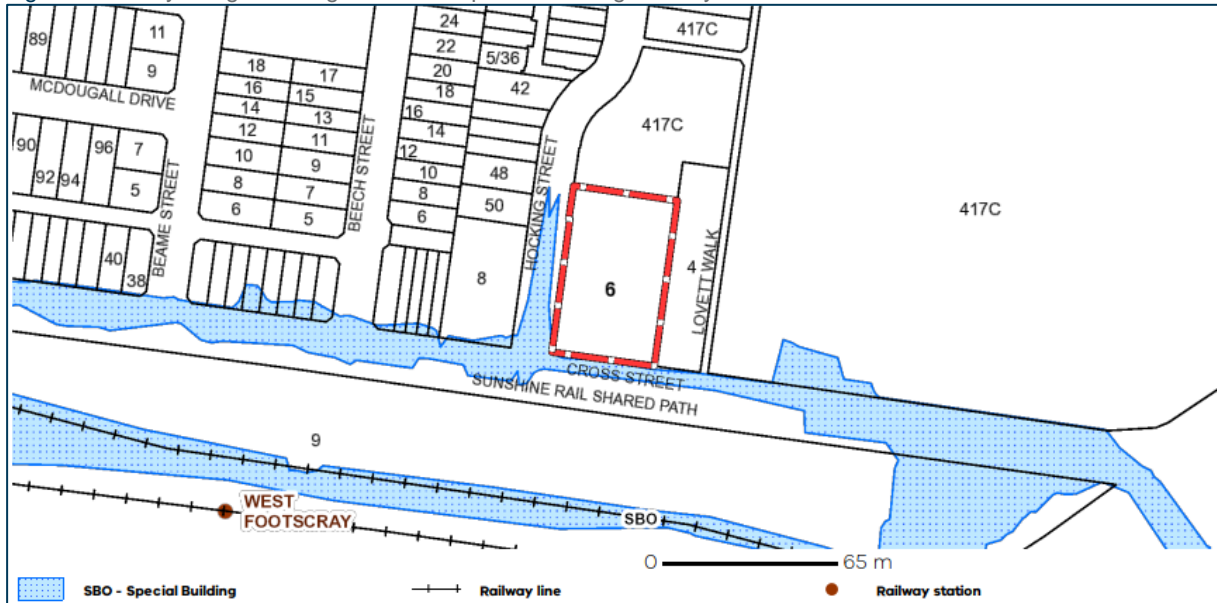
Condition 32 of the current planning permit requires (inter alia) a qualified environmental auditor to undertake an environmental audit in accordance with the provisions of the relevant legislation. An environmental assessor has been appointed and an environmental audit is well advanced.



### 5.3.3 Special Building Overlay

The Special Building Overlay has been applied along Cross and Hocking Street and only marginally applies to the subject site. Refer Figure 8 below.

Figure 7: Maribyrnong Planning Scheme - Special Building Overlay



Source: VicPlan 2024

## Response

Given no amendments are to be made to the approved (and constructed) finished floor levels of the basements and ground floor we submit that the overlay has little relevance to the proposal amended design. Melbourne Water has previously specified a minimum finished floor level of 25.7m AHD which has been provided for the vehicle entrance (which ramps up from Hocking Street) and for the ground floor commercial tenancies.

## 6.0 Particular Provisions

### 6.1.1 Clause 52.06 - Car Parking

The purpose of Clause 52.06 is to ensure that sufficient and appropriately designed car parking facilities are provided for new developments commensurate with the demand generated by the intended use of the site, having regard to the nature of the locality.

Clause 52.06 also aims to ensure that car parking is appropriately designed and located so that it does not impact upon the amenity of the locality, including existing residents or pedestrians and other road users and achieves a high standard of urban design. Car parking areas should be designed so that they are safe and easy and efficient to use.

A new use must not commence, or the floor area of an existing use must not be increased until the required car parking has been provided on the land. A permit may be granted to reduce or waive the number of car spaces required. The Clause specifies the rate at which car parking is to be provided according to the proposed use of the site.

Clause 52.06-5 states that the Column B rates apply if a new use is within the Principal Public Transport Network Area as shown on the *Principal Public Transport Network Area Maps*. The subject site is located within the Principal Public Transport Network Area.

A summary of the requirements of this clause in so far as they relate to this development approved under TP274/2016(3) is provided in Table 1, noting that the existing approval allows for a car parking reduction of 12 spaces and the existing permit for the Place of assembly also allows for a significant car parking reduction.

**Table 1: Car parking rates specified in Clause 52.06**

Land Uses Proposal	Column B Planning Scheme Rate	Total car spaces required	Total car spaces provided
<b>As Approved under TP274/2016(3).</b>			
110 apartments including: 30 x 1 bed 75 x 2 bed 5 x 3 bed	1 space to each one or two bedroom dwelling  2 spaces to each three bedroom dwelling	115 spaces	124 spaces
Place of assembly (400 maximum patron limit)	0.3 spaces per patron	120 spaces	23 shared visitor spaces
575m <sup>2</sup> Food and Drink premises	3.5 spaces to each 100m <sup>2</sup> of leasable floor space	20 spaces	5 staff spaces (1 each for food and drink premises)
<b>Totals</b>		<b>255</b>	<b>152</b>
<b>Total Dispensation Granted</b>			<b>103 spaces</b>

- Reallocation of the basement car parking spaces to reflect changes to commercial tenancies and apartment mix for revised allocation as follows (including a reduction in overall car parking spaces from 152 spaces to 149 spaces):
  - 12 parking spaces allocated to the Gym tenancy (5 staff and 7 visitor spaces for members)
  - 20 employee parking spaces allocated to the Office tenancy
  - 4 accessible parking spaces

A summary of the Clause 52.06 requirements for the current proposal is included in Table 2 below. Please refer to the Traffic Impact Statement prepared by Movendo for details of how parking requirements for innominate uses (gym and specialist grocery store) were determined.

<b>Table 2: Car parking rates specified in Clause 52.06</b>			
<b>Land Uses Proposal</b>	<b>Column B Planning Scheme Rate</b>	<b>Total car spaces required</b>	<b>Total car spaces provided</b>
<b>As Proposed</b>			
109 apartments including:  30 x 1 bed 73 x 2 bed 6 x 3 bed  Includes Social and Affordable Housing comprising: 16 x 1 bed 35 x 2 bed 3 x 3 bed	1 space to each one or two bedroom dwelling  2 spaces to each three bedroom dwelling	115 spaces	104 spaces (with 49 allocated to social / affordable housing).
Gym (Restricted recreation facility)	Not specified – to Council's satisfaction	N/A	12 spaces (5 allocated to staff, 7 to visitors)
1,038m <sup>2</sup> Office	3 spaces to each 100m <sup>2</sup> of leasable floor space	31 spaces	20 spaces
Specialist Grocery Shop of 868m <sup>2</sup>	3.5 spaces to each 100m <sup>2</sup> of leasable floor space	30 spaces	4 staff spaces
5 x Food and drink / Shop tenancies comprising 716m <sup>2</sup>	3.5 spaces to each 100m <sup>2</sup> of leasable floor space	25 spaces	5 staff spaces (1 for each tenancy)
			4 additional accessible spaces
<b>Totals</b>		<b>201</b>	<b>149</b>
<b>Total Dispensation Sought</b>			<b>52 spaces</b>

The proposal requires a total statutory car parking reduction of 52 car parking spaces (noting that this excludes the car parking required for the Restricted recreation facility for which car parking is required to be provided to the satisfaction of the responsible authority).

Clause 52.06-7 requires that for an application to reduce the statutory number of car parking spaces a Car Parking Demand Assessment is provided.

Clause 52.06 requires the preparation of a plan showing the location and dimensions of car parking spaces, access lanes, driveways and associated works and landscaping. These details have been provided in the architectural drawings.

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## Response

A total of 149 on-site car parking spaces are proposed within two basement levels accessible via Hocking Street and proposed to be allocated between apartments (104 spaces), gym (12 spaces), office (20 spaces), specialist grocery store (4 spaces) and Food and drink premises (5 spaces – one per tenancy). Four additional accessible spaces are provided for use as needed by residents and building occupants.

The proposal represents a shortfall of 52 car parking spaces compared to the requirements of Clause 52.06.

A comprehensive assessment of car parking demand and supply is set out in the Traffic Impact Assessment prepared by Movendo which forms part of this amendment application and which demonstrates that the proposed rate of on-site car parking is appropriate having regard to the relevant considerations set out in Clause 52.06.

The approved mixed use development provides for a total of 152 on-site car parking spaces which presents an approved car parking reduction of 103 spaces which is much greater than the on-site reduction now sought (52 spaces).

Planning Permit 532/2005 allows for the use of the land for a Place of assembly (place of worship) with a net floor area of 1450 square metres and a car parking reduction resulting in a reduced parking rate of 0.023 car spaces per square metre of the building floor area. This rate was carried over into the Place of assembly that formed part of the proposal approved by Planning Permit TP274/2016. The difference between this approved rate and the relevant statutory rate (0.3 spaces per patron) explains most of the existing dispensation.

As set out in the Traffic Impact Assessment, the proposed on-site car parking reduction is appropriate given the excellent availability of public transport options, the existence of effective cycling and pedestrian networks, the overall availability of car parking within the surrounding area, empirical evidence showing low car utilisation rates for patrons of existing inner-city gyms and organic grocery stores and the predicted low car usage rates of future residents of the building and customers of the commercial tenancies.

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### 6.1.2 Clause 52.34 – Bicycle Facilities

The purpose of this clause is to encourage cycling as a mode of transport. Secure, accessible and convenient bicycle parking spaces are to be provided for higher density developments with associated shower and change facilities where commercial uses are proposed.

A higher density residential development of four or more storeys is required to provide one bicycle space for each five dwellings for residents and one space for each ten dwellings for visitors. A permit may be granted to vary, reduce or waive this requirement.

**Table 3: Bicycle Facilities Requirements**

Use	Proposal	Planning Scheme Rate	Total bicycle spaces required	Total bicycle spaces provided
Dwelling	109 apartments	1 space for each 5 dwellings for residents  1 space for each 10 dwellings for visitors	22 for residents  11 for visitors	
Gym (Minor sports and recreation facility rate use)	1,138 m <sup>2</sup>	1 employee space to each 4 employees  1 visitor space to each 200 sq m of net floor area  (Minor sports and recreation facility rate use)	1 for employees  6 for visitors	
Food & drinks premises	716 m <sup>2</sup> leasable floor area	1 employee space to each 100 square metres of floor area  1 visitor/patron space to each 50 square metres of floor area	7 for employees  14 for visitors	
Office	1,038 m <sup>2</sup>	1 employee space to each 300 sq m of net floor area for employees  1 to each 1000 sq m of net floor area for visitors	3 for employees  1 for visitors	
Specialist Grocer (Retail)	868 m <sup>2</sup>	1 employee space to each 300 square metres of floor area  1 visitor/patron space to each 500 square metres of floor area	3 for employees  2 for visitors	
<b>TOTAL</b>			<b>70 spaces</b>	<b>77 spaces</b>

Clause 52.34-5 specifies that 1 shower / changeroom must be provided for the first 5 employee bicycle parking spaces plus 1 to each 10 employee spaces thereafter. A total of 14 employee bicycle parking spaces are required, therefore there is a need for two shower and two change room facilities.

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## Response

The proposed number of bicycle spaces exceeds the number required and thus encourages cycling as a mode of transport.

End of trip facilities are provided separately for the gym and office tenancies, as well as adjacent to Retail 01, exceeding the shower/changeroom requirements.

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### 6.1.3 Clause 53.18 – Stormwater Management in Urban Development

The purpose of this clause is to ensure that stormwater is managed in urban developments to mitigate the risks associated with poor stormwater management on the environments, property and public safety as well as to provide cooling, local habitat and amenity.

The stormwater management system should be designed to:

- *Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).*
- *Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.*
- *Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.*

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## Response

The Sustainable Design Assessment, prepared by LID Consulting demonstrates that stormwater management meets best practice standards and the development meets a STORM score of 102%

## 7.0 Conclusion

The amended proposal demonstrates a high degree of consistency with the outcomes sought for this site as set out in the relevant provisions of the Maribyrnong Planning Scheme as detailed in this report.

The amended design responds to the Mixed Use zoning of the site and introduces a range of commercial uses that will support the vibrancy of the West Footscray Railway Station precinct.

The degree of activation to both Hocking and Cross streets has been improved significantly through the introduction of the revised ground and mezzanine floor level commercial uses.

For the reasons outlined in this report it is considered that the amended proposal is an appropriate response given the physical and strategic context of the site and is consistent with the outcomes sought for this site in the Maribyrnong Planning Scheme and hence is worthy of support.