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C104

SCHEDULE 5 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO5**

CHANNEL NINE SITE, BENDIGO STREET, RICHMOND

Requirements before a permit is granted

xx/xx/xxxx
C104

A permit may be granted for subdivision and title consolidation and to construct or carry out minor works including site preparation works and related activities before a development plan has been approved to the satisfaction of the responsible authority.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner and will contribute to the vision for the Channel Nine site.

The land may be developed in stages.

2.0 Conditions and requirements for permits

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~~Before a planning permit is issued for Stage 1 of the development, the permit holder must enter into an agreement under Section 173 of the *Planning and Environment Act 1987* with the Responsible Authority and to the satisfaction of the Responsible Authority. The agreement must be registered on the title to the land prior to the sale of any lot under Stage 1 of the development. The owner must covenant with the Responsible Authority that it will construct a 'community space of a minimum dimension of 400sqm at the full cost of the owner/permit holder. The agreement must address the following:~~

~~Design detail:~~

~~(a) The community space will be constructed with a minimum dimension 400sqm.~~

~~(b) Before construction commences, a plan showing the internal fit out of space for the purposes of a community space to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority for approval. Once approved, the plan will be endorsed and will then form part of any permit issued.~~

~~(c) The community space must be located at ground level and within the former Wertheim Piano Factory building.~~

~~Timing of works~~

~~(d) Before the completion of Stage 1, the community space must be fully completed to the satisfaction of the Responsible Authority.~~

~~Cost~~

~~(e) The cost of the design and construction of the community space and the cost of any modifications to public assets owned or controlled by the Responsible Authority must be borne by the owner/permit holder.~~

~~(f) All costs in preparing, executing and registering the agreement must be borne by the owner/permit of the land, including those incurred by the Responsible Authority.~~

~~Ownership~~

~~(g) Once all buildings and works in relation to the construction of the community space are completed to the satisfaction of the Responsible Authority and before the occupation of any lots created in Stage 1 of the development or by such later date as approved by the Responsible Authority in writing, the community space must be subdivided and ownership transferred to the Responsible Authority at no cost to the Responsible Authority.~~
[Replaced by the following clause]

Community facility

Prior to the issue of a statement of compliance for any plan of subdivision of the Channel Nine Site or any part of it and prior to the construction of any new building to be used for accommodation of any type the landowner must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. The Agreement must provide for the transfer to the City of Yarra of part of the site having an area of not less than 400 square metres at ground level within the former Wertheim Piano Factory building for the purposes of development by Council for community uses, all at no cost to Council. The Agreement must provide for the identification of the land to be transferred, the subdivision of such land, the timing of the transfer of the land to Council (which shall be no later than the first stage of re-development of the site) and the condition in which the land and any buildings on the land will be transferred to Council. The agreement must provide for the land to be free from any contamination and be fit for a sensitive use ne landowner must bear the costs of preparation of the Agreement and any associated costs involved in the land transfer.

The area of the land contribution provided for under this clause is not to be included in any calculation of land for the purposes of ascertaining any required public open space contribution.

3.0 Requirements for development plan

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~~The development plan should have regard to the *Channel Nine Site Design and Development Principles, 21 October 2008*.~~

~~The development plan must achieve the following vision for the site:~~

Vision

- The Channel Nine site will become a sustainable, predominantly residential community.
- The Channel Nine site will be redeveloped to provide a predominantly medium to higher density residential development, providing homes for a diversity of households including affordable housing, supported by community facilities.
- The development will demonstrate a high quality architectural response, implement innovative ESD features, provide opportunities for best practice in environmental management, and provide a high standard of internal amenity.
- The development will retain and promote the adaptive re-use of the existing heritage buildings.
- The development will improve permeability and connectivity through the site and with the broader neighbourhood, prioritising pedestrians and cyclists over cars.

~~The development plan may consist of plans or other documents which must show or include the following:~~

Requirements

The development plan must comprise:

- a concept plan which responds to:
  - any agreement or other arrangement for the transfer of a community facility to the City of Yarra;
  - the articulated vision for the Channel Nine Site;

- the indicative layout of development described in Figure 1;
- an itemised assessment of how the plan responds to the Land Use and Urban Design Principles;
- any other document, plan or report referred to in this Schedule.

Figure 1 – Indicative site layout

Required documents, plans and reports

The following documents must form part of the Development Plan:

Site and Context Information

- A site analysis that identifies the key attributes of the land, its context, the surrounding area and its relationship with existing or proposed uses on adjoining land.
- A context analysis identifying the surrounding area, existing or proposed uses on adjoining land, and other neighbourhood features such as public transport, neighbourhood centres, walking and cycling connections.
- A heritage report where development directly interfaces with the existing heritage buildings on the site in accordance with the requirements of Heritage Victoria.
- Identification of important views to be protected and enhanced, including views of the existing heritage buildings.

- An assessment of the existing engineering infrastructure servicing the site.
- ~~Details of any known contamination (a certificate of environmental audit for the land covered by the Environmental Audit Overlay will be required to be prepared by a suitably qualified environmental auditor before any construction associated with a sensitive use can commence).~~ [Already specified in Environmental Audit Overlay]

Open Space and Landscape

- A Landscape Concept Plan for the site that provides:
  - the proposed location of all open space and recreation facilities to be provided on the site, including areas available to the public;
  - an assessment of existing vegetation on the land by a suitably qualified arborist, and retention of existing trees where possible;
  - maximum opportunities to retain mature trees with adequate setbacks to development;
  - a planting theme which complements neighbourhood character, surrounding street trees, and demonstrates water sensitive urban design objectives.

Community Facilities

- A Community Facilities Analysis Plan that considers the social impact of the development upon the area and identifies the following:
  - the community facilities demand generated by the development, including analysis of likely population profile;
  - ~~existing and planned services in the surrounding area and the impact the development will have on those services;~~
  - ~~the need to provide additional community facilities as a result of the development of the site either on site or by upgrading existing community facilities in the local area;~~
  - ~~the location of new facilities on site or in the surrounding area;howe required developer contributions (monetary or building) could be used towards upgrading or extension of existing community facilities, or provision of new facilities in the surrounding local area;~~ and
  - how the community facility could be used in response to the demand analysis~~;~~.

Access and Movement

- A comprehensive transport analysis and impact assessment which identifies:
  - expected traffic volumes associated with the proposed use and development of the site and the impact on the existing road network within the Burnley Street,, Swan Street, Burnley Oval and Bridge Road precinct; and
  - expected trip generation by residents, staff and visitors, and for deliveries and service vehicles to the site.
- A transport, traffic and access management plan (Integrated Transport Plan) based on the transport analysis and impact assessment which includes appropriate measures to address the transport, traffic, pedestrian and bicycle access needs of the development, and impacts on the existing road network, in particular:
  - the provision of roads proposed for the site that:
    - complements the form and structure of the surrounding network;
    - recognises the primacy of pedestrian and bicycle access within the site;
    - provides a high level of amenity and connectivity;
    - allows for appropriate levels of manoeuvrability for emergency and service vehicles; and

    - are of sufficient width to accommodate wide footpaths, new trees and bicycle lanes.
  - the provision of a network of safe and convenient pedestrian and bicycle accessways through the site and connecting with the surrounding area. Pedestrian links should be a minimum width of 4 metres, with high quality paving materials and lighting;
  - proposed parking provision for all uses including visitor and bicycle parking;
  - the location and layout of all car and bicycle parking areas and access to and from them;
  - provision for loading and unloading of vehicles and means of access to them, including waste, delivery and furniture removalist vehicles;
  - a strategy to encourage public transport use, including green travel plans; and
  - any local area traffic management initiatives or changes to existing on-street parking restrictions for the Burnley Street, Swan Street, Burnley Oval and Bridge Road precinct.

Engineering Infrastructure

- Provision of all appropriate utility services.
- Preparation of a stormwater drainage master plan.
- The identification of the location of any on-site drainage retention facilities.

Development Staging

- An indication of the likely staging and anticipated timing of the development of the land.

Land use and urban design principles

The Development Plan must provide for the following:

Urban Design

- Urban design outcomes which meet the following objectives:
  - Integrate any new development of the site with the surrounding residential streets.
  - Improve permeability of the site, and connectivity with the broader neighbourhood by introducing connections and access through the site.
  - Protect the amenity of the low rise residential areas that interface with the site.
  - Ensure that new development does not adversely impact on local traffic conditions.
  - Design and finish all the newly created streets and links as spaces that are part of the public domain, and are universally accessible.
  - Prioritise pedestrians and cyclists over cars.
  - Retain and consider the adaptive re-use of existing heritage buildings.
  - Ensure new development complements existing heritage buildings on the site.
  - Respect the existing residential streetscapes in both scale and form.
  - Interpret the history of the site in the landscape design of the complex.
  - Ensure that all development achieves design excellence and that a high quality palette of materials and finishes is selected.
  - Incorporate environmentally sustainable development principles in the design of the development.

- Ensure that all new public and commercial buildings are designed to enable access to and within the buildings for all people, and all new dwellings are visitable by people with mobility impairment.
- Encourage undergrounding of powerlines.

Built Form

- Building massing and heights should ~~have regard to the *Channel Nine Site - Design and Development Principles, 21 October 2008* and should~~ ensure that there is an appropriate transition in scale between the built form of new development and nearby low rise residential development.
- Urban design and built form outcomes shall be demonstrated through plans showing:
  - building envelopes;
  - height expressed in RLs;
  - appropriate spacing of buildings;
  - how the development will interface with adjacent sites and streets, and generally limiting building heights along Bendigo Street, the eastern end of Khartoum Street, Stawell Street and Wertheim Street to a maximum of 3 storeys;
  - compliance with Safer Design Guidelines for Victoria; and
  - proposed materials and finishes for all buildings.

Land Use

- Predominantly residential development incorporating a variety of dwelling types and affordable housing, and including:
  - the proposed uses of each building and estimated floor area for each use;
  - an indication of the approximate residential yield for the site, comprising a range of residential development densities, and including affordable housing;
  - the location of community facilities; and
  - the location of public open space areas;

Environmentally Sustainable Development

- Provision of safe and convenient walking and cycling paths through the site to encourage the use of sustainable travel modes to local amenities.
- Provision of an Environmentally Sustainable Development submission that addresses:
  - energy efficient orientation of buildings;
  - energy management;
  - water conservation and reuse;
  - waste recycling;
  - sustainable building materials and construction techniques; and
  - demolition and construction waste management.

Affordable and accessible housing

- By completion of the development of all the land;
  - Provision of affordable housing representing 5% of the total number of apartment dwellings to be developed, and
  - Provision of either adaptable or fully accessible wheelchair housing in accordance with AS1428.1 (2009) representing 5% of the total number of apartment dwellings to be developed (including within the affordable housing component),

to the satisfaction of the Responsible Authority.