

MARIBYRNONG PLANNING SCHEME

**NEW FOOTSCRAY HOSPITAL**

Incorporated Document

December 2020

## 1. INTRODUCTION

This document is an Incorporated Document in the Maribyrnong Planning Scheme (**the Planning Scheme**) pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.

This incorporated document facilitates the delivery of the New Footscray hospital project (**Project**).

The control in this document prevails over any contrary or inconsistent provision in the planning scheme.

## 2. PURPOSE

The purpose of the control in Clause 4 is to allow the use and development of land described in Clause 3 for the purposes of the Project.

## 3. LAND

The control in this document applies to land affected by the Specific Controls Overlay – Schedule 2 (SCO2) as shown on Planning Scheme Map 8 in the Planning Scheme.

## 4. CONTROL

### EXEMPTION FROM PLANNING SCHEME REQUIREMENTS

- 4.1 Despite any provision to the contrary or any inconsistent provision in the Planning Scheme, no planning permit is required for, and no provisions in the Planning Scheme operate to prohibit, control or restrict the use or development of the Land for the purpose of the Project.

The Project may include, but is not limited to, the following use and development in accordance with the approved plans:

- a) a hospital;
- b) cafes and restaurants;
- c) retail uses including a pharmacy, newsagency, florist, fresh food shop and/or mini supermarket;
- d) recreational facilities including a gym;
- e) a pedestrian footbridge over Ballarat Road to Victoria University;
- f) research, education and training spaces;
- g) a conference centre;
- h) a childcare centre;
- i) short term visitor accommodation, including a hotel;
- j) offices, including a medical centre;
- k) business identification signage;

This does not allow the following uses, even where ancillary to another use:

- i) dwellings;
- ii) student accommodation;
- iii) the sale of liquor for consumption off the premises;
- iv) gambling premises;
- v) nightclub, bottle shop, bar;

- vi) signage other than business identification signage.

## **CONDITIONS**

The use and development permitted by this Incorporated Document must be undertaken generally in accordance with the following conditions:

### Development Plans

- 4.2 Prior to the commencement of development, the following plans must be to the satisfaction of the Minister for Planning (Minister):
- a) Architectural plans, elevations and sections, indicating location, height, dimensions, design, use and floor area of all buildings and works, and associated setbacks, canopies, projections and architectural features.
  - b) The location of plant and equipment.
  - c) A schedule and coded sample board including a colour rendered and notated plan or elevation that illustrates the location and details of all external materials and finishes.
  - d) Landscape plan and a landscape report.

The plans may be approved in stages and may be amended to the satisfaction of the Minister.

### Urban Design

- 4.3 In conjunction with the submission of development plans under condition 4.2, an urban design statement must be prepared by the Project's Urban Design Panel (which comprises the Office of the Victorian Government Architect and Victorian Health and Human Services Building Authority) to the satisfaction of the Minister. It must demonstrate how the final design responds to the design objectives of the Project and to the precinct interface.

### External Materials and Finishes

- 4.4 In conjunction with the submission of development plans under condition 4.2, an External Materials and Finishes Schedule must be submitted to and be approved by the Minister to his satisfaction. All external materials and finishes must be in accordance with the approved External Materials and Finishes Schedule to the satisfaction of the Minister.

### Landscaping

- 4.5 Prior to the commencement of development (excluding demolition, bulk excavation and site preparation) or as otherwise agreed with the Minister, a Landscape Plan for the detailed design and landscaping must be to the satisfaction of the Minister. The plan should be generally in accordance with the Landscape Plans and Report referred to in condition 4 and include the following:
- a) a summary of the key design and operational benefits of the landscaping strategy;
  - b) 1:200 conceptual design drawings for all landscape areas which detail design intent, describe functional relationships between adjacent uses, access and accessibility, circulation shading analysis, topography, irrigation solution, stormwater treatment, paving and shelter from prevailing conditions;
  - c) details of any external artwork;
  - d) details of any landscape furniture;
  - e) details of the proposed planting scheme to a sufficient level to understand plant types, coverage and how they are integrated into the design;
  - f) details of the proposed materials that fully describe all hard and soft landscaping materials, including their locations;

- g) a summary of the proposed retention of any existing trees, where appropriate, and/or the removal of existing trees; and
  - h) a summary of the water sensitive urban design principles, including irrigation and water retention approach to be carried out with regard to proposed plant species, planting density, soil types and drainage.
- 4.6 Prior to the commencement of all landscaping works, a Landscape Management Plan detailing the maintenance regime and management responsibilities of the open spaces associated with the development must be to the satisfaction of the Minister.
- 4.7 Landscaping as shown in the approved landscape plan must be completed within eighteen months of the completion of the development, or as otherwise agreed with the Minister.

#### Construction Management Plan

- 4.8 Prior to the commencement of development, a Construction Management Plan (CMP) must be submitted to and be to the satisfaction of the Minister. All development must be carried out in accordance with the approved CMP to the satisfaction of the Minister. The CMP must describe how the occupier/developer of the Land will manage the environmental, construction and amenity impacts associated with the construction of the development.

The CMP must address the following, as appropriate:

- i) construction hours;
  - ii) maintaining emergency access and ingress for emergency vehicles and evacuation at all times;
  - iii) the proposed construction footprint including any area or land within or outside the site;
  - iv) any proposed pedestrian bridge;
  - v) delivery of plant, goods and materials to the site;
  - vi) removal of waste from the site;
  - vii) keeping the site and surrounds safe and clean;
  - viii) water use during the development phase;
  - ix) stockpiling of any soil either within or outside the site;
  - x) the interface with, and requirements of authorities (including all public transport operations);
  - xi) fire management strategy;
  - xii) noise, vibration and dust management plans;
  - xiii) an environmental management plan;
  - xiv) staging of construction; and
  - xv) stormwater and sediment control.
- 4.9 All aspects of the CMP which impact the transport network must be prepared in consultation with the relevant road authority.
- 4.10 If the construction of the pedestrian bridge is not undertaken at the same time as the construction of the rest of the development a separate construction management plan must be prepared that addresses the pedestrian bridge.

### Environmentally Sustainable Design

- 4.11 Prior to commencement of development, an Environmentally Sustainable Design (ESD) Statement must be prepared by an accredited professional and must be submitted to and be approved by the Minister to his satisfaction. Any significant change during detailed design, which affects the approach of the endorsed ESD Statement must be assessed by an accredited professional and a revised statement must be approved by the Minister to his satisfaction prior to the commencement of construction.

### Environmental Management Plan

- 4.12 The waste storage and collection arrangements must be prepared to the satisfaction of the Minister. The Environmental Management Plan (EMP) must not be modified or altered without the prior consent of the Minister.

### Traffic Impact Assessment

- 4.13 Prior to commencement of development, a Traffic Impact Assessment Report, must be prepared to the satisfaction of the Minister. This report must address traffic and access issues arising from the proposed development on this site. The report must also identify any mitigation works required and include the following:
- a) the proposed vehicle access arrangements for all types of vehicles;
  - b) functional layouts of vehicle access points and car parking areas;
  - c) the car parking provision (including allocation and management of spaces), car park design, lighting, security and access arrangements;
  - d) the proposed car park management system;
  - e) motorcycle parking capacity;
  - f) bicycle facilities (including, bike paths to the site, parking, shower and change facilities);
  - g) pedestrian facilities (including pathways, crossings, seating);
  - h) any relevant public transport facilities interfacing the site;
  - i) taxi pick-up and drop-off;
  - j) emergency vehicle access;
  - k) emergency vehicles set-down, pick-up and parking;
  - l) provision for electric mobility scooters;
  - m) service vehicle access, deliveries and pick-up (including frequency of use);
  - n) swept path assessments of appropriate vehicles to demonstrate adequacy of the design of the relevant facility; and
  - o) any other traffic engineering related aspects of the proposal including signalisation works.
- 4.14 The areas set aside for parking on the endorsed development plans must not be operated as a public car parking facility independent of the uses permitted for the Land by this document.
- 4.15 The owner of the Land or the developer/occupier must reimburse the Council for all costs associated with any on street parking changes.
- 4.16 Aspects of the Traffic Impact Assessment which involve traffic and roads management issues/upgrades must be prepared/undertaken in consultation with and at no cost to the relevant road authority.

### Wind Studies

- 4.17 Prior to the commencement of development, a Wind Studies Report by a suitably qualified engineering consultant must be undertaken and submitted to the Minister for approval to his satisfaction. Wind conditions must be appropriate for use of outdoor and pedestrian areas to the satisfaction of the Minister.

### Signage

- 4.18 Prior to the commencement of development, an Advertising Signage Strategy for business identification signage must be submitted to and be approved by the Minister to his satisfaction
- 4.19 No advertising signs other than those approved under the Strategy may be erected, painted or displayed on the development without the permission of the Minister. The approved signs, including their structure and advertising material, must be maintained in good order and condition, to the satisfaction of the Minister.
- 4.20 The relevant road authority must be consulted in relation to any business identification signs which are animated or electronic within 60m of an arterial road or which are to be attached to any pedestrian bridge.

### Public Acquisition Overlay (Road)

- 4.21 Where, but for this incorporated document, a permit is required to use, construct or carry out buildings and works, damage, demolish or remove a building or works, or remove damage, remove, destroy or lop vegetation on land within a Public Acquisition Overlay it must be undertaken to the satisfaction of the acquiring authority.

### Road Zone

- 4.22 Where, but for this incorporated document, a permit is required to use, construct or carry out buildings and works, damage, demolish or remove a building or works, or remove damage, remove, destroy or lop vegetation on land within a Road Zone, Category 1 it must be undertaken to the satisfaction of the relevant road authority. In approving any buildings or works in or alteration to access to land in a Road Zone Category 1, the relevant road authority may require an airspace licence agreement to be entered into.

## **PREPARATORY BUILDINGS AND WORKS AND ASSOCIATED USES**

- 4.23 The following buildings and works may be undertaken and the land may be used in the following manner before the plans and other documents listed in Clauses 4.2 to 4.20 are approved:

- a) Preparatory works for the Project and associated uses including, but not limited to:
- i) Investigating, testing and preparatory works to determine the suitability of land, and property condition surveys.
  - ii) Creation and use of construction access points and working platforms.
  - iii) Site establishment works including temporary site fencing and hoarding, site offices, and hardstand and laydown areas and vegetation removal.
  - iv) Construction, protection, modification, removal or relocation of utility services, and associated infrastructure.
  - v) Establishment of environment and traffic controls.
  - vi) Establishment of temporary car parking.
  - vii) Demolition to the minimum extent necessary, to enable preparatory works.

**5. EXPIRY**

- 5.1 The controls in this Incorporated Document expires if any of the following circumstances applies:
- The development allowed by the control is not started by 31 December 2022;
  - The development allowed by this control is not completed by 31 December 2027.
- 5.2 The Minister may extend these periods if a request is made in writing before the expiry date or within three months afterwards.