

# Planning Report

**/** Droop Street Tram Corridor:  
Stop #60 (northbound) Droop  
St / Tiernan St, Footscray

May, 2026



Department  
of Transport  
and Planning



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## 1. Introduction

As part of the Droop Street Tram Corridor Upgrade project, the Department of Transport and Planning (DTP) is delivering five new level-access tram stops along Gordon Street and Droop Street in Footscray. Upgrade works to Tram Stop #60 (northbound): Droop Street / Tiernan Street and Tram Stop #62: Droop Street / Nicholson Street both require a planning permit in accordance with the requirements of the Maribyrnong Planning Scheme.

Separate planning permit applications have been prepared for Stop #60 and Stop #62, including associated tramway works at each location.

The DTP Transport Services Group has prepared this Planning Report to accompany a planning permit application to the Minister for Planning to demolish existing street furniture and to construct and carry out buildings and works associated with a Tramway associated with **Tram Stop #60 (northbound): Droop Street / Tiernan Street, Footscray**.

### 1.1. Purpose

The purpose of this report is to:

- Provide an overview of the project site and surrounds.
- Detail aspects of the proposal and accompanying application documents.
- Outline the relevant policies and provisions of the Maribyrnong Planning Scheme.
- Consider whether the proposal is consistent with the requirements of the Maribyrnong Planning Scheme.

### 1.2. Application Documents

This application is supported by the following documents:

- Jacobs (2026) *Existing conditions plans, proposed site plans, elevations and sections*.
- DTP (2026) *Planning Report: Droop Street Tram Corridor Stop - #60 (northbound) Droop St / Tiernan St, Footscray* (this report).
- Jacobs (2026) *Historical Heritage Impact Statement: Droop Street Corridor Upgrade*.

## 2. Project Background

The Route 82 tram operates from Footscray to Moonee Ponds via Droop Street. As part of the roll out of G-Class trams on the tram network, DTP is delivering 5 new level-access tram stops along Gordon Street and Droop Street, Footscray as shown in Figure 1. The new stops will be larger and safer than existing stops, supporting more inclusive and equitable access to tram travel for more passengers.

In 2023 and 2024, DTP undertook community consultation in relation to the upgrades along Route 82.

Stage 1 consultation identified key community priorities to inform the final design of the tram corridor upgrades.

Insights from this stage include:

- Safety concerns crossing traffic lanes when getting on and off trams where cars may fail to give way.
- Concerns at a lack of convenient pedestrian crossings at tram stops.
- Concerns with the current competing demands on road space with cars, trams, pedestrians and bikes/scooters competing for space.
- People highlighted the need for better coordination and cohesion between bus, tram and train timetables and the long distance between tram and bus stops.
- There were a mix of views regarding whether on-street parking should be prioritised. Some businesses felt on-street parking was important for customers, while others felt it would have minimal impact. Community feedback tended to advocate for the removal of parking and prioritisation of public and active transport.

Stage 2 of the consultation included seeking feedback on specific design options for tram stops, including whether those stops should be kerb extension stops or centre islands stops. The design options and consultation outcomes for the Droop Street / Tiernan Street tram stop are shown in Figure 2 and Table 1.

**Further information on the project and consultation process can be found on the Transport Victoria website.**

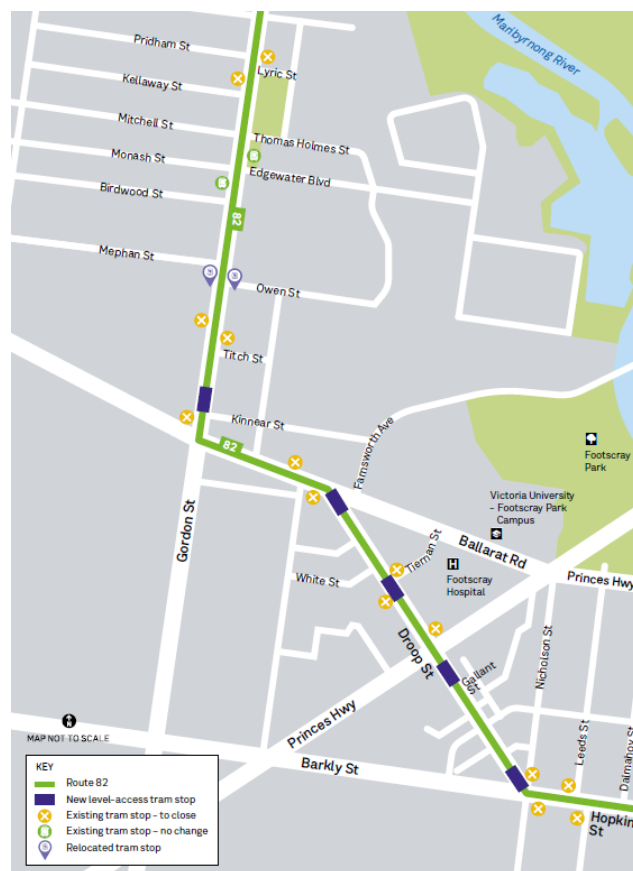


Figure 1: Droop Street Tram Corridor Upgrade

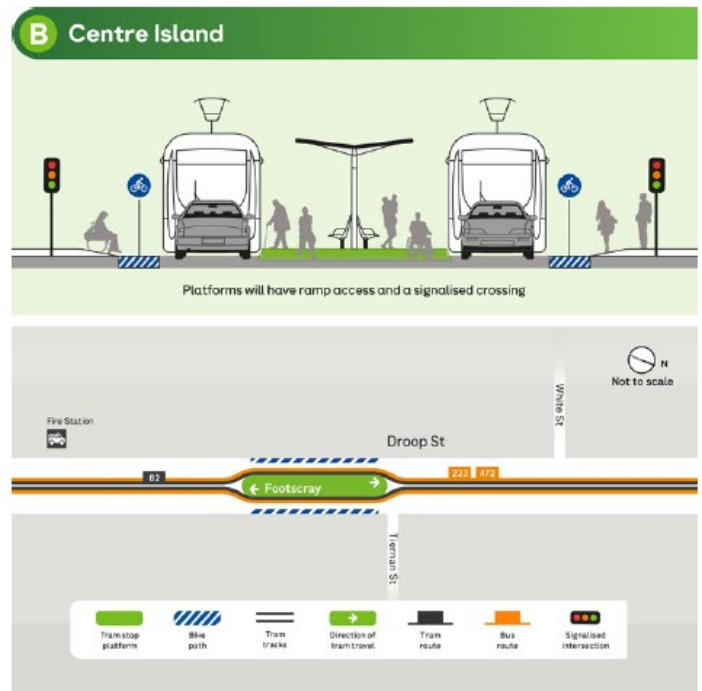
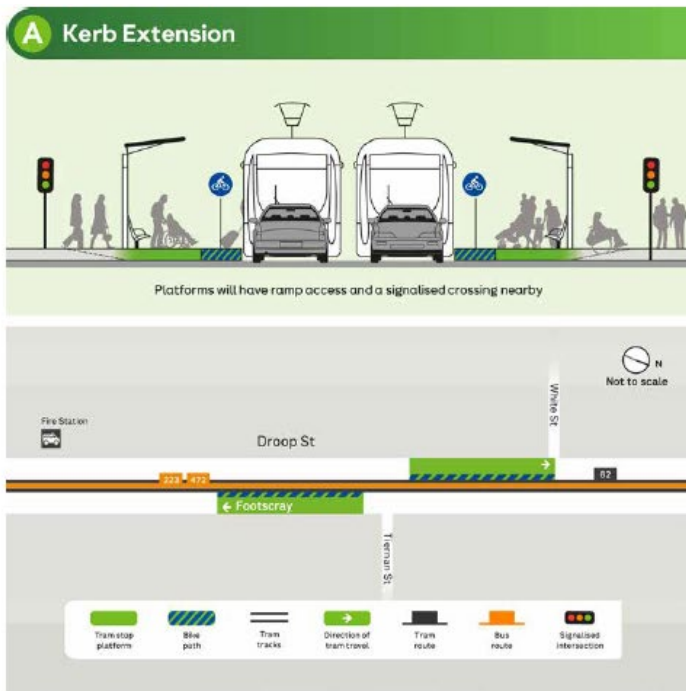


Figure 2: Consultation designs for Stop #60: Droop St / Tiernan Street

Table 1: Survey outcomes for #Stop 60 Droop St / Tiernan Street

### Survey Outcomes

50% said Option A (kerb extension)

For those who didn't choose Option A:

- 25% said as a tram passenger this stop option feels less safe
- 21% said as a bike rider this tram stop option feels less safe

47% Option B (centre island)

For those who didn't choose Option B:

- 30% said as a tram passenger this stop option feels less safe
- 18% said there was a lack of streetscaping opportunities

3% said either option.

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## 3. Site Analysis

### 3.1. Site Description

This application relates to land within the Droop Street road reserve, generally between Farnsworth Avenue and Tiernan Street, in Footscray. The application land is shown in Figure 3. Photos of the application land and surrounding area are provided in Figure 4.

Droop Street runs north-east / south-west through Footscray. For ease of reference, in this report:

- the north-eastern side of Droop Street is referred to as the eastern side of Droop Street.
- The south-western side of Droop Street is referred to as the western side of Droop Street.

The southern section of the application land is particularly relevant as this is where the existing and proposed tram stops will be located.

The eastern side of Droop Street comprises:

- A bus zone between Tiernan Street and north of the crossover of 88 Droop Street.
- An existing bus/tram stop shelter (immediately north of Tiernan Street).
- Overhead powerlines.
- Mature street trees.

The western side of Droop Street comprises:

- On street parking
- A bus zone starting south of the crossover of 85 Droop Street
- Small/immature street trees.

Land adjacent to the proposed tram stop location comprises residential development that is typically set back from the street by 5-6 metres allowing for well vegetated front gardens. A range of low and medium height front fences separates private dwellings from the street.

*Note: All land subject to this application is located within a road reserve. There are no corresponding land titles or parcel details available for land within the application area.*

### 3.2. Site Context

Droop Street is a municipal road managed by the City of Maribyrnong and a significant transport link between Ballarat Road and Central Footscray. This section of Droop Street is located within a predominantly residential area north of the Footscray Metropolitan Activity Centre.

Public transport services that operate on Droop Street include:

- Route 82 (Moonee Ponds – Footscray) Tram
- 223 (Yarraville to Highpoint) and 472 (Williamstown – Moonee Ponds) bus routes.

DTP also classifies Droop Street as a Strategic Cycling Corridor (C2: Main Route). Strategic cycling corridors identify routes for cycling for transport that connect key destinations of metropolitan and regional significance (such as employment areas, activity centres and railway stations).

Of particular significance to the application area:

- The new \$1.5billion Footscray Hospital is located 80m east of the application area providing major healthcare services to the region.
- The Victoria University (Footscray Campus) is located approximately 230m east of the application area.



Figure 3: Application Area



## Site and Surrounding Land Photos



**Photo 1:** Existing tram stop shelter on the eastern side of Droop Street.



**Photo 2:** Future tram stop location on western side of Droop Street (89 Droop Street).



**Photo 3:** Future tram stop location on western side of Droop Street.



**Photo 4:** Intersection of Droop Street / White Street and 91 Droop Street.



**Photo 5:** View north along Droop Street from existing tram stop.



**Photo 6:** View looking north along Droop Street at the corner of Droop Street / Farnsworth Avenue.



## Site and Surrounding Land Photos



**Photo 7:** View south of Droop Street, from Tiernan Street.

*Figure 4: Site and Surrounds Images*

## 4. Proposal

This application relates to the construction of a new level-access tram stop at Tram Stop #60 (northbound) Droop Street / Tiernan Street and other tramway works within the Upper Footscray Residential Heritage Area (HO11). The corresponding south-bound tram stop will be located south of Tiernan Street (outside of the HO11) and does not require a planning permit.

The proposed demolition, buildings and works are described as follows:

### Demolition

- The existing tram stop shelter, tram stop signs and bus stop signs will be removed.

### Buildings and works on the Western Side of Droop Street

- The new tram stop will be constructed between White Street and the existing crossover of 85 Droop Street. This location avoids blocking any existing crossovers. The new kerb outstand tram stop platform will be 33m long and 5m wide.
- The tram stop platform will include:
  - Two 7.4m (W), 2m (D), 2.8m (H) shelters. Both shelters including seating, leaning rail and wheelchair space. Both tram shelter will utilise glazed side and rear walls within a metal frame and roof. The side walls will be clear glass and the rear wall will incorporate an etched mosaic anti-graffiti 'lava glass' pattern. The metal frame and roof will be power coated grey.
  - Three retained Chinese Elm street trees in a granitic gravel tree pit, with bluestone edging.
  - A tram stop flag and audio bollard.
  - Two recycled plastic bench seats.
  - A rubbish bin.
  - A 1m wide bicycle lane along the length of the platform.
  - A 1.6m high electrical cabinet.
- The tram stop platform will be constructed using the following surface treatments:
  - The tram stop will be finished in a stipple finish black iron oxide coloured concrete and permeable pavement.
  - The bike lane will be finished in a rolled asphalt.
  - Platform ends, ramp edges and coping will be finished in bluestone kerbing.
  - Other kerb and concrete will be concrete to match existing kerbs.
- The remaining footpath surrounding the new tram stop will be resurfaced with concrete.
- New kerb and channel will be constructed south the stop, aligned with the new platform. Crossovers and garden beds extended to the new kerb and channel.
- Kerb and channel north and south of White Street will also be extended to align with the tram stop, before matching in with the existing kerb line at the crossover of 93 Droop Street.

### Other buildings and works

- A new signalised pedestrian crossing, including associated pram ramps and TSGIs will be constructed immediately south of Tiernan Street.
- The kerb on the south-eastern corner of Droop Street and Tiernan Street will be extended into Droop Street. Nature strips and crossovers will be extended to the kerb line further south beyond the extent of the heritage overlay.
- No street trees within the application area are proposed to be removed. Works around existing street trees will be undertaken under arborist supervision.
- New utility poles will be located as shown.



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- The concrete pavement tramway will be replaced with bitumen in the centre of Droop Street (as part of the renewal of these tram lines).
  - The existing bus stop at the front of 115 Droop Street will be removed as part of works associated with Stop #59 (Droop Street / Ballarat Road). The new stop #59 will be located north of Farnsworth Avenue and outside of the HO. The pavement will be reverted to nature strip.



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## 5. Supporting Technical Assessments

The following technical assessments have been prepared to support this permit application:

- *Jacobs (2026) Historical Heritage Impact Assessment: Droop Street Corridor.*

### Historical Heritage Impact Assessment

Jacobs was engaged to prepare a Historical Heritage Impact Assessment (HHIA) that evaluates the impacts of proposed works along the Droop Street corridor project and whether those works are acceptable having regard to the heritage values of each precinct.

In relation to the Stop #60 Droop Street / Tiernan Street, the HHIA found:

- *There is low potential for visual impacts to the historic and aesthetic significance of this heritage place from the construction of the tram stop at Stop 60.*
- *As long as the proposed design is used with no advertising materials, and bright colours are kept to a minimum, the proposed Project works are appropriate under the Local Planning Policy Framework heritage strategies.*

For completeness, the HHIA also assesses the impact of works adjacent to places of heritage significance. Works at these locations are outside of the heritage overlay and do not require a planning permit. DTP will minimise impacts on adjoining heritage places, including through engagement with City of Maribyrnong.

## 6. Legislative Framework

The following legislation is relevant to this permit application:

- *Transport Integration Act 2010*
- *Planning and Environment Act 1987*
- *Aboriginal Heritage Act 2006*.

### Transport Integration Act 2010

The *Transport Integration Act 2010* (**TI Act**) establishes a framework for the provision of an integrated and sustainable transport system in Victoria consistent with the vision statement.

The vision statement outlined in Section 6 states that:

*'The Parliament recognises the aspirations of Victorians for an integrated and sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible State.'*

The TI Act further sets out transport system objectives regarding social and economic inclusion, economic prosperity, environmental sustainability, integration of transport and land use, efficiency, coordination and reliability, and safety and health and wellbeing.

Part 4A of the TI Act establishes the Head, Transport for Victoria (**Head, TfV**). The primary object of the Head, TfV is to coordinate, provide, operate and maintain the public transport system (including freight rail) and the road system consistent with the vision statement and the transport system objectives.

This planning permit application is made by the Department of Transport and Planning on behalf of the Head, TfV.

### Planning and Environment Act 1987

The purpose of the *Planning and Environment Act 1987* (**PE Act**) is to establish a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians.

The following objectives of planning in Victoria are relevant to this application:

- *To provide for the fair, orderly, economic and sustainable use, and development of land*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria*
- *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value*
- *To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community*
- *To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).*
- *To balance the present and future interests of all Victorians.*

The Maribyrnong Planning Scheme is subordinate legislation empowered by the PE Act. Section 16 of the PE Act provides that a planning scheme is binding on every Minister, government department, public authority and municipal Council. This includes both DTP and Head, TfV.

Part 4 of the PE Act sets out the planning permit process.

### Aboriginal Heritage Act 2006

The *Aboriginal Heritage Act 2006* (**AH Act**) and associated *Aboriginal Heritage Regulations 2018* (**AH Regs**) set out a framework for the protection of aboriginal cultural heritage and aboriginal intangible heritage in Victoria. The AH Act and AH Regs require the preparation of a Cultural Heritage Management Plan (CHMP) if:

- all or part of the activity area for the activity is an area of cultural heritage sensitivity; and

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- 
- all or part of the activity is a high impact activity.

Section 51 and 52 of the AH Act prohibits certain statutory authorisations (including planning permits) from being granted where a mandatory CHMP is required.

No land within the application area, or land affected by the broader Droop Street Tram Corridor Upgrade project, is within an area of cultural heritage sensitivity. A mandatory cultural Heritage Management Plan is not required for this project.

## 7. Maribyrnong Planning Scheme

### 7.1. Overview

This section provides an overview of the relevant policies and provisions contained within the Maribyrnong Planning Scheme. The planning permit triggers relevant to this application are set out in Table 2.

Table 2: Planning permit triggers

Clause	Trigger
<b>43.01-1</b>	<p>A permit is required to demolish or remove a building in the Heritage Overlay.</p> <p>A permit is required construct or carry out works, including:</p> <ul style="list-style-type: none"><li>– Buildings and works associated with a railway, railway station or tramway constructed or carried out by or on behalf of the Head, Transport for Victoria.</li><li>– Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.</li><li>– Street furniture other than:<ul style="list-style-type: none"><li>– Traffic signals, traffic signs, bus shelters, fire hydrants, parking meters, post boxes and seating.</li><li>– Speed humps, pedestrian refuges and splitter islands.</li></ul></li></ul>

The Minister for Planning is the responsible authority as this application is made on behalf of the Head, Transport for Victoria. Table 3 sets out the referral authorities relevant to this application.

Table 3: Referral authorities

Clause	Referral authority	Type of referral authority
<b>66.02-13</b>	Maribyrnong City Council	Recommending referral authority

### 7.2. Municipal Planning Strategy

*The Municipal Planning Strategy at Clause 02 provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.*

*A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme. (Clause 71.01)*

The Municipal Planning Scheme (**MPS**) includes a land use vision that seeks for the City of Maribyrnong to be a popular inner-city municipality with a vibrant and diverse community, a strong identity and a prosperous modern economy. The vision identifies that valued heritage will be complemented by new development, and that new facilities and infrastructure will meet the needs of the community.

The MPS identifies Footscray as a Metropolitan Activity Centre and the most regionally significant activity centre in Maribyrnong. The vision for the Footscray Metropolitan Activity Centre is a vibrant mixed-use centre that offers diverse residential, employment and recreation options and is accessible via a range of transport modes.



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Strategic directions within the MPS relevant to this application include:

- Under Settlement (Clause 02.03-1):
  - *Encourage development that enhances and contributes to the local built form context of the area.*
  - *Improve urban design outcomes by enhancing the safety, amenity, access and attractiveness of an area.*
- Under Built Form and Heritage (Clause 02.03-4):
  - *Protect and conserve heritage places.*
  - *Protect areas and sites that are the best expression of the City's major industrial, commercial and residential growth eras.*
  - *Ensure representation of all the different phases of the City's development.*
  - *Conserve and enhance the public view of significant heritage places and elements.*
- Under Transport (Clause 02.03-7):
  - *Support and promote walking, cycling, public transport and other forms of sustainable transport, particularly to and within activity centres.*
  - *Facilitate improved links between the open space network, recreation facilities and activity centres to maximise access to a range of places.*
- Under Infrastructure (Clause 02.03-7):
  - *Ensure medical centres are developed in appropriate and accessible locations, including in activity centres and areas with good access to public transport.*

### **7.3. Planning Policy Framework**

*The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.*

*A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. (Clause 71.02)*

The following clauses within the Planning Policy Framework are considered relevant to this application:

- 15.01-1S: Urban design
- 15.03-1S: Heritage Conservation
- 15.03-1L-01: Heritage
- 15.03-1L-03: Heritage precincts
- 18.01-1S: Land use and transport integration
- 18.01-2S: Transport system
- 18.02-3S: Public transport
- 18.02-4S: Roads

Relevant objectives and strategies within these clauses are detailed in **Appendix A**.

## 7.4. Zones

The following zones apply to land within the project area (as shown in Figure 5):

- Clause 36.04: Transport Zone 3 (Significant Municipal Road)

### Clause 36.04: Transport Zone 3 (Significant Municipal Road)

The purpose of the Transport Zone (**TRZ**) is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for an integrated and sustainable transport system.*
- *To identify transport land use and land required for transport services and facilities.*
- *To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation.*
- *To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.*

The transport purpose of land identified as **TRZ3** is 'significant municipal road'.

Pursuant to Clause 36.04-1:

- A tramway is a Section 1 Use.
- A road is a Section 1 Use (as a use listed in Clause 62.01).

There are no permit requirements for the construction of a building or construction or carrying out of works associated with a Section 2 Use.

The application requirements of Clause 36.04-3 do not apply to this application as the application does not include land zoned TRZ1 or TRZ2.

### Surrounding Zones

The zones surrounding the application area include:

- Neighbourhood Residential Zone (Schedule 1) (**NRZ1**) (north of Tiernan Street (including all properties fronting Tiernan Street))
- General Residential Zone (Schedule 1) (**GRZ1**) (south of Tiernan Street)
- Housing Choice and Transport Zone (Schedule 2) (**HCTZ2**) (south of White Street)

All three zones predominantly provide for residential development at a range of densities.

Droop Street north of Farnsworth Avenue is zoned Transport Zone 2 (Principal Road Network). This zone identifies declared arterial roads and freeways under the *Road Management Act 2004*.



Figure 5: Zones

## 7.5. Overlays

The project area is affected by the following overlays:

- Clause 43.01: Heritage Overlay (Schedule 11: Upper Footscray Residential Heritage Area) (**HO11**)
- Clause 45.06: Development Contributions Plan Overlay (Schedule 1: Maribyrnong Development Contributions Plan) (**DCPO1**)

These overlays are shown in Figure 6.

### Clause 43.01: Heritage Overlay (Schedule 11)

The purpose of the Heritage Overlay (**HO**) is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

#### Permit requirements

In accordance with Clause 43.01-1, a permit is required to:

- *Demolish or remove a building.*
- *Construct a building or construct or carry out works, including:*
  - *A fence, if the fence is visible from a street (other than a lane) or public park.*
  - *Buildings or works associated with a railway, railway station or tramway constructed or carried out by or on behalf of the Head, Transport for Victoria.*
  - *Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.*
  - *Street furniture other than:*
    - *Traffic signals, traffic signs, bus shelters, fire hydrants, parking meters, post boxes and seating.*
    - *Speed humps, pedestrian refuges and splitter islands.*

No exemptions within the *Permit Exemptions in Heritage Precincts Incorporated Plan* (October 2018) are applicable to this application.

#### Application Requirements

The schedule to the Heritage Overlay sets out application requirements that must accompany an application in addition to those specified elsewhere in the planning scheme and must accompany an application as appropriate. These requirements are addressed below:

Table 4: Heritage Overlay Application Requirements

Application requirement	Applicability
<i>Where demolition of a heritage place or site is proposed:</i> <ul style="list-style-type: none"><li>– <i>A written report by a Structural Engineer with recognised experience in heritage places</i></li></ul>	<b>Not applicable.</b>



Application requirement	Applicability
<p>verifying that demolition of significant fabric is necessary due to damage or structural defect.</p> <ul style="list-style-type: none"> <li>– Archival quality records (such as a photographic survey, and measured floor plans and elevations) of significant fabric to be removed or demolished that clearly demonstrate the significant elements of the place.</li> <li>– Identification of interpretation opportunities for the heritage place.</li> </ul>	<p>The application does not propose the demolition of any contributory or significant elements to a heritage place.</p>
<p>For major industrial heritage sites, a Conservation Management Plan that outlines how change to the heritage place will be managed.</p>	<p><b>Not applicable.</b></p> <p>The application does not apply to a major industrial heritage site.</p>

### The Heritage Place

The HO11 identifies the **Upper Footscray Residential Heritage Area, Footscray**.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO11	Upper Footscray residential heritage area Footscray Incorporated plan: Permit Exemptions in Heritage Precincts Incorporated Plan, October 2018 Incorporated document: Heritage Precincts Incorporated Document, December 2023	No	No	No	Yes	No	No	No	No

Figure 6: HO11 heritage place requirements

The policy basis for the HO11 is set out in the *Heritage Precincts Incorporated Document* (December 2023) as follows:

*This area north of Footscray is a relatively intact Victorian and Edwardian area of both working- and middle-class housing which demonstrates a cohesive cultural and visual character reflective of two growth eras of the City, with secondary contributions offered by 1920's housing.*

*The area includes a group of Victorian era housing in White Street. The Footscray Primary School, Number 48 and 64 Geelong Road and 9 Central Avenue are all individually significant Victorian and Edwardian buildings in the area.*

*The area illustrates the fundamental influence of the Edwardian industrial boom in Footscray, which made the City the foremost industrial centre in the state and led to an expanded local workforce and new*



housing estates. The major Edwardian housing group in the area lies along Central Avenue and parts of Commercial Road.

The Geelong Road streetscape differs from the rest of the area as it contains relatively large houses, mainly on very large allotments. This highlights Geelong Road's traditional place as a siting for Footscray's well to do.

The general character of the area is one of small Edwardian single story detached housing with mainly weatherboard wall cladding, corrugated iron roofing, similar front and side setbacks and narrow block frontages outside of Droop Street and Geelong Road. There are many notable civic and residential buildings along Geelong Road with wide frontages, deeper setbacks, masonry construction (red brick), some slate and Marseilles pattern unglazed terra-cotta tile roofing and generally larger in scale.

Originally, the area featured picket front fences, asphalt footpaths, stone and kerb channel with no provision for on-site vehicle parking apart from some exceptions in Geelong Road where stables may have been provided at the rear. The built form is of the typical Edwardian villa main hip and projecting gable roof form combination.

The design characteristics of the contributory buildings also include:

- Timber framed windows in vertical rectangle format;
- Hipped and gabled roof forms of nominally 33 to 63 degrees; and
- Timber framed front verandahs of a skillion or bullnose profile.

#### **Clause 45.06: Development Contributions Plan Overlay (Schedule 2: Maribyrnong DCP):**

The purpose of the Development Contributions Plan Overlay (**DCPO**) is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

The **DCPO1** implements the *Maribyrnong Development Contributions Plan* (December 2023). This plan requires payment of development contributions based on each net additional demand unit for new buildings and works. There is no development contribution payable as the project does not result in an increase in net additional demand units.

There are no applicable requirements under the DCPO1.



Figure 7: Planning Scheme Overlays

## 7.6. Particular, General and Operational Provisions

The following particular, general and operational provisions are relevant to the application:

### Clause 52.05 (Signs)

The purpose of Clause 52.05 is:

- To regulate the development of land for signs and associated structures.
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Clause 52.05-10 sets out the signs that do not require a permit despite any provision in a zone, overlay or other provision of the planning scheme. This includes:

- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.
- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.

All signs associated with the proposal are exempt from permit requirements in accordance with Clause 52.05-10.

### Clause 53.21 (State Transport Projects)

The purpose of Clause 53.21 is:

- *To facilitate the delivery of transport projects carried out by or on behalf of the State of Victoria.*

Clause 53.21-2 provides that an application to which Clause 53.21 applies is exempt from the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 32(1) of the PE Act.

Clause 53.21 (State Transport Project) applies to this proposal as the permit application is made on behalf of the Head, Transport for Victoria.

Maribyrnong City Council is a recommending referral authority for an application to which Clause 53.21 applies (Clause 66.02-13).

### Clause 62 General Exemptions

Clause 62 contains general exemptions to planning permit requirements. Relevant to this application, Clause 62.02-2 sets out buildings and works not requiring a permit unless specifically required by the planning scheme.

Clause 62.02-2 states:

*Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:*

- *A fence*
- *Roadworks.*
- *The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).*
- *Buildings and works associated with a railway, railway station or tramway constructed or carried out by or on behalf of the Head, Transport for Victoria. If the buildings or works are on land in an Urban*



*Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay and will redirect or obstruct the water flow path, they must be constructed and carried out to the satisfaction of the relevant floodplain management authority.*

- *Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.*

*This does not apply if a permit is specifically required for any of these matters.*

### **Clause 65 (Decision Guidelines)**

Clause 65.01 sets out the relevant matters a responsible authority must consider, as appropriate, before deciding to approve a permit application.

The following decision guidelines are particularly relevant to this proposal:

- *The matters set out in section 60 of the Act.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

### **Clause 72.01 (Responsible Authority for this Planning Scheme)**

Clause 72.01 identifies the responsible authority for administering the Planning Scheme. Clause 72.01-1 sets out:

*The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a:*

[...]

- *A use or development, other than the subdivision of land, carried out by or on behalf of the Head, Transport for Victoria or the Secretary to the Department of Transport and Planning.*

## 8. Assessment

**Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause. (Clause 65)**

Due to the broad exemptions within the Maribyrnong Planning Scheme for both roadworks and buildings and works associated with a tramway carried out by or on behalf of the Head, Transport for Victoria, the only permit requirements relevant to this application arise under the Heritage Overlay.

The proposal has been assessed against the relevant provisions within the Planning Policy Framework, Clause 43.01 (Heritage Overlay) and the decision guidelines of at Clause 65.

In considering the key relevant planning matters, this assessment addresses the following questions in turn:

- Is the proposal consistent with the Municipal Planning Strategy and Planning Policy Framework?
- Are the proposed works appropriate to the heritage place?

### 8.1. Consistency with the Municipal Planning Strategy and Planning Policy Framework

The delivery of improved tram infrastructure on Droop Street, including accessible tram stops capable of high-capacity trams, associated cycling infrastructure improvements and roadway changes, supports a broad range of settlement planning and transport related policies set out in the Municipal Planning Strategy and Planning Policy Framework.

In particular, the proposal:

- Improves urban design outcomes by enhancing safety for public transport users and pedestrians (02.03-1).
- Supports walking, cycling and public transport, including to and from the Footscray Metropolitan Activity Centre (02.03-7).
- Supports the role and function of Footscray as a metropolitan activity centre by providing high quality public and active transport outcomes. State policy seeks to concentrate major development around activity centres with good public transport services (Clause 11.03-1S). The application also supports strategies to decrease the intrusion of heavy traffic in the centre (supporting Clause 11.03-1S).
- Delivers timely improvements to transport infrastructure, improving the accessibility and safety of public transport through the provision of a level access stop that can cater to larger trams (supporting Clause 18.01-1S).
- Facilitates the delivery of improvements to the Principal Public Transport Network (supporting Clause 18.01-2S) by enabling the use of accessible and higher capacity trams on Droop Street, and improving waiting facilities on tram platforms through seating and shelters.
- Delivers improved cycling outcomes on Droop Street, reflective of its function as a strategic cycling corridor (supporting Clause 18.02-2S and 18.01-3S, R & L). This includes providing cycling lanes as part of the kerb outstand design.
- Makes appropriate changes to the road configuration of Droop Street to ensure that people are safe on and around roads and facilitating the use of public transport, cycling and pedestrians (Clause 18.02-4). This includes avoiding impacts on existing crossovers used by adjoining properties.
- Will have a positive impact on the current and future operation of the transport system (Clause 65.01).

Policy recognises the significance of heritage places and seeks to conserve those places for enjoyment. This includes ensuring an appropriate setting and context for heritage places is maintained or enhanced (Clause 15.03-1S). Section 8.2 of this report considers the impacts of the proposal on the heritage place.

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## 8.2. Appropriateness of works to the Heritage Place

Planning scheme provisions particularly relevant to this assessment include:

- Cause 02.03-4 (Built environment and heritage)
- Clause 15.03-1L-01 (Heritage)
- Clause 15.03-1L-03 (Heritage Precincts)
- The decision guidelines of the Heritage Overlay.

The heritage significance of the HO11 in this location is primarily the result of contributory and significant private dwellings, rather than historic street furniture or infrastructure. Droop Street is a significant local road, containing tram and bus infrastructure and signage, managed streetside parking signage as well as overhead powerlines. These are contemporary elements to the precinct that do not contribute towards the heritage significance of the HO11.

The proposed demolition, buildings and works are considered appropriate to the heritage place for the following reasons:

- There is no original or contributory road infrastructure (e.g. asphalt footpaths or stone kerb/channel) within the application area that will be affected by the proposal.
- The removal of the existing, redundant, tram shelter on the north-eastern side of Droop Street (to be relocated south of Tiernan Street) will minimise visual clutter in the heritage precinct. The existing tram shelter is a contemporary structure and does not contribute towards the heritage significance of the HO11.
- The proposed tram stop shelter is light weight (predominantly glazing) and contemporary in style. It does not imitate, replicate or mimic heritage features within the precinct. The location of the tram platform is limited by the location of existing crossovers. It is not practical to locate the tram shelter outside of the precinct.
- Materials used are generally utilise dark, muted colours that are recessive in the streetscape. Bright colours have only been used for safety purposes (e.g. TSGIs).
- No promotional advertising is proposed. The only signage will be directional or informative in nature.
- Although tree controls do not apply within the HO11, the retention of mature Chinese elms will support retaining the residential streetscape qualities of the area. All works proximate to these trees will be undertaken under supervision from an arborist.

The Historic Heritage Impact Assessment prepared by Jacobs has identified that the works have low potential for visual impacts and are appropriate under relevant planning scheme polices.

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## 9. Conclusion

This planning report has been prepared to accompany a planning permit application to the Minister for Planning for the demolition of existing street furniture and to construct and carry out buildings and works associated with a Tramway associated with Tram Stop #60 (northbound): Droop Street / Tiernan Street, Footscray. In summary:

- This application forms part of a broader project to upgrade five tram stops on Gordon Street and Droop Street, Footscray.
- The proposal involves:
  - The removal of the existing tram shelter on the eastern side of Droop Street (which will be relocated south of Tiernan Street) and other redundant street furniture.
  - The construction of a new kerb outstand tram stop on the western side of Droop Street.
  - Associated tramway works and roadworks.
- The proposal requires a planning permit pursuant to Clause 43.01-1 (Heritage Overlay) of the Maribyrnong Planning Scheme.
- The proposal aligns closely with planning policy which broadly support improvements to public and active transport infrastructure.
- The section of Droop Street that is the subject of this permit application is located within the Upper Footscray Residential Heritage Area (HO11). The proposed demolition, buildings and works appropriately respond to the heritage precinct.

**The proposal will result in an acceptable outcome having regard to the policies and provisions of the Maribyrnong Planning Scheme.**



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## **Appendix A: Relevant Planning Policy Framework Objectives and Strategies**



Clause	Objective	Relevant strategies
<b>15.01-1S</b> <b>Urban design</b>	To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.	<p>Require development to respond to its context in terms of character, cultural identity and heritage, natural features, surrounding landscape and climate.</p> <p>Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.</p> <p>Ensure the interface between the private and public realm protects and enhances personal safety.</p> <p>Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.</p> <p>Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.</p> <p>Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.</p> <p>Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.</p> <p>Promote good urban design along and abutting transport corridors.</p>
<b>15.03-1S</b> <b>Heritage Conservation</b>	To ensure the conservation of places of heritage significance.	<p>Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.</p> <p>Encourage appropriate development that respects places with identified heritage values.</p> <p>Retain those elements that contribute to the importance of the heritage place.</p> <p>Encourage the conservation and restoration of contributory elements of a heritage place.</p> <p>Ensure an appropriate setting and context for heritage places is maintained or enhanced.</p> <p>Encourage development to retain trees and landscapes of cultural significance.</p>



Clause	Objective	Relevant strategies
<b>15.03-1L-01</b> <b>Heritage</b>		<p>Design and site new buildings and additions to be visually recessive and maintain the visual dominance of the significant elements of the heritage place.</p> <p>Design and site additions and works to respect the context of the heritage place or an adjacent heritage place.</p> <p>Preserve the original subdivision patterns and street construction form, including existing footpaths, kerbs, channels, crossovers and laneways.</p> <p>Support use or development that maintains significant settings, such as fences, gates, driveways and landscape around significant heritage buildings and places.</p> <p>Support new buildings and works that include the preservation, restoration or reconstruction of original heritage buildings and elements.</p>
<b>15.03-1L-03</b> <b>Heritage precincts</b>	<p>To ensure that new buildings and additions and extensions to contributory buildings do not detract from the character of the heritage area or overwhelm the existing contributory buildings.</p> <p>To discourage new building that closely imitates, replicates or mimics the contributory buildings in the heritage area.</p>	<p>Support development that is in keeping with the heritage precinct description and design characteristics in the <i>Heritage Precincts Incorporated Document</i>.</p> <p><u>HO11 Upper Footscray Residential Heritage Area strategies</u></p> <p>Maintain the streetscape qualities of the area, which include a combination of relatively intact single storey Victorian and Edwardian working class housing, middle class housing on sizeable allotments facing Geelong Road, mature elms in Commercial Road and surviving original street infrastructure.</p> <p>Conserve and enhance the view of the corner contributory buildings along Droop Street and contributory buildings in Geelong Road.</p> <p>Encourage the retention and reinstatement of bluestone kerbs, gutters and asphalt footpath paving in streets.</p>
<b>18.01-1S</b>	To facilitate access to social, cultural and	Plan and develop a transport system that facilitates:



Clause	Objective	Relevant strategies
<b>Land use and transport integration</b>	economic opportunities by effectively integrating land use and transport.	<ul style="list-style-type: none"> <li>- Social and economic inclusion for all people and builds community wellbeing.</li> <li>- The best use of existing social and economic infrastructure.</li> <li>- A reduction in the distances people have to travel to access jobs and services.</li> <li>- Better access to, and greater mobility within, local communities.</li> <li>- Network-wide efficiency and coordinated operation.</li> </ul> <p>Plan the timely delivery of transport infrastructure and services to support changing land use and associated transport demands.</p> <p>Plan improvements to public transport, walking and cycling networks to coordinate with the ongoing development and redevelopment of urban areas.</p>
<b>18.01-2S Transport system</b>	To facilitate the efficient, coordinated and reliable movement of people and goods by developing an integrated and efficient transport system.	<p>Plan and develop a transport system integrated across all movement networks that:</p> <ul style="list-style-type: none"> <li>- Facilitates the efficient, coordinated and reliable movement of people and goods at all times.</li> <li>- Optimises transport system capacity.</li> <li>- Maximises access to residential areas, employment, markets, services and recreation.</li> <li>- Improves local transport options to support 20-minute neighbourhoods in Melbourne’s suburbs and Victoria’s regional cities and towns.</li> <li>- Is legible and enables easy access and movement between modes.</li> </ul> <p>Plan and develop the State Transport System comprising the:</p> <ul style="list-style-type: none"> <li>- Principal Public Transport Network: Existing and future high quality public transport routes in the Melbourne metropolitan area.</li> </ul>
<b>18.02-3S Public transport</b>	To facilitate an efficient and safe public transport network and increase the proportion of trips made by public transport.	<p>Plan and develop public transport to:</p> <ul style="list-style-type: none"> <li>- Connect activity centres, job-rich areas and outer suburban areas.</li> <li>- Enable people to not have to rely on cars for personal transport.</li> <li>- Integrate bus and tram networks and stops and public transport interchanges in new development areas, including key urban renewal precincts and outer-suburban areas.</li> <li>- Integrate with land use and development in outer suburban and growth areas.</li> </ul>



Clause	Objective	Relevant strategies
		<p>Protect and develop the Principal Public Transport Network and Regional Rail Network to facilitate:</p> <ul style="list-style-type: none"><li>- High quality public transport services that support increased diversity and density of development, particularly at interchanges, activity centres and where Principal Public Transport Network routes intersect.</li></ul> <p>Allocate adequate land and infrastructure to support public transport provision in activity centres, transport interchanges and major commercial, retail and community facilities.</p> <p>Support development that facilitates the delivery and operation of public transport services.</p>
<b>18.02-4S</b> <b>Roads</b>	To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.	<p>Plan and develop the road network to:</p> <ul style="list-style-type: none"><li>- Ensure people are safe on and around roads.</li><li>- Improve people’s perceptions of safety on and around roads.</li><li>- Improve road connections for all road users.</li><li>- Facilitate the use of public transport, cycling and walking.</li><li>- Integrate new and emerging technologies into road design, including the increasing connectivity and automation of vehicles.</li></ul> <p>Design road space to complement land use and meet business and community needs through the provision of wider footpaths, bicycle lanes, transit lanes (for buses and commercial passenger vehicles) and freight routes, in line with the designated role of the road.</p>



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and Planning