



Planning Report

/ Droop Street Tram Corridor:
Stop #62: Droop St / Nicholson
St, Footscray

May, 2026



Department
of Transport
and Planning



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1. Introduction

As part of the Droop Street Tram Corridor Upgrade, 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 #62: Droop Street / Nicholson 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 - Stop #62 Droop Street / Nicholson Street, 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 generally supported 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 / Nicholson 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.

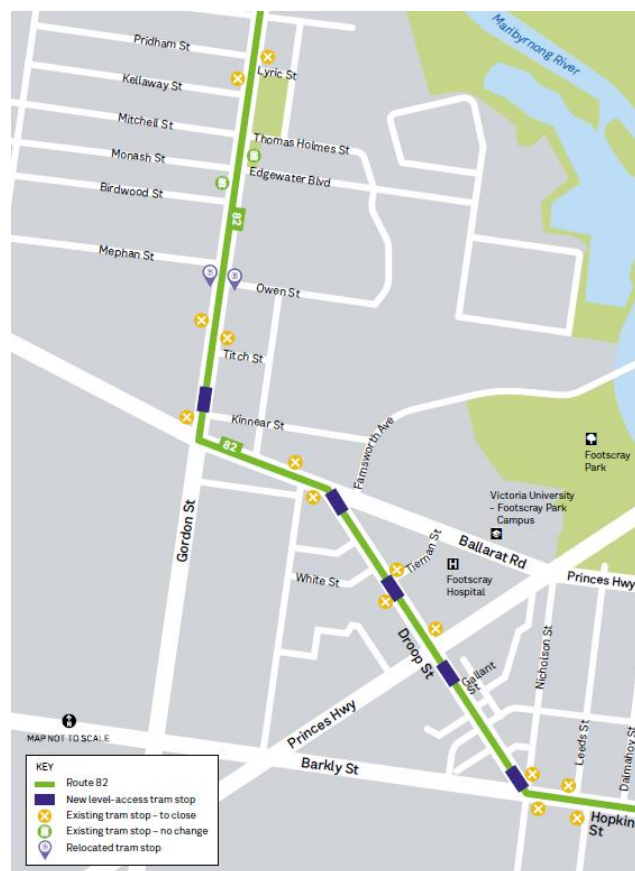


Figure 1: Droop Street Tram Corridor Upgrade



Figure 2: Consultation designs for Stop #62: Droop St / Nicholson St

Table 1: Survey outcomes for #Stop 62 Droop St / Nicholson St

Survey Outcomes

35% said Option A (centre island)

For those who didn't choose Option A:

- 25% said as a tram passenger this stop option feels less safe
- 17% said there was a lack of streetscaping opportunities

60% Option B (kerb extension)

For those who didn't choose Option B:

- 37% said as a tram passenger this stop option feels less safe
- 35% said as a bike rider this tram stop option feels less safe

5% said either option.

3. Site Analysis

3.1. Site Description

This application relates to land within the Droop Street road reserve and Hopkins Street road reserve in Footscray. The application land is shown in Figure 3. Photos of the site and surrounds 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 eastern side of Droop Street comprises:

- A bus priority lane.
- An existing bus/tram stop shelter.
- Overhead powerlines.
- A juvenile Chinese elm street tree.

The western side of Droop Street comprises:

- Bus and tram stop poles (no shelter).
- A loading zone and bus zone.
- A semi-mature Chinese elm street tree.

Land adjacent to the proposed tram stop location generally comprises low-scale (1-2) storey commercial buildings constructed to the street boundary. Most notable is the two-storey building at 158 Barkly Street, which contained the former Royal Hotel.

Further east along Hopkins Street, tram-related infrastructure within the application land is limited to utility poles and overhead tram powerlines.

Hopkins Street contains predominantly two-storey commercial buildings, canopies providing continuous weather protection for pedestrians.

Note: All land subject to this application is located within road reserves. 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 commercial area within the core of the Footscray Metropolitan Activity Centre.

Public transport services operating 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).

Land south of Geelong Road is located within the Footscray Metropolitan Activity Centre (**MAC**). The Footscray MAC is the most regionally significant activity centre in Maribyrnong. It is a culturally diverse hub for retail, commercial, civic, health, educational, residential and employment activities, and a major interchange for metropolitan and regional transport services. It provides a variety of health and community services, excellent access to public transport, and proximity to both Victoria University campuses.



Figure 3: Application Area

Site and Surrounding Land Photos



Photo 1: View looking south along Droop Street to Nicholson Street



Photo 2: View west to the side of 158 Barkly Street (the former Royal Hotel)



Photo 3: View east on Droop Street showing existing tram shelter and building at 76 Nicholson Street.



Photo 4: Existing built form on eastern side of Droop Street, north of the future tram stop location.



Photo 5: Existing built form on western side of Droop Street, north of the future tram stop location.

Figure 4: Site and Surrounds Photos



4. Proposal

This application relates to the construction of a pair of level-access tram stops at Tram Stop #62 (Droop Street / Nicholson St) and other tramway works within the Footscray Commercial Heritage Area (HO3).

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.

Eastern tram platform


- The road kerb and channel will be extended into the existing bus lane starting at the pedestrian crossing to the south and then matched back into the existing road kerb and channel approximately 50m further east. This will create a 33m (L) x 4.75m (W) kerb outstand tram stop platform (including cycle lane).
- The tram stop platform will include:
 - a 7.34m (W), 2m (D), 2.8m (H) shelter, including seating, leaning rail and wheelchair space.
 - A retained Chinese Elm street tree 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.
- Landscaping within the new garden beds will be carried out to the satisfaction of the responsible authority in consultation with City of Maribyrnong.

Western tram platform

- The road kerb and channel will be extended into the existing loading zone and bus zone space and then matched into the existing intersection to the laneway at the rear of 158 Barkly Street. This will create a 33m (L) x 5m (W) tram stop platform (including cycle lane).
- The tram stop platform will include:
 - a 7.34m (W), 2m (D), 2.8m (H) shelter, including seating, leaning rail and wheelchair space.
 - A retained Chinese Elm street tree 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.
- A 0.95m high safety fence will be constructed between the platform and the footpath (which retains a 1.87m trafficable width) due to level differences between the footpath and the platform. The fence will be constructed in a 'flat bar' style using galvanised steel.
- Two bike hoops will be installed south of the existing pedestrian crossing.

Materials

- Both tram shelters will comprise 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.

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- The tram stop platform will be constructed using the following surface treatments:
 - The tram stops will be finished in a stipple finish black iron oxide coloured concrete.
 - The bike lanes will be finished in a rolled asphalt.
 - Platform ends, ramp edges and coping will be finished in bluestone kerbing.
 - Kerbing on either end of the platforms will be concrete to match in with existing kerbs.
 - The remaining footpath surrounding the new tram stop will be resurfaced with asphalt.

Other buildings and works

- Utility poles for overhead tram powerlines will be relocated as shown on the application plans.
 - This includes two poles that currently extend through awnings in front of retail shops. Replacement poles will be constructed through the canopies in front of 144 Hopkins Street and 143 Hopkins Street. Remnant holes where the existing poles have been removed in those canopies will be sealed and made good.



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 #62 Droop Street / Nicholson 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 62.*
- *As long as the proposed design is used with no advertising materials, and bright colours are kept to a minimum, and care is taken during the mechanical cutting on the awnings at 143-145 Hopkins Street and 144 Hopkins Street, 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:

- *Planning and Environment Act 1987*
- *Transport Integration Act 2010*
- *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.

Relevantly, 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
43.01-1	<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">– 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.– 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:<ul style="list-style-type: none">– Traffic signals, traffic signs, bus shelters, fire hydrants, parking meters, post boxes and seating.– Speed humps, pedestrian refuges and splitter islands.

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
66.02-13	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 Strategy (**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 that the centre be a vibrant



mixed-use centre that offers diverse residential, employment and recreation options and is accessible via a range of transport modes.

Relevant strategic directions within the MPS 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 at (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.

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:

- 11.01-3-1S: Activity centres and precincts
- 11.03-1L-02: Footscray metropolitan activity centre
- 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 37.08-1: Activity Centre Zone (Schedule 1: Footscray Metropolitan Activity Centre)

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.

Clause 37.08: Activity Centre Zone (Schedule 1)

The purpose of the Activity Centre Zone (ACZ) is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage a mixture of uses and the intensive development of the activity centre:*
 - *As a focus for business, shopping, working, housing, leisure, transport and community facilities.*
 - *To support sustainable urban outcomes that maximise the use of infrastructure and public transport.*
- *To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.*
- *To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.*
- *To facilitate use and development of land in accordance with the Development Framework for the activity centre.*

Land use and development objectives


The ACZ1 applies to land within the Footscray Metropolitan Activity Centre. Relevant land use and development objectives for the ACZ1 are as follows:

Heritage

- *To recognise, conserve and enhance elements of Aboriginal and post-settlement historical significance.*
- *To ensure new development appropriately considers and references elements of cultural heritage significance.*
- *To ensure development adjoining or nearby heritage buildings has regard to the height, scale, rhythm and proportions of the heritage buildings including characteristic fine-grain frontage widths.*
- *To ensure that built form respects the heritage context and maintains heritage prominence.*

Movement and Transport

- *To facilitate a balanced, sustainable, efficient and safe transport network within Footscray that encourages walking, cycling and public transport over motorised vehicles.*
- *To complete missing links on significant cycle corridors to and through the MAC.*
- *To improve connectivity and access to regional walking and cycling trails, key open space, recreation and entertainment facilities.*

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- *To provide improved capacity and safer access to public transport, including upgraded interchanges and stops.*
 - *To ensure integration of public transport services.*
 - *To prioritise public transport on roads where the road is shared with other vehicles.*

Permit requirements

Pursuant to Section 3.0 of the ACZ1:

- Any use not specifically listed (including tramway) is a Section 2 use.
- A road is a Section 1 Use (as a use listed in Clause 62.01).

The use of land in the ACZ1 as a tramway is not proposed to change and therefore no permit is required for the use of land.

Pursuant to Clause 37.08-5, a permit is required to construct a building or construct or carry out works in the ACZ unless the schedule to the zone specifies otherwise. Section 4.3 of the ACZ1 specifies:

No permit is required to construct a building or construct or carry out works for the following:

- *Buildings and works for the purpose of Local Government, Education or Transport providing the use is carried out by, or on behalf of, the public land manager.*

Additionally, there is no specific permit requirement within the ACZ1 for roadworks or buildings and works associated with a tramway carried out by, or on behalf of the Head, TfV. As such, no permit is required for buildings and works in the ACZ1.

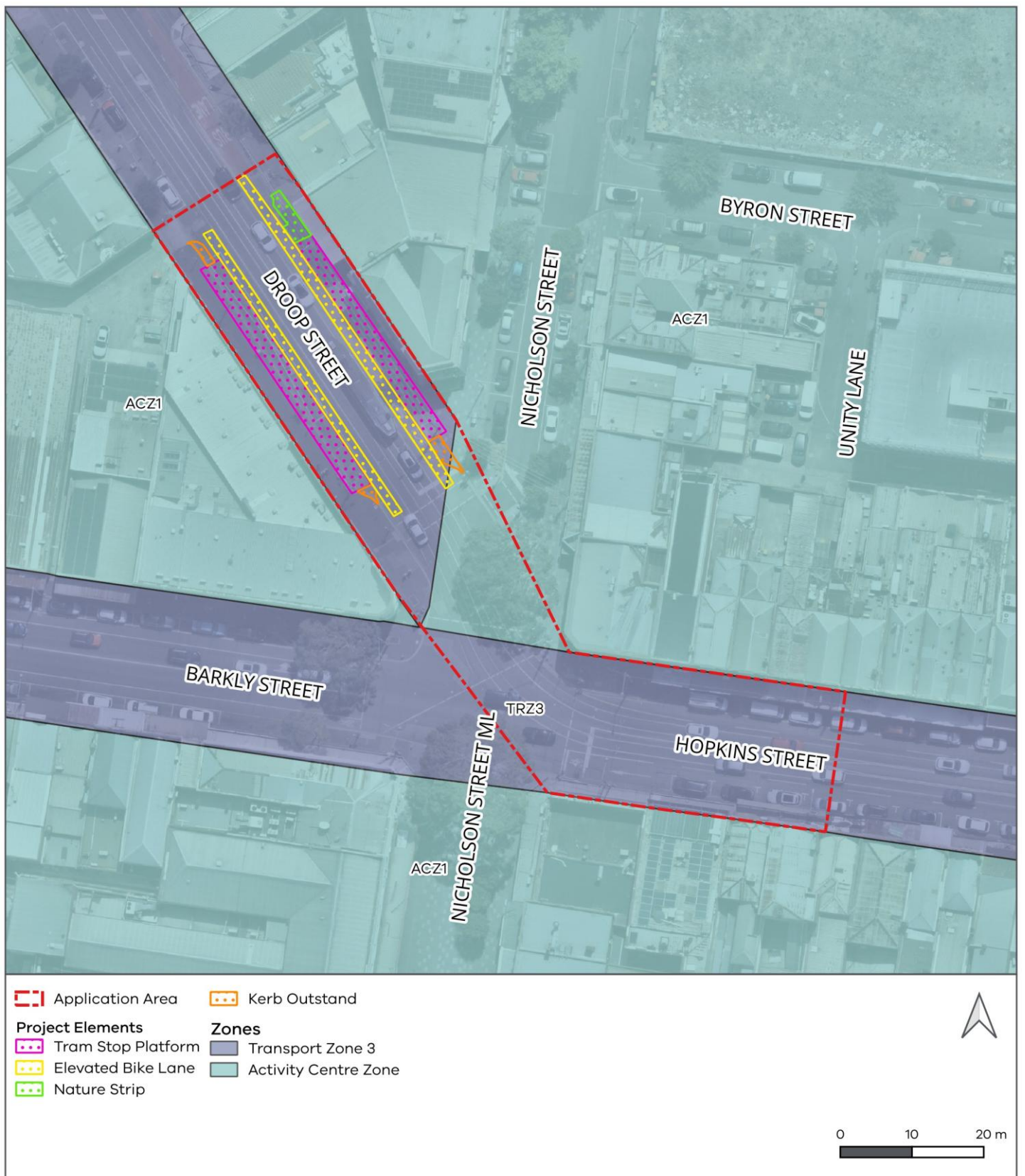


Figure 5: Zones

7.5. Overlays

The project area is affected by the following overlays:

- Clause 43.01: Heritage Overlay (Schedule 3: Footscray Commercial Heritage Area) (**HO3**)
- Clause 45.06: Development Contributions Plan Overlay (Schedule 1: Maribyrnong Development Contributions Plan) (**DCPO1**)
- Clause 45.09: Parking Overlay (Schedule 1: Footscray MAC – Inner Parking Precinct) (**PO1**).

These overlays are shown in Figure 7.

Clause 43.01: Heritage Overlay (Schedule 3)

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>	Not applicable.



Application requirement	Applicability
<ul style="list-style-type: none"> – A written report by a Structural Engineer with recognised experience in heritage places verifying that demolition of significant fabric is necessary due to damage or structural defect. – 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. – Identification of interpretation opportunities for the heritage place. 	<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>Not applicable.</p> <p>The application does not apply to a major industrial heritage site.</p>

The Heritage Place

The HO3 identifies the **Footscray Commercial 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?
HO3	Footscray commercial 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: HO3 heritage place requirements

The policy basis for the HO3 is set out in the *Heritage Precincts Incorporated Document* (December 2023) as follows:

This commercial area of Footscray was developed from the 1880's and is typified by attached one and two storey Edwardian and Victorian shops, often with residences above. The area presents a consistent visual character including some individually significant buildings, some inter-war examples and some landmark corner buildings. The individually significant buildings include the following properties:

- 154-162, 199-207 and 231-233 Barkly Street;
- 141-147 Hopkins Street;
- 155-157 Nicholson Street;
- 166-168 Nicholson Street; and

- 10 Paisley Street, Footscray.

The buildings in the area are consistently built to the street frontage, with facades being typically of a parapet form. The consistent parapeted form is punctuated by larger structures, such as the Barkly and Grand theatres, and corner street buildings such as the Plough Hotel and the Moderne-style Royal Hotel.

The predominant development periods can be read in the area's surviving architecture and are best expressed on the east side of Nicholson Street (No's 125-163) and the south side of Paisley Street (No's 1-31).

The design characteristics of the contributory buildings also include:

- Attached one and two storey cemented and face brick shops with consistent widths of five to six metres;
- Trabeated façades;
- Timber framed display windows with recesses, entries and plinths;
- Timber framed residential windows in a vertical rectangle format;
- Simple timber or metal post-supported street verandahs of a skillion roof profile; and
- Parapeted, hipped and gable roof forms.

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.

Clause 45.09: Parking Overlay (Schedule 1: Footscray MAC – Inner Parking Precinct)

The purpose of the Parking Overlay (**PO**) is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To facilitate an appropriate provision of car parking spaces in an area.
- To identify areas and uses where local car parking rates apply.
- To identify areas where financial contributions are to be made for the provision of shared car parking.

The parking objectives of the **PO1** are:

To identify appropriate car parking rates for various uses within the inner area of the Footscray Metropolitan Activity Centre (FMAC) so that:

- Parking demand and supply satisfies user needs
- Parking provision is minimised, where appropriate, in recognition of its role in generating vehicle trips and traffic congestion



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- *Use of active and sustainable modes of transport is encouraged in preference to increased private vehicle travel, thereby reducing traffic congestion and noise and air pollution and increasing road safety*
 - *Pedestrian amenity within the FMAC is improved*

The PO1 does not specify a parking rate for Tramway. There are no applicable permit requirements within the PO1 relevant to this application.

As a public transport improvement project, the application broadly supports the parking objectives of the PO1 as it provides an alternative to private vehicle travel.

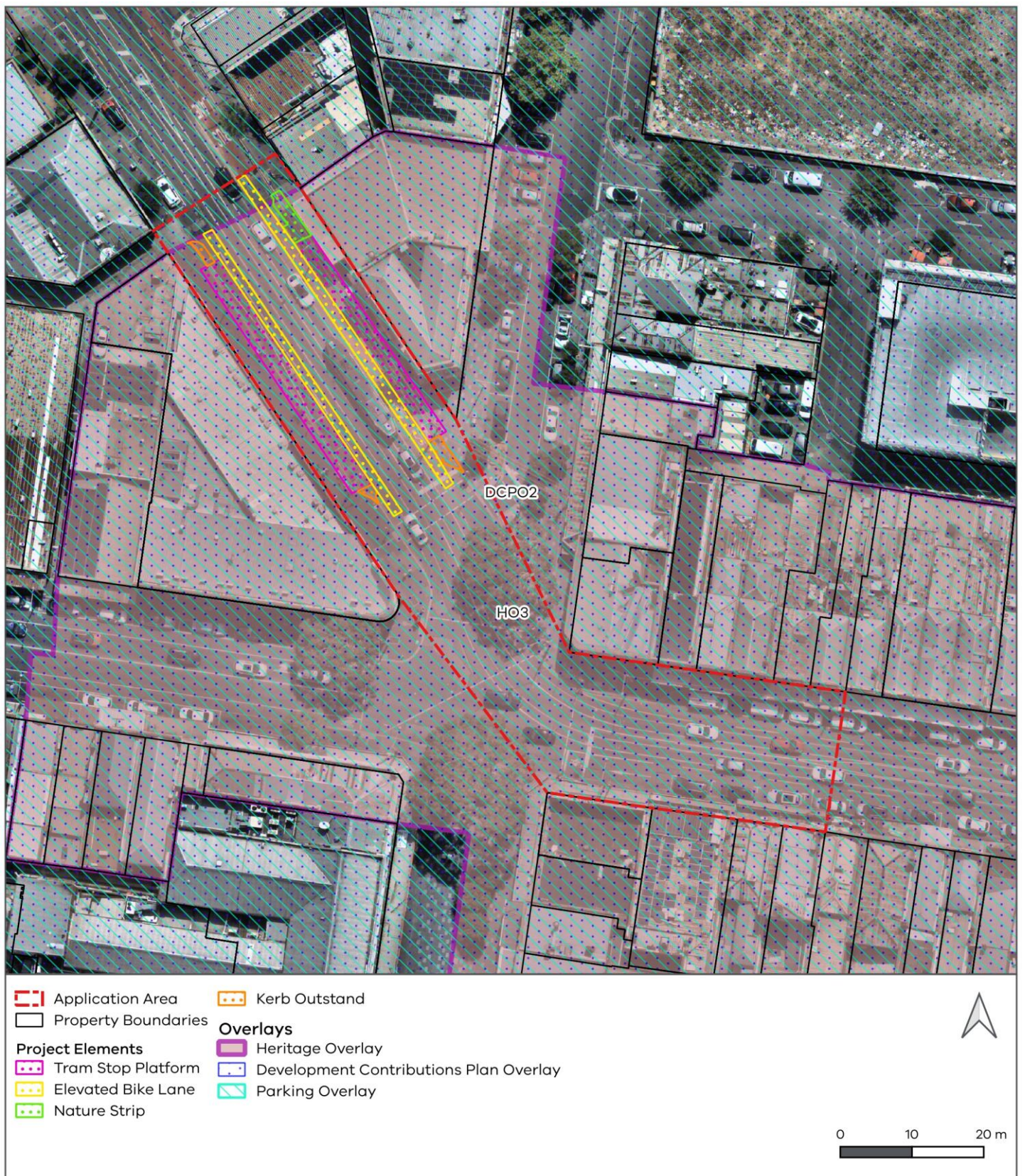


Figure 7: Overlays

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.



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 HO3 in this location is primarily the result of contributory and significant commercial buildings, 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 and [name] street trees. These are contemporary elements to the precinct that do not contribute towards the heritage significance of the HO3.

The works proposed by this application are considered appropriate under the heritage overlay for the following reasons:

- There is no original road infrastructure (e.g. asphalt footpaths or stone kerb/channel) within the application area that will be affected by the proposal. The footpath surrounding the tram stops will be asphalted in accordance with Council standards.
- 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 locations of the shelter along Droop Street minimise impact on prominent corner views to the buildings at 76 Nicholson St and 158 Barkly Street.
- The proposed safety fence is visually permeable, low height and finished in a muted galvanised metal similar to other road furniture (such as steel poles, handrails) found within the precinct.
- Surface materials used are generally utilise dark, muted colours that are recessive in the streetscape. Bright, visually prominent, colours are only proposed where required for safety purposes (e.g. TSGIs).
- No promotional advertising is proposed. The only signage will be directional or informative in nature to inform tram and bus users.
- The removal of tram power poles and installation of new tram power poles through shopfront canopies will generally result in a neutral impact to the heritage precinct. The shop canopies are not original or contributory building features, and the impacts to these canopies will be minor.

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.



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 #62: Droop Street / Nicholson 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 western side of Droop Street and other redundant street furniture.
 - The construction of a new kerb outstand tram stops both sides of Droop Street.
 - Associated tramway works and roadworks in Droop Street and Nicholson Street.
- 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 Footscray Commercial Heritage Area (HO3). The proposed demolition, buildings and works appropriately respond to the heritage precinct.

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



Appendix A: Relevant Planning Policy Framework Objectives and Strategies



Clause	Objective	Relevant strategies
11.01-3-1S Activity centres and precincts	To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres with good public transport services.	Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres. Improve access by walking, cycling and public transport to services and facilities.
11.03-1L-02 Footscray metropolitan activity centre	<p>To support and generate local opportunities for employment and business.</p> <p>To ensure development is of high quality design, environmentally sustainable and has regard for the existing built form context.</p> <p>To maintain and strengthen the sense of place by recognising, conserving and enhancing places of Aboriginal and</p>	<p><u>Built form strategies</u></p> <p>Protect identified elements of cultural and heritage value.</p> <p>Ensure development appropriately considers and references elements of cultural heritage significance, maintains the prominence of heritage places and has regard to the height, scale, rhythm and proportions of heritage buildings.</p> <p><u>Transport strategies</u></p> <p>Decrease the intrusion of heavy traffic in the centre and provide an appropriate level of car parking.</p> <p>Improve the connectivity within and between precincts of the activity centre, including to major attractions such as the Maribyrnong River, Victoria University, Footscray Railway Station, the Footscray Market and the Civic Precinct.</p> <p>Ensure Precinct 1 remains the key pedestrian precinct.</p> <p>Improve connections between university campuses through pedestrian and cycle connections and shared spaces.</p>



Clause	Objective	Relevant strategies
	<p>post-settlement heritage significance.</p> <p>To ensure the centre is well served by accessible high quality public open space and community infrastructure to meet community needs.</p>	
<p>15.01-1S</p> <p>Urban design</p>	<p>To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</p>	<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>



Clause	Objective	Relevant strategies
15.03-1S Heritage Conservation	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>
15.03-1L-01 Heritage		<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>
15.03-1L-03 Heritage precincts	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	<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>HO3 Footscray Commercial Heritage Areas</u></p> <p>Conserve and enhance the contributory elements in the area established by the Victorian era buildings and shopfronts.</p>



Clause	Objective	Relevant strategies
	<p>existing contributory buildings.</p> <p>To discourage new building that closely imitates, replicates or mimics the contributory buildings in the heritage area.</p>	<p>Conserve and enhance significant individual places in the area such as 154-162, 199-207 and 231-233 Barkly Street, 141-147 Hopkins Street, 155-157 Nicholson Street, 166-168 Nicholson Street, and 10 Paisley Street.</p> <p>Encourage the retention and reinstatement of bluestone kerbs, gutters and asphalt footpath paving in streets.</p>
18.01-1S Land use and transport integration	<p>To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.</p>	<p>Plan and develop a transport system that facilitates:</p> <ul style="list-style-type: none">- Social and economic inclusion for all people and builds community wellbeing.- The best use of existing social and economic infrastructure.- A reduction in the distances people have to travel to access jobs and services.- Better access to, and greater mobility within, local communities.- Network-wide efficiency and coordinated operation. <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>
18.01-2S Transport system	<p>To facilitate the efficient, coordinated and reliable movement of people and goods by developing an integrated and efficient transport system.</p>	<p>Plan and develop a transport system integrated across all movement networks that:</p> <ul style="list-style-type: none">- Facilitates the efficient, coordinated and reliable movement of people and goods at all times.- Optimises transport system capacity.- Maximises access to residential areas, employment, markets, services and recreation.- Improves local transport options to support 20-minute neighbourhoods in Melbourne's suburbs and Victoria's regional cities and towns.- Is legible and enables easy access and movement between modes. <p>Plan and develop the State Transport System comprising the:</p>



Clause	Objective	Relevant strategies
18.02-3S Public transport	To facilitate an efficient and safe public transport network and increase the proportion of trips made by public transport.	<ul style="list-style-type: none">- Principal Public Transport Network: Existing and future high quality public transport routes in the Melbourne metropolitan area. <p>Plan and develop public transport to:</p> <ul style="list-style-type: none">- Connect activity centres, job-rich areas and outer suburban areas.- Enable people to not have to rely on cars for personal transport.- Integrate bus and tram networks and stops and public transport interchanges in new development areas, including key urban renewal precincts and outer-suburban areas.- Integrate with land use and development in outer suburban and growth areas. <p>Protect and develop the Principal Public Transport Network and Regional Rail Network to facilitate:</p> <ul style="list-style-type: none">- 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. <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>
18.02-4S Roads	To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.	





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