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## SCHEDULE 23 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO23**.

### COLLINGWOOD SOUTH (MIXED-USE) PRECINCT

#### 1.0 Design objectives

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- To foster an emerging, contemporary, mixed-use character with a prominent street-wall edge, incorporating upper level setbacks and design features that create a distinction between lower and upper levels.
- To ensure that the overall scale and form of new buildings is mid-rise (ranging from 3 to 12 storeys) and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.
- To maintain the prominence of the corner heritage buildings on Wellington Street, and respect both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings.
- To promote and encourage pedestrian activity through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.
- To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.

#### 2.0 Buildings and works

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A permit is required to construct a building or construct or carry out works.

#### 2.1 Definitions

**Street wall** is the façade of a building at the street boundary. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge, with the exception of architectural features and building services.

**Rear interface** is the rear wall of any proposed building or structure whether on the property boundary or set back from the property boundary.

**Building height** does not include non structural elements that project above the building height and service equipment including plant rooms, lift overruns, structures associated with green roof areas, screens to service areas or other such equipment provided that all of the following criteria are met:

- Less than 50% of the roof area is occupied by the equipment (other than solar panels);
- Any equipment is located in a position on the roof so as to avoid additional overshadowing of either public or private open space, or windows to habitable rooms of an adjacent property;
- Any equipment does not extend higher than 3.6 metres above the proposed height of the building; and
- Any equipment and any screening is integrated into the design of the building to the satisfaction of the Responsible Authority.

**Setback** is the shortest horizontal distance from a building, including projections such as balconies, building services and architectural features, to the property boundary.

**Upper Level Development** is development above the height of the street wall.

**Heritage Building** refers to any building subject to a heritage overlay, graded as either *Contributory* or *Individually Significant*.

## 2.2 Built form requirements

The following requirements apply to an application to construct a building or construct or carry out works.

### Building height requirements

The building height requirements are set out in Plan 1: Building Heights Framework Plan of this schedule. Buildings or works must not exceed the maximum building height shown in Plan 1: Building Heights Framework Plan.

A permit cannot be granted to vary a building height specified in Plan 1: Building Heights Framework Plan, unless all of the following requirements are met:

- the built form outcome as a result of the proposed variation satisfies the Design Objectives in Clause 1.0, the Heritage Building Design Requirements and the Overshadowing and Solar Access (Public Realm) Requirements;
- the proposal will achieve each of the following:
  - greater building separation than the minimum requirement in this schedule;
  - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
  - universal access, and communal and / or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58; and
  - excellence for environmental sustainable design measured as a minimum BESS project score of 70%.

### Street wall height requirements

The street wall height requirements are set out in Plan 1: Building Heights Framework Plan of this schedule. Buildings or works must not exceed the maximum street wall height shown in Plan 1: Building Heights Framework Plan.

A permit cannot be granted to vary a street wall height specified in Plan 1: Building Heights Framework Plan unless all of the following are met:

- the built form outcome as a result of the proposed variation satisfies the Design Objectives at Clause 1.0 and the Heritage Building Design Requirements in this schedule;
- the proposed street wall height provides a transition, scaling down to the interface with heritage building, and is no more than two storeys higher than the street-wall height of the adjacent heritage building; and
- the proposed street wall height does not overwhelm the adjacent heritage building.

### Setback requirements for non-heritage buildings

Development must be built to the front property boundary except for development at 54 and 56 Oxford Street. Development at 54 and 56 Oxford Street must match the front setback of the heritage building at 58 Oxford Street.

Development must be setback in accordance with the minimum upper level setbacks specified in Table 1.

**Table 1 – Minimum Upper Level Setbacks for Non-Heritage Sites**

Area 1	Area 2	Area 3
6m	6m	3m

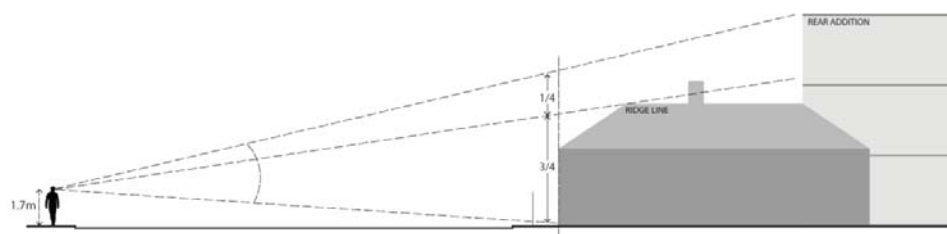
For development adjacent to a heritage building, a permit cannot be granted to construct a building or carry out works if it does not meet the preferred minimum upper level setback requirements in Table 1 unless the proposal meets the Design Objectives and the Heritage Building Design Requirements in this schedule

### Setback requirements for heritage buildings

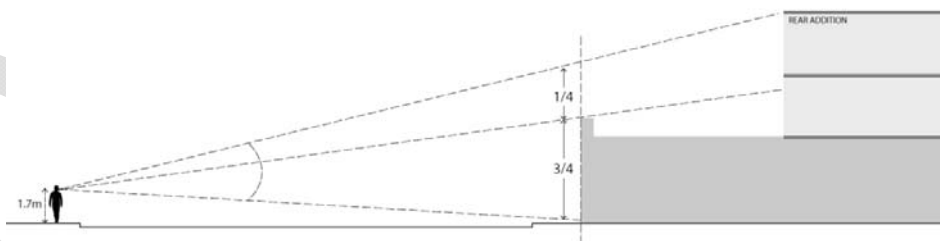
For single storey heritage buildings, development must:

- be setback a minimum of 6m from the heritage facade; and
- be designed to occupy no more than  $\frac{1}{4}$  of the visible built form, as viewed from the opposite side of the street at a height of 1.7m above the footpath, as illustrated in Diagrams 1 and 2.

**Diagram 1 – Sight-line test:  $\frac{1}{4}$  :  $\frac{3}{4}$  of visible parts of building (single storey)**



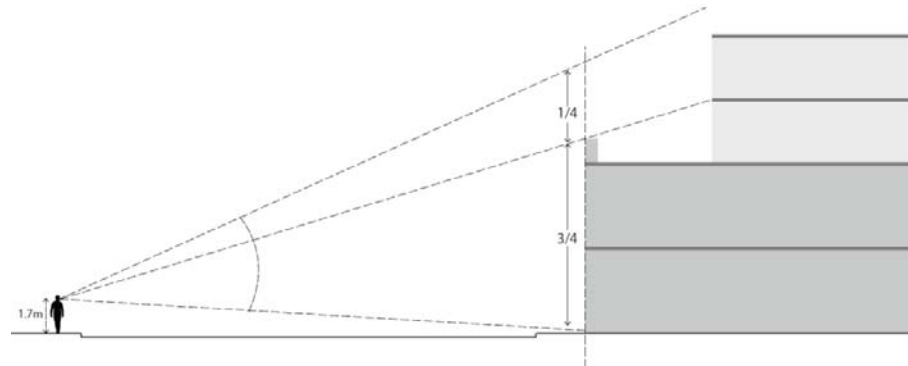
**Diagram 2 – Sight-line test:  $\frac{1}{4}$  :  $\frac{3}{4}$  of visible parts of building (single storey with parapet)**



For two storey heritage buildings, development must:

- be setback a minimum of 6m from the heritage façade; and
- be designed to occupy no more than  $\frac{1}{4}$  of the visible built form, as viewed from the opposite side of the street at a height of 1.7m above the footpath, as illustrated in Diagram 3.

**Diagram 3 – Sight-line test:  $\frac{1}{4}$  :  $\frac{3}{4}$  of visible parts of building (double storey with parapet)**



### Heritage building design requirements

Alterations and additions to heritage buildings must be designed to:

- be visually recessive when viewed at any location along the streetscape, from the opposite side of the street;
- retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid 'facadism';
- not visually dominate the existing heritage fabric;
- retain the visual prominence of the return façades of buildings on corner sites;
- retain solid built form behind retained facades and avoid balconies behind existing openings;
- maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings;
- utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades.

Development on sites within a Heritage Overlay, graded as *Not-Contributory*, or on sites adjacent to a heritage building should be designed to:

- provide a transition in height at the interface (side or rear boundary) with the heritage building;
- ensure that façade treatments are simple and do not compete with the detailing of the adjacent heritage building(s);
- incorporate simple architectural detailing that does not detract from significant elements of the heritage building;
- be visually recessive;
- be articulated to reflect the fine grained character of the streetscape, where this is a prominent feature.

### Overshadowing and solar access (public realm) requirements

Development must not overshadow any part of the southern side footpath of the following streets, between 10am and 2pm on September 22:

- Peel Street to a distance of 2.0 metres from the kerb;
- Langridge Street to a distance of 2.0 metres from the kerb;
- Derby Street to a distance of 2.0 metres from the kerb.

For streets that extend in a north-south direction, development must not overshadow:

- the eastern footpath to a distance of 2.0 metres from the kerb between 10am and 2pm on September 22;

- the western footpath to a distance of 2.0 metres from the kerb from 10am to 2pm on September 22.

Development must be designed to minimise additional overshadowing of the following areas of open space between 10am and 2pm on September 22:

- Cambridge Street Reserve;
- Oxford Street Reserve;
- The outdoor space of the Collingwood English Language School.

### **Other design requirements**

Development interfacing with areas of public open space must:

- provide a suitable transition in scale to the interface with the public open space;
- ensure that development does not visually dominate the public open space;
- provide passive surveillance from lower and upper levels.

Development at the rear of the properties at 10 - 22 Derby Street must be designed to address Langridge Street.

The interface of a development abutting a laneway must not exceed a preferred height of 11 metres.

The street frontage of development must:

- provide a prominent, well-articulated street-wall edge that provides a distinction between the lower and the upper levels of the building;
- address all street frontages and, where heritage elements are not a constraint, incorporate design elements/features that contribute to an engaging streetscape, avoiding blank walls and provide active frontages, where appropriate to the proposed use at ground level;
- be designed to accommodate (or can be adapted to accommodate) commercial activity at the ground floor incorporating a suitable commercial floor height, where heritage elements are not a constraint;
- locate service entries/access doors away from the primary street frontage, or where not possible, be sensitively designed to integrate into the façade of the building;
- respond to the topography of the east-west oriented streets through transition and “stepping” of the ground floor to appropriately address the street.

The design of upper levels of development must:

- be well-designed and articulated to break up the building mass across sites with a wide frontage;
- distinguish between the lower and upper levels through materials and articulation;
- be designed so that side walls are articulated and read as part of the overall building design and not detract from the streetscape when viewed from direct and oblique views along the streetscape;
- provide passive surveillance of adjacent streets and public open space.

### **Building separation, amenity and equitable development requirements**

An application for development must provide a design response that considers the future development opportunities of adjacent properties in terms of outlook, daylight and solar access to windows, as well as managing visual bulk.

- Where development shares a common boundary, upper level development must:
  - be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed

- be setback a minimum of 3.0m from the common boundary where a commercial or non habitable window is proposed.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

### Vehicle access and car parking requirements

Development must be designed to:

- avoid providing vehicle access from Wellington Street and provide access from a side street or laneway where practical;
- provide car parking in a basement. Where basement car parking is not possible, it must be concealed within the building envelope;
- avoid providing recessed parking spaces at the ground floor level of buildings and onsite parking spaces at the front of properties.

Pedestrian access to buildings, including upper level apartments, must be from a street or a shared zone. Where pedestrian access can only be provided from a laneway, the pedestrian entrance must be setback from the laneway and be well lit to enable safe access.

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#### Subdivision

None specified.

### 4.0

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#### Advertising signs

None specified

### 5.0

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#### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the Built Form Requirements in Clause 2.0 are met.
- Whether the Heritage Building Design Requirements in Clause 2.0 are met (where the land is affected by a Heritage Overlay or immediately adjacent to a Heritage Overlay).
- Whether the proposal has considered the development rights/potential of neighbouring properties in terms of achieving good internal amenity for future proposals through building separation and design.
- Whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site through a suitable transition in scale of street-wall, upper level setbacks and building height.
- How the proposal responds in terms of scale and transition to the sloping topography of the area.
- The design response at the interface with existing low-scale residential properties, including the overshadowing of secluded private open space.
- Whether the proposal provides a high quality public realm interface that either activates the street edge or provides an engaging and well-designed street interface, and contributes positively to the pedestrian environment and other areas of the public realm.
- How any proposed buildings and works will impact on solar access to footpaths and public open spaces.
- The wind effects created by the development.

- The suitability of vehicle access arrangements and the location, layout and appearance of areas used for car parking.

**Expiry**

The requirements of this schedule cease to have effect after **[insert date – minimum 2 years]**.

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Plan 1: Building Heights Framework Plan

