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C--**SCHEDULE 15 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO15**.**JOHNSTON STREET ACTIVITY CENTRE****1.0 Design objectives**-/-/20-
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- To preserve the valued heritage character of the streetscape and ensure that the predominantly two storey ~~Victorian and Edwardian era~~ heritage street-wall remains the visually prominent built form of Johnston Street west of the railway line bridge, ensuring that upper levels are visually recessive.
- To ensure that the overall scale and form of new buildings is mid-rise (5 to 10~~2~~ storeys) and provides a suitable transition to low scale residential areas, protecting surrounding residential properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.
- To ensure that new development does not compromise the operation of the state significant Collingwood Arts Precinct from unreasonable loss of amenity through visual bulk, overlooking, overshadowing of open space areas and vehicle access.
- To activate the street edge, provide passive surveillance opportunities and accommodate commercial activity at the lower levels of new development ~~and to~~ enhance the public realm through high quality buildings and protect footpaths and public spaces on the southern side of Johnston Street from loss of amenity from overshadowing.
- To provide for equitable development outcomes through built form design that responds to the development opportunities of neighbouring properties, and through the consolidation of finer grain sites.

2.0 Buildings and works-/-/20-
C--**Definitions**

Building height is measured as the vertical distance between the footpath at the centre of the frontage and the highest point of the building. It does not include architectural features and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment provided that the following criteria are met for the equipment or structure:

- 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;
- Any equipment does not extend higher than 3.6 metres above the maximum building height; and
- Any equipment and any screening is integrated into the design of the building to the satisfaction of the Responsible Authority.

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

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

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

Street wall is the façade of a building at the street boundary.

Street wall height is measured as the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge, with the exception of architectural features ~~and building services~~.

Upper Level Development refers to the levels of buildings that are above the street wall.

~~Corner site is a site with a frontage to both a main street and side street.~~

Design Requirements

Building Heights and Setbacks (including street-wall height and rear interface Height)

~~The maximum building height, street-wall height and minimum setback requirements are set out at Table 2 of this schedule.~~

~~The building height and setback requirements are set out at Table 1 of this schedule.~~

~~A development must comply with the mandatory building heights and street wall heights, and the mandatory minimum setbacks specified in Table 2 outlined in Table 1.~~

~~A permit must not be granted or amended (unless the amendment would not increase the extent of non-compliance) for buildings and works which exceed the mandatory maximum building height, mandatory maximum street wall height or are less than the mandatory minimum upper level setback for a relevant sub-precinct specified in Table 2 to this Schedule.~~

A permit may be granted to exceed the preferred maximum building height and/or preferred maximum street-wall height specified in Table 2~~4~~ if the following criteria are met to the satisfaction of the Responsible Authority:

- the built form outcome as a result of the proposed variation satisfies the design objectives of Clause 1.0 and the provisions of Clause 21.12-1 ~~are satisfied~~;
- the proposed building height achieves the preferred future mid rise character within Johnston Street for the sub-precinct ~~is consistent with the preferred mid-rise character for Johnston Street of generally 5 to 12 storeys~~;
- the proposal will achieve each of the following:
 - 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;
 - excellence for environmental sustainable design measured as a minimum BESS project score of 70% or 5 Star Green Standard;
 - greater building separation than the minimum requirement in this schedule;
 - no additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height;
 - for Contributory or Individually Significant buildings under the Heritage Overlay/Heritage Buildings, the proposed development enhances the heritage fabric of the building (primarily through full restoration of the front façade and external features visible from the street).

~~A permit may be granted to vary the preferred maximum street wall height and preferred minimum setbacks requirements in Table 1 if the development meets the Design Objectives to the satisfaction of the Responsible Authority. In addition to the overall building height requirements specified in Table 1 and Map 1, development above 18m (5 storeys) must be on a site, consisting of one or more titles, that has the following parameters:~~

- ~~▪ A minimum lot depth of 20m~~
- ~~▪ A minimum street frontage width of 10m~~

Building Envelope Requirement

New development on sites with a north-south orientation fronting either Johnston Street or Sackville Street, should be setback from the front and rear property boundary, as illustrated in Figure 1 and as specified in Table 1.

The front and rear setback/envelope requirements are also illustrated in Figure 1.

In complying with the 45-degree envelope requirement, development should provide incremental setbacks of at least two storeys to avoid repetitive stepped form and ‘wedding cake’ outcomes.

In addition to the setbacks required by Table 1, new development on sites with a north-south orientation fronting either Johnston or Sackville Street, should be setback within a 45-degree envelope measured from above the street wall height and the rear interface height to the maximum overall height as shown in Figure 1. This does not apply to development in Precincts 1A, 1B, 2A and 2C (for the site on the northern side of Johnston Street), where new development should be setback within a 45-degree envelope from the primary street frontage only.

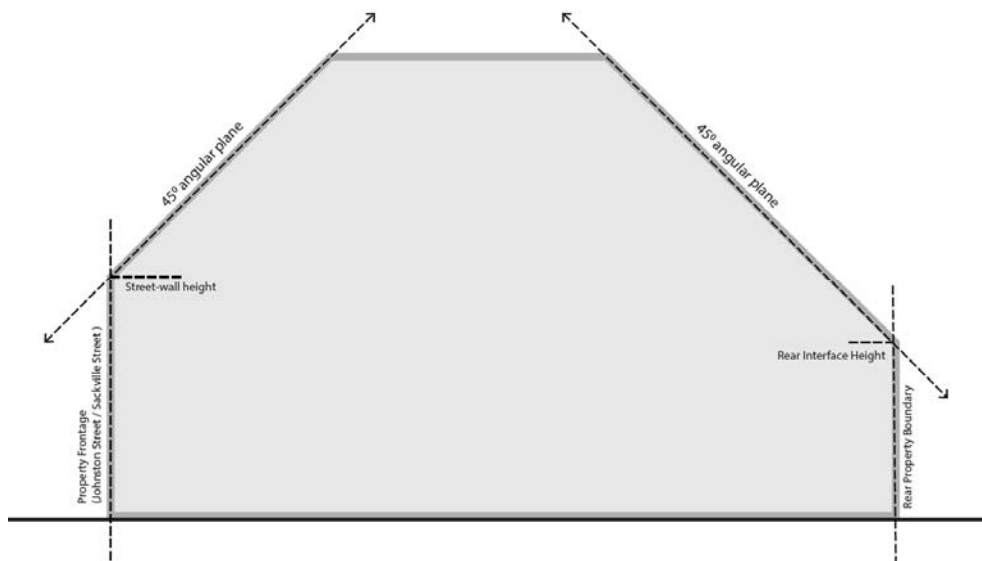
In Precincts 1A, 1B and 2B, the rear interface of new development should be designed to enable daylight and/or solar access to primary outlooks for existing or potential future residential development and to consider future development opportunities on neighbouring sites.

Development should avoid repetitive stepped form within the 45-degree envelope.

Table 1: 45⁰ Envelope and Setback Requirements

<u>Sub-precinct</u>	<u>Preferred upper level setback/envelope from property frontage (measured as the distance above ground level as specified below)</u>	<u>Preferred Minimum setback/envelope above rear property boundary (measured from maximum rear interface height 11m above ground level, above 9m for 2F)</u>
<u>1A</u>	<u>45⁰ above 11m</u>	<u>4.5m</u>
<u>1AA</u>	<u>45⁰ above 11m</u>	<u>4.5m</u>
<u>1AAA</u>	<u>45⁰ above 11m</u>	<u>4.5m</u>
<u>1B</u>	<u>45⁰ above 11m</u>	<u>4.5m</u>
<u>1C</u>	<u>45⁰ above 11m</u>	<u>45⁰</u>
<u>1D</u>	<u>45⁰ above 11m</u>	<u>45⁰</u>
<u>2A</u>	<u>45⁰ above 11m</u>	<u>4.5m</u>
<u>2B</u>	<u>45⁰ above 11m</u>	<u>4.5m</u>
<u>2C</u>	<u>45⁰ above 18m</u>	<u>4.5m / 45⁰ (Stafford Street)</u>
<u>2D</u>	<u>45⁰ above 18m</u>	<u>45⁰</u>
<u>2E</u>	<u>45⁰ above 18m</u>	<u>45⁰</u>
<u>2F</u>	<u>45⁰ above 18m</u>	<u>45⁰ above 9m</u>

Figure 1 – Upper Level Setback Requirement Building Envelope Requirement



Building Separation Requirement

An application for development should 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. Development should be setback from common side boundaries to provide separation between buildings at the upper levels to avoid a “wall” of development above the street wall when viewed from the opposite side of Johnston Street and Sackville Street:

Where development shares a common boundary, upper level development should:

- be set back a minimum of 4.5m from the side-common boundary where a habitable room window is proposed
- be set back a minimum of 3m from the side-common boundary where a non-habitable room window or commercial window is proposed.

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

Development above 21m should provide an appropriate side setback to provide spacing between buildings in order to maintain views to the sky from Johnston and Sackville Streets and from residential properties adjacent to the development.

Corner Site Requirements

New development on a corner site (a site with a frontage to a side street) should:

- continue the street wall height established at the primary frontage with a transition in height to match the rear interface where required.
- upper level development along the side street of a corner site should be setback a minimum of 3m.

Overshadowing and Solar Access Requirements

New development must not overshadow the southern footpath of Johnston Street, measured as 3.0m from the boundary of Johnston Street, between 10am and 2pm at September 22. A permit cannot be granted to vary this requirement.

Development in Sub-Precincts 1C, 1D, 2C, 2E and 2F should be designed to minimise avoid additional overshadowing of residential zoned properties to the south measured from 10am to 2pm at the equinox (September 22).

Street Frontage Requirements

New development should:

- ~~be built to the front property boundary on in-fill (non-heritage) sites along Johnston Street and Sackville Street.~~
- ~~ensure that heritage facades remain the visually prominent feature in the streetscape.~~
- ~~respond to the rhythm and pattern of the heritage streetscape and adjoining heritage buildings~~
- ~~match the parapet height of a neighbouring Contributory or Individually Significant buildings identified under the Heritage Overlay.~~
- address the primary street frontage and, where heritage elements are not a constraint, incorporate design elements that contribute to the provision of a continuous, visible and active frontage at ground level.
- provide passive surveillance and active/visually interesting interface(s) with the public realm, areas of public open space and public transport stops, from upper levels.
- be designed to allow for accommodate commercial activity at the lowest two levels ~~(as a minimum)~~ incorporating ~~commercial~~ floor to floor heights suitable for commercial activity of at least 4m, where heritage elements are not a constraint.
- be designed to 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.

~~West of the railway line bridge, new infill development should ensure that heritage facades remain the visually dominant feature in the streetscape. Facade treatments and articulation of new infill development within this area should:~~

- ~~respond to the rhythm and pattern of the heritage streetscape and adjoining heritage buildings~~
- ~~match the parapet height of a neighbouring Contributory or Individually Significant buildings identified under the Heritage Overlay.~~

In Sub-Precincts 2C, 2D, 2E and 2F, new development should:

- contribute to a new, well designed, contemporary urban character that provides articulation in building façades, reinforcing a finer grain street pattern

East of the railway bridge, new development should:

- contribute to a new, well-designed, contemporary urban character that provides articulation in building façades, reinforcing a finer grain street pattern; and
- provide a transitional street wall height (maximum one storey higher, but not less than 8m) on sites that are adjacent to Individually Significant heritage properties.
- ~~provide a transitional street wall height on sites that are adjacent to Individually Significant heritage properties and respect the scale and character of the heritage building.~~

West of the railway bridge, new development should provide a street-wall façade height that matches the parapet height of a neighbouring heritage building, where present, for a minimum distance of 6m.

~~New development on Sackville Street should be setback 3m to accommodate landscaping, or incorporate a high quality public realm treatment into the design of the building to address and improve the amenity of the streetscape.~~

Upper Level ~~Development~~ Design Requirements

Upper level development should be designed so that all façades, including side walls, are employ a high standard of architectural design and are well-articulated, and to be read as part of the overall building design and do not detract from the character of the streetscape when viewed from direct and oblique views along either Johnston Street or Sackville Streetscape.

Upper level development above retained heritage building façades and on sites adjacent to a heritage building should:~~Within areas, and on individual properties covered by the Heritage Overlay, upper level development should:~~

- Ensure that heritage facades remain the visually prominent feature within the streetscape when viewed from ground level.
- Be visually recessive in mass, scale and materiality, incorporating materials and finishes that are sympathetic and in keeping with the character of the heritage streetscape.

Vehicle Access and Car Parking

New development should be designed to:

- Avoid providing vehicle access from Johnston Street and provide access from a side street or laneway where practical.
- Conceal the provision of car parking within the building or by providing basement car parking.
- Avoid providing recessed parking spaces at the ground floor level of buildings and onsite parking spaces at the front of properties.

3.0 Subdivision

~~3.0~~
C-- None specified.

4.0 Advertising signs

~~4.0~~
C-- None specified

5.0 Application requirements

~~5.0~~
C-- None specified.

65.0 Decision guidelines

~~65.0~~
C-- 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:

- The extent to which the proposal satisfies the Design Objectives at Clause 1.0.
- The architectural quality of the proposal, which includes the design, scale, height, materials, mass and visual bulk of the development in relation to the surrounding built form.
- The profile and impact of development on the vista along Johnston Street.
- How the proposal responds to the presence of heritage buildings either on, or in close proximity to the site and whether an increased upper level setback is required having regard to the heritage significance and contributory features of the site.
- The design response at the interface with existing low-scale residential properties and the potential amenity impacts to neighbouring residential properties.

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- Whether the proposal provides an active street interface to Johnston Street and contributes positively to the pedestrian environment and other areas of the public realm.
- ~~Whether new buildings cause overshadowing of southern side footpaths and public spaces along the south side of Johnston Street when measured 10am to 2pm at the spring equinox (September 22).~~
- ~~Whether the design of the building addresses the potential for Whether the proposal provides an active street interface to Johnston Street and contributes positively to the pedestrian environment.~~ wind impacts.
- The wind impacts of the proposed development.

Map 1: Johnston Street Sub-Precincts Plan



Table 2: Building Height and Setback Requirements (subject to the criteria outlined at Clause 2.0 of this schedule)

Sub-Precinct	Preferred Maximum Building Height	Mandatory Maximum Building Height	Preferred (minimum and maximum) Street-Wall Height (non-heritage frontage)	Mandatory Maximum Street-Wall Height (non-heritage frontage)	Preferred Minimum Setback (for upper levels from Street Wall Facade)	Mandatory Minimum Setback (for upper levels from Street Wall Facade)	Preferred Maximum Rear Interface Height (on boundary)	Mandatory Maximum Rear Interface Height (on boundary)
1A	24m	—	8m (Min)	11m	—	6m	11m	—
1AA	28m	—	11m (fronting Sackville St.)	11m (fronting Johnston St.)	6m (fronting Sackville St.)	6m (fronting Johnston St.)	—	—
1AAA	—	28m	—	11m (fronting Johnston St.)	—	6m (fronting Johnston St.)	11m	—
1B	24m	—	11m (Max)	—	6m	—	11m	—
1C	21m	28m	8m (Min)	11m	—	6m	—	11m
1D	—	21m	8m (Min)	11m	—	6m	—	11m
2A	21m	—	8m (Min)	11m	—	6m	11m	—
2B	21m	—	8m (Min)	11m	—	6m	11m	—
2C	34m	—	15m (Max)	18m	6m	—	11m	—
2D	24m	31m	15m (Max)	18m	6m	—	—	11m
2E	21m	24m	15m (Max)	18m	6m	6m (293 & 323-325 Johnston St.)	—	11m
2F	—	21m	15m (Max)	18m	6m	—	—	9m

