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Proposed  
C191**SCHEDULE 2547 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO2547**.**SWAN STREET ACTIVITY CENTRE - PRECINCT 1 RICHMOND STATION****1.0****General Design objectives**dd/mm/yyyy  
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- ~~To recognise and respond to the distinct character and varying development opportunities defined by the four precincts along Swan Street.~~
- ~~To create an entry to the activity centre, anchored by Richmond Station, that is defined by high quality, contemporary buildings that wrap around the corner from Hoddle Street into Swan Street.~~
- ~~To provide taller street walls on Swan Street, west of Wellington Street to define the entry to the Activity Centre.~~
- ~~To maintain the prominence of the Precinct Hotel on the corner of Cremorne Street and Swan Street within the streetscape.~~
- ~~To improve the pedestrian environment and amenity of the streetscape along Swan Street and the streets leading to Cremorne through activated ground floor frontages and improvements to the public realm.~~
- To support a new mid rise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas ~~that maintains an active, high quality and pedestrian friendly environment.~~
- ~~To ensure development maintains the prominence of the heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscapes.~~
- ~~To minimise the amenity impacts on residential properties adjoining the Swan Street Activity Centre including overlooking, overshadowing and visual bulk impacts.~~
- ~~To ensure that vehicular access to development does not adversely impact the level of service, efficiency, and safety of the arterial and tram network.~~

**Commented [CA1]:** Bland statement - Not specific to Precinct 1**Commented [CA2]:** New design requirement translated from the Swan Street Built Form Framework (Tract and City of Yarra, 2017)**Commented [CA3]:** Relocated from the Precinct 1 Design Requirement in the exhibited version of Schedule 17 to the Design and Development Overlay.**Commented [CA4]:** Addressed elsewhere in Section 2.3 General design requirements**Commented [CA5]:** Bland statement - Not specific to Precinct 1**2.0****Buildings and works**dd/mm/yyyy  
Proposed  
C191A permit is required to construct a building or construct or carry out works.**2.1****Definitions**dd/mm/yyyy  
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~~Street-wall is the~~ means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building. 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 at the street edge, with the exception of architectural features and building services.

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant.

Laneway means a road reserve of a public highway 9 metres or less wide.

Building height means the vertical distance from natural ground level to the roof or parapet at any point.

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

- ~~The total roof area occupied by the equipment (other than solar panels) is minimised.~~

**Commented [CA6]:** New definitions to clarify the meaning of terms used in DDO

- The service equipment is located in a position on the roof so as to minimise its visibility;
- The non structural elements and service equipment minimise additional overshadowing of neighbouring properties and public spaces;
- The equipment does not extend higher than 3.6 metres above the maximum building height; and
- The non structural elements and service equipment are integrated into the design of the building to the satisfaction of the responsible authority.

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

**Parapet height** does not include features such as brackets, pediments, urns, finials or other decorative elements.

**Road boundary** means the boundary between the public road and the private property.

**Shared zone** is a means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

**Upper level** means development above the height of the street wall.

## 2.2 Requirements

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height and setback requirements shown in the Height and Interface Plan 1 of this schedule.
- and/or reduces the mandatory minimum street wall height and upper level setback requirements shown in the Height and Interface Plan 1 of this schedule.

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## General design requirements

The following general design requirements apply to an application to construct a building or construct or carry out works, and must be read in conjunction with the relevant precinct design requirements.

### Design quality requirements

Development should achieve urban design and architectural excellence.

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Development should provide for street activation at ground levels.

Development should be designed to avoid repetitive stepped form at upper levels.

Upper level development should be designed to ensure buildings are expressed in the round and provide detail on all facades when viewed from all directions.

Frontages at ground floor should incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

### Building heights requirements

A permit cannot be granted to construct a building or construct or carry out works which exceeds the mandatory maximum building height shown in the Height and Interface Plans (Plan 1, 3, 5 and 7) of this schedule.

**Commented [CA7]:** Relocated to Section 2.3 General design requirements

**Commented [CA8]:** New 'header' section to reduce text elsewhere

**Commented [CA9]:** New 'header' section to reduce text elsewhere

**Commented [CA10]:** Clarifies the use of 'must' in response to submissions

**Commented [CA11]:** New section to group address design quality requirements that were, unsuitably, located under other themes

**Commented [CA12]:** New design requirement recommended by Council's Statutory Planning Unit

**Commented [CA13]:** New design requirement translated from the Swan Street Built Form Framework (Tract and City of Yarra, 2017)

**Commented [CA14]:** New design requirement recommended by Council's Statutory Planning Unit

**Commented [CA15]:** Relocated from the 'Street wall and setbacks requirements' section below.

**Commented [CA16]:** Deleted to reduce amount of unnecessary text (duplicate of text above in Section 2.2 Requirements)

A permit ~~should~~~~only~~~~may~~ be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan ~~1s (Plan 1, 3, 5 and 7)~~ of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the ~~building elements~~~~built form outcomes that result of the permitted by the built form outcome as a result of the~~ proposed variation satisfies the ~~general~~ design objectives in Clause 1.0 of this schedule, the relevant ~~precinct~~ design requirements specified in this schedule; ~~and~~
- ~~the proposed building height achieves the preferred future mid-rise character for Swan Street of generally 5 to 12 storeys; and~~
- the proposal ~~will~~ achieves 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 a~~Accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and 58;
  - ~~and~~ communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58;
  - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
  - ~~no additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and~~
  - ~~provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms.~~

~~Architectural features may exceed the preferred or mandatory height.~~

~~Service equipment/structures including plant rooms, lift overruns, stairs, structures associated with green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:~~

- ~~Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels);~~
- ~~The equipment/structures does not cause additional overshadowing of adjoining properties; and~~
- ~~The equipment/structures does not extend higher than 3.6 metres above the maximum building height.~~

#### **Street wall and setbacks requirements**

~~A permit cannot be granted to construct a building or construct or carry out works which exceed the mandatory maximum street wall height and/or reduces the mandatory minimum setback requirements specified in the Precinct Tables in this schedule.~~

A permit ~~cannot~~ ~~should not be~~ granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred mandatory minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form ~~outcome~~~~outcomes that as a result from~~of the proposed variation satisfies the ~~general~~ design objectives in Clause 1.0 of this schedule.
- The built form outcome as a result of the proposed variation satisfies the relevant requirements specified in this schedule.

**Commented [CA17]:** Deleted to reduce amount of unnecessary text (duplicate of text above in Section 1.0 General design objectives).

**Commented [CA18]:** Deleted as per the Yarra C220 Panel recommendation

**Commented [CA19]:** Reworded to align with wording used consistently throughout the Yarra Planning Scheme

**Commented [CA20]:** New design requirement recommended by Council's Statutory Planning Unit

**Commented [CA21]:** Relocated from section 2.1 Definitions

**Commented [CA22]:** Deleted to reduce amount of unnecessary text (duplicate of text above in Section 2.2 Requirements)

- The street wall at ground floor level ~~Frontages at ground floor and within their street wall are to be designed with~~ to allow floor to floor ceiling heights suitable to accommodate commercial activity.

~~Projections such as balconies, and building services and architectural features must not intrude into a setback.~~

**Commented [CA23]:** Relocated from Section 2.1 Definitions

~~On corner sites where two different street wall heights are nominated, buildings should 'turn the corner' and apply the Swan Street wall height. If the Swan Street wall is higher it should transition to the lower nominated street wall height on the side street.~~

- ~~The following requirements also apply to the design of the street wall and upper levels:~~

- ~~Frontages at ground floor and within the street wall must be designed with floor to floor ceiling heights suitable to accommodate commercial activity.~~

- ~~Frontages at ground floor must incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.~~

- ~~Development must be designed to adopt the same street setback from all interfaces for a minimum of 65% of the height of upper levels to avoid repetitive stepped form.~~

- ~~Upper level development must be designed to ensure buildings are expressed in the round and provide detail on facades when viewed from all directions.~~

**Commented [CA24]:** Relocated above to theme, Design quality requirements

- ~~Where development shares a common boundary and no interface treatment is shown in Plan 1, 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.~~

#### **Building separation requirements**

**Commented [CA25]:** New section to reduce confusion and to better align with requirements below.

~~Where development shares a common boundary and no interface treatment is shown in Plan 1, upper level development should:~~

- ~~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.~~

**Commented [CA26]:** Relocated from 'Street wall and setbacks requirements'

#### **Heritage design requirements**

The following design requirements apply on land within a ~~H~~eritage ~~O~~verlay or immediately adjoining a ~~H~~eritage ~~O~~verlay.

Design Element	Design Requirement
Building facades and street frontages	<p><b><del>Infill Buildings and Development Adjoining a Heritage Building</del></b></p> <p><b><del>Façade treatments and the articulation of infill buildings on land affected by a heritage overlay and of new buildings on land immediately adjoining a heritage building must should should:</del></b></p> <ul style="list-style-type: none"> <li><del>Be ensure the façade treatments and the articulation of new development are</del> simple and do not compete with the more elaborate detailing of the adjoining heritage building(s)</li> <li>respect the vertical proportions of the nineteenth and early twentieth century facades of the heritage streetscape and/or adjoining heritage building(s)</li> <li>avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts</li> <li>maintain the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building.</li> </ul> <p><b><del>Contributory or Individually Significant Buildings</del></b></p> <p><b><del>Adaptation and reuse of contributory or individually significant buildings must should:</del></b></p> <ul style="list-style-type: none"> <li><del>maintain existing openings and avoid highly reflective glazing in historic openings</del></li> <li><del>avoid highly reflective glazing in historic openings</del></li> <li>encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings</li> <li>maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings.</li> </ul>
Upper <del>levels</del> setbacks (above street wall height)	<p><b><del>Upper level development on land within a H heritage Overlay and on land immediately adjoining a heritage building must should should:</del></b></p> <ul style="list-style-type: none"> <li>be visually recessive and not visually dominate the heritage building and the heritage streetscape</li> <li>retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid 'facadism'</li> <li>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</li> <li>incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape</li> <li><del>be articulated to</del> reflect the fine grained character and subdivision pattern of the wider streetscape, especially on larger sites.</li> </ul>

**Commented [CA27]:** Deleted to reduce amount of unnecessary text

**Commented [CA28]:** Deleted to reduce amount of unnecessary text

### Overshadowing requirements

~~A permit cannot be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10 am and 2 pm at 22nd September:~~

- ~~any part of the southern footpath of Swan Street, measured as 4.0m from the southern road boundary of Swan Street;~~
- ~~any part of the opposite footpath of Church Street, measured as 4.0 metres from the road boundary of Church Street~~
- ~~any part of the opposite footpath of Burnley Street, measured as 4.0 metres from the road boundary of Burnley Street~~

~~A permit cannot should not be granted to construct a building or construct or carry out works that would overshadow part of the opposite footpath of Cremorne Street (measured as 2.0 metres from the boundary kerb of Cremorne Street between 10 am and 2 pm at 22nd~~

**Commented [CA29]:** Not relevant to Precinct 1

**Commented [CA30]:** Relocated from the Precinct 1 design requirements section

~~September), which are not in accordance with the overshadowing requirements specified in Clause 2.3 of this schedule unless the resultant overshadowing would not unreasonably prejudice the amenity of the public space.~~

### Vehicle and pedestrian access requirements

Development ~~must should~~ provide vehicular access from rear lanes or from side streets in the preferred locations in the Access and Movement Plans ~~(Plan 2, 4, 6 and 8)~~ of this schedule ~~except,~~

~~in locations identified as “Left in – Left Out Access Permitted” in the Access and Movement Plans (Plan 2, 4, 6 and 8) of this schedule.~~

~~Development identified as “Left in – Left Out Access Permitted” in the Access and Movement Plan must limit the width of vehicle crossovers and incorporate ‘Left in’ and ‘Left out’ only vehicle access.~~

Development with redundant vehicle access points to Swan Street, ~~Church Street and Burnley Street must should~~ reinstate the kerb, linemarked parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, ~~must should~~ be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Pedestrian access to buildings, including upper level apartments, ~~must should~~ be from a street or a shared zone shown on the Access and Movement Plans ~~(Plan 2, 4, 6 and 8)~~ of this schedule. Where pedestrian access can only be provided from a laneway at the rear of buildings the pedestrian entrance ~~must should~~ be setback from the rear laneway and well-lit to enable safe access.

**Commented [CA31]:** Not relevant to Precinct 1

## 2.3 Precinct design requirements

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The following specific Precinct Design Requirements apply in addition to the general design requirements:

### Precinct 1 – Richmond Station

Shown on the planning scheme map as **DDO17-1**

The Precinct Design Requirements for Precinct 1 are as follows:

- ~~Development must provide a consistent built form edge to the street.~~
- ~~The street wall of development on the corner of Swan Street and Punt Road must mark the entry into the Swan Street Activity Centre.~~
- ~~The street wall of new development east of Wellington Street must reflect the height and fine grain articulation of the heritage buildings.~~
- ~~Development must improve the pedestrian environment and amenity of the streetscape along Swan Street and the streets leading to the Cremorne Employment Precinct through high quality architectural design and improvements to the public realm.~~
- ~~Development must not overshadow any part of the opposite footpath of Cremorne Street (measured as 2.0 metres from the boundary of Cremorne Street between 10 am and 2 pm at 22nd September).~~

**Commented [CA32]:** No longer required to provide tailored outcomes

**Table 1 – Street Wall Heights and Setbacks for Precinct 1 Richmond Station**

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
A	Street wall height		21m maximum.
	Street wall setback		0m.

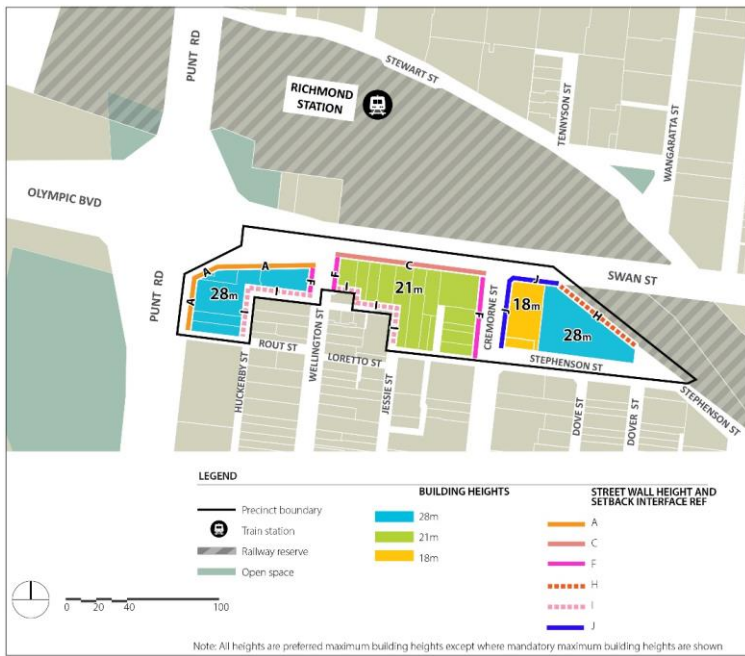
YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
	Upper level setback		<del>6.5m</del> minimum.
C	Street wall Height		11m maximum, <del>or the parapet height of the adjoining individually significant or contributory building if higher than 11m.</del> 8m minimum. Match the parapet height of the taller adjoining heritage building, <u>for a minimum length of 6m from the heritage building.</u>
	Street wall setback	0m.	
	Upper level setback	Minimum <del>6.5m</del> for individually significant heritage buildings.	Minimum <del>6.5m</del> elsewhere. <del>Any part of a building above the street wall must be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).</del>
F	Street wall height		11m minimum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on Plan 2.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11- <del>5m</del> maximum if boundary abuts a laneway.
	Upper level setback		Development must be setback in accordance with Figure 1 and Figure 2. Development must minimise repetitive stepped form.
J	<u>Street wall Height</u>		<u>11m maximum</u> <u>8m minimum</u> <u>Match the parapet height of the taller adjoining heritage building, for a minimum length of 6m from the heritage building.</u>
	<u>Street wall setback</u>	<u>0m.</u>	

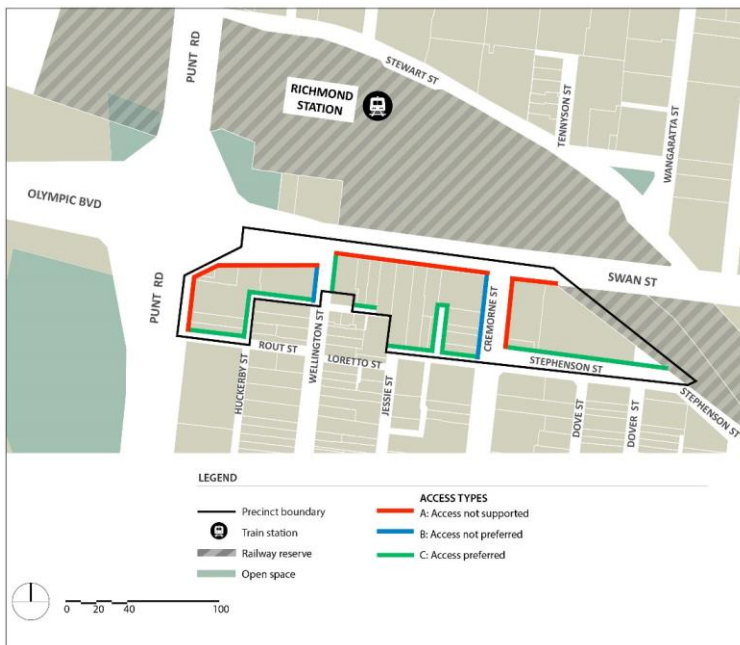
YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
	<a href="#">Upper level setback</a>	<a href="#">Minimum 10m from Swan Street setback.</a> <a href="#">Minimum 8.5m from Cremorne Street setback.</a>	

**Plan 1: Height and Interface Plan – Precinct 1 – Richmond Station**



**Plan 2: Access and Movement Plan – Precinct 1 – Richmond Station**



**Precinct 2 – Swan Street Activity Centre**

Shown on the planning scheme map as **DDO17-2**

The Precinct Design Requirements for Precinct 2 are as follows:

- Development must respect the consistent scale, grain and architectural quality of the highly intact heritage streetscapes and the individually significant buildings in the precinct.
- Development along the rail corridor must avoid a continuous wall of taller development when viewed from local streets south of the rail corridor.
- Development on the south side of Swan Street must maintain Dimmey's Tower as the prominent landmark in the streetscape when viewed from the northern footpath of Swan Street east of the rail bridge and west of Church Street.
- Taller built form adjoining the rail corridor must not compete with the architectural form and complexity of the Dimmey's Clock Tower.
- Development must improve the pedestrian environment and amenity of streets and laneways that provide a pedestrian connection to Swan Street, Church Street, East Richmond Train Station, and entrances to buildings.
- Development adjoining Milton Place must be designed to address the potential future public park adjoining East Richmond Railway Station.
- Development must not overshadow any part of the opposite footpath of Lennox Street, Stanley Street, Clifton Street, and Docker Street, (measured as 2.0 metres from the road boundary of the street between 10 am and 2 pm at 22nd September).
- Development must not overshadow any part of the potential future open space adjacent to the East Richmond Station (measured as beyond 7.0m from the eastern road boundary of Milton Place and beyond 10.0m from the southern road boundary of Milton Place between 10 am and 2 pm at 22nd September).
- Development at 108-120 Swan Street and 2 Kipling Street, as shown in Plan 4, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 6m in total.
- Development of 94-98 Swan Street, as shown in Plan 4, should include a rear setback, at ground floor, to allow for building services and car park access. The setback and laneway should be a minimum width of 3m in total.
- Development should facilitate the creation of a shared zone where properties abut a future shared zone as shown on Plan 4.

**Table 2 – Street Wall Heights and Setbacks for Precinct 2**

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
B	Street wall height	11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum.	Match the parapet height of the adjoining heritage building.
	Street wall setback	0m	
	Upper level setback	5m minimum setback	For all development in a heritage overlay, any part of the building above the heritage street wall should be designed to ensure that it occupies no more than

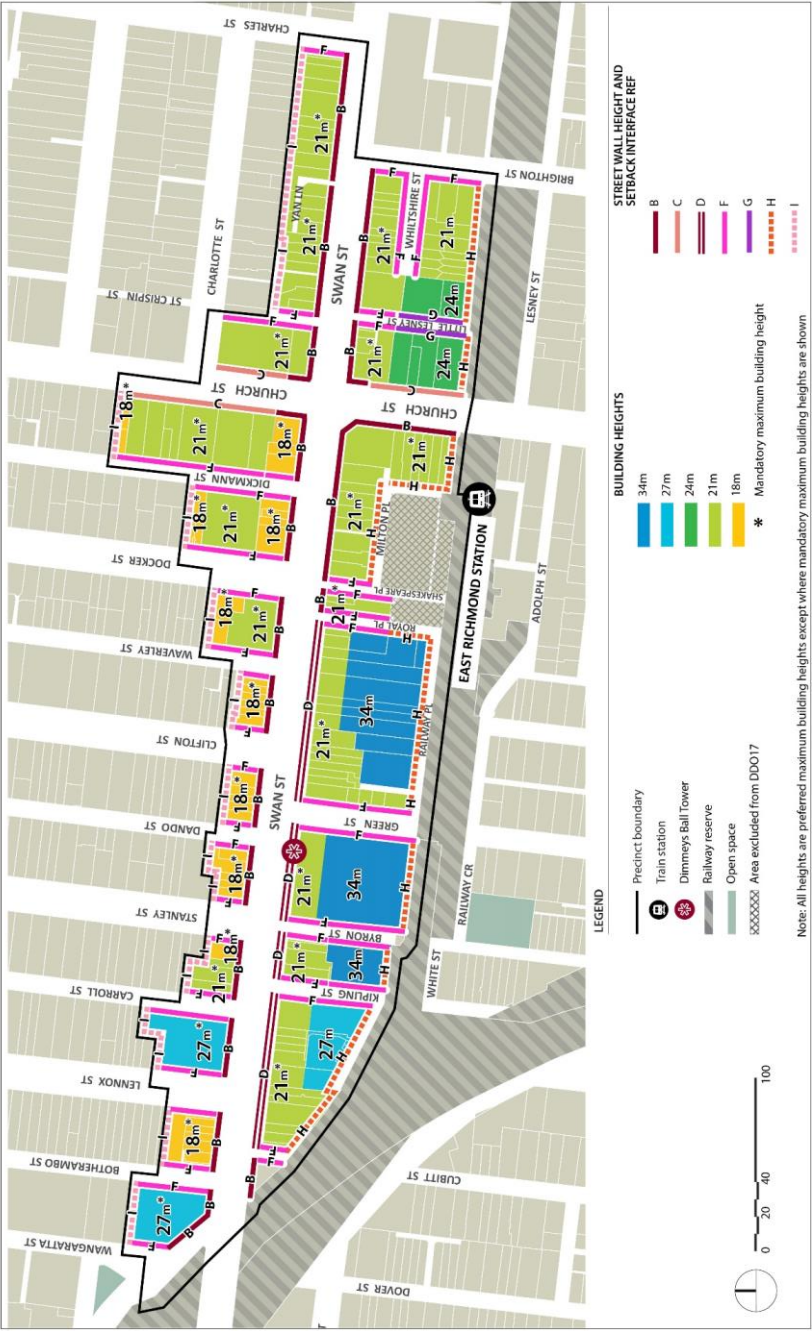
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Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
			<del>one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).</del>
C	Street wall Height		<del>11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building.</del>
	Street wall setback	<del>0m</del>	
	Upper level setback	<del>5m minimum for individually significant heritage buildings.</del>	<del>Minimum 5m elsewhere. Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).</del>
D	Street wall height	<del>11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum.</del>	<del>Match the parapet height of the taller adjoining heritage building.</del>
	Street wall setback	<del>0m.</del>	
	Upper level setback	<del>10m minimum for development up to 21m. 20m minimum for any height above 21m.</del>	
F	Street wall height		<del>11m maximum.</del>
	Street wall setback		<del>0m.</del>
	Upper level setback		<del>5m minimum for land affected by HO335 and individually significant buildings. 3m minimum elsewhere.</del>
G	Street wall height		<del>14.5m maximum.</del>
	Street wall setback		<del>0m.</del>
	Upper level setback		<del>3m minimum.</del>
H	Street wall height		<del>N/A.</del>

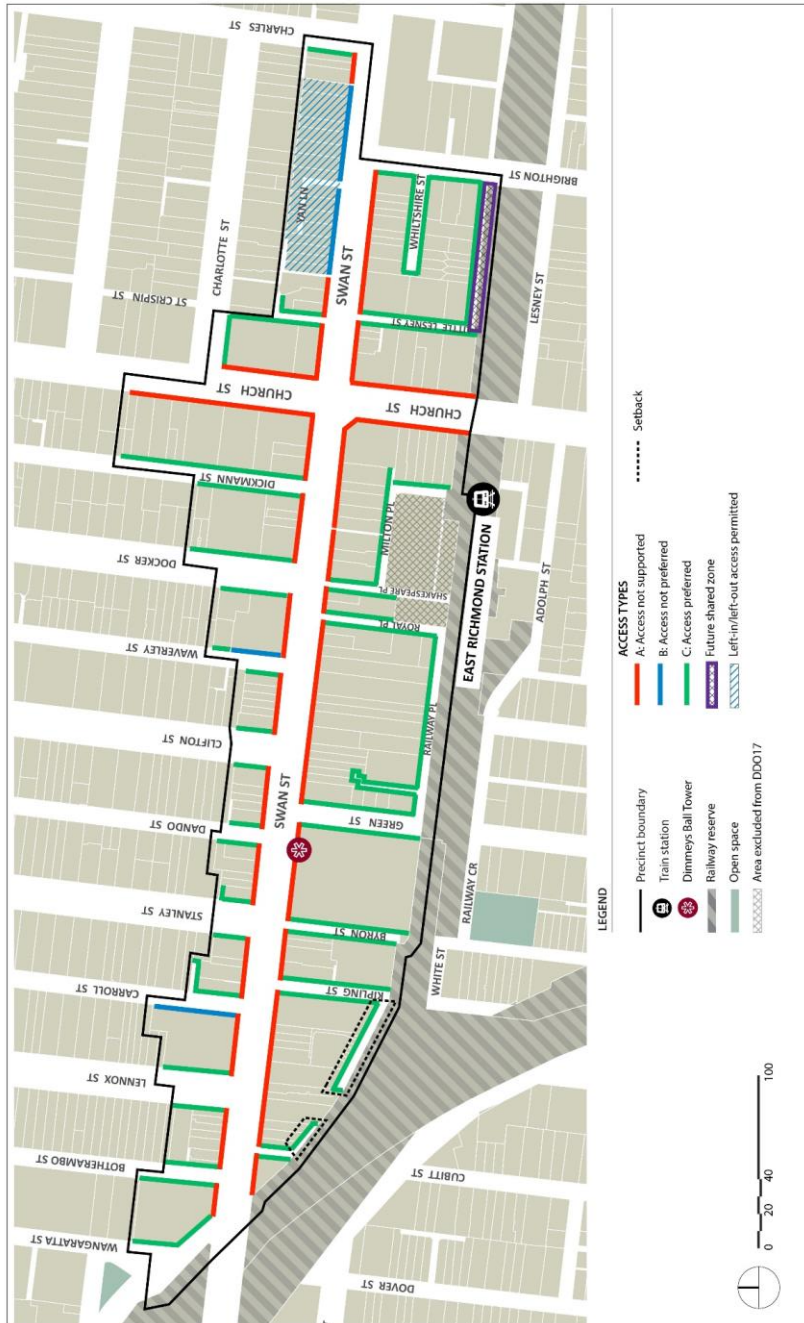
YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
↓	Street wall setback		0m minimum unless setback is identified on the Plan 4.
	Upper level setback		0m.
	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.
	Upper level setback		Development must be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.

Plan 3: Height and Interface Plan – Precinct 2 – Swan Street Retail Centre



Plan 4: Access and Movement Plan—Precinct 2—Swan Street Retail Centre



**Precinct 3 – Swan Street East**

Shown on the planning scheme map as **DDO17-3**

The design requirements for Precinct 3 are as follows:

- Development along Swan Street must continue the street-level experience of the Swan Street and Burnley Street heritage precincts by maintaining a consistent and prominent street wall.
- Development must improve the pedestrian environment and amenity of Swan Street, and easements and laneways that provide a pedestrian connection to Swan Street and to the entrances to new developments.
- Development of properties in the locations shown as “Upper Level Building Breaks” on Plan 5 must incorporate side setbacks greater than the standards in Clause 2 and enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street and along Lord Street and Edinburgh Street.
- Development must not overshadow any part of the opposite footpath of Mary Street and Coppin Street (measured as 2.0m from the road boundary between 10 am and 2 pm at 22nd September).
- Development should be designed to enhance, activate, and provide passive surveillance to the pedestrian connection between Glass Street and Swan Street as shown on Plan 6.
- Development should include north-south access in the locations shown on the Access and Movement Plan 6 to allow for building services and car park access.

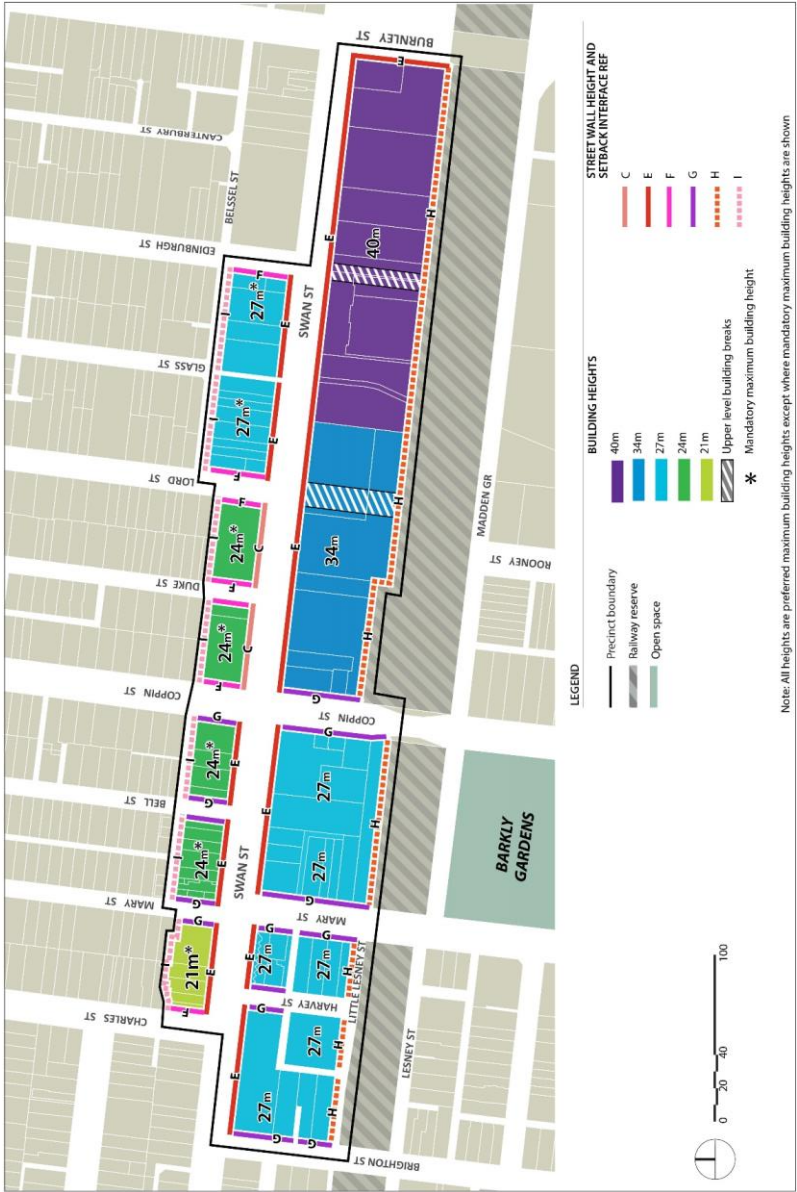
**Table 3 – Street Wall Heights and Setbacks for Precinct 3**

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
G	Street wall Height		11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building
	Street wall setback	0m	
	Upper level setback	Minimum 5m for individually significant heritage buildings.	Minimum 5m elsewhere. Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).
E	Street wall height		14.5m maximum.
	Street wall setback		0m.
	Upper level setback		5m minimum.
F	Street wall height		11m minimum.

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Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
	Street wall setback		0m.
	Upper level setback		5m minimum for individually significant buildings. 3m minimum elsewhere.
G	Street wall height		14.5m maximum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Plan 6.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.
	Upper level setback		Development should be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.

Plan 5: Height and Interface Plan – Precinct 3 – Swan Street East



**Plan 6: Access and Movement Plan – Precinct 3 – Swan Street East**



### Precinct 4 – Burnley Station

Shown on the planning map as **DDO17-4**

The Precinct Design Requirements for Precinct 4 are as follows:

- Development must respect the scale, rhythm, and architectural detail of the streetscape and the heritage buildings in the Burnley Street Heritage Precinct.
- Development along Swan Street must achieve a prominent street wall and provide an appropriate transition in the street wall height to the Burnley Street and Bendigo Street heritage precincts.
- Development must maintain the amenity of Ryan's Reserve.
- Development of properties in the locations shown as "Upper Level Building Breaks" on Plan 7 must incorporate side setbacks greater than the standards in Clause 2 to enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street and along Cutter Street and Bendigo Street.
- Development must not overshadow the opposite footpath of Stawell Street (measured as 2.0m from the road boundary between 10 am and 2 pm on 22nd September).
- Development must maintain solar access to Ryan's Reserve as follows:
  - Beyond 16m of the eastern boundary of the reserve from 10 am onwards on 22 September
  - At the western boundary of the reserve until 2 pm on 22 September.
- Development of 500 to 506 Swan Street, as shown in Plan 8, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 6m in total.
- Development of 130 to 136 Stawell, as shown in Plan 8, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 3m in total.

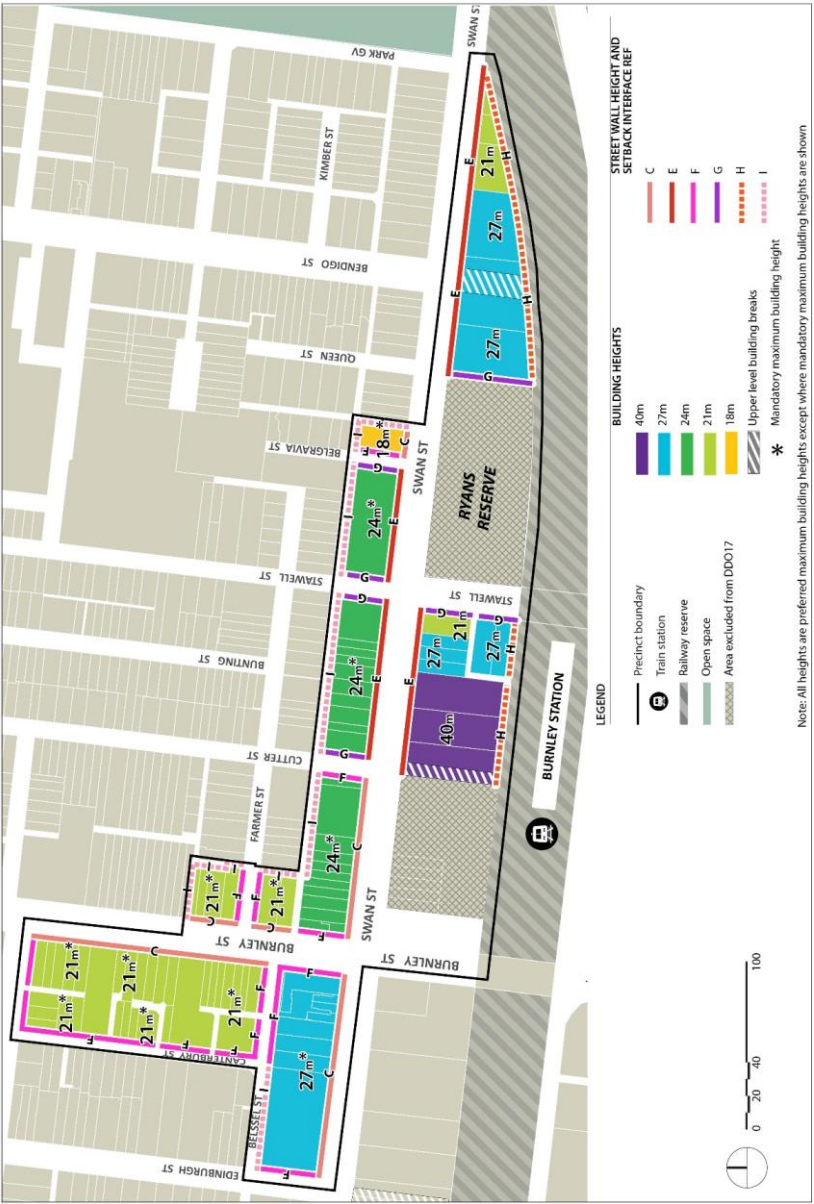
**Table 4 – Street Wall Heights and Setbacks for Precinct 4**

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
G	Street wall Height		11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building.
	Street wall setback	0m.	
	Upper level setback	10m minimum from Swan Street setback for land affected by HQ 286 (365 Swan Street). Minimum 5m for other individually significant heritage buildings.	Minimum 5m elsewhere. Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of

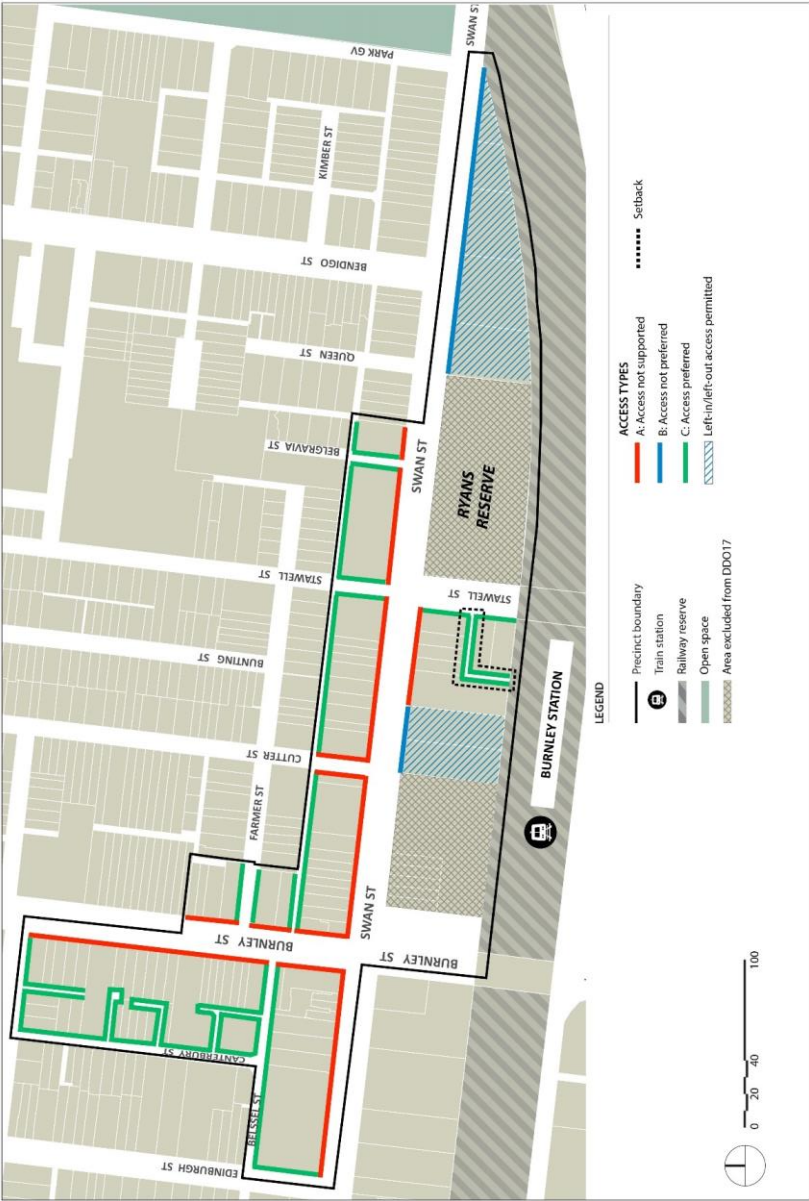
YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
			<del>1.7 metres (on the opposite side of the street).</del>
E	Street wall height		14.5m maximum
	Street wall setback		0m.
	Upper level setback		5m minimum.
F	Street wall height		11m minimum.
	Street wall setback		0m.
	Upper level setback		5m minimum for individually significant buildings. 3m minimum elsewhere.
G	Street wall height		14.5m maximum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Plan 8.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.
	Upper level setback		Development must be setback in accordance with Figure 1 and Figure 2. Development must minimise stepped form.

Plan 7: Height and Interface Plan – Precinct 4 – Burnley Station



Plan 8: Access and Movement Plan – Precinct 4 – Burnley Station



**3.0 Subdivision**dd/mm/yyyy  
Proposed  
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None specified.

**4.0 Advertising**dd/mm/yyyy  
Proposed  
C191

None specified.

**5.0 Decision guidelines**dd/mm/yyyy  
Proposed  
C191

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 General Design Requirements ~~and the Precinct Design Requirements~~ in Clause 2.0 are met.
- ~~Whether design excellence is achieved (in terms of building siting, scale, massing, articulation and materials).~~
- The design of the streetscape interface and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- The shadowing impacts of the development on footpaths and public spaces.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Swan Street and from local streets.
- The prominence of the heritage street wall in the vistas along Swan Street, ~~Church Street, Burnley Street~~, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.
- ~~The impact of development on view lines to the Dimmey's Clock Tower.~~
- The impact of development on the operation of the tram routes along Swan Street ~~and Church Street~~.

**Commented [CA33]:** New decision guidelines from feedback from Council's Statutory Planning Unit

**Commented [CA34]:** Not relevant to Precinct 1

**Commented [CA35]:** Not relevant to Precinct 1

**Commented [CA36]:** Not relevant to Precinct 1

Figure 1 to schedule 2547 – Residential interface with an existing laneway

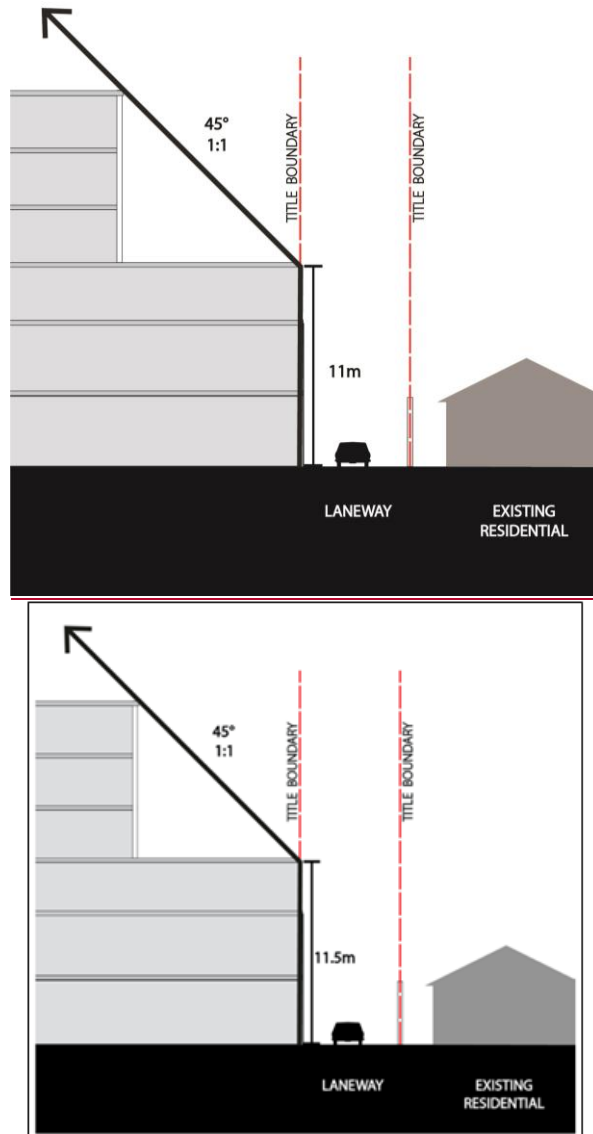
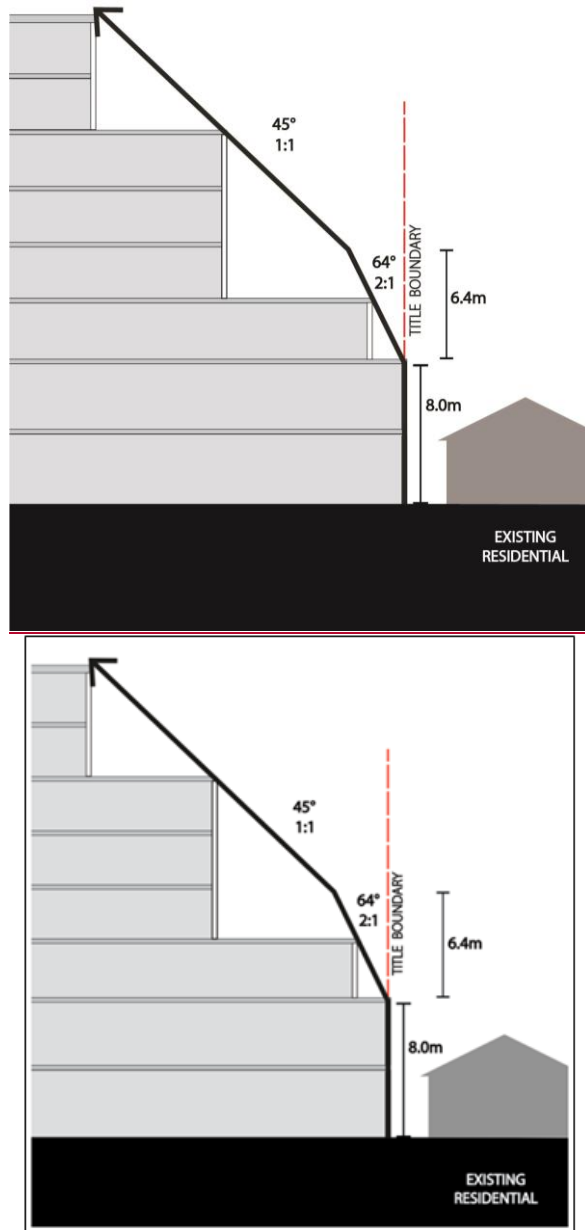


Figure 2 to schedule 2547 – Residential interface direct abuttal



dd/mm/yyyy  
Proposed  
C191**SCHEDULE 2647 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO267**.**SWAN STREET ACTIVITY CENTRE - PRECINCT 2 SWAN STREET RETAIL CENTRE****1.0****General Design objectives**dd/mm/yyyy  
Proposed C191

- To ensure development maintains the prominence of the heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscapes.
- To ensure development, on the south side of Swan Street, maintains the Dimmeys Tower as the prominent landmark in the streetscape when viewed from the northern footpath of Swan Street east of the rail bridge and west of Church Street.
- To recognise and respond to the distinct character and varying development opportunities defined by the four precincts along Swan Street.
- To support a new mid-rise scale built form character with lower built form at the interfaces with streets and the adjoining low-rise residential areas that maintains supports the fine grain, compact retail and entertainment focus of the precinct, an active, high quality and pedestrian friendly environment.
- To ensure development maintains the prominence of the heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscapes.
- To minimise the amenity impacts on residential properties adjoining the Swan Street Activity Centre including overlooking, overshadowing and visual bulk impacts.
- To ensure development enhances the pedestrian experience through improved activation at ground floor and promoting a sense of enclosure and continuity in built form along Swan Street, Church Street, side streets and laneways.
- To ensure taller development on the south side of Swan Street, close to the railway line, is designed and spaced to contribute to a varied skyline and provides street walls that create a stronger sense of enclosure to the streets.
- To ensure that vehicular access to development does not adversely impact the level of service, efficiency, and safety of the arterial and tram network.

**Commented [CA1]:** Relocated from the Precinct 2 design requirements section**Commented [CA2]:** Bland statement - Not specific to Precinct 2**Commented [CA3]:** Addressed elsewhere in Section 2.3 General design requirements**Commented [CA4]:** New design requirement translated from the Swan Street Built Form Framework (Tract and City of Yarra, 2017)**Commented [CA5]:** New design requirement translated from the Swan Street Built Form Framework (Tract and City of Yarra, 2017)**Commented [CA6]:** Bland statement - Not specific to Precinct 2**2.0****Buildings and works**dd/mm/yyyy  
Proposed  
C191A permit is required to construct a building or construct or carry out works.**2.1****Definitions**dd/mm/yyyy  
Proposed  
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**Street-wall** is the means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building. 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 at the street edge, with the exception of architectural features and building services.

**Heritage building** means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant.

**Laneway** means a road reserve of a public highway 9 metres or less wide.

**Building height** means the vertical distance from natural ground level to the roof or parapet at any point.

**Commented [CA7]:** New definitions to clarify the meaning of terms used in DDO

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

- The total roof area occupied by the equipment (other than solar panels) is minimised;
- The service equipment is located in a position on the roof so as to minimise its visibility;
- The non structural elements and service equipment minimise additional overshadowing of neighbouring properties and public spaces;
- The equipment does not extend higher than 3.6 metres above the maximum building height; and
- The non structural elements and service equipment are integrated into the design of the building to the satisfaction of the responsible authority.

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

**Parapet height** does not include features such as brackets, pediments, urns, finials or other decorative elements.

**Road boundary** means the boundary between the public road and the private property.

**Shared zone** means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

**Upper level** means development above the height of the street wall.

## 2.2 Requirements

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Height and Interface Plan 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in the Height and Interface Plan 1 of this schedule.

## 2.32 General Design requirements

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The following general design requirements apply to an application to construct a building or construct or carry out works, and must be read in conjunction with the relevant precinct design requirements.

### Design quality requirements

Development should achieve urban design and architectural excellence.

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Development should provide for street activation at ground levels.

Development should be designed to avoid repetitive stepped form at upper levels.

Upper level development should be designed to ensure buildings provide detail on all facades when viewed from all directions.

Frontages at ground floor should incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

Development adjoining Milton Place should be designed to address the potential future public park adjoining East Richmond Railway Station.

**Commented [CA8]:** Relocated to Section 2.3 General design requirements

**Commented [CA9]:** New 'header' section to reduce text elsewhere

**Commented [CA10]:** New 'header' section to reduce text elsewhere

**Commented [CA11]:** New 'header' section to reduce text elsewhere

**Commented [CA12]:** Clarifies the use of 'must' in response to submissions

**Commented [CA13]:** New section to group address design quality requirements that were, unsuitably, located under other themes

**Commented [CA14]:** New design requirement recommended by Council's Statutory Planning Unit

**Commented [CA15]:** New design requirement translated from the Swan Street Built Form Framework (Tract and City of Yarra, 2017)

**Commented [CA16]:** New design requirement recommended by Council's Statutory Planning Unit

**Commented [CA17]:** Relocated from the 'Street wall and setbacks requirements' section below.

**Commented [CA18]:** Relocated from the Precinct 2 design requirements

**Commented [CA19]:** Relocated from the Precinct 2 design requirements

### Building heights requirements

~~A permit cannot be granted to construct a building or construct or carry out works which exceeds the mandatory maximum building height shown in the Height and Interface Plans (Plan 1, 3, 5 and 7) of this schedule.~~

A permit ~~should only may~~ be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan 1s (Plan 1, 3, 5 and 7) of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the ~~building elements permitted by the built form outcome as a result of the~~ proposed variation satisfies the general design objectives in Clause 1.0 of this schedule, the relevant precinct design requirements specified in this schedule; ~~and~~
- ~~the proposed building height achieves the preferred future mid-rise character for Swan Street of generally 5 to 12 storeys; and~~
- the proposal ~~will~~ achieves 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~~ Accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and 58;
  - ~~and~~ communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58;
  - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
  - ~~no additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and~~
  - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms.

Architectural features may exceed the preferred or mandatory height.

Service equipment / structures including plant rooms, lift overruns, structures associated with green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment (other than solar panels);
- The equipment does not cause additional overshadowing of adjoining properties; and
- The equipment does not extend higher than 3.6 metres above the maximum building height.

### Street wall and setbacks requirements

~~A permit cannot be granted to construct a building or construct or carry out works which exceed the mandatory maximum street wall height and/or reduces the mandatory minimum setback requirements specified in the Precinct Tables in this schedule.~~

A permit ~~should not~~ be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred mandatory minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

**Commented [CA20]:** Deleted to reduce amount of unnecessary text (duplicate of text above in Section 2.2 Requirements)

**Commented [CA21]:** Deleted to reduce amount of unnecessary text (duplicate of text above in Section 1.0 General design objectives).

**Commented [CA22]:** Reworded to align with wording used consistently throughout the Yarra Planning Scheme

**Commented [CA23]:** New design requirement recommended by Council's Statutory Planning Unit

**Commented [CA24]:** Relocated from section 2.1 Definitions

**Commented [CA25]:** Deleted to reduce amount of unnecessary text (duplicate of text above in Section 2.2 Requirements)

- The built form outcomes ~~that as a result from~~ of the proposed variation satisfies the ~~general~~ design objectives in Clause 1.0 of this schedule;
- The built form outcome as a result of the proposed variation satisfies the relevant requirements specified in this schedule; ~~and~~
- ~~The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.~~

~~Projections such as balconies, and building services and architectural features must not intrude into a setback.~~

~~On corner sites where two different street wall heights are nominated, buildings should 'turn the corner' and apply the Swan Street wall height. If the Swan Street wall is higher it should transition to the lower nominated street wall height on the side street.~~

- ~~The following requirements also apply to the design of the street wall and upper levels:~~

- ~~Frontages at ground floor and within the street wall must be designed with floor to floor ceiling heights suitable to accommodate commercial activity.~~

- ~~Frontages at ground floor must incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.~~

- ~~Development must be designed to adopt the same street setback from all interfaces for a minimum of 65% of the height of upper levels to avoid repetitive stepped form.~~

- ~~Upper level development must be designed to ensure buildings are expressed in the round and provide detail on facades when viewed from all directions.~~

- ~~Where development shares a common boundary and no interface treatment is shown in Plan 1, 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.~~

#### **Building separation requirements**

~~Where development shares a common boundary and no interface treatment is shown in Plan 1, upper level development should:~~

- ~~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.~~

~~Development along the rail corridor must avoid a continuous wall of taller development when viewed from local streets south of the rail corridor.~~

~~Development above 21 metres should provide an appropriate side setback to provide spacing between buildings in order to maintain views to the sky from Swan Street, and from residential properties adjacent to the development and local streets south of the rail corridor.~~

**Commented [CA26]:** Relocated from Section 2.1 Definitions

**Commented [CA27]:** New design requirement in response to a submission

**Commented [CA28]:** Relocated above to theme, Design quality requirements

**Commented [CA29]:** New section to reduce confusion and to better align with requirements below.

**Commented [CA30]:** Relocated from 'Street wall and setbacks requirements'

**Commented [CA31]:** Relocated from the Precinct 2 design requirements

## Heritage design requirements

The following design requirements apply on land within a ~~H~~eritage ~~O~~verlay or immediately adjoining a ~~H~~eritage ~~O~~verlay.

Design Element	Design Requirement
Building facades and street frontages	<p><del>Infill Buildings and Development Adjoining a Heritage Building</del></p> <p><del>Façade treatments and the articulation of infill buildings on-land affected by a heritage overlay and of new buildings on-land immediately adjoining a heritage building must</del><del>should:</del></p> <ul style="list-style-type: none"> <li><del>Be ensure the façade treatments and the articulation of new development are</del> simple and do not compete with the more elaborate detailing of the adjoining heritage building(s)</li> <li>respect the vertical proportions of the nineteenth and early twentieth century facades of the heritage streetscape and/or adjoining heritage building(s)</li> <li>avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts</li> <li>maintain the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building.</li> </ul> <p><del>Contributory or Individually Significant Buildings</del></p> <p><del>Adaptation and reuse of contributory or individually significant buildings must</del><del>should:</del></p> <ul style="list-style-type: none"> <li><del>maintain existing openings and avoid highly reflective glazing in historic openings</del></li> <li><del>avoid highly reflective glazing in historic openings</del></li> <li>encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings</li> <li>maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings.</li> </ul>
Upper <del>l</del> evels setbacks (above street wall height)	<p><del>Upper level development on land within a H</del>eritage <del>O</del>verlay and on land immediately adjoining a heritage building <del>must</del><del>should:</del></p> <ul style="list-style-type: none"> <li>be visually recessive and not visually dominate the heritage building and the heritage streetscape</li> <li>retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid 'facadism'</li> <li>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</li> <li>incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape</li> <li><del>be articulated to</del> reflect the fine grained character <del>and subdivision pattern</del> of the <del>wider</del> streetscape, <del>especially on larger sites</del>.</li> </ul>

Commented [CA32]: Deleted to reduce amount of unnecessary text

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## Overshadowing requirements

A permit ~~must not~~~~cannot~~ be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10 am and 2 pm at 22nd September:

- any part of the southern footpath of Swan Street, measured as 4.0m from the southern road boundary of Swan Street,
- any part of the opposite footpath of Church Street, measured as 4.0 metres from the road boundary of Church Street

- any part of the opposite footpath of Burnley Street, measured as 4.0 metres from the road boundary of Burnley Street

**Commented [CA34]:** Not relevant to Precinct 2

A permit ~~cannot should not~~ be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10 am and 2 pm at 22nd September, unless the overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority:

- any part of the opposite footpath of Lennox Street, Stanley Street, Clifton Street, and Docker Street, measured as 2.0 metres from the kerb of the street.
- any part of the potential future open space adjacent to the East Richmond Station, measured as beyond 7.0m from the eastern kerb of Milton Place and beyond 10.0m from the southern kerb of Milton Place, ~~which are not in accordance with the overshadowing requirements specified in Clause 2.3 of this schedule unless the resultant overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority.~~

**Commented [CA35]:** Relocated from the Precinct 2 design requirements section

### Vehicle and pedestrian access requirements

Development ~~must should~~ provide vehicular access from rear lanes or from side streets in the preferred locations in the Access and Movement Plans ~~(Plan 2, 4, 6 and 8)~~ of this schedule except in locations identified as “Left in - Left Out Access Permitted” in the Access and Movement Plans ~~2 (Plan 2, 4, 6 and 8)~~ of this schedule.

Development identified as “Left in - Left Out Access Permitted” in the Access and Movement Plan ~~must should~~ limit the width of vehicle crossovers and incorporate ‘Left in’ and ‘Left out’ only vehicle access.

Development with redundant vehicle access points to Swan Street ~~and~~ Church Street ~~and Burnley Street must should~~ reinstate the kerb, linemarked parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, ~~must should~~ be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Pedestrian access to buildings, including upper level apartments, ~~must should~~ be from a street or a shared zone shown on the Access and Movement Plans ~~(Plan 2, 4, 6 and 8)~~ of this schedule. Where pedestrian access can only be provided from a laneway at the rear of buildings the pedestrian entrance ~~must should~~ be setback from the rear laneway and well-lit to enable safe access.

~~Development at 108-120 Swan Street and 2 Kipling Street, as shown in Plan 2, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 6m in total.~~

~~Development of 94-98 Swan Street, as shown in Plan 2, should include a rear setback, at ground floor, to allow for building services and car park access. The setback and laneway should be a minimum width of 3m in total.~~

~~Development should facilitate the creation of a shared zone where properties abut a future shared zone as shown on Plan 2.~~

~~Development should improve the pedestrian environment and amenity of streets and laneways that provide a pedestrian connection to Swan Street, Church Street, East Richmond Train Station, and entrances to buildings.~~

**Commented [CA36]:** Relocated from the Precinct 2 design requirements section

## 2.3 Precinct design requirements

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The following specific Precinct Design Requirements apply in addition to the general design requirements:

**Precinct 1 – Richmond Station**

Shown on the planning scheme map as **DDO17-1**

The Precinct Design Requirements for Precinct 1 are as follows:

- Development must provide a consistent built form edge to the street.
- The street wall of development on the corner of Swan Street and Punt Road must mark the entry into the Swan Street Activity Centre.
- The street wall of new development east of Wellington Street must reflect the height and fine grain articulation of the heritage buildings.
- Development must improve the pedestrian environment and amenity of the streetscape along Swan Street and the streets leading to the Cremorne Employment Precinct through high quality architectural design and improvements to the public realm.
- Development must not overshadow any part of the opposite footpath of Cremorne Street (measured as 2.0 metres from the boundary of Cremorne Street between 10 am and 2 pm at 22nd September).

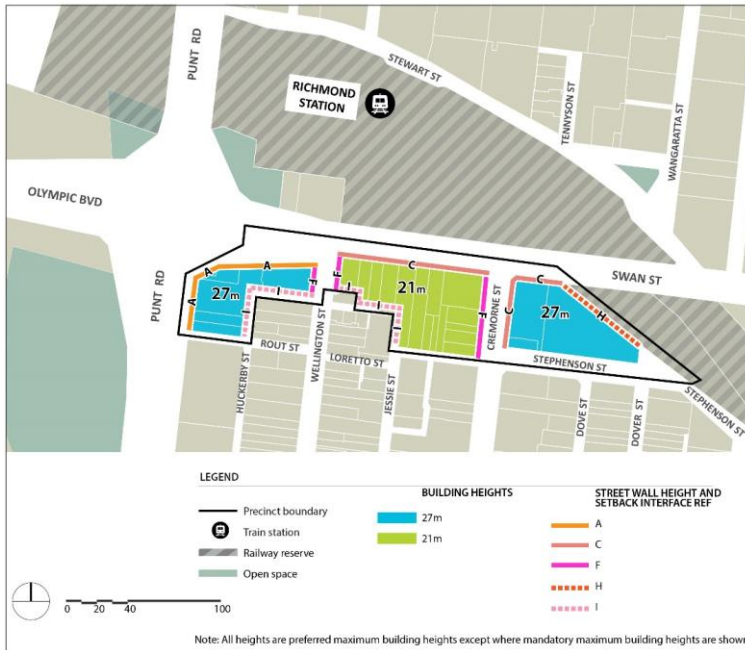
**Table 1 – Street Wall Heights and Setbacks for Precinct 1**

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
A	Street wall height		21m maximum
	Street wall setback		0m
	Upper level setback		5m minimum
G	Street wall Height		11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building.
	Street wall setback	0m	
	Upper level setback	Minimum 5m for individually significant heritage buildings.	Minimum 5m elsewhere. Any part of a building above the street wall must be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).
F	Street wall height		11m minimum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on Plan 2.
	Upper level setback		0m.

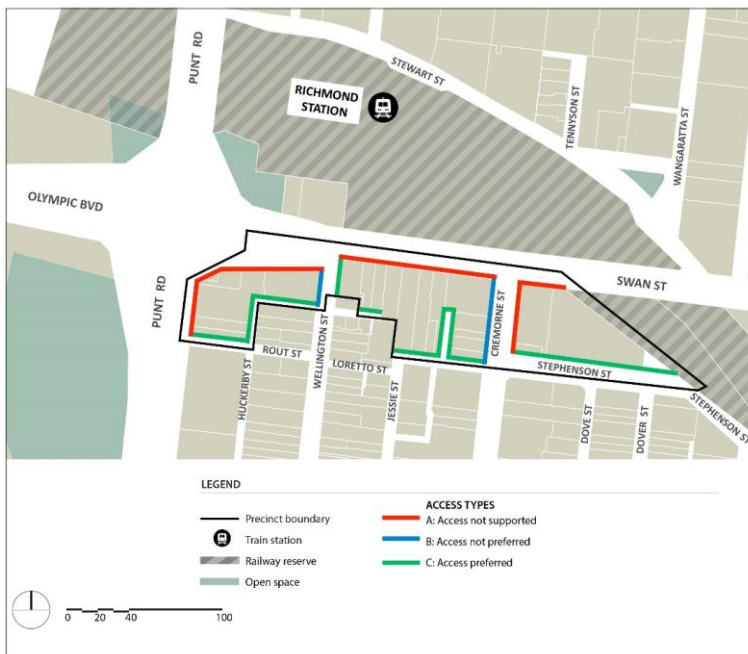
YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
†	Side and rear wall height		<del>8m maximum on a common boundary with a property in a residential zone.</del> 11.5m maximum if boundary abuts a laneway.
	Upper level setback		<del>Development must be setback in accordance with Figure 1 and Figure 2.</del> Development must minimise repetitive stepped form.

**Plan 1: Height and Interface Plan – Precinct 1 – Richmond Station**



**Plan 2: Access and Movement Plan – Precinct 1 – Richmond Station**



### Precinct 2 – Swan Street Activity Centre

Shown on the planning scheme map as **DDO17-2**

The Precinct Design Requirements for Precinct 2 are as follows:

- Development must respect the consistent scale, grain and architectural quality of the highly intact heritage streetscapes and the individually significant buildings in the precinct.
- Development along the rail corridor must avoid a continuous wall of taller development when viewed from local streets south of the rail corridor.
- Development on the south side of Swan Street must maintain Dimmey's Tower as the prominent landmark in the streetscape when viewed from the northern footpath of Swan Street east of the rail bridge and west of Church Street.
- Taller built form adjoining the rail corridor must not compete with the architectural form and complexity of the Dimmey's Clock Tower.
- Development must improve the pedestrian environment and amenity of streets and laneways that provide a pedestrian connection to Swan Street, Church Street, East Richmond Train Station, and entrances to buildings.
- Development adjoining Milton Place must be designed to address the potential future public park adjoining East Richmond Railway Station.
- Development must not overshadow any part of the opposite footpath of Lennox Street, Stanley Street, Clifton Street, and Docker Street, (measured as 2.0 metres from the road boundary of the street between 10 am and 2 pm at 22nd September).
- Development must not overshadow any part of the potential future open space adjacent to the East Richmond Station (measured as beyond 7.0m from the eastern road boundary of Milton Place and beyond 10.0m from the southern road boundary of Milton Place between 10 am and 2 pm at 22nd September).
- Development at 108-120 Swan Street and 2 Kipling Street, as shown in Plan 4, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 6m in total.
- Development of 94-98 Swan Street, as shown in Plan 4, should include a rear setback, at ground floor, to allow for building services and car park access. The setback and laneway should be a minimum width of 3m in total.
- Development should facilitate the creation of a shared zone where properties abut a future shared zone as shown on Plan 4.

**Table 12 – Street Wall Heights and Setbacks for Precinct 2**

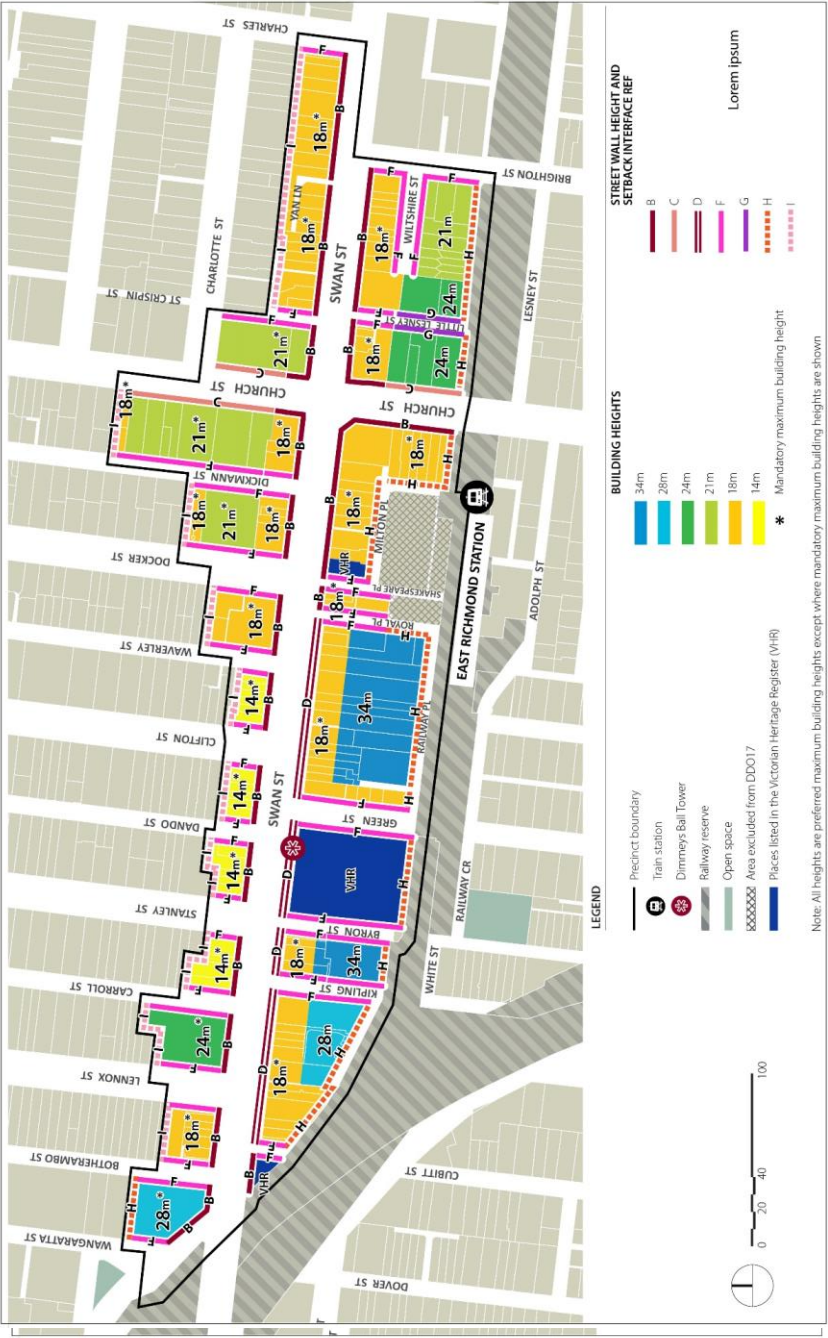
Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
B	Street wall height	11m maximum, <del>or the parapet height of the adjoining individually significant or contributory building if higher than 11m.</del> 8m minimum.	Match the parapet height of the adjoining heritage building, <u>for a minimum length of 6m from the heritage building.</u>
	Street wall setback	0m.	
	Upper level setback	<u>6.5m</u> minimum setback.	<u>For all development in a heritage overlay, any part of the building above the</u>

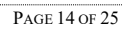
Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
			<del>heritage street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).</del>
C	Street wall Height		11m maximum <del>or the parapet height of the adjoining individually significant or contributory building if higher than 11m.</del> 8m minimum. Match the parapet height of the taller adjoining heritage building <u>for a minimum length of 6m from the heritage building.</u>
	Street wall setback	0m.	
	Upper level setback	<del>65m</del> minimum for individually significant heritage buildings.	Minimum <del>65m</del> elsewhere. <del>Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).</del>
D	Street wall height	11m maximum <del>or the parapet height of the adjoining individually significant or contributory building if higher than 11m.</del> 8m minimum.	Match the parapet height of the taller adjoining heritage building <u>for a minimum length of 6m from the heritage building.</u>
	Street wall setback	0m.	
	Upper level setback	10m minimum for development up to 21m. 20m minimum for any height above 21m.	
F	Street wall height		11m maximum
	Street wall setback		0m.
	Upper level setback		<del>65m</del> minimum for land affected by HO335 and individually significant buildings. 3m minimum elsewhere.
G	Street wall height		14.5m maximum.
	Street wall setback		0m.

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Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Plan <u>24</u> .
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.
	Upper level setback		Development <del>must</del> <u>should</u> be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.

Plan 1: Height and Interface Plan – Precinct 2 –Swan Street Retail Centre





**Precinct 3—Swan Street East**

Shown on the planning scheme map as **DDO17-3**

The design requirements for Precinct 3 are as follows:

- Development along Swan Street must continue the street-level experience of the Swan Street and Burnley Street heritage precincts by maintaining a consistent and prominent street wall.
- Development must improve the pedestrian environment and amenity of Swan Street, and easements and laneways that provide a pedestrian connection to Swan Street and to the entrances to new developments.
- Development of properties in the locations shown as “Upper Level Building Breaks” on Plan 5 must incorporate side setbacks greater than the standards in Clause 2 and enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street and along Lord Street and Edinburgh Street.
- Development must not overshadow any part of the opposite footpath of Mary Street and Coppin Street (measured as 2.0m from the road boundary between 10 am and 2 pm at 22nd September).
- Development should be designed to enhance, activate, and provide passive surveillance to the pedestrian connection between Glass Street and Swan Street as shown on Plan 6.
- Development should include north-south access in the locations shown on the Access and Movement Plan 6 to allow for building services and car park access.

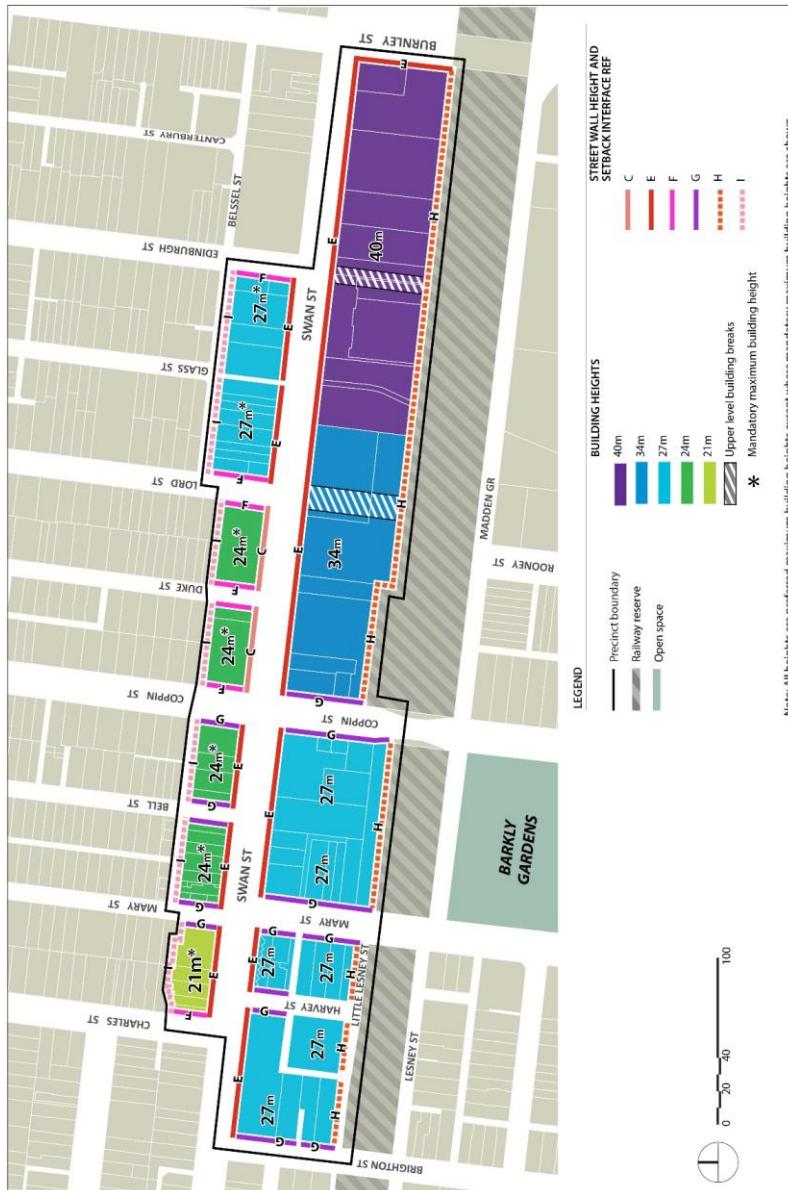
**Table 3—Street Wall Heights and Setbacks for Precinct 3**

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
G	Street wall Height		11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building
	Street wall setback	0m	
	Upper level setback	Minimum 5m for individually significant heritage buildings.	Minimum 5m elsewhere. Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).
E	Street wall height		14.5m maximum.
	Street wall setback		0m.
	Upper level setback		5m minimum.
F	Street wall height		11m minimum.

YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
	Street wall setback		0m.
	Upper level setback		5m minimum for individually significant buildings. 3m minimum elsewhere.
G	Street wall height		14.5m maximum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Plan 6.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.
	Upper level setback		Development should be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.

Plan 5: Height and Interface Plan — Precinct 3 — Swan Street East



**Plan 6: Access and Movement Plan—Precinct 3—Swan Street East**



### Precinct 4 – Burnley Station

Shown on the planning map as **DDO17-4**

The Precinct Design Requirements for Precinct 4 are as follows:

- Development must respect the scale, rhythm, and architectural detail of the streetscape and the heritage buildings in the Burnley Street Heritage Precinct.
- Development along Swan Street must achieve a prominent street wall and provide an appropriate transition in the street wall height to the Burnley Street and Bendigo Street heritage precincts.
- Development must maintain the amenity of Ryan's Reserve.
- Development of properties in the locations shown as "Upper Level Building Breaks" on Plan 7 must incorporate side setbacks greater than the standards in Clause 2 to enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street and along Cutter Street and Bendigo Street.
- Development must not overshadow the opposite footpath of Stawell Street (measured as 2.0m from the road boundary between 10 am and 2 pm on 22nd September).
- Development must maintain solar access to Ryan's Reserve as follows:
  - Beyond 16m of the eastern boundary of the reserve from 10 am onwards on 22 September
  - At the western boundary of the reserve until 2 pm on 22 September.
- Development of 500 to 506 Swan Street, as shown in Plan 8, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 6m in total.
- Development of 130 to 136 Stawell, as shown in Plan 8, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 3m in total.

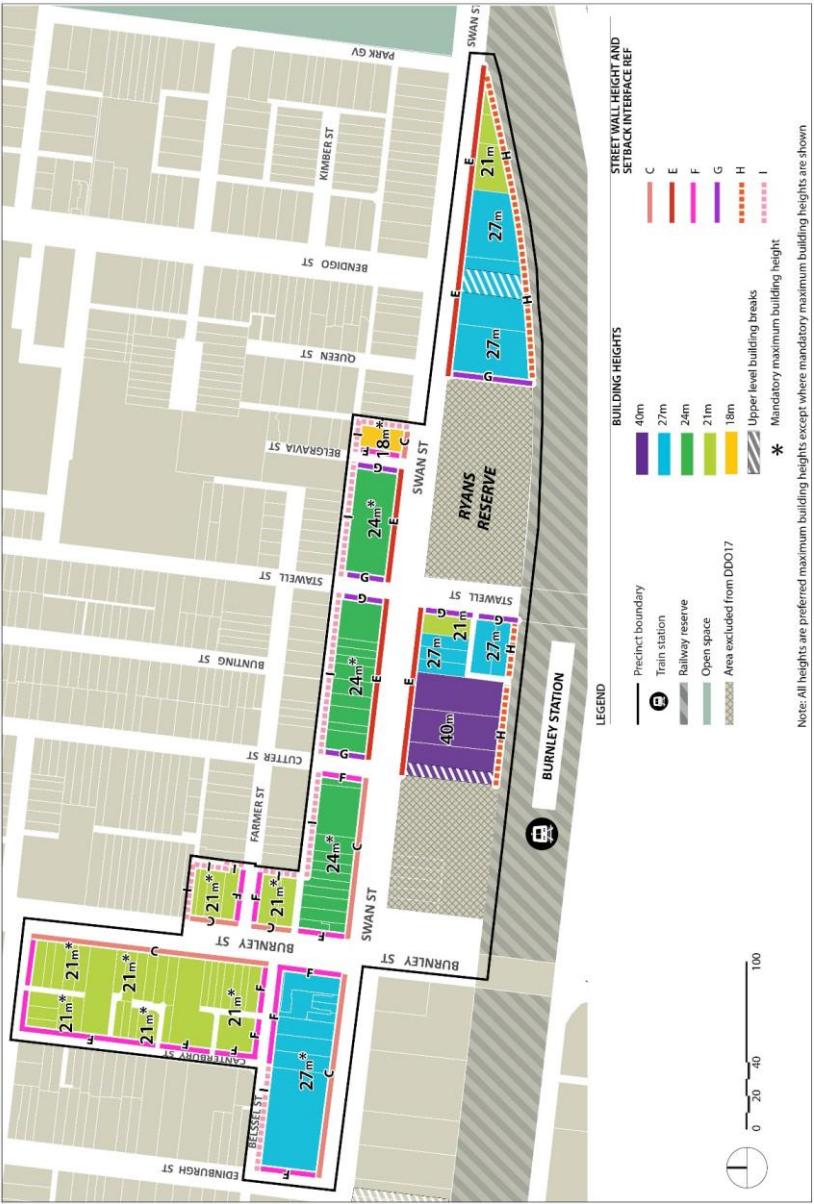
**Table 4 – Street Wall Heights and Setbacks for Precinct 4**

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
G	Street wall Height		11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building.
	Street wall setback	0m.	
	Upper level setback	10m minimum from Swan Street setback for land affected by HQ 286 (365 Swan Street). Minimum 5m for other individually significant heritage buildings.	Minimum 5m elsewhere. Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of

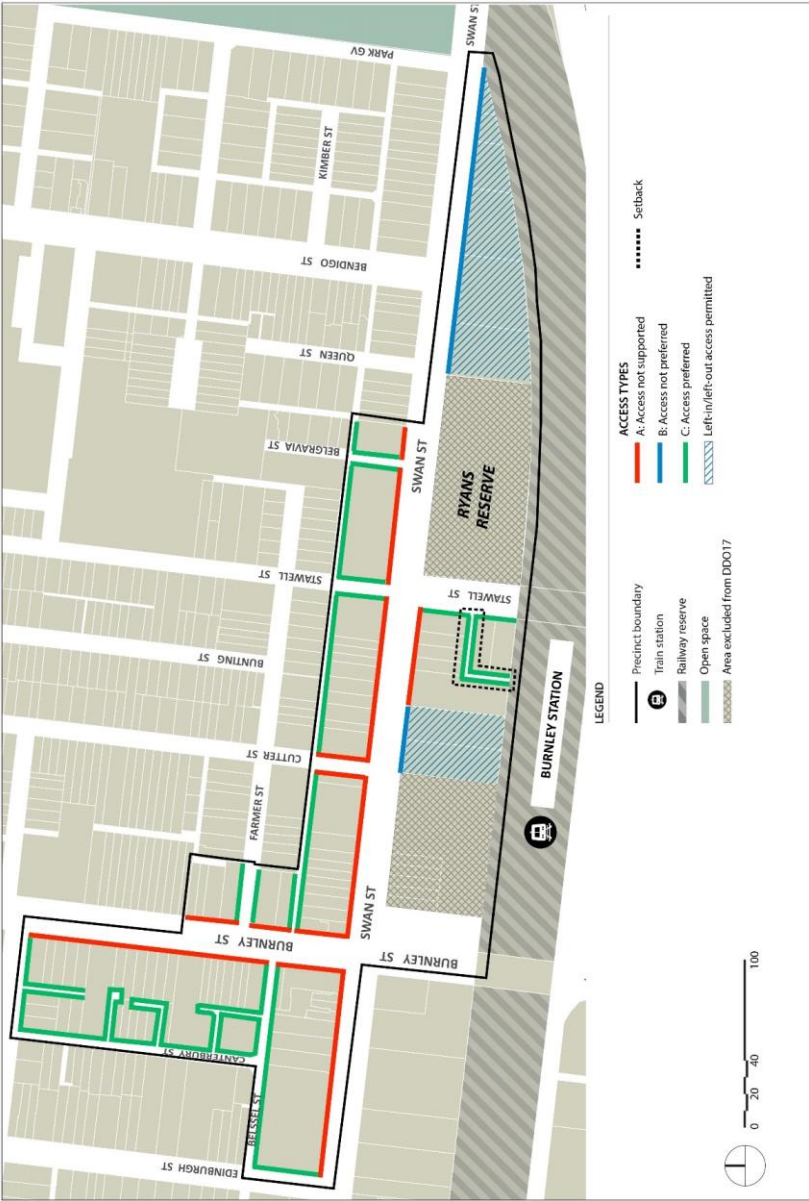
YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
			<del>1.7 metres (on the opposite side of the street).</del>
E	Street wall height		14.5m maximum
	Street wall setback		0m.
	Upper level setback		5m minimum.
F	Street wall height		11m minimum.
	Street wall setback		0m.
	Upper level setback		5m minimum for individually significant buildings. 3m minimum elsewhere.
G	Street wall height		14.5m maximum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Plan 8.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.
	Upper level setback		Development must be setback in accordance with Figure 1 and Figure 2. Development must minimise stepped form.

Plan 7: Height and Interface Plan — Precinct 4 — Burnley Station



Plan 8: Access and Movement Plan – Precinct 4 – Burnley Station



**3.0 Subdivision**dd/mm/yyyy  
Proposed  
C191

None specified.

**4.0 Advertising**dd/mm/yyyy  
Proposed  
C191

None specified.

**5.0 Decision guidelines**dd/mm/yyyy  
Proposed  
C191

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 General Design Requirements ~~and the Precinct Design Requirements~~ in Clause 2.0 are met.
- Whether design excellence is achieved (in terms of building siting, scale, massing, articulation and materials).
- The design of the streetscape interface and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- The shadowing impacts of the development on footpaths and public spaces.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Swan Street and from local streets.
- The prominence of the heritage street wall in the vistas along Swan Street, Church Street, ~~Burnley Street~~, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.
- The impact of development on view lines to the Dimmey<sup>2</sup>s Clock Tower.
- The impact of development on the operation of the tram routes along Swan Street and Church Street.

**Commented [CA37]:** New decision guidelines from feedback from Council's Statutory Planning Unit

**Commented [CA38]:** Not relevant to Precinct 2

Figure 1 to schedule 2647 – Residential interface with an existing laneway

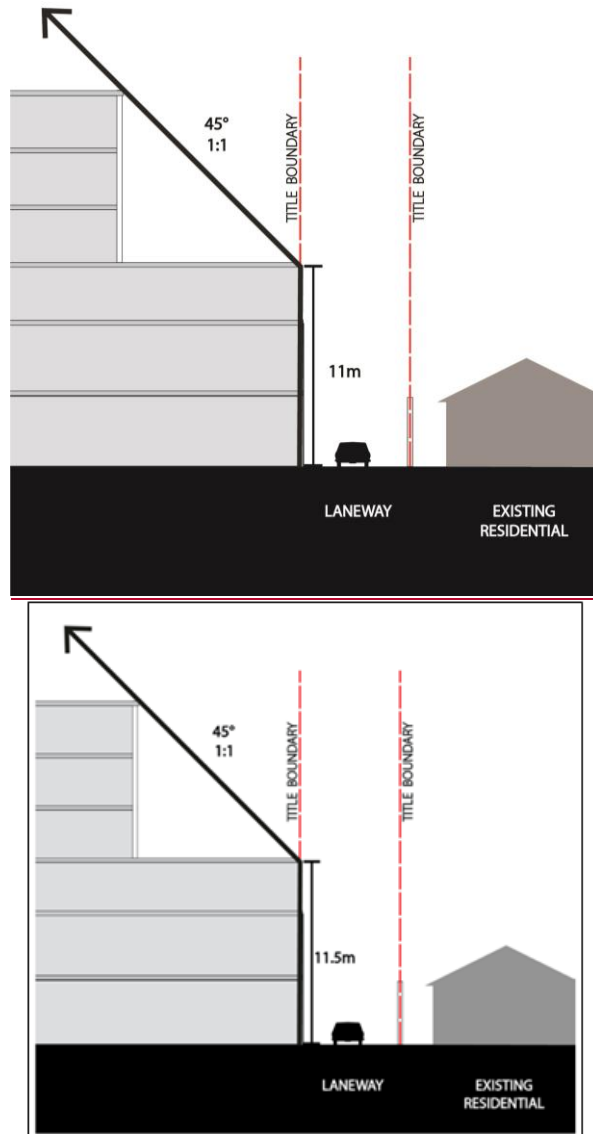
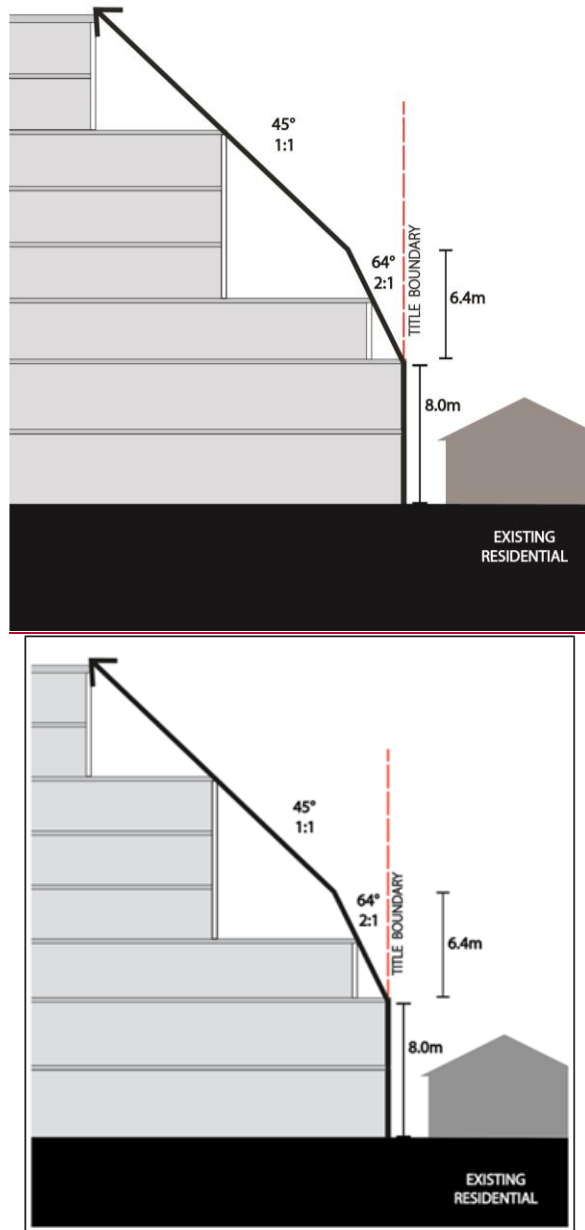


Figure 2 to schedule ~~2647~~ – Residential interface direct abuttal



dd/mm/yyyy  
Proposed  
C191**SCHEDULE 2747 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO2747**.**SWAN STREET ACTIVITY CENTRE - PRECINCT 3 SWAN STREET EAST****1.0****DGeneral design objectives**dd/mm/yyyy  
Proposed  
C191

- ~~To recognise and respond to the distinct character and varying development opportunities defined by the four precincts along Swan Street.~~
- To support a new mid rise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas that maintains an active, high quality and pedestrian friendly environment.
- ~~To support taller development on the south side of Swan Street that has regard to the north side of Swan Street and gradually scales up to Burnley Street, denoting the importance of the station.~~
- ~~To create a safe and attractive pedestrian environment that protects solar access, enhances ground floor activation along Swan Street and side streets and limits vehicle access from Swan Street to new development.~~
- ~~To reinforce a consistent built form edge to Swan Street while supporting physical and visual permeability through breaks in built form on the south side of Swan Street.~~
- ~~To ensure that, along the north side of Swan Street, the heritage buildings remain visually prominent in the streetscape.~~
- ~~To ensure development maintains the prominence of the heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscapes.~~
- ~~To minimise the amenity impacts on residential properties adjoining the Swan Street Activity Centre including overlooking, overshadowing and visual bulk impacts.~~
- ~~To ensure that vehicular access to development does not adversely impact the level of service, efficiency, and safety of the arterial and tram network.~~

**Commented [CA1]:** Bland statement - Not specific to Precinct 3**Commented [CA2]:** New design requirement translated from the Swan Street Built Form Framework (Tract and City of Yarra, 2017)**2.0****Buildings and works**dd/mm/yyyy  
Proposed  
C191A permit is required to construct a building or construct or carry out works.**2.1****Definitions**dd/mm/yyyy  
Proposed  
C191~~Street-wall is the means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building.~~

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 at the street edge, with the exception of architectural features and building services.

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant.Laneway means a road reserve of a public highway 9 metres or less wide.Building height means the vertical distance from natural ground level to the roof or parapet at any point.Building height does not include non-structural elements and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment provided that all of the following criteria are met:**Commented [CA3]:** New definitions to clarify the meaning of terms used in DDO

- The total roof area occupied by the equipment (other than solar panels) is minimised;
- The service equipment is located in a position on the roof so as to minimise its visibility;
- The non structural elements and service equipment minimise additional overshadowing of neighbouring properties and public spaces;
- The equipment does not extend higher than 3.6 metres above the maximum building height; and
- The non structural elements and service equipment are integrated into the design of the building to the satisfaction of the responsible authority.

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

**Parapet height** does not include features such as brackets, pediments, urns, finials or other decorative elements.

**Road boundary** means the boundary between the public road and the private property.

**Shared zone** means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

**Upper level** means development above the height of the street wall.

## 2.2 Requirements

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Height and Interface Plan 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in the Height and Interface Plan 1 of this schedule

### 2.32 General design requirements

dd/mm/yyyy  
Proposed  
C191

The following general design requirements apply to an application to construct a building or construct or carry out works, and must be read in conjunction with the relevant precinct design requirements.

#### Design quality requirements

Development should achieve urban design and architectural excellence, demonstrating improved streetscape outcomes.

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Development should provide for street activation at ground levels.

Development should be designed to avoid repetitive stepped form at upper levels.

Upper level development should be designed to ensure buildings provide detail on all facades when viewed from all directions.

Frontages at ground floor should incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

**Commented [CA4]:** Relocated to Section 2.3 General design requirements

**Commented [CA5]:** New 'header' section to reduce text elsewhere

**Commented [CA6]:** New 'header' section to reduce text elsewhere

**Commented [CA7]:** New theme to group design quality requirements under that were, unsuitably, located under other themes

**Commented [CA8]:** New design requirement translated from the Swan Street Built Form Framework (Tract and City of Yarra, 2017)

**Commented [CA9]:** New design requirement recommended by Council's Statutory Planning Unit

**Commented [CA10]:** Relocated from the 'Street wall and setbacks requirements' section below.

**Building heights requirements**

~~A permit cannot be granted to construct a building or construct or carry out works which exceeds the mandatory maximum building height shown in the Height and Interface Plans (Plan 1, 3, 5 and 7) of this schedule;~~

A permit ~~should only may~~ be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan 1s (Plan 1, 3, 5 and 7) of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the ~~building elements permitted by the built form outcome as a result of the~~ proposed variation satisfies the general design objectives in Clause 1.0 of this schedule, the relevant precinct design requirements specified in this schedule; ~~and~~
- ~~the proposed building height achieves the preferred future mid-rise character for Swan Street of generally 5 to 12 storeys; and~~
- 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~~
  - ~~Accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and 58;~~
  - ~~universal access, and~~ communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58;
  - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
  - ~~no additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height.~~
  - ~~provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms.~~

~~Architectural features may exceed the preferred or mandatory height.~~

~~Service equipment / structures including plant rooms, lift overruns, structures associated with green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:~~

- ~~Less than 50 per cent of the roof area is occupied by the equipment (other than solar panels); and~~
- ~~The equipment does not cause additional overshadowing; and~~
- ~~The equipment does not extend higher than 3.6 metres above the maximum building height.~~

**Street wall and setbacks requirements**

~~A permit cannot be granted to construct a building or construct or carry out works which exceed the mandatory maximum street wall height and/or reduces the mandatory minimum setback requirements specified in the Precinct Tables in this schedule.~~

A permit ~~cannot should not~~ be granted ~~to construct a building or construct or carry out works~~, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred mandatory minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

**Commented [CA11]:** Deleted to reduce amount of unnecessary text (duplicate of text above in Section 2.2 Requirements)

**Commented [CA12]:** Deleted to reduce amount of unnecessary text (duplicate of text above in Section 1.0 General design objectives).

**Commented [CA13]:** Deleted as per the Yarra C220 Panel recommendation

**Commented [CA14]:** Reworded to align with wording used consistently throughout the Yarra Planning Scheme

**Commented [CA15]:** New design requirement recommended by Council's Statutory Planning Unit

**Commented [CA16]:** Relocated from section 2.1 Definitions

**Commented [CA17]:** Deleted to reduce amount of unnecessary text (duplicate of text above in Section 2.2 Requirements)

- The built form outcome as a result of the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule,
- The built form outcome as a result of the proposed variation satisfies the relevant requirements specified in this schedule
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as balconies, and building services and architectural features must not intrude into a setback.

On corner sites where two different street wall heights are nominated, buildings should 'turn the corner' and apply the Swan Street wall height. If the Swan Street wall is higher it should transition to the lower nominated street wall height on the side street.

Development should create a sense of enclosure to Swan Street through the height and setback of its street wall.

The following requirements also apply to the design of the street wall and upper levels:

- Frontages at ground floor and within the street wall must be designed with floor to floor ceiling heights suitable to accommodate commercial activity.
- Frontages at ground floor must incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.
- Development must be designed to adopt the same street setback from all interfaces for a minimum of 65% of the height of upper levels to avoid repetitive stepped form.
- Upper level development must be designed to ensure buildings are expressed in the round and provide detail on facades when viewed from all directions.
- Where development shares a common boundary and no interface treatment is shown in Plan 1, 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.

#### **Building separation requirements**

Where development shares a common boundary and no interface treatment is shown in Plan 1, upper level development should:

- 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.

Development of properties in the locations shown as "Upper Level Building Breaks" on Plan 1 should incorporate side setbacks greater than:

- a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed
- a minimum of 3.0m from the common boundary where a commercial or non-habitable window is proposed.

Development of properties in the locations shown as "Upper Level Building Breaks" on Plan 1 should enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street and along Lord Street and Edinburgh Street

**Commented [CA18]:** Relocated from Section 2.1 Definitions

**Commented [CA19]:** New design requirement in response to a submission

**Commented [CA20]:** Relocated above to theme, Design quality requirements

**Commented [CA21]:** New theme to reduce confusion and to better align with requirements below.

**Commented [CA22]:** Relocated from 'Street wall and setbacks requirements'

### Heritage design requirements

The following design requirements apply on land within a ~~H~~eritage ~~O~~verlay or immediately adjoining a ~~H~~eritage ~~O~~verlay.

Design Element	Design Requirement
Building facades and street frontages	<p><del>Infill Buildings and Development Adjoining a Heritage Building</del></p> <p><del>Façade treatments and the articulation of infill buildings on-land affected by a heritage overlay and of new buildings on-land immediately adjoining a heritage building must-should:</del></p> <ul style="list-style-type: none"> <li><del>Be ensure the façade treatments and the articulation of new development are</del> simple and do not compete with the more elaborate detailing of the adjoining heritage building(s)</li> <li>respect the vertical proportions of the nineteenth and early twentieth century facades of the heritage streetscape and/or adjoining heritage building(s)</li> <li>avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts</li> <li>maintain the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building.</li> </ul> <p><del>Contributory or Individually Significant Buildings</del></p> <p><del>Adaptation and reuse of contributory or individually significant buildings must-should:</del></p> <ul style="list-style-type: none"> <li><del>maintain existing openings and avoid highly reflective glazing in historic openings</del></li> <li><del>avoid highly reflective glazing in historic openings</del></li> <li>encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings</li> <li>maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings.</li> </ul>
Upper <del>l</del> evels setbacks (above street wall height)	<p><del>Upper level development on land within a H</del>eritage <del>O</del>verlay and on land immediately adjoining a heritage building <del>must-should:</del></p> <ul style="list-style-type: none"> <li>be visually recessive and not visually dominate the heritage building and the heritage streetscape</li> <li>retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid 'facadism'</li> <li>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</li> <li>incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape</li> <li><del>be articulated to</del> reflect the <u>rhythm of the wider streetscape</u>, fine grained character <u>and subdivision pattern</u> of the streetscape, <u>especially on larger sites</u>.</li> </ul>

Commented [CA23]: Deleted to reduce amount of unnecessary text

Commented [CA24]: Deleted to reduce amount of unnecessary text

### Overshadowing requirements

A permit ~~cannot-must not~~ be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10 am and 2 pm at 22nd September:

- any part of the southern footpath of Swan Street, measured as 4.0m from the southern road boundary of Swan Street,
- ~~any part of the opposite footpath of Church Street, measured as 4.0 metres from the road boundary of Church Street~~

Commented [CA25]: Not relevant to Precinct 3

- any part of the opposite footpath of Burnley Street, measured as 4.0 metres from the road boundary of Burnley Street

A permit should not be granted to construct a building or construct or carry out works that would overshadow part of the opposite footpath of Mary Street and Coppin Street (measured as 2.0m from the kerb between 10 am and 2 pm at 22nd September) unless the overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority.

A permit cannot ~~should not~~ be granted to construct a building or construct or carry out works which are not in accordance with the overshadowing requirements specified in Clause 2.3 of this schedule unless the resultant overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority.

#### Vehicle and pedestrian access requirements

Development ~~must~~ should provide vehicular access from rear lanes or from side streets in the preferred locations in the Access and Movement Plans ~~(Plan 2, 4, 6 and 8)~~ of this schedule.

~~except in locations identified as "Left in – Left Out Access Permitted" in the Access and Movement Plans (Plan 2, 4, 6 and 8) of this schedule.~~

~~Development identified as "Left in – Left Out Access Permitted" in the Access and Movement Plan must limit the width of vehicle crossovers and incorporate 'Left in' and 'Left out' only vehicle access.~~

Development with redundant vehicle access points to Swan Street, ~~Church Street~~ and Burnley Street ~~must~~ should reinstate the kerb, linemarked parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, ~~must~~ should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Pedestrian access to buildings, including upper level apartments, ~~must~~ should be from a street or a shared zone shown on the Access and Movement Plans ~~(Plan 2, 4, 6 and 8)~~ of this schedule. Where pedestrian access can only be provided from a laneway at the rear of buildings the pedestrian entrance ~~must~~ should be setback from the rear laneway and well-lit to enable safe access.

Development should be designed to enhance, activate, and provide passive surveillance to the pedestrian connection between Glass Street and Swan Street as shown on Plan 2.

Development should include north-south access in the locations shown on the Access and Movement Plan 2 to allow for building services and car park access.

**Commented [CA26]:** Relocated from the Precinct 3 Design requirements

## 2.3 Precinct design requirements

dd/mm/yyyy  
Proposed  
C191

The following specific Precinct Design Requirements apply in addition to the general design requirements.

### Precinct 1 – Richmond Station

Shown on the planning scheme map as ~~DDO17-1~~

The Precinct Design Requirements for Precinct 1 are as follows:

- ~~Development must provide a consistent built form edge to the street.~~
- ~~The street wall of development on the corner of Swan Street and Punt Road must mark the entry into the Swan Street Activity Centre.~~
- ~~The street wall of new development east of Wellington Street must reflect the height and fine grain articulation of the heritage buildings.~~
- ~~Development must improve the pedestrian environment and amenity of the streetscape along Swan Street and the streets leading to the Cremorne~~

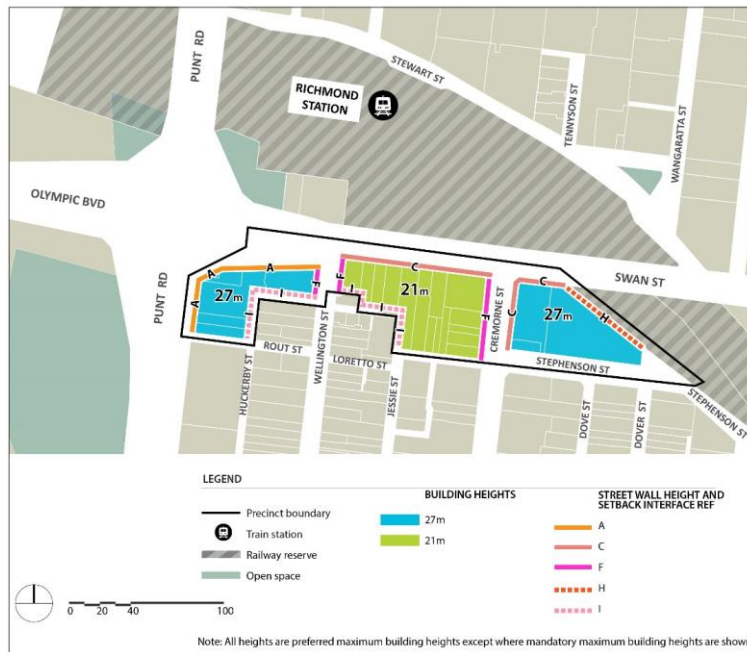
~~Employment Precinct through high quality architectural design and improvements to the public realm.~~

- \* ~~Development must not overshadow any part of the opposite footpath of Cremorne Street (measured as 2.0 metres from the boundary of Cremorne Street between 10 am and 2 pm at 22nd September).~~

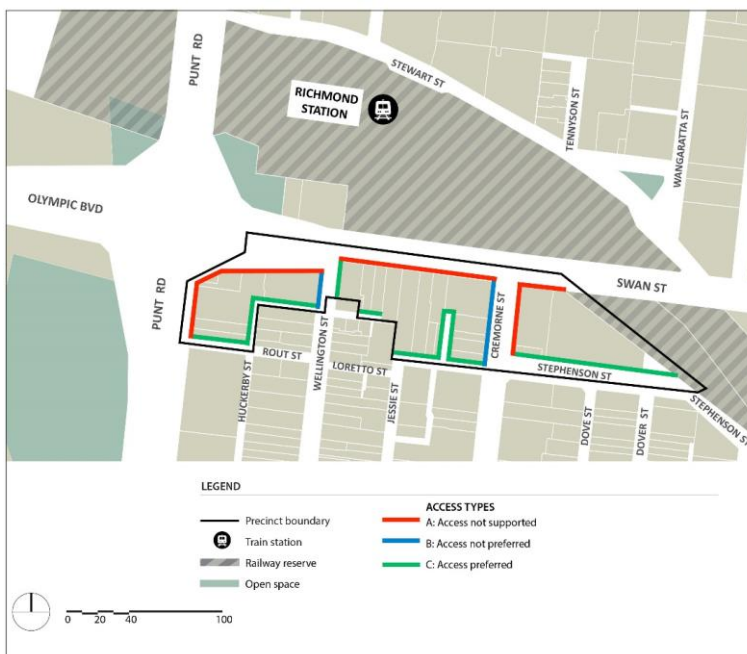
**Table 1 — Street Wall Heights and Setbacks for Precinct 1**

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
A	Street wall height		21m maximum
	Street wall setback		0m
	Upper level setback		5m minimum
G	Street wall Height		<del>11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m.</del> <del>8m minimum.</del> Match the parapet height of the taller adjoining heritage building.
	Street wall setback	<del>0m</del>	
	Upper level setback	Minimum 5m for individually significant heritage buildings.	Minimum 5m elsewhere. Any part of a building above the street wall must be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).
F	Street wall height		<del>11m minimum.</del>
	Street wall setback		<del>0m.</del>
	Upper level setback		<del>3m minimum.</del>
H	Street wall height		<del>N/A.</del>
	Street wall setback		<del>0m minimum unless setback is identified on Plan 2.</del>
	Upper level setback		<del>0m.</del>
I	Side and rear wall height		<del>8m maximum on a common boundary with a property in a residential zone.</del> <del>11.5m maximum if boundary abuts a laneway.</del>
	Upper level setback		Development must be setback in accordance with Figure 1 and Figure 2. Development must minimise repetitive stepped form.

**Plan 1: Height and Interface Plan – Precinct 1 – Richmond Station**



**Plan 2: Access and Movement Plan – Precinct 1 – Richmond Station**



### Precinct 2 – Swan Street Activity Centre

Shown on the planning scheme map as **DDO17-2**

The Precinct Design Requirements for Precinct 2 are as follows:

- Development must respect the consistent scale, grain and architectural quality of the highly intact heritage streetscapes and the individually significant buildings in the precinct.
- Development along the rail corridor must avoid a continuous wall of taller development when viewed from local streets south of the rail corridor.
- Development on the south side of Swan Street must maintain Dimmey's Tower as the prominent landmark in the streetscape when viewed from the northern footpath of Swan Street east of the rail bridge and west of Church Street.
- Taller built form adjoining the rail corridor must not compete with the architectural form and complexity of the Dimmey's Clock Tower.
- Development must improve the pedestrian environment and amenity of streets and laneways that provide a pedestrian connection to Swan Street, Church Street, East Richmond Train Station, and entrances to buildings.
- Development adjoining Milton Place must be designed to address the potential future public park adjoining East Richmond Railway Station.
- Development must not overshadow any part of the opposite footpath of Lennox Street, Stanley Street, Clifton Street, and Docker Street, (measured as 2.0 metres from the road boundary of the street between 10 am and 2 pm at 22nd September).
- Development must not overshadow any part of the potential future open space adjacent to the East Richmond Station (measured as beyond 7.0m from the eastern road boundary of Milton Place and beyond 10.0m from the southern road boundary of Milton Place between 10 am and 2 pm at 22nd September).
- Development at 108-120 Swan Street and 2 Kipling Street, as shown in Plan 4, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 6m in total.
- Development of 94-98 Swan Street, as shown in Plan 4, should include a rear setback, at ground floor, to allow for building services and car park access. The setback and laneway should be a minimum width of 3m in total.
- Development should facilitate the creation of a shared zone where properties abut a future shared zone as shown on Plan 4.

**Table 2 – Street Wall Heights and Setbacks for Precinct 2**

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
B	Street wall height	11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum.	Match the parapet height of the adjoining heritage building.
	Street wall setback	0m	
	Upper-level setback	5m minimum setback	For all development in a heritage overlay, any part of the building above the heritage street wall should

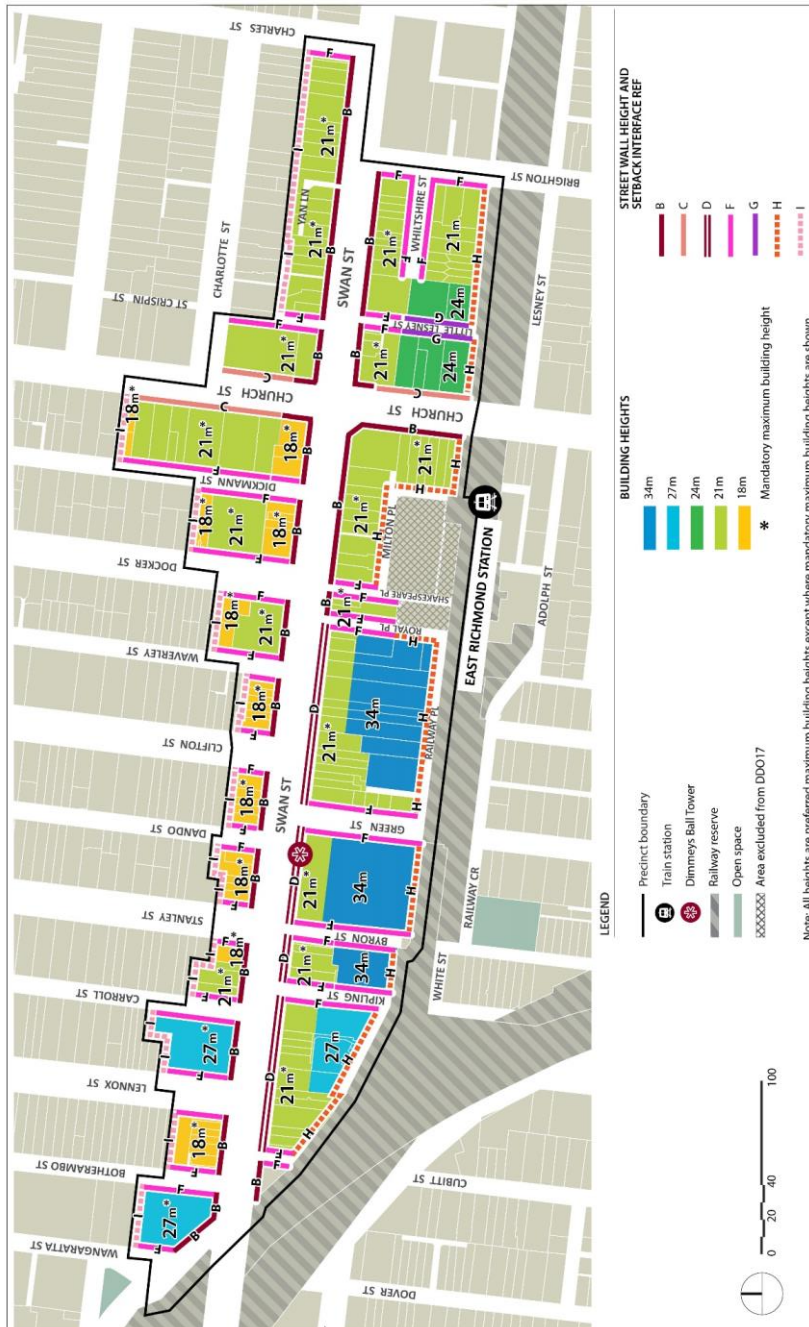
YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
			<del>be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).</del>
C	Street wall Height		11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building.
	Street wall setback	0m	
	Upper level setback	5m minimum for individually significant heritage buildings.	Minimum 5m elsewhere. Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).
D	Street wall height	11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum.	Match the parapet height of the taller adjoining heritage building.
	Street wall setback	0m.	
	Upper level setback	10m minimum for development up to 21m. 20m minimum for any height above 21m.	
F	Street wall height		11m maximum
	Street wall setback		0m.
	Upper level setback		5m minimum for land affected by HQ335 and individually significant buildings. 3m minimum elsewhere.
G	Street wall height		14.5m maximum.
	Street wall setback		0m.
	Upper level setback		3m minimum.

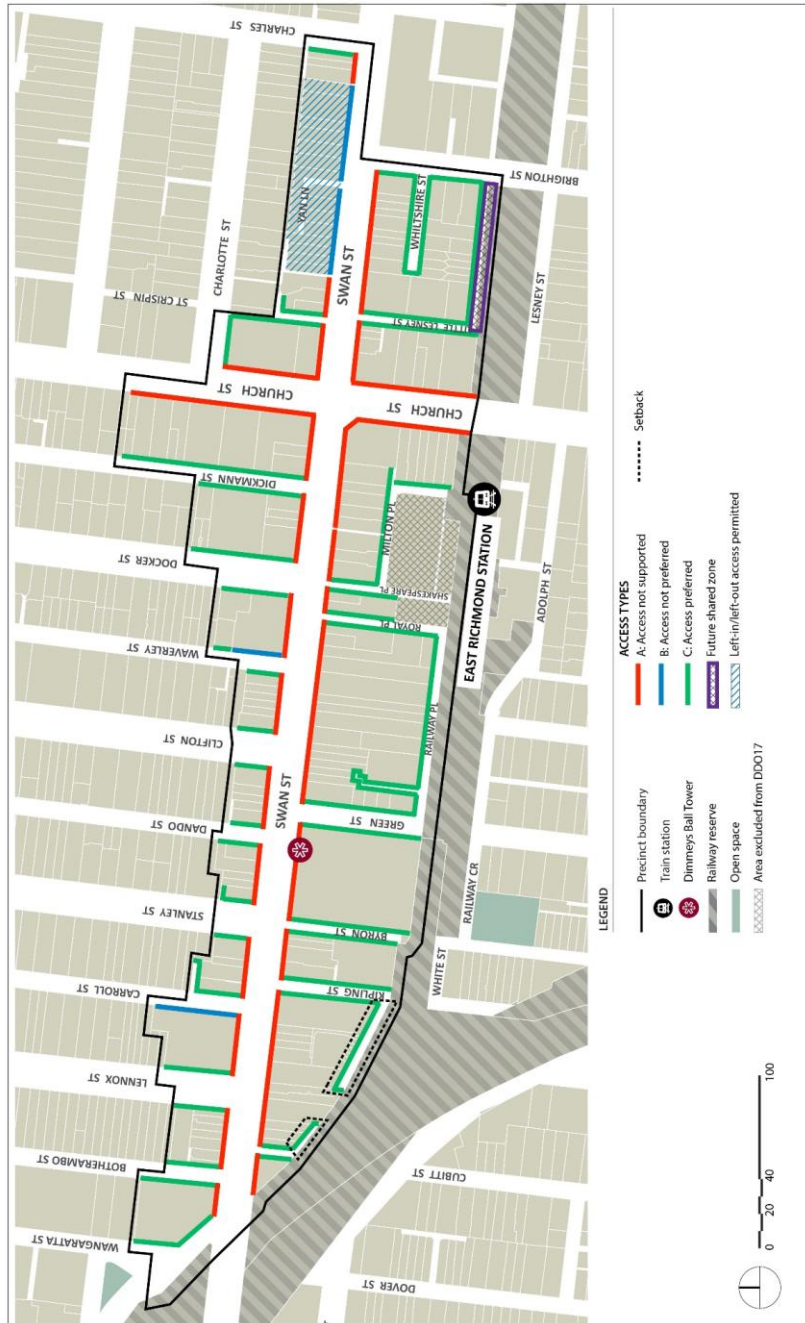
YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Plan 4.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.
	Upper level setback		Development must be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.

Plan 3: Height and Interface Plan – Precinct 2 – Swan Street Retail Centre



Plan 4: Access and Movement Plan—Precinct 2—Swan Street Retail Centre



**Precinct 3 – Swan Street East**

Shown on the planning scheme map as **DDO17-3**

The design requirements for Precinct 3 are as follows:

- Development along Swan Street must continue the street level experience of the Swan Street and Burnley Street heritage precincts by maintaining a consistent and prominent street wall.
- Development must improve the pedestrian environment and amenity of Swan Street, and easements and laneways that provide a pedestrian connection to Swan Street and to the entrances to new developments.
- Development of properties in the locations shown as “Upper Level Building Breaks” on Plan 5 must incorporate side setbacks greater than the standards in Clause 2 and enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street and along Lord Street and Edinburgh Street.
- Development must not overshadow any part of the opposite footpath of Mary Street and Coppin Street (measured as 2.0m from the road boundary between 10 am and 2 pm at 22nd September).
- Development should be designed to enhance, activate, and provide passive surveillance to the pedestrian connection between Glass Street and Swan Street as shown on Plan 6.
- Development should include north-south access in the locations shown on the Access and Movement Plan 6 to allow for building services and car park access.

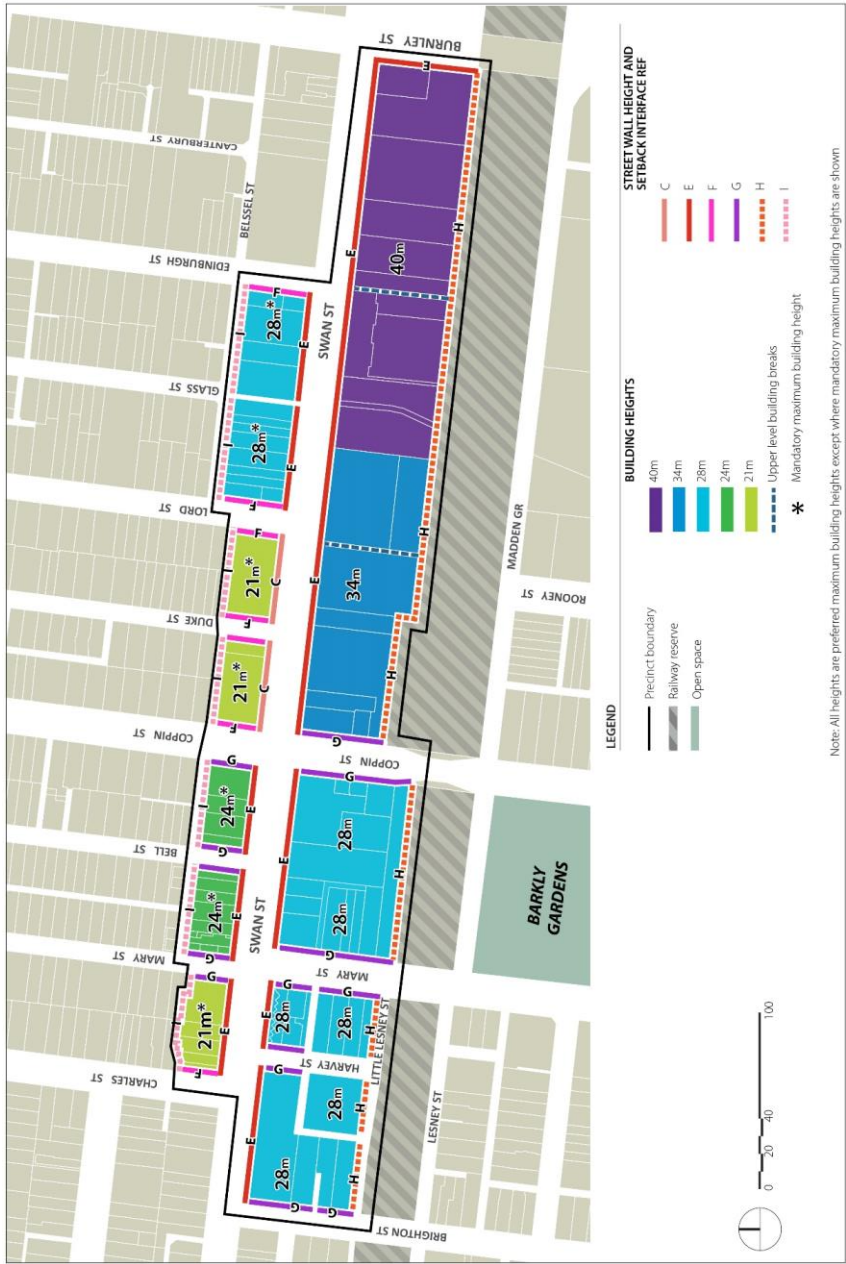
**Table 13 – Street Wall Heights and Setbacks for Precinct 3**

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
C	Street wall Height		11m maximum, <del>or the</del> parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building, <u>for a minimum length of 6m from the heritage building.</u>
	Street wall setback	0m.	
	Upper level setback	Minimum <del>6.5</del> m for individually significant heritage buildings.	Minimum <del>6.5</del> m elsewhere. Any part of a building above the street wall should be <del>designed to ensure that it</del> occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres <del>(on the opposite side of the street).</del>
E	Street wall height		14.5m maximum.
	Street wall setback		0m.
	Upper level setback		<del>6.5</del> m minimum.

YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
F	Street wall height		11m minimum.
	Street wall setback		0m.
	Upper level setback		<del>6.5</del> m minimum for individually significant buildings. 3m minimum elsewhere.
G	Street wall height		<del>14.5</del> m -maximum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Plan <del>26</del> .
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. <del>11.5</del> m maximum if boundary abuts a laneway.
	Upper level setback		Development should be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.

Plan 51: Height and Interface Plan – Precinct 3 – Swan Street East



Plan 62: Access and Movement Plan – Precinct 3 – Swan Street East



### Precinct 4 – Burnley Station

Shown on the planning map as **DDO17-4**

The Precinct Design Requirements for Precinct 4 are as follows:

- ~~Development must respect the scale, rhythm, and architectural detail of the streetscape and the heritage buildings in the Burnley Street Heritage Precinct.~~
- ~~Development along Swan Street must achieve a prominent street wall and provide an appropriate transition in the street wall height to the Burnley Street and Bendigo Street heritage precincts.~~
- ~~Development must maintain the amenity of Ryan's Reserve.~~
- ~~Development of properties in the locations shown as "Upper Level Building Breaks" on Plan 7 must incorporate side setbacks greater than the standards in Clause 2 to enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street and along Cutter Street and Bendigo Street.~~
- ~~Development must not overshadow the opposite footpath of Stawell Street (measured as 2.0m from the road boundary between 10 am and 2 pm at 22nd September).~~
- ~~Development must maintain solar access to Ryan's Reserve as follows:~~
  - ~~Beyond 16m of the eastern boundary of the reserve from 10 am onwards on 22 September~~
  - ~~At the western boundary of the reserve until 2 pm on 22 September.~~
- ~~Development of 500 to 506 Swan Street, as shown in Plan 8, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 6m in total.~~
- ~~Development of 130 to 136 Stawell, as shown in Plan 8, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 3m in total.~~

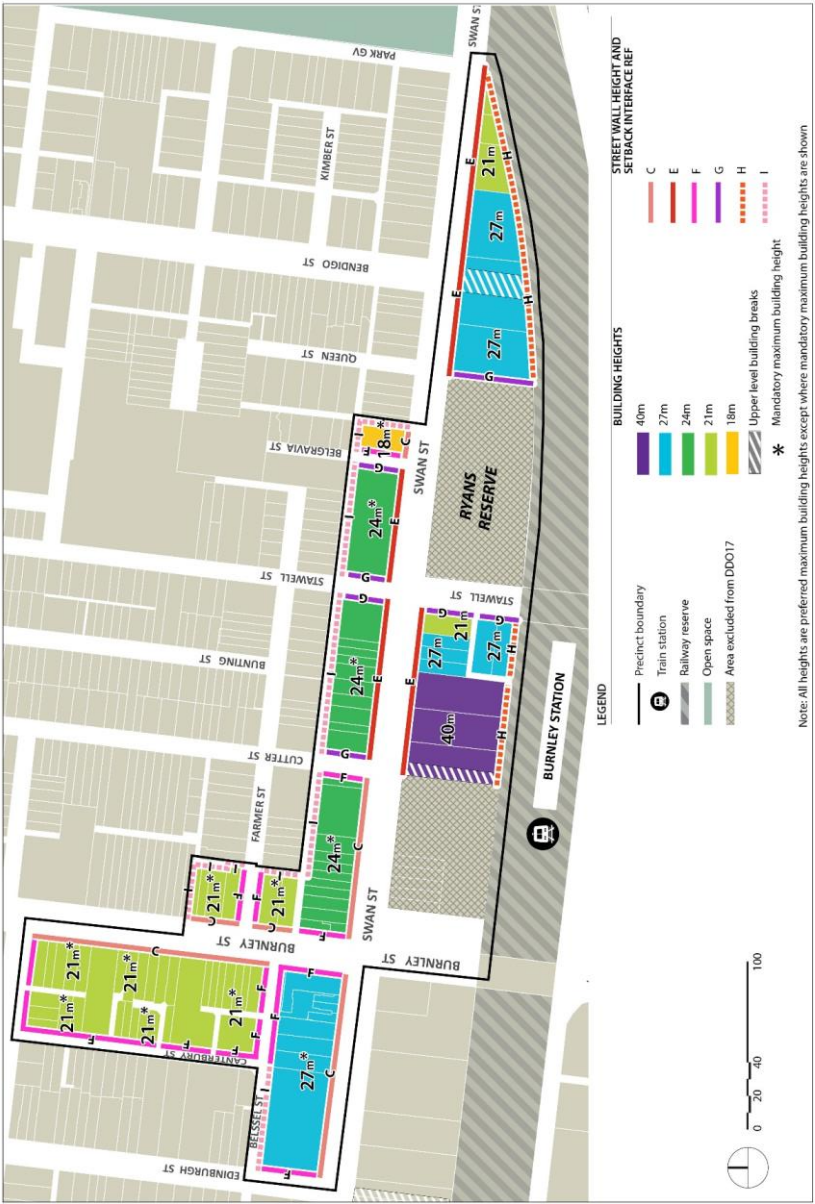
**Table 4 – Street Wall Heights and Setbacks for Precinct 4**

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
G	Street wall Height		<del>44m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 44m.</del> 8m minimum. <del>Match the parapet height of the taller adjoining heritage building.</del>
	Street wall setback	0m.	
	Upper level setback	<del>40m minimum from Swan Street setback for land affected by HQ 286 (365 Swan Street).</del> Minimum 5m for other individually significant heritage buildings.	Minimum 5m elsewhere. <del>Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of</del>

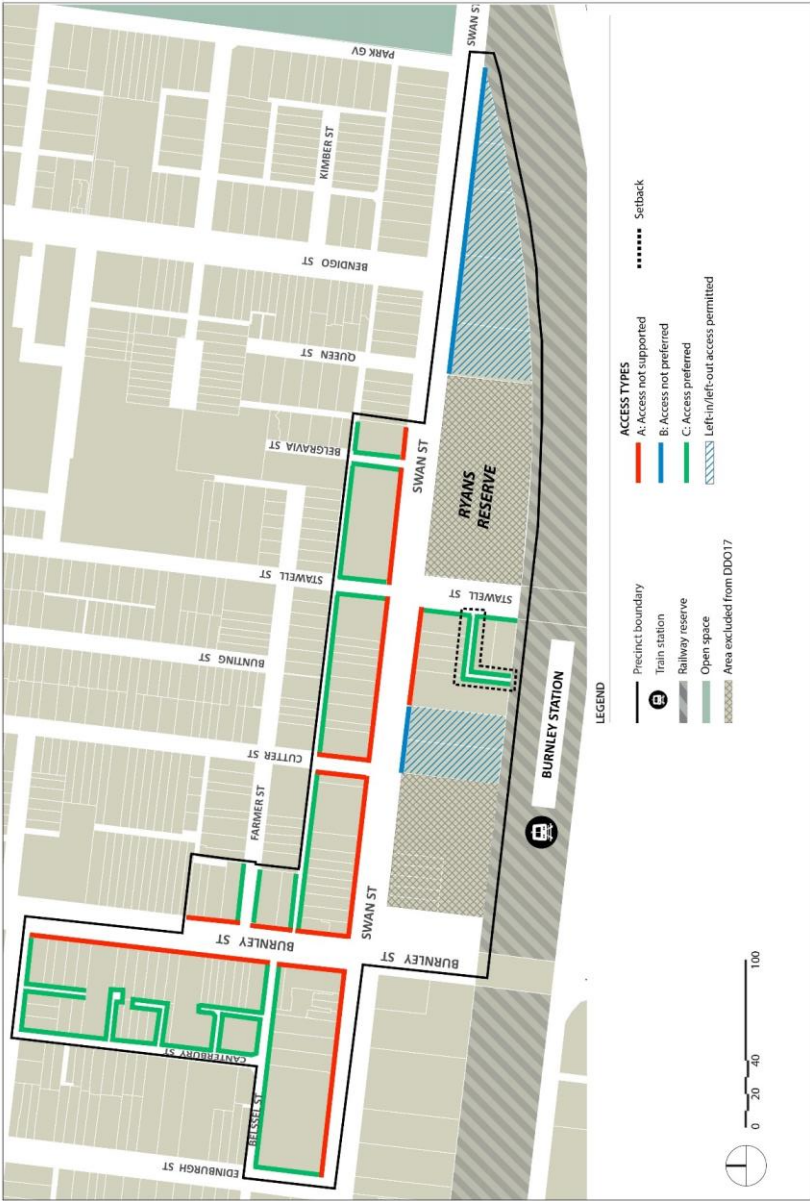
YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
			<del>1.7 metres (on the opposite side of the street).</del>
E	Street wall height		14.5m maximum
	Street wall setback		0m.
	Upper level setback		5m minimum.
F	Street wall height		11m minimum.
	Street wall setback		0m.
	Upper level setback		5m minimum for individually significant buildings. 3m minimum elsewhere.
G	Street wall height		14.5m maximum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Plan 8.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.
	Upper level setback		Development must be setback in accordance with Figure 1 and Figure 2. Development must minimise stepped form.

Plan 7: Height and Interface Plan – Precinct 4 – Burnley Station



Plan 8: Access and Movement Plan – Precinct 4 – Burnley Station



**3.0 Subdivision**dd/mm/yyyy  
Proposed  
C191

None specified.

**4.0 Advertising**dd/mm/yyyy  
Proposed  
C191

None specified.

**5.0 Decision guidelines**dd/mm/yyyy  
Proposed  
C191

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 General Design Requirements ~~and the Precinct Design Requirements~~ in Clause 2.0 are met.
- ~~Whether design excellence is achieved (in terms of building siting, scale, massing, articulation and materials).~~
- The design of the streetscape interface and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- The shadowing impacts of the development on footpaths and public spaces.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Swan Street and from local streets.
- The prominence of the heritage street wall in the vistas along Swan Street, ~~Church Street,~~ Burnley Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.
- ~~The impact of development on view lines to the Dimmey's Clock Tower.~~
- The impact of development on the operation of the tram routes along Swan Street ~~and Church Street.~~

**Commented [CA27]:** New decision guidelines from feedback from Council's Statutory Planning Unit

**Commented [CA28]:** Not relevant to Precinct 3

**Commented [CA29]:** Not relevant to Precinct 3

**Commented [CA30]:** Not relevant to Precinct 3

Figure 1 to schedule 247 – Residential interface with an existing laneway

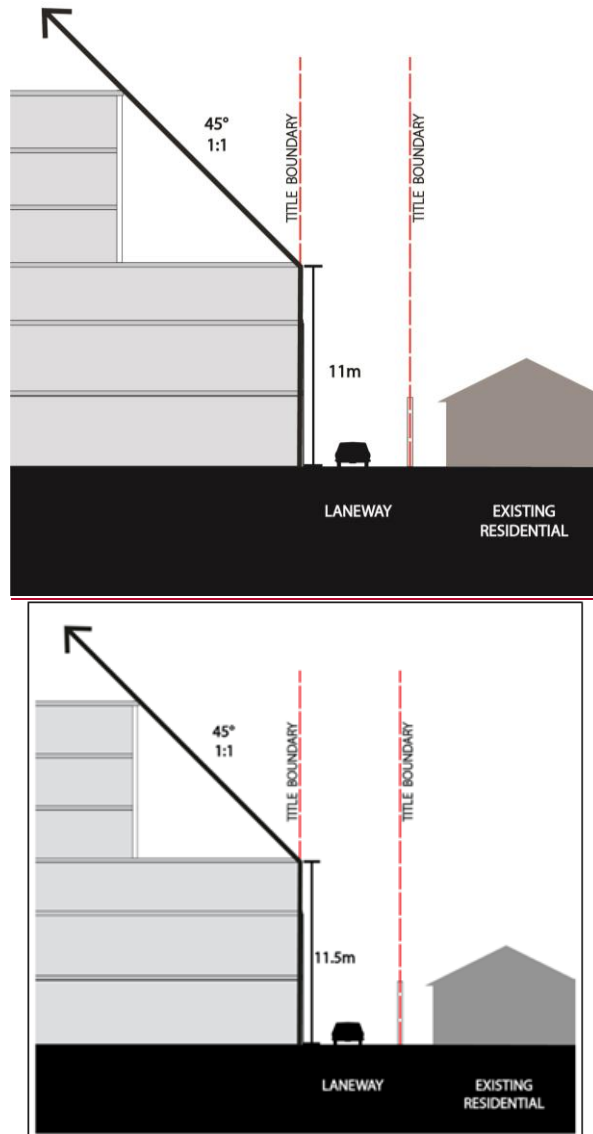
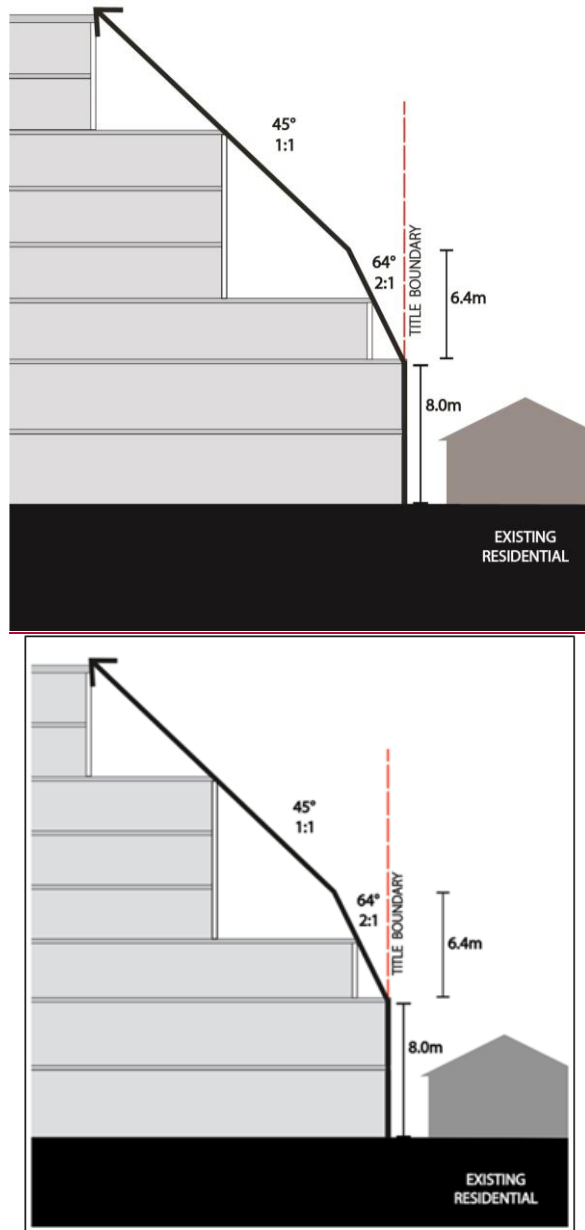


Figure 2 to schedule ~~2747~~ – Residential interface direct abuttal



dd/mm/yyyy  
Proposed  
C191**SCHEDULE 2847 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO2847**.**SWAN STREET ACTIVITY CENTRE - PRECINCT 4 BURNLEY STATION****1.0****DGeneral design objectives**dd/mm/yyyy  
Proposed  
C191

- ~~To ensure development respects the scale, rhythm, and architectural detail of the streetscape and the heritage buildings in the Burnley Street Heritage Precinct.~~
- ~~To recognise and respond to the distinct character and varying development opportunities defined by the four precincts along Swan Street.~~
- To support a new mid rise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas that maintains an active, high quality and pedestrian friendly environment.
- ~~To ensure development maintains the prominence of the heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscapes.~~
- ~~To reinforce the corners of Swan Street and Burnley Street as a vibrant commercial, retail and residential location.~~
- ~~To minimise the amenity impacts on residential properties adjoining the Swan Street Activity Centre including overlooking, overshadowing and visual bulk impacts.~~
- ~~To provide for taller development on the south side of Swan Street that delivers significant public realm outcomes and ensure development on both side of Swan Street maintains the amenity of Ryan's Reserve.~~
- ~~To ensure buildings behind Burnley Street and along the north side of Swan Street scale sensitively to the adjoining low scale residential area.~~
- ~~To support high quality new buildings adjoining Burnley Station with mixed uses that activate and improve pedestrian connections to the station.~~
- ~~To ensure that vehicular access to development does not adversely impact the level of service, efficiency, and safety of the arterial and tram network.~~
- ~~To ensure development respects the scale, rhythm, and architectural detail of the streetscape and the heritage buildings in the Burnley Street Heritage Precinct.~~

**Commented [CA1]:** Relocated from Precinct 4 Design requirements section**Commented [CA2]:** Bland statement - Not specific to Precinct 4**Commented [CA3]:** New design requirement translated from the Swan Street Built Form Framework (Tract and City of Yarra, 2017)**Commented [CA4]:** Addressed elsewhere in Section 2.3 General design requirements**Commented [CA5]:** New design requirement translated from the Swan Street Built Form Framework (Tract and City of Yarra, 2017)**Commented [CA6]:** New design requirement translated from the Swan Street Built Form Framework (Tract and City of Yarra, 2017)**Commented [CA7]:** Bland statement - Not specific to Precinct 4**2.0****Buildings and works**dd/mm/yyyy  
Proposed  
C191A permit is required to construct a building or construct or carry out works.**2.1****Definitions**dd/mm/yyyy  
Proposed  
C191

Street-wall ~~is the~~ means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building. 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 at the street edge, with the exception of architectural features and building services.

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant.

Laneway means a road reserve of a public highway 9 metres or less wide.

Building height means the vertical distance from *natural ground level* to the roof or parapet at any point.

**Commented [CA8]:** New definitions to clarify the meaning of terms used in DDO

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

- The total roof area occupied by the equipment (other than solar panels) is minimised;
- The service equipment is located in a position on the roof so as to minimise its visibility;
- The non-structural elements and service equipment minimise additional overshadowing of neighbouring properties and public spaces;
- The equipment does not extend higher than 3.6 metres above the maximum building height; and
- The non-structural elements and service equipment are integrated into the design of the building to the satisfaction of the responsible authority.

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

**Parapet height** does not include features such as brackets, pediments, urns, finials or other decorative elements.

**Road boundary** means the boundary between the public road and the private property.

**Shared zone** means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

**Upper level** means development above the height of the street wall.

## 2.2 Requirements

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Height and Interface Plan 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in the Height and Interface Plan 1 of this schedule

## 2.32

dd/mm/yyyy  
Proposed  
C191

### General design requirements

The following general design requirements apply to an application to construct a building or construct or carry out works, and must be read in conjunction with the relevant precinct design requirements.

#### Design quality requirements

Development should achieve urban design and architectural excellence.

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Development should provide for street activation at ground levels.

Development should be designed to avoid repetitive stepped form at upper levels.

Upper level development should be designed to ensure buildings provide detail on all facades when viewed from all directions.

Frontages at ground floor should incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

**Commented [CA9]:** Relocated to Section 2.3 General design requirements

**Commented [CA10]:** New 'header' section to reduce text elsewhere

**Commented [CA11]:** New 'header' section to reduce text elsewhere

**Commented [CA12]:** New theme to group design quality requirements under that were, unsuitably, located under other themes

**Commented [CA13]:** New design requirement recommended by Council's Statutory Planning Unit

**Commented [CA14]:** New design requirement translated from the Swan Street Built Form Framework (Tract and City of Yarra, 2017)

**Commented [CA15]:** New design requirement recommended by Council's Statutory Planning Unit

**Commented [CA16]:** Relocated from the 'Street wall and setbacks requirements' section below.

### Building heights requirements

~~A permit cannot be granted to construct a building or construct or carry out works which exceeds the mandatory maximum building height shown in the Height and Interface Plans (Plan 1, 3, 5 and 7) of this schedule;~~

A permit ~~should only may~~ be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Plan 1s (Plan 1, 3, 5 and 7) of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the ~~building elements permitted by the built form outcome as a result of the~~ proposed variation satisfies the general design objectives in Clause 1.0 of this schedule, the relevant precinct design requirements specified in this schedule; ~~and~~
- ~~the proposed building height achieves the preferred future mid-rise character for Swan Street of generally 5 to 12 storeys; and~~
- 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~~
  - ~~Accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and 58;~~
  - ~~universal access, and~~ communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58;
  - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
  - ~~no additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height.~~
  - ~~provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms.~~

~~Architectural features may exceed the preferred or mandatory height.~~

~~Service equipment / structures including plant rooms, lift overruns, structures associated with green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:~~

- ~~Less than 50 per cent of the roof area is occupied by the equipment (other than solar panels); and~~
- ~~The equipment does not cause additional overshadowing; and~~
- ~~The equipment does not extend higher than 3.6 metres above the maximum building height.~~

### Street wall and setbacks requirements

~~Development along Swan Street must achieve a prominent street wall and provide an appropriate transition in the street wall height to the Burnley Street and Bendigo Street heritage precincts.~~

~~A permit cannot be granted to construct a building or construct or carry out works which exceed the mandatory maximum street wall height and/or reduces the mandatory minimum setback requirements specified in the Precinct Tables in this schedule.~~

A permit ~~cannot should not~~ be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred mandatory minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

**Commented [CA17]:** Deleted to reduce amount of unnecessary text (duplicate of text above in Section 2.2 Requirements)

**Commented [CA18]:** Deleted to reduce amount of unnecessary text (duplicate of text above in Section 1.0 General design objectives).

**Commented [CA19]:** Deleted as per the Yarra C220 Panel recommendation

**Commented [CA20]:** Reworded to align with wording used consistently throughout the Yarra Planning Scheme

**Commented [CA21]:** New design requirement recommended by Council's Statutory Planning Unit

**Commented [CA22]:** Relocated from section 2.1 Definitions

**Commented [CA23]:** Relocated from Precinct 4 Design requirements

**Commented [CA24]:** Deleted to reduce amount of unnecessary text (duplicate of text above in Section 2.2 Requirements)

- The built form outcome as a result of the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule,
- The built form outcome as a result of the proposed variation satisfies the relevant requirements specified in this schedule
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as balconies, and building services and architectural features must not intrude into a setback.

On corner sites where two different street wall heights are nominated, buildings should 'turn the corner' and apply the Swan Street wall height. If the Swan Street wall is higher it should transition to the lower nominated street wall height on the side street.

- The following requirements also apply to the design of the street wall and upper levels:

Frontages at ground floor and within the street wall must be designed with floor to floor ceiling heights suitable to accommodate commercial activity.

Frontages at ground floor must incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the facade design.

- Development must be designed to adopt the same street setback from all interfaces for a minimum of 65% of the height of upper levels to avoid repetitive stepped form.

- Upper level development must be designed to ensure buildings are expressed in the round and provide detail on facades when viewed from all directions.

- Where development shares a common boundary and no interface treatment is shown in Plan 1, 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.

#### **Building separation requirements**

Where development shares a common boundary and no interface treatment is shown in Plan 1, upper level development should:

- 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.

Development of properties in the locations shown as "Upper Level Building Breaks" on Plan 1 should incorporate side setbacks greater than:

- a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed
- a minimum of 3.0m from the common boundary where a commercial or non-habitable window is proposed.

Development of properties in the locations shown as "Upper Level Building Breaks" on Plan 1 should enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street and along Cutter Street and Bendigo Street.

**Commented [CA25]:** Relocated from Section 2.1 Definitions

**Commented [CA26]:** Relocated above to theme, Design quality requirements

**Commented [CA27]:** New theme to reduce confusion and to better align with requirements below.

**Commented [CA28]:** Relocated from 'Street wall and setbacks requirements'

**Commented [CA29]:** Relocated from Precinct 4 design requirements

## Heritage design requirements

The following design requirements apply on land within a ~~H~~eritage ~~O~~verlay or immediately adjoining a ~~H~~eritage ~~O~~verlay.

Design Element	Design Requirement
Building facades and street frontages	<p><del>Infill Buildings and Development Adjoining a Heritage Building</del></p> <p><del>Façade treatments and the articulation of infill buildings on-land affected by a heritage overlay and of new buildings on-land immediately adjoining a heritage building must-should:</del></p> <ul style="list-style-type: none"> <li><del>Be ensure the façade treatments and the articulation of new development are</del> simple and do not compete with the more elaborate detailing of the adjoining heritage building(s)</li> <li>respect the vertical proportions of the nineteenth and early twentieth century facades of the heritage streetscape and/or adjoining heritage building(s)</li> <li>avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts</li> <li>maintain the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building.</li> </ul> <p><del>Contributory or Individually Significant Buildings</del></p> <p><del>Adaptation and reuse of contributory or individually significant buildings must-should:</del></p> <ul style="list-style-type: none"> <li><del>maintain existing openings and avoid highly reflective glazing in historic openings</del></li> <li><del>avoid highly reflective glazing in historic openings</del></li> <li>encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings</li> <li>maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings.</li> </ul>
Upper <del>l</del> evels setbacks (above street wall height)	<p><del>Upper level development on land within a H</del>eritage <del>O</del>verlay and on land immediately adjoining a heritage building <del>must-should:</del></p> <ul style="list-style-type: none"> <li>be visually recessive and not visually dominate the heritage building and the heritage streetscape</li> <li>retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid 'facadism'</li> <li>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</li> <li>incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape</li> <li><del>be articulated to</del> reflect the <u>rhythm of the wider streetscape</u>, fine grained character <u>and subdivision pattern</u> of the streetscape, <u>especially on larger sites</u>.</li> </ul>

Commented [CA30]: Deleted to reduce amount of unnecessary text

Commented [CA31]: Deleted to reduce amount of unnecessary text

## Overshadowing requirements

A permit ~~cannot-must not~~ be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10 am and 2 pm at 22nd September:

- any part of the southern footpath of Swan Street, measured as 4.0m from the southern road boundary of Swan Street,
- ~~any part of the opposite footpath of Church Street, measured as 4.0 metres from the road boundary of Church Street~~

Commented [CA32]: Not relevant to Precinct 4

- any part of the opposite footpath of Burnley Street, measured as 4.0 metres from the road boundary of Burnley Street

A permit ~~cannot~~should not be granted to construct a building or construct or carry out works ~~that would overshadow part of the opposite footpath of Stawell Street (measured as 2.0m from the kerb between 10 am and 2 pm at 22nd September), which are not in accordance with the overshadowing requirements specified in Clause 2.3 of this schedule~~ unless the ~~resultant~~ overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority.

Development should maintain solar access to Ryan's Reserve as follows:

- Beyond 16m of the eastern boundary of the reserve from 10 am onwards on 22 September
- At the western boundary of the reserve until 2 pm on 22 September.

**Commented [CA33]:** Relocated from the Precinct 4 design requirements section

### **Vehicle and pedestrian access requirements**

Development ~~must~~should provide vehicular access from rear lanes or from side streets in the preferred locations in the Access and Movement Plans (~~Plan 2, 4, 6 and 8~~) of this schedule except in locations identified as "Left in - Left Out Access Permitted" in the Access and Movement Plans (Plan 2, 4, 6 and 8) of this schedule.

Development identified as "Left in - Left Out Access Permitted" in the Access and Movement Plan must limit the width of vehicle crossovers and incorporate 'Left in' and 'Left out' only vehicle access.

Development with redundant vehicle access points to Swan Street, ~~Church Street~~ and Burnley Street ~~must~~should reinstate the kerb, linemarked parking bays, and relocate any parking signs.

Vehicle ingress and egress into development, including loading facilities and building servicing, ~~must~~should be designed to ensure a high quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Pedestrian access to buildings, including upper level apartments, ~~must~~should be from a street or a shared zone shown on the Access and Movement Plans (~~Plan 2, 4, 6 and 8~~) of this schedule. Where pedestrian access can only be provided from a laneway at the rear of buildings the pedestrian entrance ~~must~~should be setback from the rear laneway and well-lit to enable safe access.

Development of 500 to 506 Swan Street, as shown in Plan 2, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 6m in total.

Development of 130 to 136 Stawell, as shown in Plan 2, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 3m in total.

**Commented [CA34]:** Relocated from the Precinct 4 design requirements section

### **2.3 Precinct design requirements**

**The following specific Precinct Design Requirements apply in addition to the general design requirements.**

#### **Precinct 1 — Richmond Station**

**Shown on the planning scheme map as DDO17-1**

**The Precinct Design Requirements for Precinct 1 are as follows:**

- ~~• Development must provide a consistent built form edge to the street.~~
- ~~• The street wall of development on the corner of Swan Street and Punt Road must mark the entry into the Swan Street Activity Centre.~~
- ~~• The street wall of new development east of Wellington Street must reflect the height and fine grain articulation of the heritage buildings.~~

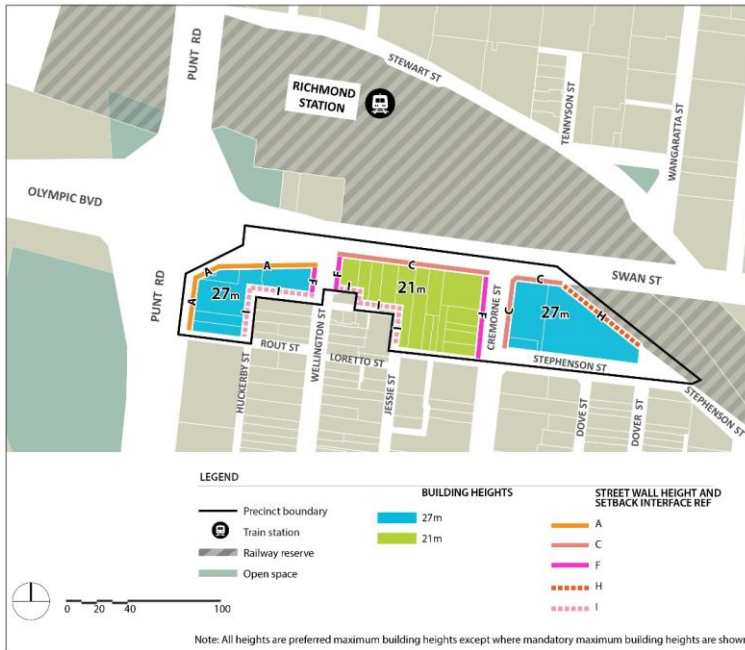
\*—Development must improve the pedestrian environment and amenity of the streetscape along Swan Street and the streets leading to the Cremorne Employment Precinct through high quality architectural design and improvements to the public realm.

\*—Development must not overshadow any part of the opposite footpath of Cremorne Street (measured as 2.0 metres from the boundary of Cremorne Street between 10 am and 2 pm at 22nd September).

**Table 1 — Street Wall Heights and Setbacks for Precinct 1**

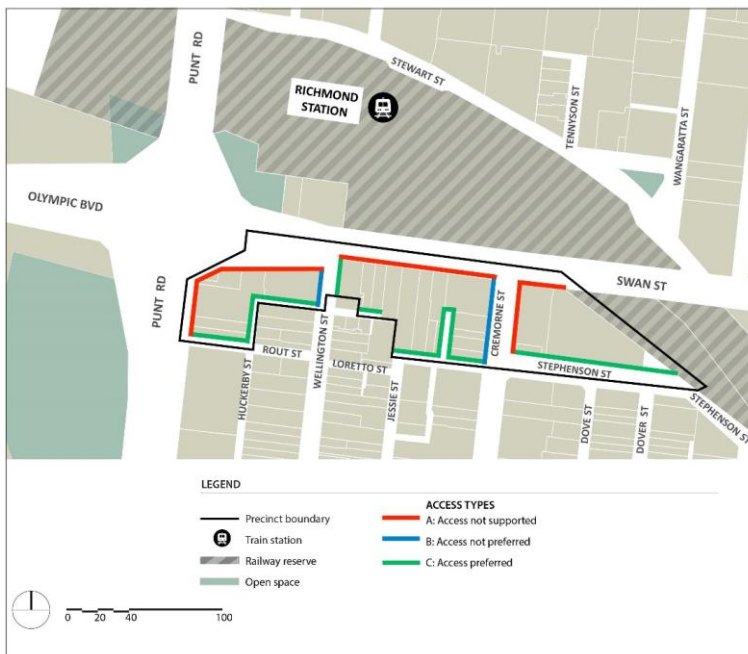
Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
A	Street wall height		21m maximum
	Street wall setback		0m
	Upper level setback		5m minimum
C	Street wall Height		11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building.
	Street wall setback	0m	
	Upper level setback	Minimum 5m for individually significant heritage buildings.	Minimum 5m elsewhere. Any part of a building above the street wall must be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).
F	Street wall height		11m minimum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on Plan 2.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.
	Upper level setback		Development must be setback in accordance with Figure 1 and Figure 2. Development must minimise repetitive stepped form.

Plan 1: Height and Interface Plan—Precinct 1—Richmond Station



Plan  
2:

Access and Movement Plan—Precinct 1—Richmond Station



**Precinct 2—Swan Street Activity Centre**

Shown on the planning scheme map as **DDO17-2**

The Precinct Design Requirements for Precinct 2 are as follows:

- Development must respect the consistent scale, grain and architectural quality of the highly intact heritage streetscapes and the individually significant buildings in the precinct.
- Development along the rail corridor must avoid a continuous wall of taller development when viewed from local streets south of the rail corridor.
- Development on the south side of Swan Street must maintain Dimmey's Tower as the prominent landmark in the streetscape when viewed from the northern footpath of Swan Street east of the rail bridge and west of Church Street.
- Taller built form adjoining the rail corridor must not compete with the architectural form and complexity of the Dimmey's Clock Tower.
- Development must improve the pedestrian environment and amenity of streets and laneways that provide a pedestrian connection to Swan Street, Church Street, East Richmond Train Station, and entrances to buildings.
- Development adjoining Milton Place must be designed to address the potential future public park adjoining East Richmond Railway Station.
- Development must not overshadow any part of the opposite footpath of Lennox Street, Stanley Street, Clifton Street, and Docker Street, (measured as 2.0 metres from the road boundary of the street between 10 am and 2 pm at 22nd September).
- Development must not overshadow any part of the potential future open space adjacent to the East Richmond Station (measured as beyond 7.0m from the eastern road boundary of Milton Place and beyond 10.0m from the southern road boundary of Milton Place between 10 am and 2 pm at 22nd September).
- Development at 108-120 Swan Street and 2 Kipling Street, as shown in Plan 4, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 6m in total.
- Development of 94-98 Swan Street, as shown in Plan 4, should include a rear setback, at ground floor, to allow for building services and car park access. The setback and laneway should be a minimum width of 3m in total.
- Development should facilitate the creation of a shared zone where properties abut a future shared zone as shown on Plan 4.

Table 2—Street Wall Heights and Setbacks for Precinct 2

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
B	Street wall height	11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum.	Match the parapet height of the adjoining heritage building.
	Street wall setback	0m	
	Upper level setback	5m minimum setback	For all development in a heritage overlay, any part of the building above the heritage street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole

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Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
			building in the view from a sight line of 1.7 metres (on the opposite side of the street);
C	Street-wall Height		11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building.
	Street-wall setback	-0m	
	Upper-level setback	5m minimum for individually significant heritage buildings.	Minimum 5m elsewhere. Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street);
D	Street-wall height	11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum.	Match the parapet height of the taller adjoining heritage building.
	Street-wall setback	0m.	
	Upper-level setback	10m minimum for development up to 21m. 20m minimum for any height above 21m.	
F	Street-wall height		11m maximum
	Street-wall setback		0m.
	Upper-level setback		5m minimum for land affected by HO335 and individually significant buildings. 3m minimum elsewhere.
G	Street-wall height		14.5m maximum.
	Street-wall setback		0m.
	Upper-level setback		3m minimum.
H	Street-wall height		N/A.
	Street-wall setback		0m minimum unless setback is identified on the Plan 4.
	Upper-level setback		0m.

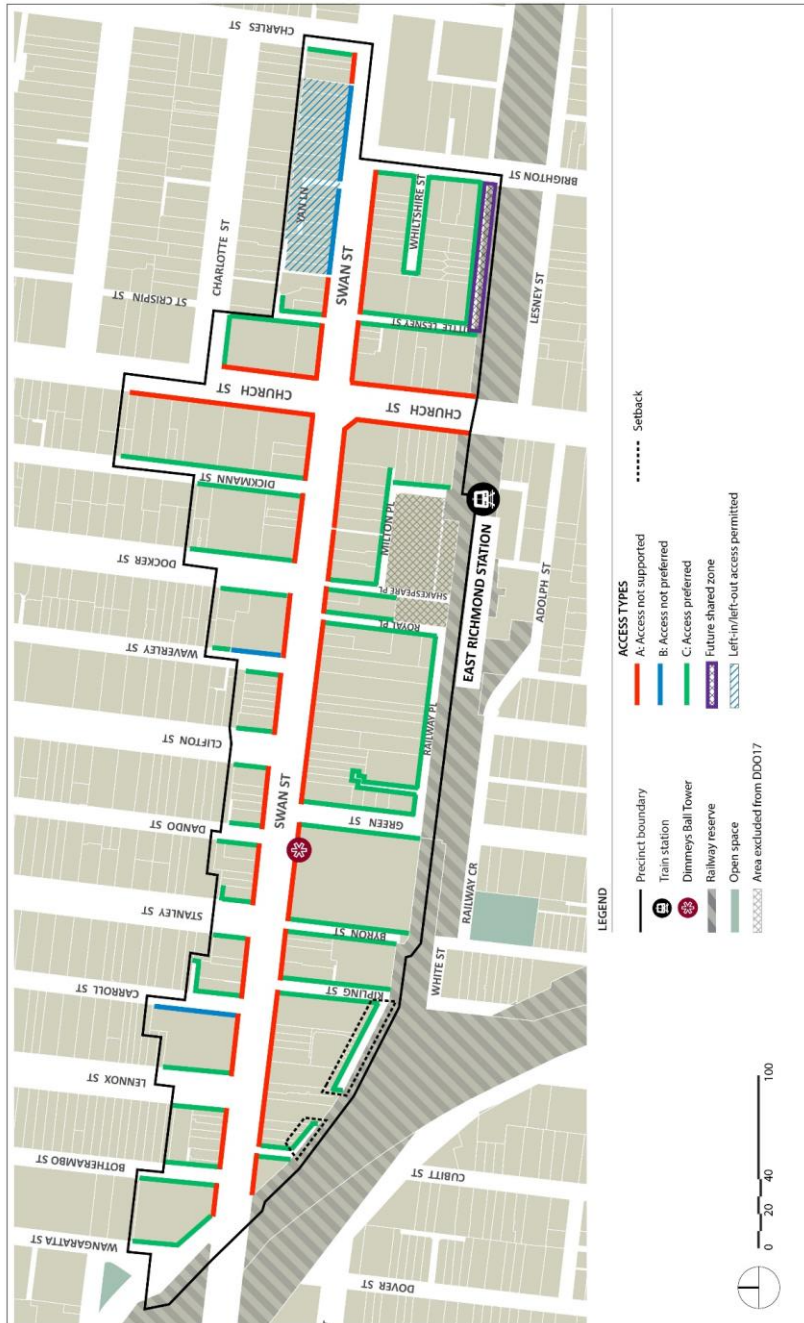
YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
†	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.
	Upper level setback		Development must be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.

Plan 3: Height and Interface Plan – Precinct 2 – Swan Street Retail Centre



Plan 4: Access and Movement Plan Precinct 2 Swan Street Retail Centre



Precinct 3 Swan Street East

Shown on the planning scheme map as **DDO17-3**

The design requirements for Precinct 3 are as follows:

- Development along Swan Street must continue the street-level experience of the Swan Street and Burnley Street heritage precincts by maintaining a consistent and prominent street wall.
- Development must improve the pedestrian environment and amenity of Swan Street, and easements and laneways that provide a pedestrian connection to Swan Street and to the entrances to new developments.
- Development of properties in the locations shown as “Upper Level Building Breaks” on Plan 5 must incorporate side setbacks greater than the standards in Clause 2 and enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street and along Lord Street and Edinburgh Street.
- Development must not overshadow any part of the opposite footpath of Mary Street and Coppin Street (measured as 2.0m from the road boundary between 10 am and 2 pm at 22nd September).
- Development should be designed to enhance, activate, and provide passive surveillance to the pedestrian connection between Glass Street and Swan Street as shown on Plan 6.
- Development should include north-south access in the locations shown on the Access and Movement Plan 6 to allow for building services and car park access.

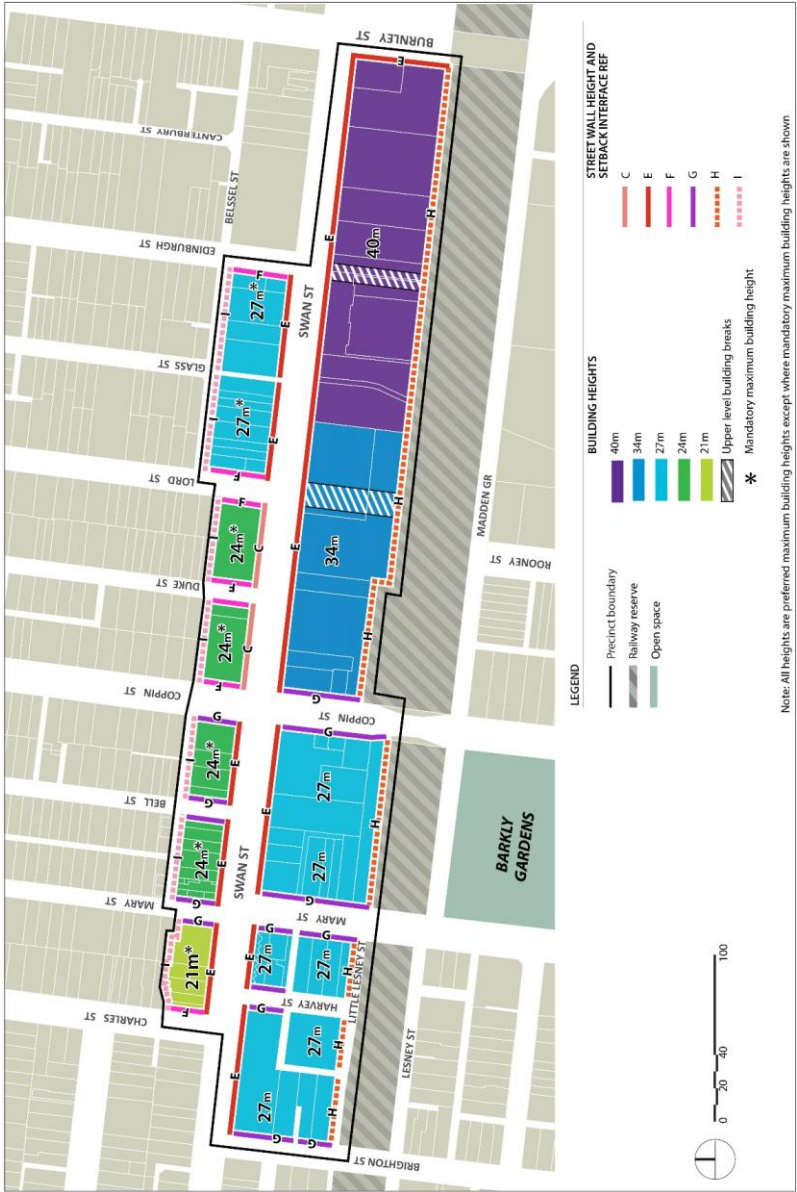
Table 3—Street Wall Heights and Setbacks for Precinct 3

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
G	Street wall Height		11m maximum or the parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building
	Street wall setback	0m	
	Upper level setback	Minimum 5m for individually significant heritage buildings.	Minimum 5m elsewhere. Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 1.7 metres (on the opposite side of the street).
E	Street wall height		14.5m maximum.
	Street wall setback		0m.
	Upper level setback		5m minimum.
F	Street wall height		11m minimum.
	Street wall setback		0m.
	Upper level setback		5m minimum for individually significant buildings. 3m minimum elsewhere.
G	Street wall height		14.5m maximum.

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Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Plan 6.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.
	Upper level setback		Development should be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.

Plan 5: Height and Interface Plan – Precinct 3 – Swan Street East



Plan 6: Access and Movement Plan Precinct 3 Swan Street East



**Precinct 4 – Burnley Station**

Shown on the planning map as **DDO17-4**

The Precinct Design Requirements for Precinct 4 are as follows:

- ~~Development must respect the scale, rhythm, and architectural detail of the streetscape and the heritage buildings in the Burnley Street Heritage Precinct.~~
- ~~Development along Swan Street must achieve a prominent street wall and provide an appropriate transition in the street wall height to the Burnley Street and Bendigo Street heritage precincts.~~
- ~~Development must maintain the amenity of Ryan's Reserve.~~
- ~~Development of properties in the locations shown as "Upper Level Building Breaks" on Plan 7 must incorporate side setbacks greater than the standards in Clause 2 to enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street and along Cutter Street and Bendigo Street.~~
- ~~Development must not overshadow the opposite footpath of Stawell Street (measured as 2.0m from the road boundary between 10 am and 2 pm at 22nd September).~~
- ~~Development must maintain solar access to Ryan's Reserve as follows:~~
  - ~~Beyond 16m of the eastern boundary of the reserve from 10 am onwards on 22 September~~
  - ~~At the western boundary of the reserve until 2 pm on 22 September.~~
- ~~Development of 500 to 506 Swan Street, as shown in Plan 8, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 6m in total.~~
- ~~Development of 130 to 136 Stawell, as shown in Plan 8, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 3m in total.~~

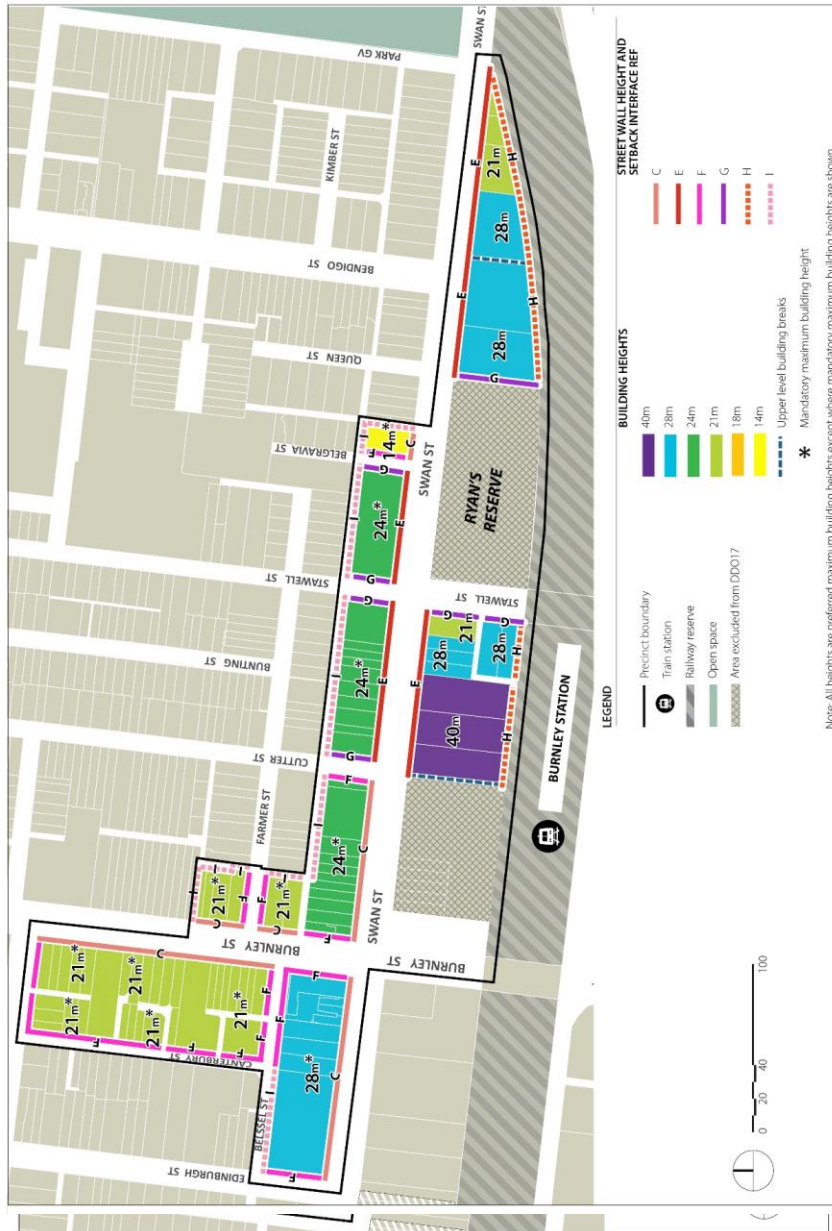
**Table 14 – Street Wall Heights and Setbacks for Precinct 4**

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
C	Street wall Height		11m maximum, <del>or the</del> parapet height of the adjoining individually significant or contributory building if higher than 11m. 8m minimum. Match the parapet height of the taller adjoining heritage building, <u>for a minimum length of 6m from the heritage building.</u>
	Street wall setback	0m.	
	Upper level setback	10m minimum from Swan Street setback for land affected by HO 286 (365 Swan Street). Minimum <del>6</del> 5m for other individually significant heritage buildings.	Minimum <del>5m</del> <u>6m</u> elsewhere. <del>Any part of a building above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from a sight line of 4.7 metres (on the opposite side of the street).</del>

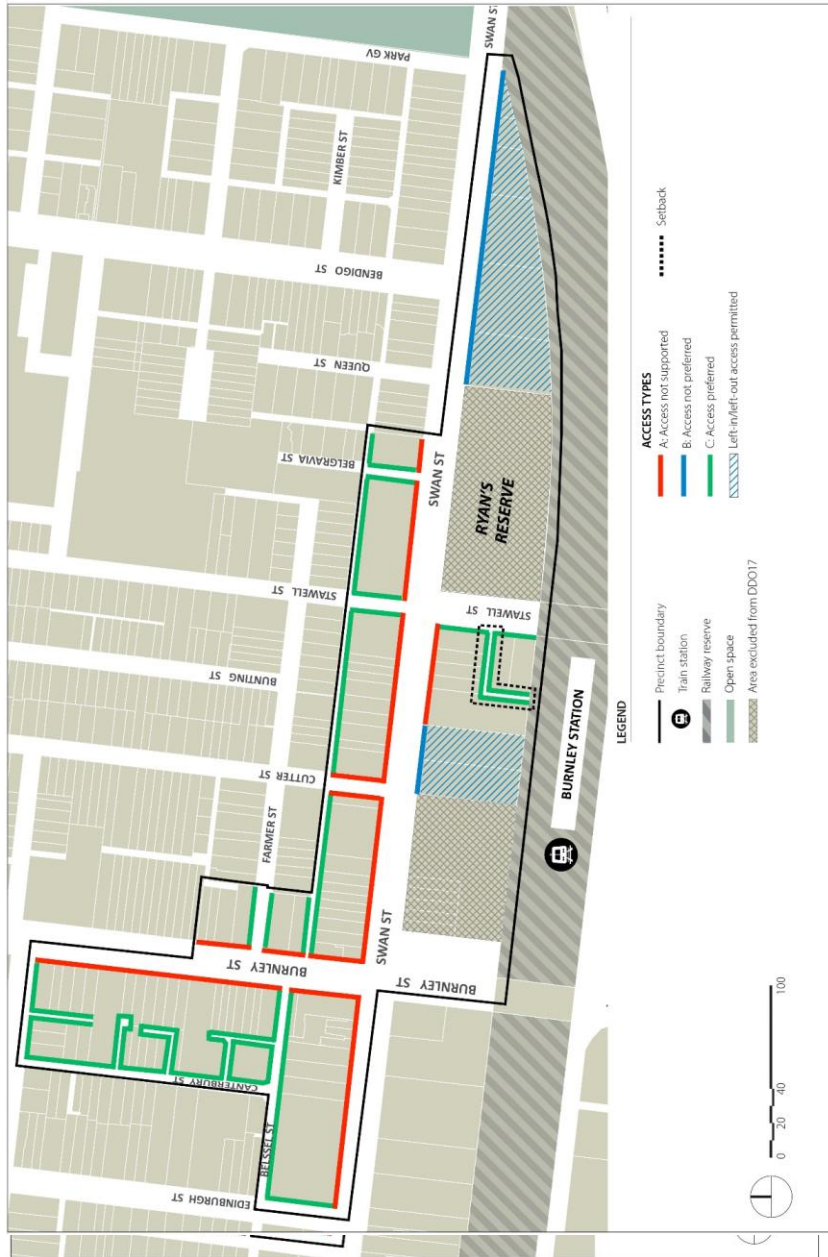
YARRA PLANNING SCHEME

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
E	Street wall height		14.5m maximum.
	Street wall setback		0m.
	Upper level setback		6.5m minimum.
F	Street wall height		11m minimum.
	Street wall setback		0m.
	Upper level setback		6.5m minimum for individually significant buildings. 3m minimum elsewhere.
G	Street wall height		14.5m maximum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Plan 28.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11.5m maximum if boundary abuts a laneway.
	Upper level setback		Development must be setback in accordance with Figure 1 and Figure 2. Development must minimise stepped form.

Plan 17: Height and Interface Plan – Precinct 4 – Burnley Station



Plan 28: Access and Movement Plan – Precinct 4 – Burnley Station



**3.0 Subdivision**dd/mm/yyyy  
Proposed  
C191

None specified.

**4.0 Advertising**dd/mm/yyyy  
Proposed  
C191

None specified.

**5.0 Decision guidelines**dd/mm/yyyy  
Proposed  
C191

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 General Design Requirements ~~and the Precinct Design Requirements~~ in Clause 2.0 are met.
- ~~Whether design excellence is achieved (in terms of building siting, scale, massing, articulation and materials).~~
- The design of the streetscape interface and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- The shadowing impacts of the development on footpaths and public spaces.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Swan Street and from local streets.
- The prominence of the heritage street wall in the vistas along Swan Street, ~~Church Street,~~ Burnley Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.
- ~~The impact of development on view lines to the Dimmey's Clock Tower.~~
- The impact of development on the operation of the tram routes along Swan Street ~~and Church Street.~~

**Commented [CA35]:** New decision guidelines from feedback from Council's Statutory Planning Unit

**Commented [CA36]:** Not relevant to Precinct 4

**Commented [CA37]:** Not relevant to Precinct 4

**Commented [CA38]:** Not relevant to Precinct 4

Figure 1 to schedule 2847 – Residential interface with an existing laneway

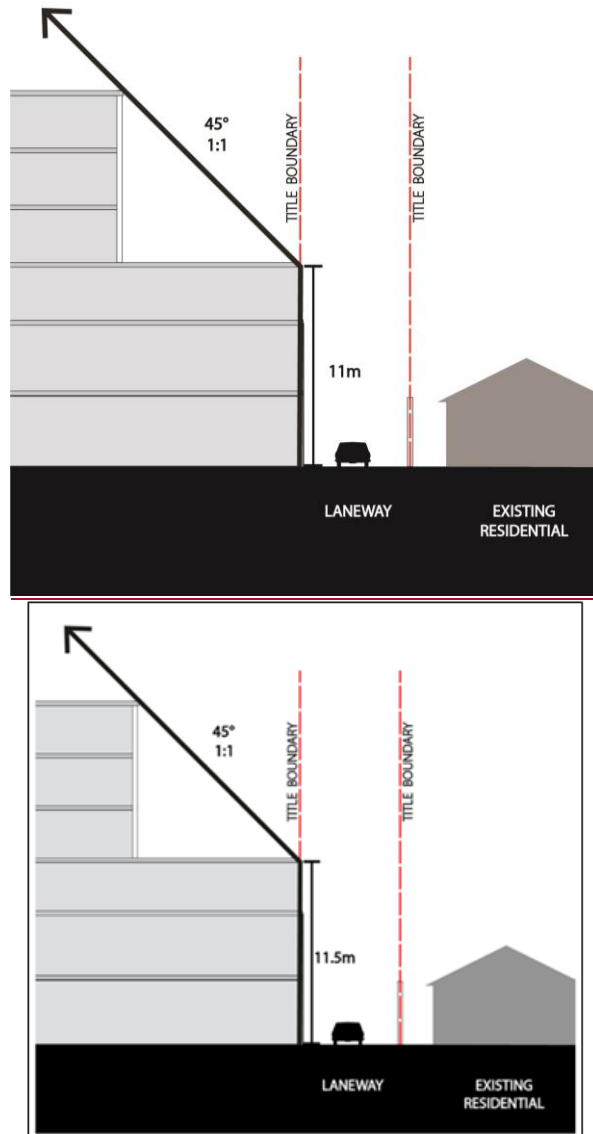


Figure 2 to schedule ~~24.87~~ – Residential interface direct abuttal

