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SCHEDULE 15 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO15**.

JOHNSTON STREET ACTIVITY CENTRE

1.0 Design objectives

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- To preserve the valued heritage character of the streetscape and ensure that the predominantly two storey heritage street wall remains the visually prominent built form of Johnston Street west of the railway line bridge.
- To provide for new mid-rise (5 to 10 storeys) buildings and provide a suitable transition to low scale residential areas.
- To protect the operation of the state significant Collingwood Arts Precinct from unreasonable loss of amenity through visual bulk, overshadowing of open space areas and vehicle access.
- To activate the street edge, provide passive surveillance opportunities, accommodate commercial activity at the lower levels of buildings and protect footpaths and public spaces on the southern side of Johnston Street from loss of amenity from overshadowing.
- To provide for equitable development outcomes through built form design that responds to the development opportunities of neighbouring properties, and through the consolidation of finer grain sites.

2.0 Buildings and works

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2.1 Definitions

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Building height means the vertical distance between the footpath at the centre of the frontage and the highest point of the building.

Heritage Building ~~building~~ **[EK1]** 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.

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

Street wall means the facade of a building at the street boundary.

Street wall height means the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge.

2.2 Requirements

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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 must not be granted or amended (unless the amendment would not increase the extent of non-compliance) for buildings and works which exceed a mandatory maximum requirement or are less than a mandatory minimum requirement.

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.
- The equipment does not extend higher than 3.6 metres above the maximum building height.

Projections such as balconies and, building services and architectural features [EK2] must not intrude into a setback.

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Building height

Buildings should not exceed the preferred maximum building height and must not exceed the mandatory maximum building height specified in Table 1.

Table 1: Building heights [EK3]

Sub precinct	Preferred maximum building height	Mandatory maximum building height
<u>1A4A</u>	24 metres	None specified
<u>1B4AA</u>	28 metres	None specified
<u>1C4AAA</u>	None specified	28 metres
<u>1D4B</u>	24 metres	None specified
<u>1E4C</u>	21 metres	28 metres
<u>1F4D</u>	None specified	21 metres
<u>1GAheron land</u>	34 metres	None specified
<u>1H2A</u>	21 metres	None specified
<u>2A2#B</u>	34 metres	None specified
<u>2B2#C</u>	24 metres	31 metres
<u>2C2#D</u>	21 metres	24 metres
<u>2D2#E</u>	None specified	21 metres

A permit should only be granted to exceed the preferred maximum building height specified in Table 1 if the following criteria are met:

- The building elements permitted by the proposed variation satisfy the design objectives of Clause 1.0 and the provisions of Clause 21.12–1.
- The proposal will achieve each of the following:
 - Housing for diverse households types.
 - Universal access.
 - Communal or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58.
 - Excellence for environmental sustainable design measured as a minimum BESS project score of 70 per cent or 5 Star Green Star Standard.
 - Greater building separation than the minimum requirement in this schedule.
 - No additional amenity impacts to residential zoned properties, beyond that which would be generated by a proposal that complies with the preferred maximum [EK4] building height.
 - For Hheritage bBuildings [EK5], the proposed development enhances the heritage fabric of the building (primarily through restoration or reinstatement of the front facade and external features visible from Johnston Street).

2.4 Overshadowing and solar access requirements

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New development must not overshadow the southern footpath of Johnston Street, measured as 3.0 metres from the property frontage on Johnston Street, between 10am and 2pm at 22 September

Development in Sub precincts ~~1C1E, 1D1F, 2B2A, 2C2D and 2E2D~~ should ~~[EK6]~~ avoid additional overshadowing of residential zoned properties to the south measured from 10am to 2pm at 22 September.

2.5 Street wall height

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A new street wall should not exceed the preferred maximum street wall height and must not exceed the mandatory maximum street wall height specified in Table 2. This does not apply to a heritage building.

Buildings should achieve the street wall transition specified in Table 3.

Except where a heritage building (or part of a heritage building) is to be retained along the street frontage, new development should provide a minimum street wall height of 8 metres.

Table 2: Street wall height ~~[EK7]~~

Sub precinct	Preferred maximum Street wall height	Mandatory maximum Street wall height
1A4A	None specified	44.311 metres
1B4AA	44.311 fronting Sackville Street	44.311 metres fronting Johnston Street
1C4AAA	None specified	44.311 metres fronting Johnston Street
1D4B	44.311 metres	None specified
1E4C	None specified	44.311 metres
1F4D	None specified	44.311 metres
1GA4E4F4G	44.311 fronting Sackville Street	44.311 metres fronting Johnston Street
1H2A	None specified	44.311 metres
2A2B	15 metres	18 metres
2B2C	15 metres	18 metres
2C2D	15 metres	18 metres
2D2E	15 metres	18 metres

Table 3: Street wall transition

Area	Street wall transition
East of the railway bridge	New development should provide a transitional street wall height (maximum one storey higher, but not less than 8 metres) on sites that are adjacent to Individually Significant heritage buildings for a minimum length of 6 metres from the heritage building.
West of the railway bridge	The street-wall height should match the parapet height of a neighbouring heritage building, where present, for a minimum length of 6 metres from the heritage building. If the parapet height of the neighbouring heritage building is less than 8 metres, the street wall height of new development should be 8 metres for a minimum length of 6 metres from the heritage building.

2.6 Mid level set back above the street wall

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Development should be set back from the street wall at least the preferred minimum mid level setback and must be set back from the street wall at least the mandatory minimum mid level setback specified in Table 4 and illustrated in Figures 1 & 2 in Table [EK8]4.

Table 4: Mid level setback above the street wall [EK9]

Sub precinct	Preferred mid level setback	Mandatory mid level setback
<u>1A4A</u>	None specified	6 metres
<u>1B4AA</u>	6 metres fronting Sackville Street	6 metres fronting Johnston Street
<u>1C4AAA</u>	None specified	6 metres fronting Johnston Street
<u>1D4B</u>	6 metres	None specified
<u>1E4C</u>	None specified	6 metres
<u>1F4D</u>	None specified	6 metres
<u>1G4E4F4G</u>	3 metres fronting Johnston Street with a transition to 6 metres to the west of the sub precinct 6 metres fronting Sackville Street	None specified
<u>1H2A</u>	None specified	6 metres
<u>2A2B</u>	6 metres	None specified
<u>2B2C</u>	6 metres	None specified
<u>2C2D</u>	6 metres	6 metres (293 and 323–325 Johnston Street)
<u>2D2E</u>	6 metres	None specified

2.7 Upper level setbacks

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New development on sites fronting Johnston Street, Sackville Street or Stafford Street, should be setback from the front and rear property boundary, as specified in Table 5 and illustrated in Figures 1 & 2 Table 5. [EK10]

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

A permit must not be granted for buildings and works which exceed the mandatory 45 degree envelope from rear property boundary in Sub precinct 2E2D. [EK11]

Table 5: Upper level setback requirements [EK12]

Sub precinct	Preferred front upper level setback	Preferred rear minimum setback (mandatory for 2E)
<u>1A4A</u>	45 degrees above <u>44.311</u> metres	4.5 metres above <u>44.311</u> metres
<u>1B4AA</u>	45 degrees above <u>44.311</u> metres	4.5 metres above <u>44.311</u> metres
<u>1C4AAA</u>	45 degrees above <u>44.311</u> metres	4.5 metres above <u>44.311</u> metres
<u>1D4B</u>	45 degrees above <u>44.311</u> metres	4.5 metres above <u>44.311</u> metres
<u>1E4C</u>	45 degrees above <u>44.311</u> metres	45 degrees above <u>44.311</u> metres
<u>1F4D</u>	45 degrees above <u>44.311</u> metres	45 degrees above <u>44.311</u> metres
<u>1G4E4F4G</u>	45 degrees above <u>44.311</u> metres for Sackville Street	None specified
<u>1H2A</u>	45 degrees above <u>44.311</u> metres	4.5 metres above <u>44.311</u> metres

<u>2A2#B</u>	45 degrees above 18 metres	4.5 metres above <u>44.311</u> metres but 45 degrees above <u>44.311</u> metres for Stafford Street
<u>2B2#C</u>	45 degrees above 18 metres	45 degrees above <u>44.311</u> metres
<u>2C2#D</u>	45degrees above 18 metres	45 degrees above <u>44.311</u> metres
<u>2D2#E</u>	45 degrees above 18 metres	45 degrees above 9 metres (mandatory)

Figure 1: Building envelope requirement – Heritage Building [EK13]

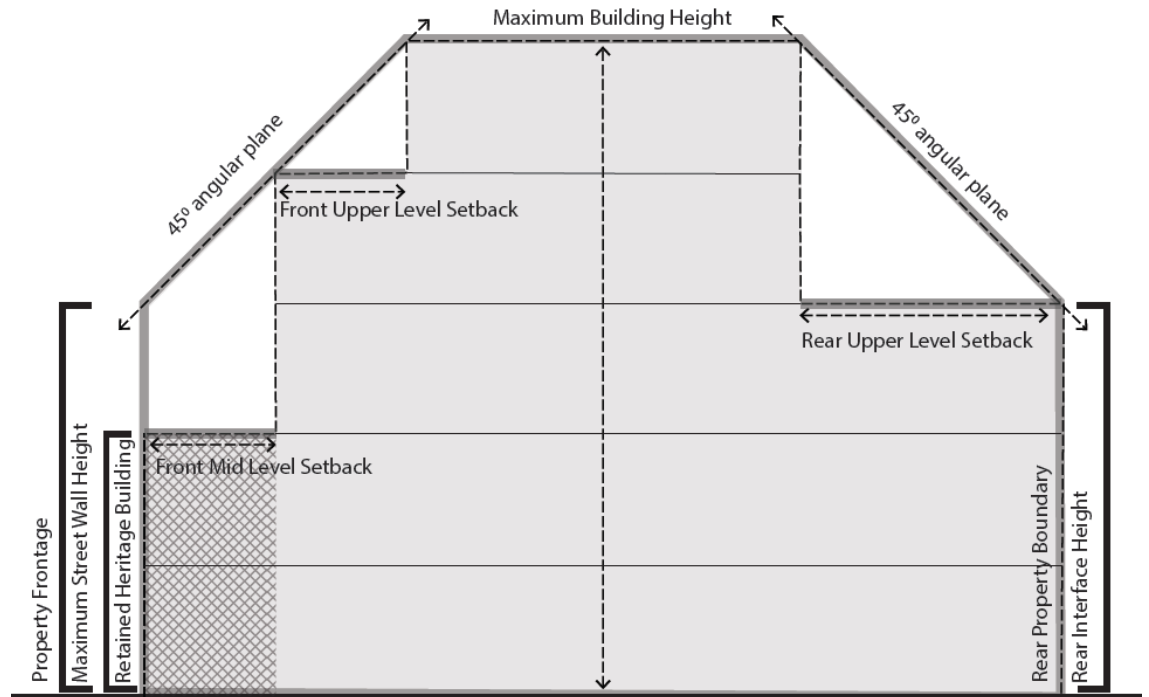


Figure 2: Building envelope requirement – Infill Building [EK14]

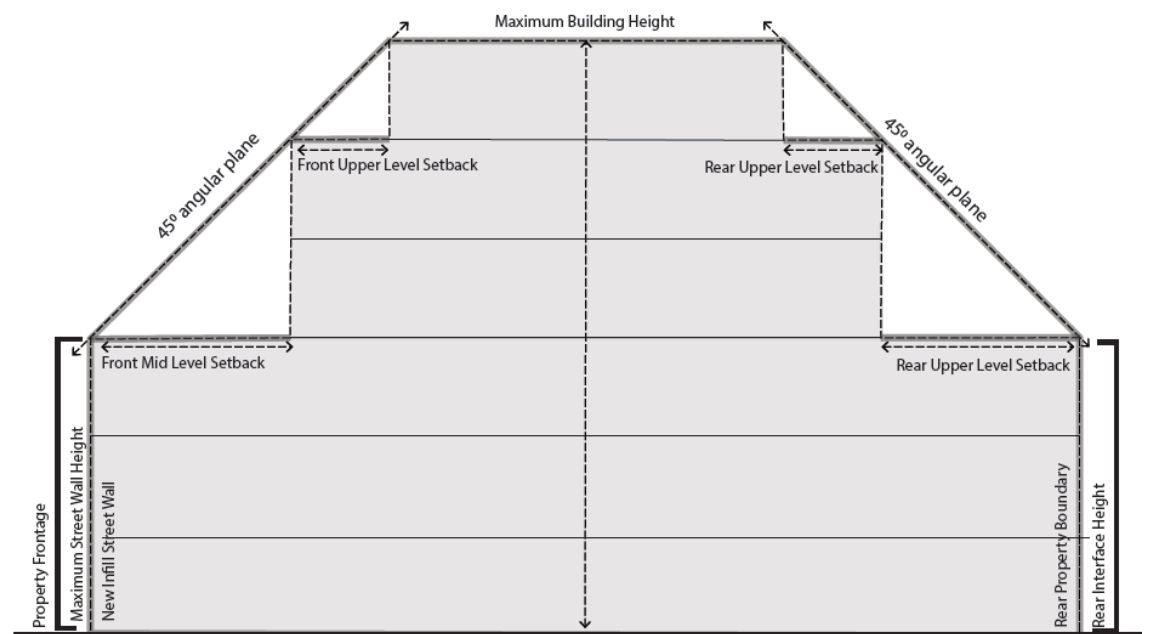
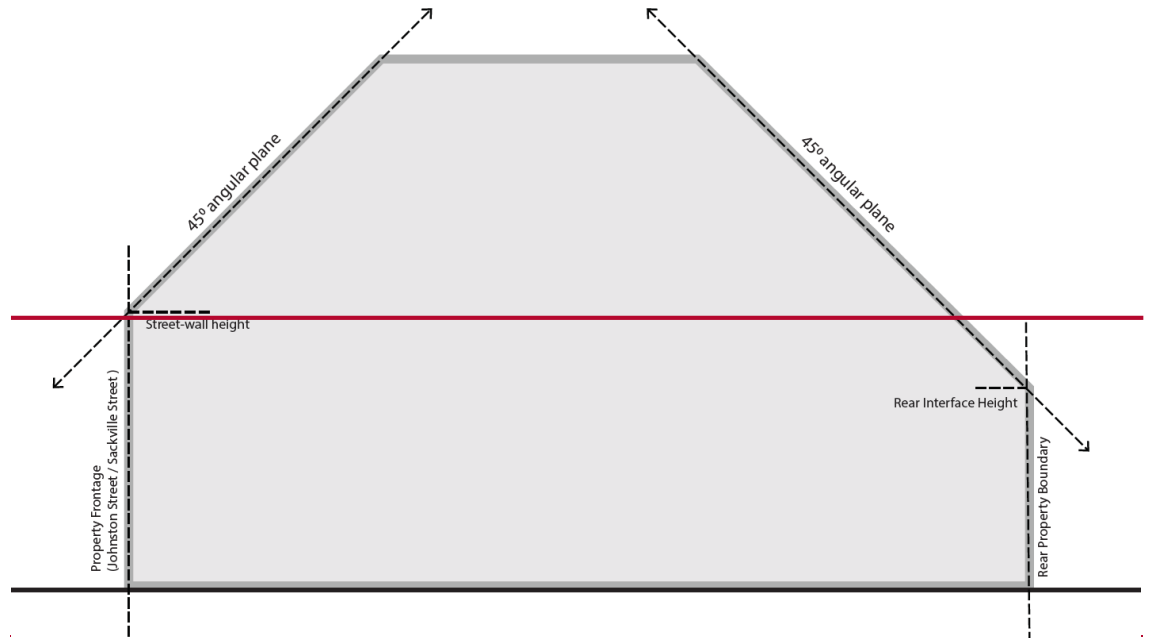


Figure 1: Building envelope requirement

~~UPDATE DIAGRAM TO SHOW MID LEVEL SETBACKS ABOVE THE STREET WALL~~



2.8 Corner site requirements

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New development on a corner site with a frontage to Johnston Street or Sackville Street should:

- Continue the street wall height established at the Johnston Street or Sackville Street frontage along the side street, with a transition in height to the rear interface where required.
- Setback buildings above the street wall from the side street a minimum of 3 metres.

This requirement does not apply to new development on the corner of either:

- Hoddle Street and Johnston Street.
- A laneway.

2.9 Building separation requirement

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Where development shares a common boundary with a private property or a laneway, buildings above the street wall should be set back as follows:

- Where a habitable room window is proposed:
 - 4.5 metres from the common boundary.
 - 4.5 metres from the centre line of the laneway.
- Where a non-habitable room window or commercial window is proposed:
 - 3 metres from the common boundary.
 - 3 metres from the centre line of the laneway where the laneway is less than 6 metres wide.

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

2.10 Street frontage requirements

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New development should:

- Be built to the front property boundary on sites without a heritage building along Johnston Street and Sackville street.
- To the west of the railway bridge, maintain the visual prominence of heritage buildings.
- To the east of the railway bridge, contribute to a new, well-designed, contemporary urban character that provides articulation in building facades, reinforcing a finer grain street pattern.
- Address the primary street frontage and, where heritage elements are not a constraint, incorporate design elements that contribute to the provision of a continuous, visible and active frontage at ground level.
- Provide for passive surveillance.
- Provide an active or visually interesting interface with the public realm, including areas of public open space and public transport stops.
- Locate service entries/access doors away from the primary street frontage, or where not possible, be sensitively designed to integrate into the facade of the building.

2.11 Commercial floor space requirements

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Buildings should:

- Be designed to accommodate commercial activity at the lowest two levels
- Incorporate floor to floor heights suitable for commercial activity of at least 4 metres at the lowest two levels, where heritage elements are not a constraint.

2.12 Upper level design requirements[EK15]

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Facades above the street wall, including side walls, should:

- Employ a high standard of architectural design
- Be well-articulated. Be designed to be read as part of the overall building
- Not detract from the character of the streetscape when viewed directly or obliquely along either Johnston Street or Sackville Street.
- ~~Not detract from the character of the streetscape when viewed directly or obliquely along either Johnston Street or Sackville Street.~~

Buildings above the facade of retained heritage buildings and on sites adjacent to a heritage building should:

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

2.13 Vehicle access and car parking

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New development should:

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

3.0 Subdivision

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None specified.

4.0 Advertising signs

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None specified

5.0 Application requirements

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

6.0 Decision guidelines

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

- The architectural quality of the proposal, which includes the design, scale, height, materials, mass and visual bulk of the development in relation to the surrounding built form.
- The profile and impact of development on the vista along Johnston Street.
- How the proposal responds to the presence of heritage buildings either on, or in close proximity to the site and whether an increased upper level setback is required having regard to the heritage significance and contributory features of the site.
- The design response at the interface with existing low-scale residential properties and the potential amenity impacts to neighbouring residential properties.
- Whether the proposal provides an active street interface to Johnston Street and contributes positively to the pedestrian environment and other areas of the public realm.

Map 1: Johnston Street Sub-Precincts Plan EK16

