

Amendment C231 Part 2 to the Yarra Planning Scheme
Comparison of *exhibited version* and the *version for adoption* and reasons for the change

Design and Development Overlay 16 (DDO16) – 390A Queens Parade, North Fitzroy

The information in this table is based on the exhibited version of the DDO and the version of the DDO for 390A Queens Parade supported by officers for adoption. This table should be read in conjunction with Attachment 4 which provides a track change version of DDO16 showing the changes from the exhibited version to the version for adoption.

This table only highlights aspects of the DDO where changes are proposed to the exhibition version of the DDO. Elements of the amendment where no changes are proposed or very minor changes such as spelling mistakes or punctuation where there are no other changes are not included in this table.

General requirements

Clause & DDO element	Exhibited DDO	Version of DDO for Adoption	Reason for change
1.0 Design objectives	<p>Included five objectives:</p> <ul style="list-style-type: none"> • <i>To recognise and respond to the distinct character, heritage streetscape and varying development opportunities defined by the five precincts along Queens Parade,</i> • <i>To support a new mid rise character behind a consistent street wall in precincts 2-5.</i> • <i>To ensure development respects the architectural form and qualities of heritage buildings and streetscapes and maintains the visual prominence of the St John the Baptist church belfry and spire, the former ANZ Bank building, the former United Kingdom Hotel and the former Clifton Motors garage.</i> • <i>To ensure new development responds to the grand, tree-lined boulevard character of Queens Parade.</i> • <i>To ensure that the overall scale and form of new buildings provides a suitable transition to low scale residential areas and protects these</i> 	<p>Five objectives redrafted:</p> <ul style="list-style-type: none"> • <i>To ensure development responds to the heritage character and streetscapes and varying development opportunities and supports the existing low-rise character in Precinct 4.</i> • <i>To protect the integrity of historical streetscapes and clusters of heritage buildings of a similar scale and materiality.</i> • <i>To ensure development respects the architectural form and qualities of heritage buildings and streetscapes and maintains the visual prominence of the former ANZ Bank building.</i> • <i>To promote design excellence that ensures new development respects the wide, open boulevard character of Queens Parade, including where existing historic trees are key elements in the streetscape, they remain the dominant visual feature.</i> 	<p>Title of Clause 1.0 was amended from General Design Objectives to Design Objectives. Given there are no other objectives in the DDO eg for Precincts, the word ‘General’ is redundant.</p> <p>Objectives have been re-written to make clearer what built form outcomes the DDO seeks to deliver. These changes were supported by Panel. Minor edits recommended by the Panel have been accepted.</p> <p>Objective 1 (version for adoption) – amalgamates the first and second exhibited objectives into one. It provides additional detail around scale and distinguishes the low-rise character of Precinct 4. References to the other precincts have been deleted as this version of the DDO only addresses 390A Queens Parade.</p> <p>Objective 2 (version for adoption) – New objective added to emphasise heritage streetscapes and buildings – a key element of Queens Parade.</p>

Attachment 3

Underlined text signifies a mandatory control

Clause & DDO element	Exhibited DDO	Version of DDO for Adoption	Reason for change
1.0 Design objectives (cont.)	<p><i>properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.</i></p>	<ul style="list-style-type: none"> <i>To ensure development responds to sensitive interfaces by ensuring the overall scale and form of new buildings provides a suitable transition to low scale residential areas and protects these properties from an unreasonable loss of amenity through visual bulk, overlooking and overshadowing.</i> 	<p>Objective 3 (version for adoption) – This objective has been edited to remove St John the Baptist Church, Clifton Motors Garage and the former United Kingdom Hotel as they are outside Precinct 4.</p> <p>Objective 4 (version for adoption) – rewritten to include concept of design excellence (recommendation of the Panel) and emphasis on trees as a key feature of the boulevard.</p> <p>Objective 5 (version for adoption) – some rewording and inclusion of concept of sensitive interfaces but focus remains on residential amenity and transition to low scale areas.</p>
2.0 Buildings and works	<p>Included permit trigger:</p> <p><i>A permit is required to construct a building or construct or carry out works.</i></p>	<p>Permit trigger deleted</p>	<p>Change recommended by the Panel.</p> <p>Permit trigger included in the head clause. No need to repeat it in the schedule.</p>
2.1 Definitions	<p>Included:</p> <ul style="list-style-type: none"> 1:1 ratio heritage street wall to new built form is where the height of the heritage street wall equals the height of the new development above street wall when viewed from the opposite side of the street from the centre of the footpath at a height of 1.6 metres above ground level Street wall is the façade of a building at the street boundary. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge, with the exception of architectural features and building services. Building height is the vertical distance from natural ground level to the roof or parapet at any point. 	<p>Includes:</p> <ul style="list-style-type: none"> Heritage building means any building subject to a Heritage Overlay, on the Victorian Heritage Register or any building graded as either Contributory or Individually Significant. Laneway means a road reserve of a public highway 9 metres or less in width. This does not include Dummett Crescent. Parapet does not include features such as brackets, pediments, urns, finials or other decorative elements. Public realm means all streets (including Dummett Crescent) and spaces open to the public but does not include laneways. Street wall means the façade of a building at the street boundary, or if the existing 	<p>Revised definitions in the <i>version for adoption</i> provide a more relevant list of the terms used in DDO.</p> <p>The version for adoption deletes the following terms:</p> <ul style="list-style-type: none"> 1:1 ratio heritage street wall Street wall Building height Setback <p>It includes the following definitions:</p> <ul style="list-style-type: none"> Heritage building (new) Laneway (new) Parapet (no change from exhibited) Public realm (new) Street wall (amended) Street wall height (new) Upper level (no change from exhibited) Upper level setback (new)

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Clause & DDO element	Exhibited DDO	Version of DDO for Adoption	Reason for change
<p>2.1 Definitions (cont.)</p>	<ul style="list-style-type: none"> – <i>Building height does not include non structural elements that project above the building height and service equipment including plant rooms, lift overruns, structures associated with green roof areas, screens to service areas or other such equipment provided that all of the following criteria are met:</i> <ul style="list-style-type: none"> – <i>The total roof area occupied by the service equipment (other than solar panels) is minimised;</i> – <i>The service equipment is located in a position on the roof so as to minimise its visibility;</i> – <i>The non structural elements and service equipment do not cause additional overshadowing of neighbouring properties and public spaces;</i> – <i>The non structural elements and service equipment do not extend higher than 3.6 metres above the maximum building height; and</i> – <i>The non structural elements and service equipment are integrated into the design of the building to the satisfaction of the responsible authority.</i> • <i>Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.</i> • <i>Setback is the shortest horizontal distance from a building, including projections such as balconies, building services and architectural features, to the boundary.</i> 	<p><i>heritage building is set back from the street boundary, the front of the existing building.</i></p> <ul style="list-style-type: none"> • <i>Street wall height means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge or in the case of a heritage building if it is set back from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.</i> • <i>Upper level means development above the height of the street wall.</i> • <i>Upper level setback means the setback of the upper level measured from the street wall of the building.</i> 	<p>Exemptions to building heights relocated to 2.2 <i>General Requirements</i>.</p> <p>The concept of a 1:1 <i>street ratio</i> has been removed from the DDO. Consequently, there is no need to define a term that is not used.</p> <p><i>Building height</i> and <i>setback</i> were removed as they are defined elsewhere in the planning scheme.</p> <p><i>Public realm</i> added to specifically define public realm in the Queens Parade context.</p> <p><i>Heritage building, Laneway, Upper level setback and Parapet</i> were added. They are terms used in the DDO but were not defined. They assist in understanding the requirements. (The same definitions as the adopted Johnston Street DDO, DDO15 were used.)</p> <p>References to Dummett Crescent in <i>Public Realm</i> and <i>Laneways</i> have been removed in this version of the DDO for adoption as it is outside Precinct 4.</p>

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Clause & DDO element	Exhibited DDO	Version of DDO for Adoption	Reason for change
<p>2.1 Definitions (cont.)</p>	<ul style="list-style-type: none"> <i>Upper level is development above the height of the street wall.</i> 		
<p>2.2 General requirements</p>	<p>Included explanation of mandatory and preferred requirements:</p> <p><i>The following requirements apply to an application to construct a building or carry out works and must be read in conjunction with the relevant precinct design requirements.</i></p> <ul style="list-style-type: none"> <i>A permit cannot be granted to construct a building or carry out works which are not in accordance with the mandatory requirements specified in the relevant Precinct Tables.</i> <i>A permit cannot be granted to construct a building or carry out works which exceeds the preferred building height and setbacks shown in the relevant Precinct Tables unless the following requirements are met, to the satisfaction of the responsible authority:</i> <ul style="list-style-type: none"> <i>The built form outcome as a result of the proposed variation satisfies the general design objectives in Clause 1.0; and</i> <i>The built form outcome as a result of the proposed variation satisfies the relevant requirements specified in this schedule.</i> <p>Also included requirements to retain commercial height ground floors and for street wall heights, vehicle access and upper level setbacks:</p> <ul style="list-style-type: none"> <i>Facades at ground level must be designed with floor to floor ceiling heights suitable to accommodate commercial activity in the Commercial 1 Zone and the Mixed Use Zone.</i> <i>Development must create a consistent street wall height along the streetscapes.</i> 	<p>Requirements relating to mandatory provisions have been made more explicit and it includes exemptions to building heights (relocated from Definitions), setbacks and upper level setbacks:</p> <p><i>The following requirements apply to an application to construct a building or carry out works and must be read in conjunction with the relevant precinct design requirements.</i></p> <ul style="list-style-type: none"> <i>A permit must not be granted or amended (unless the amendment would not increase the extent of non-compliance) to construct a building or carry out works which exceed the mandatory maximum building height, mandatory maximum street wall height or mandatory maximum street wall setback or are less than the mandatory minimum street wall height or mandatory minimum upper level setbacks specified in the relevant Precinct Tables.</i> <i>A permit must not be granted or amended (unless the amendment would not increase the extent of non-compliance) to construct a building or carry out works which exceeds the preferred building height and setbacks shown in the relevant Precinct Tables unless the following requirements are met, to the satisfaction of the responsible authority:</i> <ul style="list-style-type: none"> <i>The built form outcome as a result of the proposed variation satisfies the general design objectives in Clause 1.0.</i> <i>All other relevant requirements specified in this schedule.</i> 	<p><i>Title of the clause</i></p> <p>Title of Clause 2.2 was amended from General Design Requirements to General Requirements. The word 'Design' is redundant.</p> <p><i>Operation of mandatory and preferred requirements</i></p> <p>The clause explaining how the mandatory provisions operate was expanded to better describe the mandatory elements of the amendment eg mandatory maximum building heights, mandatory maximum street walls etc.</p> <p><i>Compliance of amendments to permits</i></p> <p>Amendments to permits was added to prevent situations where a person could obtain a permit that complies with the mandatory provisions, and then seek to amend that permit to exceed the mandatory controls (arguing that they do not apply to a permit amendment). The outcome would undermine the mandatory provisions.</p> <p><i>Must and should</i></p> <p>The exhibited DDO16 used the word must in relation to both mandatory and preferred controls. However, where the control was intended to be mandatory, the words 'A permit cannot be granted to construct a building or carry out works if it does not meet this requirement' were included.</p> <p>This approach was taken in response to advice received by Council, which was based on the way the head clause of the Design and Development Overlay is drafted. However, in practice this made the DDO more difficult to understand.</p> <p style="text-align: right;">Cont.</p>

Clause & DDO element	Exhibited DDO	Version of DDO for Adoption	Reason for change									
<p>2.2 General requirements (cont.)</p>	<ul style="list-style-type: none"> • <i>Future vehicle access and services must be provided from a rear laneway or side street where possible.</i> • <i>Development must provide setbacks which ensure that upper level additions seen from the public realm are high quality and do not diminish the appreciation of the heritage building and streetscape.</i> • <i>Development must avoid repetitive stepped built form at upper levels of development.</i> • <i>Unless specified in another table in this schedule, any part of a building adjacent to land in a residential zone must comply with the following:</i> <p>Table to Clause 2.2 boundary wall height and setback requirements for development adjoining a residential zone</p> <table border="1" data-bbox="427 826 936 1190"> <thead> <tr> <th></th> <th>boundary wall height</th> <th>setback</th> </tr> </thead> <tbody> <tr> <td>Common boundary</td> <td>5 metres</td> <td>45 degrees above boundary wall height</td> </tr> <tr> <td>Laneway interface</td> <td>8 metres</td> <td>45 degrees above boundary wall height</td> </tr> </tbody> </table> <p>NB - DDO used <i>must</i> throughout, even for preferred requirements. Mandatory denoted by <i>must</i> plus the following wording - <i>A permit cannot be granted to construct a building or carry out works if it does not meet this requirement.</i></p>		boundary wall height	setback	Common boundary	5 metres	45 degrees above boundary wall height	Laneway interface	8 metres	45 degrees above boundary wall height	<p><i>Architectural features may exceed the preferred or mandatory height.</i></p> <p><i>Service equipment / structures including plant rooms, lift overruns, structures associated with green roof areas, screens to service areas or other such equipment may exceed the mandatory or preferred height provided that all of the following criteria are met for the equipment or structure:</i></p> <ul style="list-style-type: none"> - <i>Less than 50 per cent of roof area is occupied by the service equipment (other than solar panels).</i> - <i>The equipment does not cause additional overshadowing of private open space, Napier Reserve and Queens Parade.</i> - <i>The equipment does not extend higher than 3.6 metres above the maximum building height.</i> <p><i>Projections such as balconies and building services should not intrude into a setback or upper level setback.</i></p> <p>Specific requirements relating to floor to floor heights, street wall height, vehicle access and upper level setbacks given their own sub-headings in the version of the DDO for adoption (see below).</p> <p>NB - <i>Must</i> used for mandatory requirements and <i>should</i> used for preferred requirements. Where a clause is mandatory it uses <i>must</i> and is followed by the words, <i>'A permit cannot be granted to vary this requirement.'</i></p>	<p>DDO16 has been updated and uses <i>must</i> and <i>should</i> to distinguish between mandatory and preferred controls respectively. While there are different opinions on the proper approach, the use of the words <i>must</i> and <i>should</i> in DDO16 was supported by the Panel. Where a clause is mandatory it is followed by the clause, <i>'A permit cannot be granted to vary this requirement.'</i></p> <p><i>Relocation and changes to exemptions to building heights</i></p> <p>Requirement for service equipment relocated from Definitions, its location in the exhibited version, to this section for clarity.</p> <p>A total roof area was specified to help minimise impact of equipment on roof tops of new buildings. The subjective requirements in the exhibited clause were removed (eg <i>to the satisfaction of the responsible authority</i>) and only measurable parameters included to aid with assessment of compliance.</p> <p><i>Requirements on ground floors and for street wall heights, vehicle access and upper level setbacks</i></p> <p>More specific requirements have been removed in the version of DDO for adoption and given their own sub-headings to assist in making the DDO clearer and easier to navigate.</p> <p>Table to Clause 2.2 (Boundary Wall Height and Setback Requirements) was removed, relocated or replaced by updated side and rear setback requirements in each Precinct.</p>
	boundary wall height	setback										
Common boundary	5 metres	45 degrees above boundary wall height										
Laneway interface	8 metres	45 degrees above boundary wall height										

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2.3 Street wall height requirements	Not included in the <i>exhibition version</i> .	New sub-clause and heading added New requirement added to guide street wall transition to heritage buildings: <i>Except in Precinct 4, the street wall height should be no higher than the parapet height of a abutting heritage building/s for a minimum length of 6 metres measured from the edge of the heritage building/s.</i>	This requirement was added to deal with situations where the abutting heritage building was lower than the street wall required in the Design Requirements and was seeking a step up or down from the new wall to the abutting heritage wall. The issue was not addressed in <i>exhibited version of the DDO</i> . Panel recommended the addition of the word 'taller', however this is not supported by officers (see Attachment 1 for the reason why this is not supported by officers.)
2.4 Upper levels requirements	Heading not included in the <i>exhibition version</i> . Two requirements addressed upper level development: <ul style="list-style-type: none"> • <i>Development must provide setbacks which ensure that upper level additions seen from the public realm are high quality and do not diminish the appreciation of the heritage building and streetscape.</i> • <i>Development must avoid repetitive stepped built form at upper levels of development</i> 	New sub-clause and heading added. Combination of relocated requirements and new requirements which address recessive upper levels; ensure side walls are articulated and avoiding a continuous built form at upper levels and recognising contribution made by chimneys, parapets and other architectural features. Requirements now read: <i>Upper level development should:</i> <ul style="list-style-type: none"> – <i>Provide setbacks to ensure that upper level additions seen from the public realm do not diminish the appreciation of the heritage building and streetscape.</i> – <i>Avoid repetitive stepped built form at upper levels.</i> – <i>Be visually recessive.</i> – <i>Use materials that are recessive in finish and colour.</i> – <i>Include articulated side walls, where visible from the public realm, which are designed to reduce the visual impact of the wall and read as part of the overall building design.</i> – <i>Avoid continuous built form at upper levels.</i> 	Requirements 1 and 2 (version for adoption) were relocated from 2.2 General Design Requirements. Requirements 4, 5 and 6 (version for adoption) were relocated from Precinct 3 as they are relevant across all precincts, not just Precinct 3. Requirements 7 and 8 (version for adoption) added in response to submissions and expert evidence given at the Panel Hearing on the impacts of balconies and equipment and services. Requirement 3 (version for adoption) was added to require visually recessive upper levels. This was not addressed in the General Requirements of the <i>exhibited DDO</i> . Requirement 9 (version for adoption) was recommended by the Panel to ensure heritage elements such as chimneys and the like are retained through upper level setbacks. This addition is supported by officers and has been included.

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Clause & DDO element	Exhibited DDO	Version of DDO for Adoption	Reason for change
2.4 Upper levels requirements (cont.)		<ul style="list-style-type: none"> – <i>Ensure balconies at upper levels do not dominate the solid façades of heritage street walls</i> – <i>Minimise the visual intrusion of equipment and services.</i> – <i>Protect the contribution made by chimneys, parapets and other architectural features to the fine grained character of the area.</i> 	
2.5 Corner site requirements	Not included in the <i>exhibition version</i> .	<p>New sub-clause and heading added.</p> <p>New requirement added to address street wall on corner sites:</p> <p><i>New development on a corner site with a frontage to Queens Parade should continue the Queens Parade street wall height along the side street, with a transition in height to match the rear interface where required. This requirement does not apply a laneway except where specified.</i></p>	<p>New requirement which addresses gap in the <i>exhibited version</i>.</p> <p>Added in response to submissions about corner sites and expert evidence at the Panel Hearing to address the transition of new development on corner sites and ensure development ‘turns’ the corner appropriately. Supported by Panel.</p> <p>(References to Precincts outside Precinct 4 have been deleted in the version of the DDO version for adoption.)</p>
2.6 Ground floor requirements	<p>Heading not included in the <i>exhibition version</i>.</p> <p>Requirement ensuring floor to floor heights are suitable for commercial uses:</p> <ul style="list-style-type: none"> ▪ <i>Facades at ground level must be designed with floor to floor ceiling heights suitable to accommodate commercial activity in the Commercial 1 Zone and the Mixed Use Zone.</i> 	<p>New sub-clause and heading added.</p> <p>Deletes the reference to Mixed Use Zone so it now reads:</p> <ul style="list-style-type: none"> • <i>Facades at ground level should be designed with floor to floor ceiling heights suitable to accommodate commercial activity in the Commercial 1 Zone.</i> <p>Includes the following new requirements on building services at street level and orienting windows, habitable rooms and pedestrian entrances towards the public realm:</p> <ul style="list-style-type: none"> • <i>Building services and service cabinets should be located away from the street frontage of heritage facades and they should be designed and located so they</i> 	<p>Requirement 1 ensuring ground floor development accommodates floor to ceiling heights appropriate for commercial development was amended to address the CZ2 in Parts 1 and 3 of Amendment C231. Commercial floor to floor heights are equally relevant in this zone. The exhibited version only included MUZ and CZ1. The CZ2 and MUZ are not needed in this version of the DDO for adoption as only C1Z land is affected. 390A Queens Parade is zoned Commercial 1.</p> <p>Requirement 2 was added to ensure services do not dominate the street frontage. This was identified during the Panel hearing. Change supported by Panel.</p>

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Clause & DDO element	Exhibited DDO	Version of DDO for Adoption	Reason for change
2.6 Ground floor requirements (cont.)		<p><i>complement the street frontage and character and appearance of the heritage building.</i></p> <ul style="list-style-type: none"> <i>Windows of commercial premises, habitable rooms, and principal pedestrian entrances should be orientated towards the public realm and contribute to the safety of the adjoining public realm.</i> 	<p>Requirement 3 is a new requirement recommended by the Panel around windows and entrances being oriented to the public realm, which addresses a gap in the DDO and will strengthen the interface of development with the public realm.</p>
2.7 Vehicular access, car parking and loading areas requirements	<p>Heading not included in the <i>exhibition version</i>.</p> <p>The following requirement addressed vehicle access:</p> <ul style="list-style-type: none"> <i>Future vehicle access and services must be provided from a rear laneway or side street where possible.</i> 	<p>New sub-clause and heading added.</p> <p>Four new requirements added, in addition to exhibited requirement:</p> <ul style="list-style-type: none"> <i>New vehicle crossovers onto Queens Parade should be avoided.</i> <i>Future vehicle access and services must be provided from a rear laneway or side street where possible.</i> <i>Vehicle ingress and egress into development, including loading facilities and building servicing, should ensure a high standard of pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.</i> <i>Development on a laneway should include a rear/side setback or a corner splay at ground floor, to facilitate the ongoing functionality of the laneway and allow for building services and car park access.</i> <i>Permanent obstructions within a rear/side setback or splay to a laneway should be avoided.</i> 	<p>Requirement 2, which required future vehicle access and services off a rear laneway or side street where possible, was included in the <i>exhibited version of the DDO</i>.</p> <p>Requirement 1 was proposed in response to urban design advice which noted the exhibited version of the DDO sought to focus access off laneways or side streets but was not explicit about the use of Queens Parade for access.</p> <p>In the Council preferred version of DDO16 presented to Panel, a design requirement which sought the following was added: '<i>New vehicle crossovers onto Queens Parade must be avoided</i>'.</p> <p>This was partly to maximise the efficiency and safety of the arterial roads e.g. Queens Parade and to ensure the historic Queens Parade shopping strip is not dominated by car access points (and further promoting a safe and friendly walking environment, reducing conflict points and retaining the historic streetscape).</p> <p>Requirement 3 was added in response to submissions concerned about protecting pedestrian amenity and reducing conflicts between cars and people (eg in laneways, side streets and along Queens Parade).</p> <p style="text-align: right;">Cont.</p>

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<p>2.7 Vehicular access, car parking and loading areas requirements (cont.)</p>			<p>Requirements 4 and 5 were added to address issues raised by Council's traffic expert at the Panel hearing.</p> <p>The requirements require a corner splay and that setbacks and splays should be unobstructed. The change will see improved visibility for vehicles to improve safety and access for vehicles, pedestrians and cyclists.</p>
<p>2.8 Heritage design requirements</p>	<p>Included heritage design requirements which apply to:</p> <ul style="list-style-type: none"> Contributory and individually significant buildings Infill buildings and development adjoining a heritage building <p>Requirements addressed <i>Building facades and street frontages</i> and <i>Upper levels behind a heritage street wall</i>:</p> <p><i>Building facades and street frontages</i></p> <p><i>Infill buildings and development adjoining a heritage building</i></p> <ul style="list-style-type: none"> <i>Façade treatments and the articulation of infill buildings on land affected by a heritage overlay or immediately adjoining a heritage building must:</i> <i>ensure façade treatments and the articulation of new development are simple and do not compete with the more elaborate detailing of nineteenth century buildings</i> <i>respect the vertical proportions of the nineteenth and twentieth century facades in the heritage streetscape and/or the adjoining heritage building(s) avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts</i> <i>avoid large expanses of glazing with a horizontal emphasis except for ground floor</i> 	<p>Retains <i>Building facades and street frontages</i> and <i>Upper level behind heritage street wall</i> in an amended form and adds new requirements to address '<i>Upper level setbacks</i>' so it now reads:</p> <p><i>Building facades and street frontages</i></p> <p><i>Infill buildings and development adjoining a heritage building:</i></p> <ul style="list-style-type: none"> <i>Façade treatments and the articulation of infill buildings should:</i> <i>be simple and not compete with the more elaborate detailing of nineteenth century buildings</i> <i>respect the vertical proportions of the nineteenth and twentieth century facades in the heritage streetscape and/or the adjoining heritage building(s)</i> <i>avoid large expanses of unarticulated curtain glazing, highly reflective glass and glazing with a horizontal emphasis except for ground floor shopfronts</i> <i>reflect the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building(s)</i> <p><i>Contributory or individually significant buildings must:</i></p> <ul style="list-style-type: none"> <i>maintain existing openings and avoid highly reflective glazing in historic openings</i> 	<p>Changes include:</p> <ul style="list-style-type: none"> Removing superfluous words (eg when the following requirement applies....) and errors (eg repetition of glazing in Design Requirements 3 and 4 in the exhibited version) Renaming <i>Upper level behind heritage street wall</i> to <i>Design of upper levels</i> to make what it covers clearer. <p>Further guidance was added to Heritage Design Requirements following submissions which were concerned that the proposed upper level setbacks, particularly in Precinct 4 would result in the loss of primary roofs and features such as chimneys.</p> <p>The new requirements were added to address situations when upper level setbacks beyond the minimum might be required (eg to retain the roof of an individually significant building which is visible from the public realm).</p> <p>The Panel considered the Heritage Design Requirements were not required and repeated policy in Clause 22.02, the decision guidelines in the Heritage Overlay and the Preferred Character Statements in the preferred version of the DDO.</p> <p style="text-align: right;">Cont.</p>

Clause & DDO element	Exhibited DDO	Version of DDO for Adoption	Reason for change
<p>2.8 Heritage design requirements (cont.)</p>	<p><i>shopfronts avoid the use of unarticulated curtain glazing and highly reflective glass</i></p> <ul style="list-style-type: none"> <i>reflect the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building(s)</i> <p><i>Adaption of contributory or individually significant buildings must:</i></p> <ul style="list-style-type: none"> <i>avoid highly reflective glazing in historic openings</i> <i>encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings</i> <i>maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings</i> <p>Upper level behind heritage street wall</p> <p><i>Upper level development on land within a heritage overlay and on land immediately adjoining a heritage building must:</i></p> <ul style="list-style-type: none"> <i>be visually recessive and not visually dominate the heritage building and the heritage streetscape</i> <i>retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid ‘facadism’</i> <i>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</i> <i>incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape</i> 	<ul style="list-style-type: none"> <i>encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings</i> <i>maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings</i> <p>Design of upper levels</p> <p><i>Upper level development on land within a heritage overlay and on land immediately adjoining a heritage building should:</i></p> <ul style="list-style-type: none"> <i>be visually recessive and not visually dominate the heritage building and the heritage streetscape</i> <i>retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid ‘facadism’</i> <i>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</i> <i>incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape</i> <i>reflect the fine grained character of the streetscape, fine grained character and subdivision pattern of the streetscape, especially on larger sites.</i> <p>Upper level setbacks</p> <p><i>Upper level setbacks in excess of the minimum mandatory upper level setback should be provided where:</i></p> <ul style="list-style-type: none"> <i>it would facilitate the retention of a roof form and chimneys that are visible from the public realm, or a roof or any feature that</i> 	<p>The requirements address a gap in the scheme provisions and should be included until such time Clause 22.02 is amended to more comprehensively address industrial, commercial and retail places. Officers recommend the Heritage Design Requirements are retained.</p> <p>Clause 22.02 will be amended by Amendment C269 (Planning Scheme Local Policy rewrite). Officers propose that after Amendment C269 is gazetted, an administrative amendment would be undertaken and the Heritage Design Requirements in this (and other) DDO(s) would be removed.</p>

Attachment 3

Underlined text signifies a mandatory control

Clause & DDO element	Exhibited DDO	Version of DDO for Adoption	Reason for change
2.8 Heritage design requirements (cont.)	<ul style="list-style-type: none"> <i>be articulated to reflect the fine grained character of the streetscape</i> 	<p><i>the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape</i></p> <ul style="list-style-type: none"> <i>it would maintain the perception of the three-dimensional form and depth of the building</i> <i>a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along Queens Parade.</i> 	
2.9 Interface to residential properties in NRZ or GRZ	Heading not included in the <i>exhibition version</i> .	<p>New sub-clause and heading added.</p> <p>The following new requirements are included:</p> <ul style="list-style-type: none"> <i>Development should respond to the low scale form of existing development through an appropriate transition in building height and setbacks to ensure reasonable standards of amenity.</i> <i>In Precinct 4, where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.</i> <p><i>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</i></p>	<p>In addition to changes to the side and rear setbacks, specific overshadowing controls were proposed in Precinct 3 and 4 in response to submissions.</p> <p>Submitters were concerned about the impacts of 4, 5 and 6 storey developments on the amenity of their properties to the south of the centre.</p> <p>Both requirements were relocated from Precincts 3 and 4 at the suggestion of the Panel – to reduce repetition.</p> <p>Requirement 1 which requires an ‘<i>appropriate transition to low adjoining low scale residential development</i>’ was supported by the Panel to address the interface with neighbouring residential properties.</p> <p>The purpose of the Requirement 2 is to protect adjoining residential properties from additional overshadowing at the equinox (the accepted urban design standard to apply when assessing overshadowing). The overshadowing requirements mirror ResCode Standards A14 and B21.</p>

Attachment 3


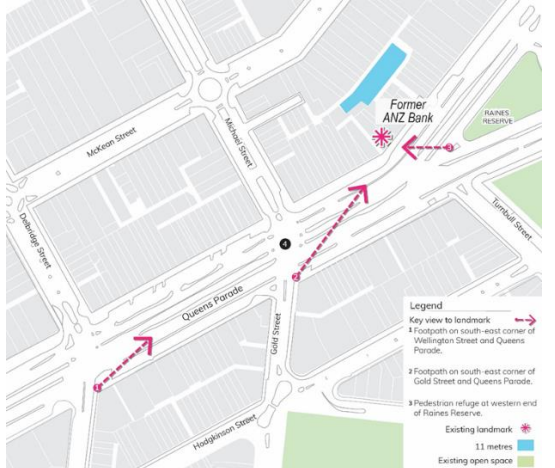
Underlined text signifies a mandatory control

Precinct specific requirements

Requirement ¹	Exhibited DDO	Version of DDO for adoption	Reason for change
Precincts 1-3			
All	See exhibited DDO.	Content deleted.	The Precinct character statements, Design Requirements, maps and tables for the Precincts 1-3 have been deleted as this version of the DDO only applies to 390A Queens Parade.
Precinct 4			
Preferred character statement	Not included	<p>Preferred character statement inserted:</p> <p><i>Buildings and works should deliver:</i></p> <ul style="list-style-type: none"> <i>A unique and vibrant Victorian era shopping strip which forms the retail and activity focus of Queens Parade building on its distinctive heritage qualities.</i> <i>Development that complements the scale of heritage buildings and the patterns and rhythms of heritage features.</i> <i>Upper level infill that reinforces the prevailing street wall and subdivision grain of significant streetscapes and transitions to residential abuttals to the rear.</i> <i>Well designed building frontages and public realm that reinforce the pedestrian experience of this part of Queens Parade as and the central hub for the local community</i> 	<p>Council's preferred version of DDO16 included preferred character statements (a change proposed in response to submissions). They were added to better define the future character sought by the controls.</p> <p>The Panel supported their inclusion but recommended some redrafting to make their intent clearer, read as more positive outcomes and remove repetition. The wording suggested by the Panel has been accepted by officers.</p> <p>Preferred character statement for Precinct 4 seeks to:</p> <ul style="list-style-type: none"> Recognise the centre as a vibrant retail shopping strip Recognise its heritage qualities and ensure development complements this Ensure development creates a high quality public realm and pedestrian experience

¹ Design requirements in Table 4 were amended in the version for adoption to specify whether the requirement was for a maximum or minimum or both eg Maximum street wall height, Minimum upper level setback etc. In addition the format of the table has also been standardised eg removing the word maximum / minimum for most metrics and describing specific locations or sites eg south side of Queens Parade between Gold and Turnbull Streets - 14 metres.

Requirement ¹	Exhibited DDO	Version of DDO for adoption	Reason for change
		<ul style="list-style-type: none"> <i>Development that retains the prominence of the former ANZ Building.</i> 	<ul style="list-style-type: none"> Recognise the prominence of the ANZ Building.
<p>Design requirements</p>	<p>Included:</p> <p><i>The design requirements for Precinct 4 are as follows:</i></p> <ul style="list-style-type: none"> <i><u>Development must protect and maintain key view lines and visual prominence of the former ANZ Building from the south-west and north-east, in particular to the upper floor, roof form and chimneys. A permit cannot be granted to construct a building or carry out works if it does not meet this requirement.</u></i> <p><i>Development must:</i></p> <ul style="list-style-type: none"> <i>retain the visual prominence of heritage buildings, their street wall and significant ‘High Street’ streetscapes when viewed from the opposite side of Queens Parade.</i> <i>facilitate the appropriate mid rise infill of the sites located to the rear of commercial properties fronting Queens Parade.</i> <i>retain the visual prominence of the return facades of buildings that front Queens Parade, Delbridge, Gold and Michael Streets.</i> <i>ensure that facades at ground floor incorporate verandahs which are consistent with the form and scale of adjoining verandahs.</i> <i>retain chimneys visible from the public realm.</i> <i>enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.</i> 	<p>Design requirements amended and expanded as follows:</p> <p><i><u>Development in Precinct 4 must:</u></i></p> <ul style="list-style-type: none"> <i><u>Protect and maintain key view of the former ANZ Building from the south-west and north-east, in particular to the upper floor, roof form and chimneys. A permit cannot be granted to vary this requirement.</u></i> <p><i>Development in Precinct 4 should:</i></p> <ul style="list-style-type: none"> <i>Respect the consistent scale, grain, rhythm and architectural quality of the highly intact heritage streetscapes and the heritage buildings in the precinct.</i> <i>Retain the visual prominence of heritage buildings, their street wall and heritage streetscapes when viewed from the opposite side of Queens Parade.</i> <i>Facilitate the appropriate low rise infill of the sites located to the rear of commercial properties fronting Queens Parade.</i> <i>Ensure that any upper level development is set back from the heritage façade, is visually recessive and does not detract from the heritage streetscape.</i> <i>Retain the visual prominence and heritage fabric of the return facades of buildings that front Queens Parade, Delbridge, Gold, Michael and Wellington Streets.</i> <i>Ensure that facades at ground floor incorporate verandahs which are consistent with the form and scale of adjoining verandahs.</i> 	<p>Design Requirement 1 (version for adoption) – Minor changes made to clause which makes the requirement mandatory.</p> <p>Design Requirement 2 (version for adoption) – New requirement added in response to submissions to recognize the intact streetscape and its buildings. Panel recommended the addition of the concept of ‘rhythm’ – an important element of the street.</p> <p>Design Requirement 3 (version for adoption) – Removes concept of significant high street streetscape. (Refer to <i>Minimum upper level setback - Queens Parade</i> below for further details.)</p> <p>Design Requirement 4 – Mid rise scale was changed to low rise scale to recognize the change in heights in this precinct from six storeys as exhibited to the three and four storeys recommended for adoption.</p> <p>Design Requirement 5 (version for adoption) – Added in response to submissions concerned about the impacts of development on heritage fabric and the streetscape. Upper level setbacks were also increased from 6 metres to 8 metres in response to this issue.</p> <p>Design Requirement 6 (version for adoption) – Wellington Street (a key corner of the centre) was omitted in the exhibition version.</p> <p>Added to correct this. Panel recommended the addition of ‘<i>heritage fabric</i>’ to this requirement. This is supported as these are corner sites house key heritage buildings.</p> <p>Design Requirements 7, 8, and 9 (version for adoption) – Minor wording changes.</p> <p>Design Requirement 10 (version for adoption) – Added in response to submissions from traders who were concerned that redevelopment would prevent</p>

Requirement ¹	Exhibited DDO	Version of DDO for adoption	Reason for change
	<ul style="list-style-type: none"> respect the low scale, fine grain subdivision pattern of existing development on Hodgkinson Street and McKean Street. 	<ul style="list-style-type: none"> Retain chimneys visible from the public realm. Enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings. Maintain service access from the laneways to facilitate commercial use of the properties fronting Queens Parade. Ensure shopfront widths are not reduced to the extent they become commercially unviable. 	<p>the use of rear laneways for the servicing of their businesses.</p> <p>Design Requirement 11 (version for adoption) – New. Recommended for inclusion by the Panel to address an issue raised by submitters about the impacts of redevelopment on shop spaces at ground floor. This change is supported by officers.</p>
<p>Map 4</p>	<p>Included:</p> 	<p>Amended as follows:</p> <ul style="list-style-type: none"> Significant heritage streetscape removed Heights reduced View from Raines Reserve shown More detail provided in base map Only shows 390A Queens Parade on map to reflect Part 2 and splitting of the amendment 	<p>The map in the <i>adoption</i> version has also been modified to reflect the change in building heights recommended for adoption. It also only shows the heights proposed to apply to 390A Queens Parade (Part 2 of Amendment C231). Refer below for details.</p> <p>The <i>exhibited</i> DDO included a reference to a significant streetscape which was removed in the <i>adoption</i> version. (Refer to <i>Minimum upper level setback - Queens Parade</i> below for further details.)</p> <p>The map in the <i>adoption</i> version includes a third key view to the former ANZ Bank identified in the GJM work that was not shown in the <i>exhibited</i> DDO. The map's legend in the <i>adoption</i> version more precisely identifies viewing points.</p>

Attachment 3

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Requirement ¹	Exhibited DDO	Version of DDO for adoption	Reason for change
<p>Maximum building height</p>	<p>Requirement stated: <u>21.5 metres</u></p>	<p>Requirement amended to read: <u>11 metres</u></p>	<p>A reduction in the maximum building height for 390A Queens Parade from a mandatory six storey height in the <i>exhibited DDO</i> to three storeys in the <i>version for adoption</i> is a result of community feedback to the <i>exhibited DDO</i>, extensive 3D modelling by Ethos Urban and the Panel’s recommendations.</p> <p>Many community submitters expressed concern about the six storey height proposed for Precinct 4 in the exhibited DDO. They submitted it would have a negative impact on the valued heritage character of Queens Parade and on the amenity of adjoining residential properties.</p> <p>The Panel recommended a mandatory height limit of 10.5 metres (3 storeys) in three of four quadrants of Precinct 4. The Panel recognised the value of the heritage in this precinct and prioritised its protection over facilitating development. The Panel found that a 14 metre (4 storeys) mandatory height is appropriate in the fourth quadrant of Precinct 4 (bound by Gold and Turnbull Streets and Queens Parade). It noted that the heritage in this quadrant is less consistent and the lots are wider, consequently it is less sensitive and has greater development capacity.</p> <p>390A Queens Parade is located in one of the quadrants that the Panel recommended a three storey maximum building height should apply.</p> <p>At the 17 March 2020 Ordinary Council, Council adopted the Panel’s recommendations of three storeys in three of the four quadrants in Precinct 4. However it varied from the Panel’s recommendation of four storeys in the Fourth Quadrant (located between Gold and Turnball Streets) and adopted 3 storeys (11 metres) for 141-167 Queens Parade and four storeys (14 metres) for the remainder of the quadrant.</p> <p>It is noted that Council also adopted 11 metres where a three storey height applied instead of 10.5</p>

Attachment 3

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Requirement ¹	Exhibited DDO	Version of DDO for adoption	Reason for change
<p>Maximum building height (cont.)</p>			<p>metres as recommended by the Panel. The height was increased to 11 metres to ensure heritage floor plates can be carried through into the new development and provide for residential amenity.</p> <p>Council adopted three storeys (11m) in Precinct 4 (excepting for 169-193 and 390A Queens Parade) on the basis that Queens Parade is a special case where future growth can be restricted on the basis of a combination of circumstances:</p> <ul style="list-style-type: none"> • Queens Parade is unusually wide at 60 metres. This means that any new development in Queens Parade will be more visible than in other high streets. • Higher levels of growth can be accommodated elsewhere within the centre or nearby. • Queens Parade is an activity centre is that the heritage streetscape in Precinct 4 is highly intact and consistent and features a fine grain subdivision pattern and narrow allotments which give it a greater sensitivity to redevelopment. <p>Officers consider that the justification for a three storey maximum height that applied for the majority of Precinct 4 more broadly (and as set out above), equally applies to 390A Queens Parade. Officers recommend a three storey maximum building height (or 11 metres) should also be adopted for 390A Queens Parade to:</p> <ul style="list-style-type: none"> • Ensure a consistent building height applies across this part of Precinct 4 • Retain and reinforce the low-rise heritage built form character of the area.

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Requirement ¹	Exhibited DDO	Version of DDO for adoption	Reason for change
Maximum and minimum street wall height - Queens Parade	Requirement stated: <u>Retain height of existing heritage façade</u> <u>Where no heritage façade exists:</u> <ul style="list-style-type: none"> <u>min 8m</u> <u>max 11m or where there is an adjacent heritage building, the parapet height of that building if taller than 11m.</u> 	Requirement amended to read: <u>For existing heritage façades:</u> <ul style="list-style-type: none"> <u>Retain height of existing heritage façade</u> <u>Where no heritage façade exists and there is no adjacent heritage building/s:</u> <ul style="list-style-type: none"> <u>At least 8m in height and no higher than 11m in height</u> <u>Where no heritage façade exists and there is an adjacent heritage building/s:</u> <ul style="list-style-type: none"> <u>At least 8m in height and no higher than 11m unless an adjacent heritage building has a parapet height of more than 11m, in which case no higher than the adjacent heritage parapet height</u> 	This requirement was modified to better clarify what street wall height would apply in various circumstances ie: <ul style="list-style-type: none"> where there is an existing heritage façade there is no heritage façade but there is an adjacent heritage building there is no heritage façade and no adjacent heritage building. As drafted, the <i>exhibited DDO</i> would have allowed for any height between 8m and 11m without reference to adjacent heritage buildings.
Maximum and minimum street wall height – Side streets	Requirement stated: <u>Retain height of existing heritage facade</u> <u>Where no heritage façade exists, development should be a minimum of 8 metres a maximum of 11 metres or where there is an adjacent heritage building, the parapet height of that building if taller than 11 metres</u>	Requirement amended to read: <u>For existing heritage façades:</u> <ul style="list-style-type: none"> <u>No higher than the existing heritage façade</u> <u>Where there is no heritage façade and there is no adjacent heritage building/s:</u> <ul style="list-style-type: none"> <u>At least 8m in height and no higher than 11m in height</u> <u>Where no heritage façade exists and there is an adjacent heritage building/s:</u> <ul style="list-style-type: none"> <u>At least 8m in height and no higher than 11m in height unless there is an adjacent heritage building with a parapet height of more than 11m, in which case no higher than the adjacent heritage parapet.</u> 	This requirement was modified to better clarify what street wall height would apply in various circumstances ie: <ul style="list-style-type: none"> where there is an existing heritage façade there is no heritage façade but there is an adjacent heritage building there is no heritage façade and no adjacent heritage building. As drafted, the <i>exhibited DDO</i> would have allowed for any height between 8m and 11m without reference to adjacent heritage buildings.
Minimum upper level setback - Queens Parade	Requirement stated: <u>Significant heritage streetscape area – 6m</u> <u>364 Queens Parade – 8m</u> <u>167-197 Queens Parade – 6m</u>	Requirement amended to <u>8m</u> (mandatory) for the entire Precinct	In subsequent versions of the DDO post-exhibition, Council recommended deletion of the significant heritage streetscape area. The concept of a <i>significant heritage streetscape area</i> has been deleted.

Attachment 3

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Requirement ¹	Exhibited DDO	Version of DDO for adoption	Reason for change
			<p>The entire centre is within a Heritage Overlay and therefore has heritage values. It is also noted this concept of differentiating between different gradings of heritage buildings was not supported by the Panel reviewing Amendment C220 relating to Johnston Street. For this and reason above, the delineation was removed.</p> <p>The minimum upper level setback was increased from a combination of 6 metres / 8 metres at exhibition to 8 metres across the entire precinct in response to submissions to better reflect the significance of the heritage streetscape.</p> <p>The mandatory 8 metre requirement is required across the entire Precinct to create better urban design and heritage outcomes, protect the unique heritage values of the precinct, and preserve viewlines to the ANZ Building.</p> <p>The increased setback and mandatory nature of the control was supported by Panel.</p>

Attachment 3

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Requirement ¹	Exhibited DDO	Version of DDO for adoption	Reason for change
Minimum setback (NRZ interface)	Requirement stated and was named <i>Rear setback (NRZ interface)</i> : <i>45° above 8m from rear boundary to a laneway</i> <i>45° above 5m from rear boundary (no laneway)</i>	Requirement renamed 'minimum setback (NRZ interface)' and amended to read: <i>Where there is a laneway - height and setbacks as shown in Figure 1</i> <i>Where there is no laneway - height and setbacks as shown in Figure 2</i>	The setbacks were amended in response to submissions expressing concerns about impacts on the amenity of the low scale residential properties which abut the centre (refer to Clause 2.9 <i>Interfaces to residential properties in NRZ or GRZ.</i>) The requirements are similar to ResCode B17 but modified to accommodate commercial height ground floors. They offer a better amenity outcome at the rear interface with adjoining residential properties. Where there is no laneway, Figure 2 effectively provides a setback at ground level that offers the separation that a laneway would otherwise provide. The Panel supported this change to the DDO.
Minimum rear setback (C1Z interface)	Not specified	The following requirement inserted: <i>3 metres above 11 metres</i>	The exhibited version of the DDO did not include this requirement, however it was included in the interim controls which apply to Queens Parade. It was reinstated to establish a setback for sites that have an interface to the Commercial 1 Zone ie island sites behind the Queens Parade commercial properties. The Panel supported this addition.
Precinct 5			
All	See exhibited DDO.	Content deleted.	The Precinct character statements, Design Requirements, maps and tables for Precinct 5 has been deleted as this version of the DDO only applies to 390A Queens Parade.

Application requirements, Decision guidelines & Reference documents

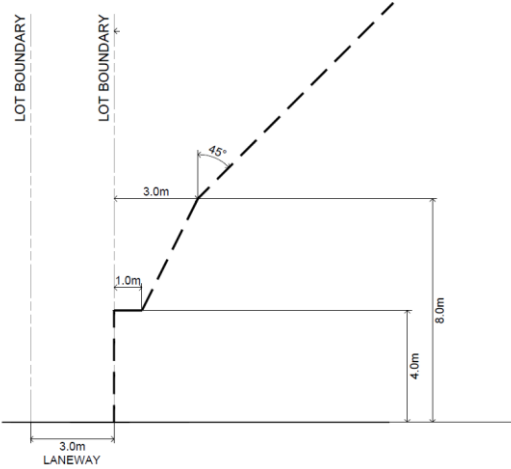
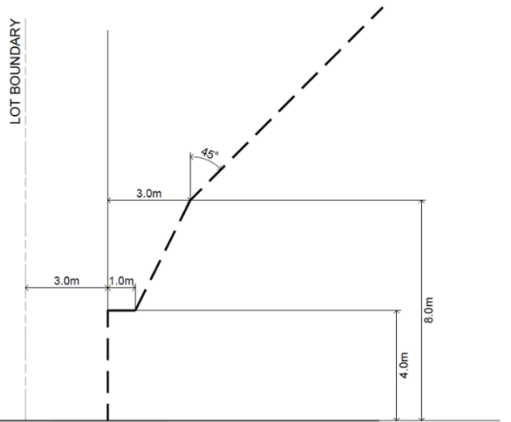
Requirement	Exhibited DDO	Version of DDO for adoption	Reason for change
<p>Application requirements</p>	<p>Not included</p>	<p>Requirements inserted for:</p> <ul style="list-style-type: none"> • Site analysis and urban context report • Wind study analysis • Traffic and Parking Assessment Report. <p>The Application requirements read:</p> <p><i>The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and should accompany an application, as appropriate, to the satisfaction of the responsible authority:</i></p> <ul style="list-style-type: none"> • <i>A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives, Preferred Character Statements and Design Requirements of this schedule.</i> • <i>For development proposals for buildings over 20 metres in height, a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.</i> • <i>A Traffic and Parking Assessment Report which includes an assessment of the cumulative impacts of traffic and parking in the Precinct including an assessment of the ongoing functionality of laneway/s.</i> 	<p>The exhibited version of the DDO did not include application requirements.</p> <p>Application requirements were proposed in Council’s preferred version of the DDO to ensure the consideration of wind impacts (identified as an issue by Council’s urban design expert), cumulative traffic and parking impacts and the functionality of laneways (raised by submissions and Council’s traffic expert during the hearing).</p> <p>Additionally, a requirement for a site analysis and urban context report was included.</p> <p>The Panel supported the inclusion of the requirements albeit with minor edits. Officers accept these changes and they have been included in the version for adoption.</p>

Requirement	Exhibited DDO	Version of DDO for adoption	Reason for change
<p>Decision guidelines</p>	<p>Included the following list of decision guidelines:</p> <p><i>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:</i></p> <ul style="list-style-type: none"> • <i>Whether the General Design Requirements, Heritage Design Requirements and the Precinct Design Requirements in Clauses 2.2, 2.3 and 2.4 are met.</i> • <i>If roof decks are proposed, whether they are set back from lower levels and are recessive in appearance.</i> • <i>The profile and impact of development along Queens Parade when viewed from the north side of McKean Street and the south side of Hodgkinson Street.</i> • <i>The design response at the interface with existing, low scale residential properties.</i> • <i>The design of the streetscape interface along the primary street frontage.</i> • <i>Whether side and rear setbacks are sufficient to limit the impact on the amenity of existing dwellings.</i> • <i>How any proposed buildings and works will impact on solar access to Queens Parade and Napier Street Reserve.</i> • <i>Whether heritage buildings on street corners retain their prominence when viewed from both streets.</i> • <i>Whether heritage buildings retain their three-dimensional form when viewed from the public realm.</i> 	<p>Modified to remove references to:</p> <ul style="list-style-type: none"> • General, Heritage and Precinct Design Requirements • Design response at low-scale residential interface <p>Modified to add reference to:</p> <ul style="list-style-type: none"> • Controls on light spillage and noise added to guideline addressing impact on adjoining dwellings • Cumulative impact of traffic and parking in the precincts including functionality of laneways • Design excellence. <p>The Decision Guidelines now read:</p> <p><i>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:</i></p> <ul style="list-style-type: none"> • <i>Whether the proposal delivers design excellence.</i> • <i>If roof decks are proposed, whether they are set back from lower levels and are recessive in appearance.</i> • <i>The profile and impact of development along Queens Parade when viewed from the north side of McKean Street.</i> • <i>The design of the streetscape interface along the primary street frontage.</i> • <i>Whether side and rear setbacks and controls on light spillage and noise are sufficient to limit the impact on the amenity of existing dwellings.</i> • <i>The impact on solar access to Queens Parade.</i> 	<p>Changes to the decision guidelines were made in response to submissions and through minor recommendations of the Panel.</p> <p>The Panel recommended deletion of the reference to General, Heritage and Precinct Design Requirements (Decision Guideline 1 in the exhibited DDO). The DDO already requires these elements to be taken into account.</p> <p>The Panel recommended deletion of Decision Guideline 4 in the <i>exhibited DDO</i> as it referenced the low-scale residential interface which is already addressed elsewhere in the Decision guidelines and Design requirements.</p> <p>Decision Guideline 1 (in the version for adoption) - was added to address issue of design excellence raised by submissions.</p> <p>Decision Guideline 3 (in the version for adoption) – Reference to the south side of Hodgkinson Street has been deleted as it relates to properties on the south side of Queens Parade and is not proximate to 390A Queens Parade.</p> <p>Decision Guideline 5 (in the version for adoption) – A reference to light spillage and noise was added in response to a recommendation by Panel in response to submissions made at the hearing.</p> <p>Decision Guideline 6 (in the version for adoption) – The reference to Napier Street Reserve has been removed as it is outside Precinct 4 and not located in proximity to 390A Queens Parade.</p> <p>Decision Guideline 13 (in the version for adoption) was added to address concerns raised by submitters about the impact of additional traffic and parking brought about by increased development. This was supported by the Panel.</p>

Attachment 3

Underlined text signifies a mandatory control

Requirement	Exhibited DDO	Version of DDO for adoption	Reason for change
	<ul style="list-style-type: none"> • Whether upper level development above the heritage street wall is visually recessive and does not dominate or visually overwhelm the heritage buildings. • Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm. • The impact of development on views to: • the former ANZ Bank building’s tower, roof, chimney and upper level • the St John the Baptist Church belfry and spire • the former Clifton Motor Garage’s Moderne façade and fin • The wind effects created by the development. 	<ul style="list-style-type: none"> • Whether heritage buildings on street corners retain their prominence when viewed from both streets. • Whether heritage buildings retain their three-dimensional form when viewed from the public realm. • Whether upper level development above the heritage street wall is visually recessive and does not dominate or visually overwhelm the heritage buildings. • Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm. • The impact of development on views to the former ANZ Bank building’s tower, roof, chimney and upper level • The wind effects created by the development. • The cumulative impact of traffic and parking in the Precinct including on the functionality of laneway/s. 	
Reference documents	<p>Included:</p> <p><i>Queens Parade, Clifton Hill Built Form Review prepared by Hansen Partnership – December 2017.</i></p>	<p>Reference documents removed.</p>	<p>The Panel considered that some of the recommendations from the Built Form Review prepared by Hansen were no longer reflected in the amendment.</p> <p>The Panel agreed that the Built Form Review provided a catalyst and background for the amendment but not to the extent of being included as a Reference Document and recommended its deletion.</p> <p>The inclusion of the report as a Reference Document could create confusion in the future. Its deletion avoids that confusion.</p>
Figures 1 and 2	<p>Not included</p>	<p>Added:</p>	<p>As discussed above, side and rear setback requirements were amended for Precinct 4.</p>

Requirement	Exhibited DDO	Version of DDO for adoption	Reason for change
<p>Figures 1 and 2 (cont.)</p>		<p>Figure 1 - Setback where there is a laneway to the side or rear</p>  <p>Figure 2- Setback where there is no laneway to the side or rear</p> 	<p>Submissions received during exhibition were concerned about residential amenity and suggested that the ResCode B17 setback was a better alternative.</p> <p>Amended controls based on B17 were proposed. Figures 1 and 2 illustrate the side and rear setbacks. They are a modified version of the ResCode B17 standard, amended to accommodate a 4 metre ground floor.</p> <p>Figure 1 applies where there is a laneway at the rear and Figure 2 applies where there is no laneway – it requires an additional 3 metre setback to provide the separation offered by a laneway.</p> <p>The Panel supported this change to the DDO.</p>

Attachment 3

Underlined text signifies a mandatory control

Schedule to Clause 72.04 – Schedule to documents incorporated in this Planning Scheme

Exhibited	Version for adoption	Reason for change
Reference to Appendix 8 was dated December 2017 in the Clause 72.04 Schedule to the Incorporated Document.	Reference in Schedule to 72.04 updated to <i>City of Yarra Review of Heritage Overlay Areas 2007 Appendix 8, revised June 2020</i>	The date of Appendix 8 has been updated from Dec 2017 to June 2020. It is Council's practice to update the date of document to ensure the scheme reflects the latest version.