

## Attachment 2

### Amendment C231 to the Yarra Planning Scheme

#### DDO16 – changes recommended by the Panel to Council’s *preferred version of the DDO* and the officer response

This table is based on the *final preferred version* of the DDO that was requested by the Panel (as part of Council’s Part C submissions to Panel). Council officers provided it to the Panel on 4 September 2019. It is the version the Panel used to base its recommendations.

The *final preferred version* made minor changes to the preferred version of the DDO endorsed by Council on 28 May 2019 in response to comments received during the drafting session on the final day of the hearing. The refinements did not change the intent.

DDO element		Change recommended by the Panel	Officer response to Panel recommendation and reasons for response
1.0	<b>Design objectives</b>	<p>The Panel considered the five Design objectives at Clause 1.0 are appropriate for Queens Parade, subject to some minor modifications.</p> <p>The reference to <i>limiting new development</i> has been removed from the second objective and the <i>promotion of design excellence</i> has been added to the fourth objective.</p>	<p>Accepted.</p> <p>The changes would frame the objectives more positively.</p> <p>The addition of ‘design excellence’ is strongly supported.</p> <p>The removal of by limiting new development does not significantly change the intent of the objective.</p> <p>Design objectives 2 and 4 would read:</p> <ul style="list-style-type: none"> <li>▪ <i>To protect the integrity of historical streetscapes and clusters of heritage buildings of a similar scale and materiality <del>by limiting new development.</del></i></li> <li>▪ <i>To <u>promote design excellence</u> that ensures new development respects the wide, open boulevard character of Queens Parade <del>and including</del> where existing historic trees are key elements in the streetscape, they remain the dominant visual feature.</i></li> </ul>
2.0	<b>Buildings and works</b>	The permit trigger to construct a building or carry out works has been removed.	<p>Accepted.</p> <p>It repeats the requirement in Clause 43.02 and is not needed. The permit trigger would be deleted.</p>
2.1	<b>Definitions</b>	The definition of <i>setback</i> has been removed.	<p>Accepted.</p> <p><i>Setback</i> is already defined in Clause 73.01 of the Planning Scheme and is unnecessary. The definition would be deleted.</p>
2.2	<b>General requirements</b>	The requirement from Precinct 3 which seeks to provide ‘ <i>appropriate transition to low adjoining low scale residential development</i> ’ and the ‘ <i>sunlight to open space</i> ’ requirements from	<p>Accepted.</p> <p>The requirements which require an ‘<i>appropriate transition to low adjoining low scale residential development</i>’ and the protection of ‘<i>sunlight to open space</i>’ were supported by the Panel to address the interface with neighbouring residential properties. However the</p>

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	Precincts 3 and 4 have been moved to this section.	<p>Panel recommended relocating the clauses to General Requirements to help to reduce repetition within the DDO.</p> <p>Officers support this recommendation, however instead of including these clauses under the General Requirements (Clause 2.2), officers propose to create a sub-clause number for the requirements to aid in readability ie <i>2.9 Interface to residential properties in NRZ or GRZ</i>.</p> <p>The reference to Hodgkinson Street has been deleted in the requirement on scale (as recommended by the Panel). This requirement would apply to all precincts with an interface to the Neighbourhood Residential Zone (NRZ) or General Residential Zone (GRZ).</p> <p>The requirement protecting <i>sunlight to the open space</i> has been amended to include a reference to Precincts 3 and 4. This reflects Council's position in the <i>preferred version of the DDO</i> presented to Panel. Precinct 1 and 2 have not been included as the precincts either interface with other zones eg Mixed Use Zone (MUZ) or the interfaces with the NRZ and GRZ are to the north and the adjoining properties would not be overshadowed.</p> <p>The requirements would read:</p> <p><b><u>2.9 Interface to residential properties in NRZ or GRZ</u></b></p> <ul style="list-style-type: none"> <li>▪ <i>Development should respond to the low scale form of existing development <del>outside Precinct 3 on Hodgkinson Street</del> through an appropriate transition in building height and setbacks to ensure a reasonable standards of amenity.</i></li> <li>▪ <i><del>ensure that</del> In Precincts 3 and 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></li> </ul> <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>
2.3	<b>Street wall height requirements</b>	<p>Added the word 'taller' into the street wall requirement which requires a transition from an abutting heritage building to new built form.</p> <p>Not accepted.</p> <p>The addition of the word 'taller' is not supported.</p>

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		<p>The purpose of this requirement in the <i>preferred version of the DDO</i> was 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 insertion of the word ‘taller’ would mean this transition, ie a step up from the lower street wall of heritage building to a taller street wall in an infill building would not apply.</p> <p>Council’s <i>preferred version of the DDO</i>, provides an exception in Precinct 4 to deal with the situation where a minimum mandatory 8m street wall was required but there are abutting heritage buildings which are single storey and it not considered necessary to match them.</p>
2.4	<p><b>Upper level requirements</b></p> <p>A requirement to protect the contribution made by chimneys, parapets and other features has been included in this section.</p>	<p>Accepted.</p> <p>The Panel’s addition ensures heritage elements such as chimneys and the like are retained through upper level setbacks and is supported.</p> <p>Officers have made minor changes to the third and fourth sub-points to improve language and make the section more readable. The changes do not alter the intent of the requirements.</p> <p>Officers also propose to strengthen the requirement for the design of side walls. This is in response to the Panel’s concerns about the impacts of blank side walls at upper levels when viewed from the public realm.</p> <p>The requirements would read:</p> <ul style="list-style-type: none"> <li>▪ <del>Development</del> Upper level development should: <ul style="list-style-type: none"> <li>- <del>provide</del> Provide setbacks to ensure that upper level additions seen from the public realm do not diminish the appreciation of the heritage building and streetscape.</li> <li>- <del>avoid</del> Avoid repetitive stepped built form at upper levels.</li> <li>- <del>ensure</del> Ensure that upper level development is <u>be</u> visually recessive.</li> <li>- <del>use</del> Use materials at upper levels that are recessive in finish and colour.</li> <li>- <del>include</del> Include articulated side walls, <u>visible from the public realm</u>, which are <u>designed to reduce the visual impact of the wall and read as part of the overall building design</u>.</li> <li>- <del>avoid</del> Avoid continuous built form at upper levels.</li> </ul> </li> </ul>

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		<ul style="list-style-type: none"> <li>- <del>ensure</del> Ensure balconies at upper levels do not dominate the solid façades of heritage street walls.</li> <li>- <del>Minimise</del> Minimise the visual intrusion of equipment and services.</li> <li>- <u>Protect the contribution made by chimneys, parapets and other architectural features to the fine grained character of the area.</u></li> </ul>
2.6	<p><b>Ground floor requirements</b></p> <p>Minor wording changes to the second design requirement to frame the desired outcome positively.</p> <p>The Panel recommended including a new requirement to orientate commercial windows, habitable rooms and pedestrian entrances to the public realm.</p>	<p>Accepted.</p> <p>Edits to the second requirement make the language in the DDO more positive and outline what outcome is required rather than what isn't required. (This is in line with comments made by the Panel.)</p> <p>The new requirement addresses a gap in the DDO and will strengthen the interface of development with the public realm.</p> <p>The second and third design requirements would read:</p> <ul style="list-style-type: none"> <li>▪ <u>Building services and service cabinets should be located away from the street frontage of heritage facades. Where unavoidable, they and should be designed and located so they do not dominate complement the street frontage or detract from and the character and appearance of the heritage building.</u></li> <li>▪ <u>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.</u></li> </ul>
2.7	<p><b>Vehicle access, car parking and loading area requirements</b></p> <p>The Panel reinstated the (exhibited) requirement to provide future vehicle access via a rear lane or side street where possible. This would be in addition to the preferred DDO requirement that sought to avoid vehicle crossings on Queens Parade.</p> <p>The Panel added Brunswick and Napier Streets to the requirement which seeks to avoid new crossovers onto Queens Parade.</p>	<p>Accepted.</p> <p>A Design Requirement which required future vehicle access and services off a rear laneway or side street where possible was included in the exhibited version of the DDO but was replaced by the requirement which sought to avoid new vehicle crossovers onto Queens Parade in the preferred version of the DDO. At the Panel, Council's traffic expert recommended its inclusion to make the role of laneways and side streets clearer. The Panel considered this requirement requiring servicing off laneways and side streets should not have been removed and was helpful to give appropriate weight to outcome sought.</p> <p>The Panel did not provide explicit reasons for including Brunswick Street and Napier Street in Design Requirement 1. However the inclusion of Napier and Brunswick Streets is accepted. In Precinct 1 (Preferred Character Statements), the preferred version of the DDO encourages</p>

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			<p>access off laneways. A purpose of the original requirement was to ensure the historic shopping strip was not dominated by car access points. The inclusion of the intact streetscapes of Brunswick and Napier Streets is appropriate for the same reasons.</p> <p>The design requirements would read as follows:</p> <ul style="list-style-type: none"> <li>▪ <i>New vehicle crossovers onto Queens Parade, <u>Brunswick Street and Napier Street</u> should be avoided.</i></li> <li>▪ <i>Vehicle ingress and egress into development, including loading facilities and building servicing, should ensure <u>a high quality standard</u> of pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.</i></li> <li>▪ <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></li> <li>▪ <i><u>Future vehicle access and services must be provided by a rear laneway or side street where possible.</u></i></li> <li>▪ <i>Permanent obstructions within a rear/side setback or splay to a <u>laneway</u> should be avoided.</i></li> </ul>
2.8	Heritage design requirements	<p>Delete</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 <i>preferred version of the DDO</i>.</p>	<p>Not accepted.</p> <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.</p> <p>The Heritage Design Requirements would be 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>
2.9.1**	Precinct 1 – Brunswick Street	<p><u>Preferred character statement:</u></p> <p>Minor wording changes to make the preferred character statements more succinct.</p>	<p>Accepted.</p> <p>The Panel’s recommendations improve clarity and do not alter the intent of the Preferred Character Statement.</p> <p>The preferred character statement would read:</p>

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		<p><del>Buildings and works should deliver the following preferred precinct character:</del></p> <ul style="list-style-type: none"> <li>▪ <del>Properties fronting Brunswick Street and turning the corner to Queens Parade defined by fine grained low scaled heritage buildings, with <del>Moderate</del> moderate low rise future infill behind the main heritage frontage, supported <del>accessed</del> accessed by rear laneways <del>access</del>.</del></li> <li>▪ <del>Visual prominence of the individually significant heritage building on the corner of Brunswick Street and Queens Parade retained.</del></li> </ul>
	<p><u>Design requirements:</u></p> <p>Minor wording changes.</p> <p>Removed references to limiting amenity impacts and requiring vehicular access off the laneway. The Panel noted these issues are dealt with by the Design Objectives and General Requirements.</p>	<p>Accepted.</p> <p>The wording changes improve clarity and remove repetition.</p> <p>As amenity and access from laneways is addressed in the Design Objectives and General Requirements and is not required in the Preferred Character Statement.</p> <p>The design requirements would read:</p> <p><i>Development in Precinct 1 should:</i></p> <ul style="list-style-type: none"> <li>▪ <del>Ensure</del> <u>ensure</u> low rise additions behind the front sections of the terraced houses of Brunswick Street and Queens Parade respect the prevailing streetscape character and subdivision grain <del>which</del> retain and conserve <del>the its</del> heritage values <del>of this low scale Victorian residential area</del>.</li> <li>▪ <del>Ensure</del> <u>ensure</u> upper level elevations are high quality, visually recessive and <del>do not diminish</del> <u>enhance</u> the appreciation of the heritage building at 460 Brunswick Street.</li> <li>▪ <del>limit amenity impacts of building bulk, overlooking and overshadowing on existing residential properties.</del></li> <li>▪ <del>provide for vehicular access and servicing off the laneway.</del></li> </ul>
	<p><u>Table of requirements:</u></p> <p>No change</p>	<p>Accepted.</p>
	<p><u>Map</u></p> <p>No change</p>	<p>Accepted.</p>
2.9.2**	Precinct 2 –	<p><u>Preferred character statement:</u></p> <p>Accepted.</p>

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<p><b>Boulevard Precinct</b></p>	<p>Wording changes to make the preferred character statement more succinct and improve clarity.</p> <p>Added a reference in Precincts 2B and 2C to ensure development addresses Napier Street, Queens Parade and Smith Street.</p>	<p>The wording changes improve clarity and remove repetition.</p> <p>The addition of a reference to the Napier Street, Queens Parade and Smith Street frontages align with the addition of a new General Requirement in Clause 2.6 – Ground floor requirements which seeks to ensure development addresses the street.</p> <p>The preferred character statement would read:</p> <p><i>Buildings and works in Precinct 2 should deliver the following preferred precinct character:</i></p> <ul style="list-style-type: none"> <li>▪ <i>A preferred location for housing and employment growth within the activity centre. Well-designed mid-rise development that which complements the boulevard. Queens Parade through transition of scale to the Gas Works site.</i></li> <li>▪ <del>Matches the scale of development on the Gasworks site and “bookends” higher rise development in Precinct 5B and 5C.</del></li> <li>▪ <del>Visual</del> <i>Development that complements the visual dominance contribution of the double avenue of trees along the south western part of Queens Parade retained.</i></li> <li>▪ <i>Precinct 2A – A mid-rise infill behind a distinct moderne heritage frontage that, addressing addresses the boulevard Queens Parade and its sensitive heritage context and responds to the sensitivity of interface with abutting low scale close grained residential uses to the north and west and providing a transition down to the established surrounding residential neighbourhood.</i></li> <li>▪ <i>Precincts 2B and 2C – A vibrant vibrant and attractive mid-rise business areas that addresses Napier Street, Queens Parade and Smith Street with a mix of innovative new architecture and heritage buildings to attracting accommodate a wide range of commercial development and employment opportunities.</i></li> </ul>
	<p><u>Design requirements:</u></p> <p><u>Precinct 2:</u></p> <p>Minor wording changes and removal of text.</p>	<p>Accepted.</p> <p>Changes to the design requirements clarify the requirements and remove repetition.</p> <p>The new requirement on active frontages aligns with a new requirement recommended by the Panel in Clause 2.6 Ground floor requirements which seeks to orient development toward the public realm and contribute to the safety of the adjoining public realm.</p>

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	<p>Introduces a requirement to orientate active frontages and provide passive surveillance to surrounding streets.</p> <p>Relocates requirements for building separation along side and rear boundaries and minimising bulk from the general Precinct 2 requirements to Precinct 2A requirements.</p>	<p>The relocation of the building separation requirement from the general Precinct 2 requirements to Precinct 2A design requirements is supported. Precinct 2A is the only sub-precinct with a boundary to residential zones ie Mixed Use, Neighbourhood Residential and General Residential Zones. Precincts 2B and 2C are within the Commercial 2 Zone and while there are residential buildings on Napier Street and Alexandra Parade these are not within a residential zone.</p> <p>The design requirements would read:</p> <p><i>Development in Precinct 2 should:</i></p> <ul style="list-style-type: none"> <li>▪ <del>not diminish or detract from</del> <i>Respect the heritage values of the Queens Parade boulevard streetscape, the heritage street wall and the heritage trees along Queens Parade, and deliver an appropriate interface to neighbouring properties and that minimises visual bulk and mass when viewed from the adjoining properties.</i></li> <li>▪ <i><u>Orientate active frontages and provide passive surveillance to the surrounding streets.</u></i></li> <li>▪ <del>Ensure</del> <i>ensure adequate solar access is provided to the Queens Parade and Napier Street Reserve at the equinox from 9am-3pm.</i></li> <li>▪ <del>provide building separation along side and rear boundaries to reduce visual bulk and protect amenity of occupants and neighbours.</del></li> </ul>
	<p><u>Precinct 2A:</u></p> <p>Relocates the building separation requirement from General Requirements for Precinct 2 to Precinct 2A.</p> <p>Removes requirement to ensure projections above the street wall do not dominate the skyline when viewed from Edinburgh Gardens and other surrounding locations.</p>	<p>Accepted.</p> <p>The Panel noted the matter had been considered by VCAT (P2079/2016). The tribunal noted that a building less than 31 metres tall would not interfere with long range views to the Edinburgh Gardens. Officers note the 31 metre height limit is a mandatory height control and cannot be exceeded. The requirement is therefore redundant.</p> <p>See commentary above on relocation of building separation requirement.</p> <p>The design requirements would read:</p> <p><del>In addition, Development development</del> <i>in Precinct 2A should:</i></p> <ul style="list-style-type: none"> <li>▪ <i><u>Provide an interface to neighbouring residential properties that minimises visual bulk and mass and provides building separation along side and rear boundaries abutting existing properties.</u></i></li> </ul>

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DDO element	Change recommended by the Panel	Officer response to Panel recommendation and reasons for response
		<ul style="list-style-type: none"> <li>▪ <del>ensure projections above the street wall are not dominant in the skyline when viewed from the north side of Newry Street and of Coleman Street and the WT Peterson Oval, the Fitzroy Grandstand and other locations in the southern part of Edinburgh Gardens.</del></li> <li>▪ <del>Maintain</del> maintain the prominence and significance of the art deco facade.</li> <li>▪ <del>Retain</del> retain, enhance and incorporate the existing heritage façade into the redevelopment of the site and to create a consistent parapet height along the streetscape.</li> <li>▪ <del>Recognise</del> recognise the low scale, buildings and fine grain subdivision pattern of existing development to the north and west.</li> <li>▪ Encourage pedestrian permeability within and through the precinct.</li> <li>▪ <del>Avoid</del> avoid a repetitive stepped form within the 45 degree angle profile.</li> <li>▪ <del>Ensure</del> ensure development above the street wall <del>to be</del> is designed as a series of separate development parts with building separation to enable views to the sky.</li> </ul>
	<p><u>Precinct 2B and 2C:</u></p> <p>Minor wording changes and edits to text to clarify requirements.</p> <p>Removes requirements which seek to:</p> <ul style="list-style-type: none"> <li>• Ensure a transition in scale the Gasworks Site to Napier Street</li> <li>• Maintain the prominence of heritage buildings in Napier Street and setting back upper level development</li> <li>• Providing vehicular access from lanes</li> <li>• Providing building separation between commercial buildings and to heritage buildings in Napier Street.</li> </ul>	<p>Accepted.</p> <p>Changes clarify requirements and remove repetition that repeats general and vehicular access requirements.</p> <p>Access and separation between buildings is addressed in the Design Objectives and General Requirements and also the specific sub-precinct Design Requirements.</p> <p>The transition in scale is addressed in the Preferred Character Statement and through the street wall and overall building heights.</p> <p>The prominence of heritage buildings on Napier Street is addressed in the Design Objectives and General Design Requirements.</p> <p>The changes also reinforce that development should provide an appropriate transition in scale from the heritage buildings in Precinct 2B, through the new built form in Precinct 2C and the higher development of the Gasworks site.</p> <p>The design requirements would read:</p> <p><i>Development in Precincts 2B and 2C should:</i></p> <ul style="list-style-type: none"> <li>▪ <del>ensure a gradual transition in development scale from east of George Street (Former Gasworks Site) to south west (heritage properties along Napier Street).</del></li> </ul>

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		<ul style="list-style-type: none"> <li>▪ <del>maintain the prominence of heritage buildings along Napier Street when viewed from Napier Reserve.</del></li> <li>▪ <del>be appropriately set back at upper levels from the heritage buildings along Napier Street.</del></li> <li>▪ <u>Provide</u> provide an appropriate transition in scale from the heritage buildings in Precinct 2B to new built form in Precinct 2C <u>and the higher development form of the Gas Works site.</u></li> <li>▪ <del>provide vehicular access from laneways.</del></li> <li>▪ <del>provide building separation to enhance amenity between commercial buildings and reduce building bulk and provide a transition to existing heritage buildings by utilising existing laneways and building setbacks.</del></li> <li>▪ <u>Create</u> create a new <u>commercial</u> frontage to George Street to form an active edge complementary to the proposed Gasworks redevelopment.</li> </ul>									
	<p><u>Table of requirements:</u></p> <p>Minor grammatical change but no change to requirements.</p>	<p>Accepted.</p> <p>Correction of minor errors.</p> <p>The following built form elements* in Table 2 would read:</p> <table border="1" data-bbox="1106 847 1906 1326"> <thead> <tr> <th data-bbox="1106 847 1373 922">Built form</th> <th data-bbox="1375 847 1641 922">Mandatory requirement</th> <th data-bbox="1644 847 1906 922">Preferred requirement</th> </tr> </thead> <tbody> <tr> <td data-bbox="1106 924 1373 1150"><b>Minimum setback(s) from rear boundaries - north and west adjacent to NRZ and GRZ</b></td> <td data-bbox="1375 924 1641 1150">None specified</td> <td data-bbox="1644 924 1906 1150">ResCode Standard B17 from rear boundary of adjoining properties to 10 metres Setback within 45 degree angle measured from 10 to 25 metres</td> </tr> <tr> <td data-bbox="1106 1152 1373 1326"><b>Minimum setbacks from side boundary - east adjacent to NRZ</b></td> <td data-bbox="1375 1152 1641 1326">None specified</td> <td data-bbox="1644 1152 1906 1326">0 metre setback to match party wall of existing adjoining development to 10 metres Setback within 45 degree angle</td> </tr> </tbody> </table>	Built form	Mandatory requirement	Preferred requirement	<b>Minimum setback(s) from rear boundaries - north and west adjacent to NRZ and GRZ</b>	None specified	ResCode Standard B17 from rear boundary of adjoining properties to 10 metres Setback within 45 degree angle measured from 10 to 25 metres	<b>Minimum setbacks from side boundary - east adjacent to NRZ</b>	None specified	0 metre setback to match party wall of existing adjoining development to 10 metres Setback within 45 degree angle
Built form	Mandatory requirement	Preferred requirement									
<b>Minimum setback(s) from rear boundaries - north and west adjacent to NRZ and GRZ</b>	None specified	ResCode Standard B17 from rear boundary of adjoining properties to 10 metres Setback within 45 degree angle measured from 10 to 25 metres									
<b>Minimum setbacks from side boundary - east adjacent to NRZ</b>	None specified	0 metre setback to match party wall of existing adjoining development to 10 metres Setback within 45 degree angle									

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					measured from 10 to - 25 metres
			<b>Setbacks from side and rear boundaries west and north-west adjacent to MUZ</b>	None specified	0 metre setback to match party wall of existing adjoining development, or 10 metre where no party wall exists. Setback within 45 degree angle measured from 10 to - 25 metres
			*Noting no changes are proposed to the remainder of the table.		
		Map No change	Accepted.		
2.9.3**	Precinct 3 – St John’s Precinct	<p><u>Preferred character statement:</u></p> <p>Minor wording changes.</p> <p>Added requirement to articulate higher profile development on the corner of Smith Street and Queens Parade.</p> <p>The corresponding street wall heights in Precinct 3 have been amended.</p>	<p>Accepted.</p> <p>Changes to text to better define preferred character.</p> <p>The proposed increase in height for the corner building will facilitate a taller element on the corner of Queens Parade and Smith Street in keeping with the amended preferred character statement and design requirements. It will not have an adverse impact on residential properties to the rear, the heritage streetscape in Smith Street or Queens Parade or views to St John’s church.</p> <p>The preferred character statement would read:</p> <p><i>Buildings and works in Precinct 3 should deliver the following preferred precinct character:</i></p> <ul style="list-style-type: none"> <li>▪ <i>An attractive mixed use area comprising residential and commercial uses with active frontages to the street, well designed new buildings mixed with residential and commercial heritage fabric.</i></li> <li>▪ <i>Development along Queens Parade has a consistent street wall with recessed upper levels.</i></li> </ul>		

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		<p><i>Development retains that retains the primacy of the St John's Church landmark and views to its belfry and spire.</i></p> <ul style="list-style-type: none"> <li>▪ <u>New development that articulates the higher profile of the corner of Queens Parade and Smith Street, relative to its immediate surroundings.</u></li> <li>▪ <del>New development provided for at and around the Smith Street junction.</del></li> <li>▪ <del>The prominent corner of Queens Parade and Smith Street marked by a higher street wall and development set back at the upper level.</del></li> <li>▪ Intact streetscape on Smith Street retained with new development set back from the façade and designed to <del>not dominate</del> <u>complement</u> the Victorian era buildings and street wall.</li> <li>▪ <del>An</del> <u>Provide an</u> effective transition provided to the residential areas to the south and east.</li> </ul>
	<p><u>Design requirements:</u></p> <p>Changed wording and removal of text.</p> <p>Reframed some requirements as a positive statement.</p> <p>Introduced an interface and building separation requirement.</p> <p>Relocated requirements relating to a low scale transition and overshadowing provisions from Precinct 3 to General Requirements.</p>	<p>Accepted.</p> <p>Text changes clarify requirements and remove repetition.</p> <p>The design requirements have been amended to ensure development respects the built form rhythms established by heritage elements on Queens Parade and Smith Street. Officers support the Panel's view the heritage values of the area derive not just from the presence of heritage features, but also from the characteristic patterns they create in the Queens Parade streetscape.</p> <p>The Panel noted the adjoining dwellings are potentially amongst the most impacted by development of any of the five precincts in Queens Parade. Officers agree and support the addition of a requirement which responds to the sensitive interface with neighbouring residential properties on Hodgkinson Street. Noting the requirement is further reinforced by specific side and rear setback and overshadowing controls.</p> <p>See 2.2 General Requirements for comments on relocation of the transition of scale and overshadowing requirements.</p> <p>The design requirements would read:</p> <p><i>Development in Precinct 3 should:</i></p> <ul style="list-style-type: none"> <li>▪ <del>Reflect</del> <u>recognise the fine grain character of heritage streetscapes, where present and minimise the dominance of wide building frontages.</u></li> </ul>

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DDO element	Change recommended by the Panel	Officer response to Panel recommendation and reasons for response
		<ul style="list-style-type: none"> <li>▪ <del>Deliver</del> <u>deliver</u> high quality architectural detailing that respects the heritage qualities <u>and rhythms</u> of Queens Parade and Smith Street.</li> <li>▪ <del>Create</del> <u>create</u> a consistent street wall <del>and that</del> maintains the prominence of the heritage street wall where present in the streetscape.</li> <li>▪ <u>Provide an interface with neighbouring residential properties on Hodgkinson Street that minimises visual bulk and mass and provides building separation along side and rear boundaries abutting existing properties.</u></li> <li>▪ <del>recognise the fine grain character of heritage streetscapes, where present and minimise the dominance of wide building frontages.</del></li> <li>▪ <del>respond to the low scale form of existing development outside Precinct 3 on Hodgkinson Street through an appropriate transition in building height and setbacks to ensure a reasonable standard of amenity.</del></li> <li>▪ <del>ensure that 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. 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.</del></li> </ul> <p><del>In addition, Development</del> <u>development</u> in Precinct 3A must:</p> <ul style="list-style-type: none"> <li>▪ <del>Maintain</del> <u>maintain</u> views of the belfry and spire of St Johns church and maintain clear sky between the belfry and spire and new development when viewed from the pedestrian refuge on the south-west corner of the intersection with Queens Parade and Smith Street. A permit cannot be granted to vary this requirement.</li> </ul> <p>Development in Precinct 3A should:</p> <ul style="list-style-type: none"> <li>▪ <del>Emphasise</del> <u>emphasise</u> the corner of Queens Parade and Smith Street with a higher street wall <u>and distinct architectural treatments.</u></li> </ul> <p>Development in Precinct 3B should:</p> <ul style="list-style-type: none"> <li>▪ <del>Reinforce</del> <u>reinforce</u> the traditional street wall on Smith Street.</li> <li>▪ <del>Ensure</del> <u>ensure</u> that upper level development is visually recessive <del>and does not detract from</del> <u>complement</u> the heritage streetscape.</li> </ul>

## Attachment 2

DDO element	Change recommended by the Panel	Officer response to Panel recommendation and reasons for response									
	<p><u>Table of requirements:</u></p> <p>Included a new requirement to vary the street wall height for 35 – 37 Queens Parade in Precinct 3A to allow a height of up to 17 metres for 6 metres on either side of the corner of Smith Street and Queens Parade.</p>	<p>Accepted.</p> <p>The change is supported. It reinforces this historic corner and will not impact on the heritage streetscapes along Queens Parade or Smith Street or the amenity of the residential properties to the rear on Hodgkinson Street.</p> <p>The following built form elements* in Table 3 would read:</p> <table border="1" data-bbox="1106 472 1906 1193"> <thead> <tr> <th data-bbox="1106 472 1373 549">Built form</th> <th data-bbox="1373 472 1639 549">Mandatory requirement</th> <th data-bbox="1639 472 1906 549">Preferred requirement</th> </tr> </thead> <tbody> <tr> <td data-bbox="1106 549 1373 892"><b>Maximum street wall height</b></td> <td data-bbox="1373 549 1639 892"> <p>15-33 &amp; 41 Queens Parade - 11 metres</p> <p><u>35-37 Queens Parade - retain the height of the existing heritage façade 6 metres on either side of the corner of Smith Street and Queens Parade – 17 metres</u></p> <p>Elsewhere - 14 metres</p> </td> <td data-bbox="1639 549 1906 892">None specified</td> </tr> <tr> <td data-bbox="1106 892 1373 1193"><b>Minimum side setback</b></td> <td data-bbox="1373 892 1639 1193">None specified</td> <td data-bbox="1639 892 1906 1193"> <p>If side boundary adjoins NRZ and abuts an existing boundary wall, <del>0</del> 0 metres to a height of 8 metres and a setback with a 45 degree angle above a height of 8 metres.</p> <p>Elsewhere - 0 metres</p> </td> </tr> </tbody> </table> <p>*Noting no changes are proposed to the remainder of the table.</p>	Built form	Mandatory requirement	Preferred requirement	<b>Maximum street wall height</b>	<p>15-33 &amp; 41 Queens Parade - 11 metres</p> <p><u>35-37 Queens Parade - retain the height of the existing heritage façade 6 metres on either side of the corner of Smith Street and Queens Parade – 17 metres</u></p> <p>Elsewhere - 14 metres</p>	None specified	<b>Minimum side setback</b>	None specified	<p>If side boundary adjoins NRZ and abuts an existing boundary wall, <del>0</del> 0 metres to a height of 8 metres and a setback with a 45 degree angle above a height of 8 metres.</p> <p>Elsewhere - 0 metres</p>
Built form	Mandatory requirement	Preferred requirement									
<b>Maximum street wall height</b>	<p>15-33 &amp; 41 Queens Parade - 11 metres</p> <p><u>35-37 Queens Parade - retain the height of the existing heritage façade 6 metres on either side of the corner of Smith Street and Queens Parade – 17 metres</u></p> <p>Elsewhere - 14 metres</p>	None specified									
<b>Minimum side setback</b>	None specified	<p>If side boundary adjoins NRZ and abuts an existing boundary wall, <del>0</del> 0 metres to a height of 8 metres and a setback with a 45 degree angle above a height of 8 metres.</p> <p>Elsewhere - 0 metres</p>									
	<p><u>Map:</u></p> <p>No change</p>	Accepted.									

## Attachment 2

DDO element	Change recommended by the Panel	Officer response to Panel recommendation and reasons for response
2.9.4**	<p><b>Precinct 4 – Activity Centre Precinct</b></p> <p><u>Preferred character statement:</u>            Changed wording to make the statements clearer and more succinct.</p>	<p>Accepted.</p> <p>The wording changes improve clarity and remove repetition.</p> <p>The Preferred Character Statement have been edited to explicitly recognise the importance of not just of the heritage elements but their characteristic rhythm and patterns.</p> <p>The Preferred Character Statements have been be amended to emphasise the prominence of the ANZ building.</p> <p>The preferred character statement would read:</p> <p><i>Buildings and works in Precinct 4 should deliver <del>the following preferred precinct character:</del></i></p> <ul style="list-style-type: none"> <li>▪ <i>A unique and vibrant Victorian era shopping strip which forms the retail and activity focus of Queens Parade <u>building on its distinctive heritage qualities.</u></i></li> <li>▪ <i><del>The distinctive heritage qualities of this Victorian era shopping strip are protected.</del></i></li> <li>▪ <i><del>New-Development development that</del> complements the scale of heritage buildings <u>and the patterns and rhythm of heritage features.</u></i></li> <li>▪ <i><del>The consistent heritage streetwall height is continued.</del></i></li> <li>▪ <i><del>Sympathetic Upper upper-level infill that</del> reinforces the prevailing street wall and subdivision grain of significant streetscapes and transitions <del>down</del> to residential abuttals to the rear.</i></li> <li>▪ <i><del>Enhanced pedestrian experience with well</del> Well designed building frontages and public realm <u>reinforcing that reinforces the pedestrian experience of this part of Queens Parade as a vibrant retail centre and the central hub for the local community</u></i></li> <li>▪ <i><del>Development that retains the prominence of the Significant heritage corner forms and key view lines to local landmarks (former ANZ Building) retained by sensitive upper level development.</del></i></li> </ul>

## Attachment 2

DDO element	Change recommended by the Panel	Officer response to Panel recommendation and reasons for response
	<p><u>Design requirements:</u></p> <p>Minor wording changes and removal of text.</p> <p>The Panel added a design requirement to ensure shop front widths are not reduced to the extent that they become commercially unviable.</p> <p>Relocated requirements relating to a low scale transition and overshadowing provisions from Precinct 4 to General Requirements.</p>	<p>Accepted.</p> <p>Removed text that repeats General Requirements (see comments above in General Requirements).</p> <p>The new requirement proposed by the Panel addresses concerns raised by residents and traders that a residential entry in a narrow shop would reduce the viability of the retail space. Its inclusion is supported to ensure the issue is considered in any development.</p> <p>See 2.2 General Requirements for comments on relocation of the low scale transition and overshadowing requirements.</p> <p>The design requirements would read:</p> <p><i>Development in Precinct 4 must:</i></p> <ul style="list-style-type: none"> <li>▪ <del>Development must</del> <u>Protect-protect</u> and maintain key views <del>lines and visual prominence</del> of the former ANZ Building from the south-west and north-east (<u>Map 4</u>), in particular to the upper floor, roof form and chimneys. A permit cannot be granted to vary this requirement.</li> </ul> <p><i>Development in Precinct 4 should:</i></p> <ul style="list-style-type: none"> <li>▪ <u>Respect</u> <del>respect</del> the consistent scale, grain, rhythm and architectural quality of the highly intact heritage streetscapes and the heritage buildings in the precinct.</li> <li>▪ <u>Retain</u> <del>retain</del> the visual prominence of heritage buildings, their street wall and heritage streetscape when viewed from the opposite side of Queens Parade.</li> <li>▪ <u>Facilitate</u> <del>facilitate</del> the appropriate low rise infill of the sites located to the rear of commercial properties fronting Queens Parade.</li> <li>▪ <u>Ensure</u> <del>ensure</del> that any upper level development is set back from the heritage façade, is visually recessive and does not detract from the heritage streetscape.</li> <li>▪ <u>Retain</u> <del>retain</del> the visual prominence and heritage fabric of the return facades of heritage buildings that front Queens Parade, Delbridge, Gold, Michael and Wellington Streets.</li> </ul>

## Attachment 2

DDO element	Change recommended by the Panel	Officer response to Panel recommendation and reasons for response
		<ul style="list-style-type: none"> <li>▪ <del>Ensure-ensure</del> that facades at ground floor incorporate verandahs which are consistent with the form and scale of adjoining verandahs.</li> <li>▪ <del>Retain-retain</del> chimneys visible from the public realm.</li> <li>▪ <del>Enhance-enhance</del> the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.</li> <li>▪ <del>Maintain-maintain</del> service access from the laneways in order to facilitate commercial use of the properties fronting Queens Parade.</li> <li>▪ <u>Ensure shopfront widths are not reduced to the extent they become commercially unviable.</u></li> <li>▪ <del>respect the low scale, fine grain subdivision pattern of existing development on Hodgkinson Street and McKean Street through an appropriate transition in building height and setbacks.</del></li> <li>▪ <del>ensure that 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. 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.</del></li> </ul>
	<p><u>Table of requirements:</u></p> <p>The Panel reduced the building height in three of the four quadrants in Precinct 4 from Council's recommended 14 metre (4 storeys mandatory) height to 10.5 metres (3 storeys mandatory).</p> <p>It supported Council's recommended 14 metre (mandatory) height in the fourth quadrant, bounded by Queens Parade, Gold Street and Turnbull Street.</p>	<p>Under consideration.</p> <ul style="list-style-type: none"> <li>▪ Refer to officer report.</li> </ul>

## Attachment 2

DDO element		Change recommended by the Panel	Officer response to Panel recommendation and reasons for response
		<p><u>Map:</u></p> <p>Map updated to reflect the change of building heights in Precinct 4.</p>	See comments above.
2.9.5**	Precinct 5 – North Eastern Precinct	<p><u>Preferred character statement:</u></p> <p>The statement now acknowledges an aspiration to support walkability and encourage passive surveillance.</p>	<p>Accepted.</p> <p>The Panel’s changes make the language and intent clearer.</p> <p>The additions of walkability and passive surveillance respond to submissions made at the Panel hearing.</p> <p>The preferred character statement would read:</p> <p><i>Buildings and works in <del>Precinct 5</del> should deliver the following preferred precinct character:</i></p> <ul style="list-style-type: none"> <li>▪ <i>An area of contemporary higher rise development in a preferred location for housing growth <del>within the activity centre</del>, where <del>The</del> <u>the significant heritage fabric (the Former UK Hotel and the former Clifton Motors garage) remains the prominent Precinct features in any redevelopment.</u></i></li> <li>▪ <del>An area of contemporary higher rise development and bookends the mid-rise development in Precinct 2.</del></li> <li>▪ <i>Steps <del>down-up</del> in scale in distinct increments from <del>the north-east</del> to the significant heritage buildings (the Former Clifton Motors and UK Hotel buildings) <u>to the north-east in the south-west.</u></i></li> <li>▪ <i><del>Suitable Separation-separation</del> between buildings <del>provided</del> to enable equitable development equity and amenity <u>and to diminish the bulk of the built form</u>, while also contributing to <u>a safe and legible walking environment that offers visual interest and encourages passive surveillance throughout the Precinct.</u><del>the management of building / visual bulk.</del></i></li> </ul>
		<p><u>Design requirements:</u></p> <p>Minor grammatical changes to text.</p>	<p>Accepted.</p> <p>The Panel changes are mostly minor in nature and make the language and intent clearer.</p>

## Attachment 2

DDO element	Change recommended by the Panel	Officer response to Panel recommendation and reasons for response
	Introduces a requirement to ensure there is pedestrian movement through the precinct.	<p>The issue of pedestrian movement in Precinct 5 was raised at the Panel Hearing (particularly pedestrian activation in Dummett Crescent). The Panel’s proposed changes respond to this issue. Officers support this addition as a sound urban design principle.</p> <p>The design requirements would read:</p> <p><i>Development in Precinct 5 should:</i></p> <ul style="list-style-type: none"> <li>▪ <del>retain</del> Retain the visual prominence <del>and not visually dominate the three dimensional forms of the former United Kingdom Hotel when viewed from the key viewpoints as indicated on Map 5 at Raines Reserve and the former Clifton Motors Garage when viewed from the opposite side of Queens Parade.</del></li> <li>▪ <del>retain</del> Retain and incorporate the former Clifton Motor Garage (205-211 Queens Parade) in any redevelopment of the site and ensure that the three dimensional form remains prominent and the decorative vertical fin remains as a freestanding element when viewed from the public realm.</li> <li>▪ <del>adopt</del> Adopt a street wall height for new development adjacent to the former United Kingdom Hotel that respects the façade height of <del>the building the former hotel.</del></li> <li>▪ <del>ensure</del> Ensure buildings in Precincts 5B and 5C read as a series of separate development parts with building separation above the street wall.</li> <li>▪ <del>establish</del> Establish a transition and gradual stepping down of building heights from taller forms in Precinct 5C to existing heritage form in Precinct 5A.</li> <li>▪ <del>ensure</del> Ensure that adverse wind effects on the public realm are avoided.</li> </ul> <p><del>In addition, in</del> Development in Precinct 5C, <del>development</del> should:</p> <ul style="list-style-type: none"> <li>▪ <del>reinforce</del> Reinforce the scale of existing high-rise buildings in the precinct <u>trending higher to the north east (of 10-14 storeys), avoiding taller buildings which detract from this scale.</u></li> <li>▪ <del>ensure</del> Ensure high quality development <del>that</del> enhances the prominent corner of Queens Parade and Hoddle Street, creating a strong address to each street frontage <u>that encourages active pedestrian movement and accessibility through the Precinct.</u></li> </ul>

## Attachment 2

DDO element		Change recommended by the Panel	Officer response to Panel recommendation and reasons for response
			<ul style="list-style-type: none"> <li><del>ensure</del> Ensure that the height and design of the street wall creates and reinforces a 'human scale' to <u>diminish the perceived bulk of the buildings and provide visual interest at street level along Queens Parade and Hoddle Street.</u></li> </ul>
		<p><u>Table of requirements:</u></p> <p>Increase the preferred building height in Precinct 5C from 43m to 49m.</p>	<p>Not accepted.</p> <p>Officers do not agree a height of 49 metres is appropriate in Precinct 5C. The Panel emphasised a step up in transition from Precincts 5A and 5B and officers consider that a height of 43 metres represents a suitable step up in height. The height is not mandatory.</p>
		<p><u>Map:</u></p> <p>Include viewpoints to Clifton Motors from directly across Queens Parade and to the Precinct more broadly from Raines Reserve.</p> <p>Increase the building height in Precinct 5C from 43m to 49m.</p>	<p>Accepted</p> <p>The addition of the viewpoints which are included in the Design Requirements on the map will make their location clearer.</p> <p>Not accepted.</p> <p>The increase in building height in Precinct 5C is not supported. See comments above.</p>
3.0	Subdivision	No change.	Accepted.
4.0	Advertising	No change.	Accepted.
5.0	Application requirements	Minor grammatical changes to text.	<p>Accepted.</p> <p>Panel's changes are minor.</p> <p>The inclusion of a reference to the Preferred Character Statement is supported. Preferred character statements were proposed in the <i>preferred version of the DDO</i> to describe the vision and outcome sought.</p> <p>The application requirements would read:</p> <ul style="list-style-type: none"> <li>A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives, <u>Preferred Character Statement and Design Requirements of this schedule.</u></li> <li><del>Development</del> For development proposals for buildings over 20 metres in height <del>should be accompanied by</del> a wind study analysis to assess the impact of wind on the</li> </ul>

## Attachment 2

DDO element	Change recommended by the Panel	Officer response to Panel recommendation and reasons for response
		<p><i>safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.</i></p> <ul style="list-style-type: none"> <li>▪ <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></li> </ul>
<p><b>6.0</b></p>	<p><b>Decision Guidelines</b></p> <p>Deletes the reference to General Design Requirements, Heritage Design Requirements and Precinct-Design Requirements.</p> <p><i>Deletes 'design response at the interface with existing, low scale residential properties'</i></p> <p>Recommends addition of controls on light spillage and noise when considering side and rear setbacks.</p>	<p>Accepted.</p> <p>The deletion of the first decision guideline is supported. The DDO already requires these elements to be taken into account.</p> <p>The deletion of the fifth design guideline relating to the interface with low scale residential properties is supported. The issue is already covered in other decision guidelines.</p> <p>The explicit addition of noise and light spillage in the seventh decision is supported as light and noise are potential amenity impacts which should be considered for existing dwellings.</p> <p>The Decision Guidelines would read:</p> <ul style="list-style-type: none"> <li>▪ <del>Whether the General Design Requirements, Heritage Design Requirements and the Precinct Design Requirements in Clauses 2.2-2.9 are met.</del></li> <li>▪ <i>Whether the proposal delivers design excellence.</i></li> <li>▪ <i>If roof decks are proposed, whether they are set back from lower levels and are recessive in appearance.</i></li> <li>▪ <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></li> <li>▪ <del>The design response at the interface with existing, low scale residential properties.</del></li> <li>▪ <i>The design of the streetscape interface along the primary street frontage.</i></li> <li>▪ <i>Whether side and rear setbacks and controls on light spillage and noise are sufficient to appropriately limit the impact on the amenity of existing dwellings.</i></li> <li>▪ <del>How any proposed buildings and works will</del> <i>The impact on solar access to Queens Parade and Napier Street Reserve.</i></li> </ul>

## Attachment 2

DDO element	Change recommended by the Panel	Officer response to Panel recommendation and reasons for response
		<ul style="list-style-type: none"> <li>▪ <i>Whether heritage buildings on street corners retain their prominence when viewed from both streets.</i></li> <li>▪ <i>Whether heritage buildings retain their three-dimensional form when viewed from the public realm.</i></li> <li>▪ <i>Whether upper level development above the heritage street wall is visually recessive and does not dominate or visually overwhelm the heritage buildings.</i></li> <li>▪ <i>Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.</i></li> <li>▪ <i>The impact of development on views to:</i> <ul style="list-style-type: none"> <li>– <i>the former ANZ Bank building’s tower, roof, chimney and upper level</i></li> <li>– <i>the St John the Baptist Church belfry and spire</i></li> <li>– <i>the former Clifton Motor Garage’s Moderne façade and fin.</i></li> </ul> </li> <li>▪ <i>The wind effects created by the development.</i></li> <li>▪ <i>The cumulative impact of traffic and parking in the Precinct including on the functionality of laneway/s.</i></li> </ul>
-	<p><b>Reference documents</b></p> <p>The Panel raised the issue that some of the recommendations from the Built Form Review prepared by Hansen have now been changed by Council as its preferred position.</p> <p>The Panel agreed that the Queens Parade <i>Built Form Framework</i> and <i>Queens Parade Built Form Heritage Review</i> provided a catalyst and background for the amendment but not to the extent of being included as Reference Documents and recommended their deletion.</p>	<p>Accepted.</p> <p>Officers agree that some of the positions in the Hansen work no longer reflect Council’s position.</p> <p>The inclusion of the reports as Reference Documents could create confusion in the future. Their deletion avoids that confusion.</p>

\*\* Clauses to be renumbered to address additional clause on interfaces.