

SCHEDULE 23 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO23**

COLLINGWOOD SOUTH (MIXED-USE) PRECINCT

1.0 Design objectives

To foster an emerging, contemporary, mixed-use form on infill sites with a prominent street-wall edge, incorporating upper level setbacks and high-quality design features that create a distinction between lower and upper levels.

To ensure that the overall scale and form of new buildings is low-rise to mid-rise and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.

To protect the industrial, residential and institutional built heritage of the precinct through maintaining the prominence of the corner heritage buildings on Wellington Street, and respecting both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings.

To promote and encourage pedestrian-oriented, high quality urban design outcomes through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.

To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works.

2.1 Definitions

Street-wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge, with the exception of architectural features and building services.

Laneway means a road reserve, public highway or right of way 9 metres or less in width.

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

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

Street boundary means the boundary between the public street and the private property.

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

Upper level setback means the minimum distance from development above the height of the street wall to the property boundary, including projections such as balconies, building services and architectural features.

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant (including properties on the Victorian Heritage Register).

2.2 General Requirements

The requirements below apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must'.

2.3 Street wall height and front setback requirements

Development must not exceed the mandatory maximum street wall heights as shown in Map 1.

Development should not exceed other street wall heights as shown in Map 1, unless all the following requirements are met, to the satisfaction of the Responsible Authority:

- the built form outcome as a result of the proposed variation satisfies the Design Objectives at Clause 1.0 of this schedule;
- the proposed street wall height provides an appropriate transition, scaling down to the interface with a heritage building; and
- the proposed street wall height does not visually overwhelm the adjoining heritage building.

The street wall of infill development adjoining a heritage building should not be higher than the parapet height of the adjoining heritage building to the width of the property boundary or 6m, whichever is the lesser.

Development should have no front or side street setback, unless an immediately adjoining heritage building is set back from the street, in which case infill development should match the front setback of the adjoining heritage building from the same street, excluding laneway frontages.

Development at 54 and 56 Oxford Street must match the front setback of the heritage building at 58 Oxford Street.

The street wall on corner buildings should continue the main frontage street wall height for a minimum of 8 metres to the side street, with a transition in height to match the rear or side interface as required.

Development of non-heritage buildings on street corners should provide a corner splay at minimum of 1 x 1 metre at the site's corner boundaries.

2.4 Upper level setback requirements

Upper levels above the street wall:

Heritage Buildings:

- must be set back by a minimum of 6 metres
- should be setback more than 6 metres so as to be placed behind the front two rooms and/or principal roof form, whichever is the greater, for properties at 50-52 Oxford Street, 57-63 Oxford Street, 13-15 Peel Street and 14-34 Cambridge Street, Collingwood;
- should be setback more than 6 metres so as to be placed behind the heritage fabric of 58-62 Oxford Street, Collingwood, as identified in the relevant Statement of Significance;
- should be setback in excess of the minimum upper level setback requirements where:
 - it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape.
 - it would maintain the perception of the three-dimensional form and depth of the building;
 - a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Other buildings:

- should be set back by a minimum of 6 metres for sites in Area A as shown on Map 1;
- should be set back by a minimum of 3 metres for sites in Area B as shown on Map 1.

Heritage and Other buildings:

- should be visually recessive when viewed from the public realm to ensure development does not overwhelm the streetscape and minimises upper level bulk;
- should contain upper level setbacks above the street wall within a maximum of two steps (including the setback above the street wall below as one step) to avoid repetitive steps in the built form.

2.5 Building height requirements

Development on sites shown as hatched on Map 1 must not exceed the mandatory maximum building height shown on Map 1.

Development should not exceed the preferred maximum building heights shown on Map 1.

A permit should only be granted to construct a building or construct or carry out works which exceeds the preferred maximum building height shown in Map 1 where all the following requirements are met to the satisfaction of the responsible authority:

- the built form outcome as a result of the proposed variation satisfies:
 - the Design Objectives in Clause 1.0;
 - the Overshadowing and Solar Access Requirements in Clause 2.6;

- the proposal will achieve each of the following:
 - greater building separation than the minimum requirement in this schedule;
 - excellence for environmental sustainable design measured as a minimum BESS project score of 70%;
 - no additional overshadowing impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height;
- where the proposal includes dwellings, it also achieves each of the following:
 - communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and/or 58, as relevant.

Architectural features (except service equipment or structures) may exceed the mandatory or preferred maximum building height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, roof terraces, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the mandatory or preferred maximum height provided that:

- the equipment/structures do not cause additional overshadowing of secluded private open space to residential land, opposite footpaths, kerb outstands or planting areas in the public realm; and
- the equipment/structures are no higher than 2.6 metres above the proposed building height; and
- the equipment/structures occupy less than 50 per cent of the roof area (solar panels and green roof excepted).

Map 1: Building and Street Wall Heights



2.6 Overshadowing and solar access requirements

Development should meet the objective of Clause 55.04-5 Overshadowing for adjoining land within a residential zone, including where separated by a laneway.

Development must not overshadow any part of the southern side footpath from property boundary to kerb of Peel, Langridge and Derby Streets between 10am and 2pm on 22 September.

For streets that extend in a north-south direction (except for Little Oxford Street), development must not overshadow any part of the opposite side footpath from property boundary to kerb between 10am and 2pm on 22 September.

Development along Little Oxford Street should not overshadow parts of building that are above the ground floor between 10am and 2pm on 22 September.

Development should not increase the amount of overshadowing as caused by existing conditions, measured between 10am and 2pm on 22 September for the following areas of open space and/or public realm:

- Cambridge Street Reserve (incl. any future extension of the reserve);
- Oxford Street Reserve;
- The outdoor space of the Collingwood English Language School;
- Any kerb outstands, seating or planting areas on the opposite side of the street, as applicable.

2.7 Building separation, amenity and equitable development requirements

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

Where development shares a common boundary within the overlay and/or adjoins a Commercial 1 Zone and/or Mixed Use Zone outside of the overlay, upper level development should:

- for buildings up to 27 metres, be setback a minimum of 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
- for buildings up to 27 metres, be setback a minimum of 3.0 metres from the common boundary where a commercial or non-habitable window facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
- where buildings exceed 27 metres in height, the development above 27 metres be set back a minimum of 6 metres from the common boundary, whether or not windows are proposed on the subject site.

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

Where development consists of multiple buildings and/or separate upper levels, upper level development should:

- be set back a minimum of 9m from each other, where a habitable window or balcony is proposed; and
- be set back a minimum of 6m from each other where a commercial or non-habitable window is proposed.

2.8 Other design requirements

Development at the rear of the properties at 10 - 22 Derby Street must be designed to address Langridge Street.

The rear interface of a development abutting a laneway should not exceed a preferred height of 11 metres.

Development should provide for landscaping that provides a positive contribution to the public realm, such as canopy trees where possible, green walls or planter boxes.

Development should achieve good urban design outcomes and architectural excellence by including, but not being limited to:

- achieving active, fine grain design to create a pedestrian-oriented environment and passive surveillance towards the public realm;
- creating an appropriate ratio of solid and void elements that resemble the industrial past of the area;
- creating visual interest through the arrangement of fenestration, balconies and the application of architectural features including external shading devices, windowsills;
- maintaining an appropriate level of design simplicity by avoiding overly busy façades that rely on a multitude of materials and colours;
- avoiding large expanses of glazing with a horizontal emphasis;
- not competing with the more elaborate detailing of the heritage building(s) on the subject site or adjoining land;
- avoiding highly reflective glazing in openings of heritage buildings;
- maintaining existing openings and the inter-floor height of a heritage building and avoid new floor plates and walls cutting through historic openings;
- encouraging the retention of solid built form behind retained heritage façades and avoid balconies behind openings so as to avoid facadism; and
- ensuring projections such as balconies, building services, architectural features (other than shading devices, mouldings etc.) do not intrude into a setback and do not visually dominate the façade.

Lower levels of development should:

- be designed to accommodate commercial activity at the ground floor, incorporating a commercial floor height of approximately 4 metres floor to floor height;
- incorporate adaptable building structures, layouts and non-residential unit sizes so as to allow for a variety of uses over time;
- avoid floor to ceiling glass with limited entries for large expanses of the ground floor;
- allow unobstructed views through openings into the ground floor of buildings;
- include fine grain design that engages the pedestrian and provides detail, articulation, depth, materiality and rhythm that contributes to a high-quality street interface and where appropriate integrates seating perches into street facades;
- on sites abutting narrow footpaths of less than 1.8 metres, provide for front setbacks and/or generous, recessed building entrances to provide space for pedestrian circulation and include space for landscaping, outdoor trading, seating and/or visitor bicycle parking;

- locate building service entries/access doors and cabinets away from the primary street frontage, or where not possible, they should be sensitively designed to integrate into the façade of the building and complement the street frontage and character;
- respond to the topography of the east-west oriented streets through transition and “stepping” of the ground floor to appropriately address the street.

The design of upper levels of development should:

- be well-designed and articulated and where appropriate utilize design techniques such as architectural rebates of sufficient depth and / or a range of parapet heights to break up the building mass across wide frontages;
- distinguish between the lower and upper levels through materials and articulation, with visually lightweight materials and colours applied above the street wall;
- be designed so that side walls are articulated and read as part of the overall building design and not detract from the streetscape when viewed from direct and oblique views along the streetscape.

Development should avoid blank walls visible to the public realm, including on side street frontages.

Side walls in a mid-block location which are visible permanently or temporarily from adjoining residential sites and/or the public realm should be designed to provide visual interest to passing pedestrians through colour, texture, materials and/or finishes.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies and balustrades should not protrude into a street wall and upper level setback, as applicable.

Development interfacing with areas of public open space should:

- provide a suitable transition in scale to the interface with the public open space;
- ensure that development does not visually dominate the public open space;
- provide passive surveillance from lower and upper levels of the building.

2.9 Access, parking and loading bay requirements

Pedestrian access to buildings should be achieved via streets and avoid primary access from laneways. Where pedestrian access from a laneway is appropriate, the building setback should include a pedestrian refuge or landing.

Ensure pedestrian entrances are clearly visible, secure, be well lit and have an identifiable sense of address.

Residential and commercial pedestrian entrances should be distinguishable from each other.

The common pedestrian areas of new buildings should be designed with legible and convenient access, with hallway and lobby areas of a size that reflects the quantity of apartments serviced and which can be naturally lit and naturally ventilated.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

Vehicle access should be achieved from laneways or side streets (in that order of preference). Vehicle access from Wellington Street and Langridge Street should be avoided.

At the intersection of laneways and footpaths, development to non-heritage buildings should provide a minimum 1 x 1 metre splay to facilitate pedestrian sightlines.

Car parking should be located within a basement or concealed from the public realm.

Avoid separate entries for car parking entries and loading bays.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high standard of pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity and avoid adversely impacting the continuity of the public realm.

Vehicle ingress/egress points should be spaced apart from other existing and/or proposed ingress/egress points to avoid wide crossover points.

Development with redundant vehicle access points should reinstate the kerb, line-marked parking bays, and relocate any parking signs.

Where a ground level setback is provided to achieve practicable vehicle access to a laneway, a minimum headroom clearance of 3.6 metres should be provided to any overhang of the first floor.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access.

3.0 Subdivision

None specified.

4.0 Signs

None specified.

5.0 Application requirements

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:

- a site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule;
- a desktop wind effects assessment for the proposed development 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; and
 - the safety and effects on cyclists travelling along bicycle routes that are adjacent to the development.
- a Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services and bicycle lanes);
 - reduces car dependence and promotes sustainable transport modes; and
 - which includes an assessment of the impacts of traffic and parking in the Precinct including an assessment of the ongoing functionality of laneway/s, where applicable.

6.0 Decision Guidelines

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

- whether the requirements in Clauses 2.2-2.9 are met;
- Whether the proposal provides a high-quality public realm interface that either activates the street edge or provides an engaging and well-designed street interface, and contributes positively to the pedestrian environment and other areas of the public realm;
- whether development retains the prominence of the heritage street wall in the vistas along the main street frontage within the precinct;
- whether heritage buildings on street corners retain their prominence when viewed from the opposite side of the primary and secondary street;
- whether heritage buildings retain their three-dimensional form as viewed from the public realm;
- whether upper level development above the heritage street wall is visually recessive and does not visually overwhelm the heritage buildings;
- whether a strong sense of separation between upper levels and street walls is achieved when viewed from the opposite side of the street;
- whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site through a suitable transition in scale of street-wall, upper level setbacks and building height;
- whether the development delivers design excellence, including but not limited to building siting, scale, massing, articulation and materials;
- how the proposal responds in terms of scale and transition to the sloping topography of the area;
- whether proposed roof decks are set back from lower levels and are recessive in appearance;

- whether upper side and rear setbacks are sufficient to limit the impact on the amenity of existing dwellings;
- does the design respond to the interface with existing low-scale residential properties, including avoiding additional overshadowing of secluded private open space;
- whether proposed buildings and works will avoid overshadowing of footpaths and public open spaces;
- whether the proposal has considered the equitable development opportunities of neighbouring properties in terms of achieving good internal amenity for future proposals through building separation and design;
- whether the proposed built form mitigates negative wind effects created by the development;
- the impact of development on traffic and parking in the nearby area, including on the functionality of laneways and bicycle lanes; and
- whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.

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System Note: The following ordinance will be modified in Clause:21 MUNICIPAL STRATEGIC STATEMENT

REFERENCE DOCUMENTS**General**

Council Plan 2005-2009.

Inner Melbourne Action Plan (October 2005).

Yarra City Council Access and Inclusion Policy (November 2004)

City of Yarra Access and Inclusion strategy 2004-2009

Disability Action Plan 2001—2004

Land Use

Yarra Residential Interface Study 2001 (City of Yarra, 2001)

Accommodation and housing

Inner Regional Housing Statement (January 2006)

Retail, entertainment and the arts

Yarra City Council Arts and Cultural Plan, 2005-2009

Inner City Entertainment Precincts Taskforce “A Good Night for All”

Industry, office and commercial

Yarra Economic Development Strategy 2001-2004

Yarra Industrial and Business Land Strategy Review (Hansen Partnerships & Charter, Keck, Cramer, September 2004).

Parks, gardens and public open space

Yarra City Council Recreation Strategy Plan 2003/2008

Built Form**Heritage**

Heritage Citation: 18-22 Derby Street, Collingwood, Anthemion Consultancies (2018)

Heritage Citation: 33-45 Derby Street, Collingwood, GJM Heritage (2018)

Heritage Citation: Queens Parade, Fitzroy North Street Trees, John Patrick Landscape Architects Pty. Ltd. (2018)

Collingwood Mixed Use Pocket, Heritage Assessment & Recommendations, GJM Heritage (2018)

Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct 2021

Yarra High Streets (Victoria Street and Bridge Road) Statements of Significance: Reference Document (May 2020)

Swan Street Built Form Study Heritage Assessments & Analysis, October 2017 (GJM Heritage)

Yarra High Streets: Statements of Significance, October 2017 (GJM Heritage)

Heritage Citation: 112-124 Trenerry Crescent, Abbotsford. GJM Heritage, July 2016.

Heritage Citation: 20-60 Trenerry Crescent, Abbotsford. GJM Heritage, July 2016.

Heritage Gap Study: Review of Johnston Street East, Context Pty Ltd 2016.

Heritage Gap Study: Review of 17 Precincts Stage 2 Report, Context Pty Ltd 2014, revised 2016.

Heritage Review of Predefined Areas In Abbotsford & Collingwood Stage 2 Report, Context Pty Ltd 2015.

Heritage Gap Study: Review of Central Richmond, Stage 2 Final Report, Context Pty Ltd 2014.

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City of Yarra Heritage Gaps Study – Smith Street South, Anthemion Consultancies 2014.

City of Yarra Heritage Gaps – 233-251 Victoria Street Abbotsford Anthemion Consultancies, 2012.

City of Yarra Heritage Gaps Stage Two, Graeme Butler and Associates 2009.

City of Yarra Heritage Gaps Stage One, Graeme Butler and Associates 2008.

City of Yarra Heritage Gaps Review One 2013 [Appendix A and B includes Statements of Significance] Incorporated Plan under the provisions of clause 43.01 Heritage Overlay - methodology report, Lovell Chen 2014.

City of Yarra Heritage Gaps Review Two 2013.

City of Yarra Heritage Gaps Study – 233-251 Victoria Street, Abbotsford, Anthemion Consultancies 2012.

World Heritage Environs Area Strategy Plan: Royal Exhibition Building and Carlton Gardens, Department of Planning and Community Development 2009.

City of Yarra Review of Heritage Overlay Areas [Appendix 7 includes Statements of Significance], Graeme Butler and Associates 2007 updated 2013.

Yarra Heritage Database 2007 including photos, Allom Lovell and Associates 1998.

Development Guidelines for Heritage Places (City of Yarra, 1999).

City of Yarra Heritage Review, Volumes 1-4, Allom Lovell and Associates 1998.

Protecting Archaeological Sites in Victoria, Heritage Victoria 1998.

The Burra Charter. Australian ICOMOS Charter for the Conservation of Places of Cultural Significance, as updated from time to time.

Fitzroy Urban Conservation Study Review, Allom Lovell and Associates 1992.

Collingwood Conservation Study, Andrew Ward and Associates 1989.

Richmond Conservation Study, J and T O'Connor and Coleman and Wright Architects 1985.

Carlton, North Carlton and Princes Hill Conservation Study, Nigel Lewis and Associates 1984.

City of Northcote Urban Conservation Study, Graeme Butler Architect 1982.

South Fitzroy Conservation Study, Jacob Lewis Vines Architects 1979.

North Fitzroy Conservation Study, Jacob Lewis Vines Architects 1978.

Built form character

Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework 2018.

Urban Design Guidelines for the Yarra River Corridor (City of Yarra, 1998), as amended April 2004

City of Yarra Built Form Review 2003

Transport

Yarra Strategic Transport Statement City of Yarra 2006

Encouraging and increasing walking strategy, City of Yarra 2005

Environmental Sustainability

The Yarra Environment Strategy: Our Sustainable Future (City of Yarra, November 2000).

Review of Policies and Controls for the Yarra River Corridor: Punt Road to Burke Road: Consultant Report (Planisphere and Jones & Whitehead, June 2005).

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Middle Yarra Concept Plan (Dept. of Planning and Urban Growth, Dept. of Conservation and Environment, 1990)

Lower Yarra (Punt Road to Dights Falls) Concept Plan (Ministry for Planning and Environment, 1986)

Lower Darebin Creek Concept Plan (Darebin Creek Co-ordinating Committee, 1995)

Merri Creek Management Plan (Merri Creek Management Committee, 1997)

Merri Creek Concept Plan (Draft) (Merri Creek Management Committee, 1997)

Yarra River Corridor Strategy (City of Yarra, 1999)

Yarra Catchment Action Plan (YarraCare, 1996)

Port Phillip and Western Port Regional Catchment Strategy 2004 – 2009 (Port Phillip and Westernport Catchment Management Authority 2004)

Herring Island Enhancement Plan (Acer Wargon Chapman and EDAW AUST, 1995)

Environmental Guidelines for Major Construction Sites (Environment Protection Authority, 1996)

Yarra Bend Park Strategy Plan (Parks Victoria, 1998)

Yarra Bend Park Environmental Action Plan (Parks Victoria, April 2000)

Yarra Bend / Fairfield Area: Development Opportunities (Chris Dance Land Design and Fulcrum Town Planners, 1997)

City of Yarra Stormwater Management Plan (AWT, December 2000)

Neighbourhood Plans

Smith / Wellington Streets Mixed Use Precinct Urban Design Framework, March 2005

Victoria Street Activity Precinct Urban Design Framework, July 2004;

Victoria Street East Precinct, Richmond, Urban Design Framework prepared for the City of Yarra 16 November 2005 (mgs in association with Jones and Whitehead Pty Ltd)

Structure Plans and Local Area Plans

Johnston Street Local Area Plan, 2015

YARRA PLANNING SCHEME

DRAFT AMENDMENT C293YARA

EXPLANATORY REPORT

Who is the planning authority?

This Draft Amendment has been prepared by Yarra City Council, for the Minister for Planning who is the planning authority for this Draft Amendment.

The Draft Amendment has been made at the request of Yarra City Council.

Land affected by the Draft Amendment

The Draft Amendment applies to land within the area named “Collingwood South Mixed-Use Precinct” (Collingwood South MUZ Precinct), as shown in Figure 1. The proposed Design and Development Overlay (DDO) affects portions of the following streets in Collingwood:

- Peel Street;
- Langridge Street;
- Cambridge Street;
- Oxford Street;
- Little Oxford Street;
- Derby Street;
- Mason Street; and
- Wellington Street.

What the Amendment does

Interim Design and Development Overlay - Schedule 23 (interim DDO23) currently applies to the Collingwood South MUZ Precinct.

Council has undertaken a review of interim DDO23 to test its suitability for translation into permanent provisions; to recommend any necessary refinements to enhance the clarity and workability of the provisions; and to ensure it achieves the development outcomes sought for the area.

Draft Amendment C293yara proposes to implement the recommendations of the following strategic planning work:

- *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework, June 2018;*
- *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations, June 2018;*
- *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, May 2021; and*
- *Traffic Engineering Assessment: Brunswick Street and Smith Street Activity Centres, November 2019.*

Draft Amendment C293yara seeks to:

- Insert a new Schedule to Clause 43.02 Design and Development Overlay (DDO23) on a permanent basis to apply street wall and overall height controls, as well as setback and other requirements to the land. This will replace interim DDO23.

- Amend Clause 21.11 Reference Documents to include the *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework 2018*, *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations 2018* and *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, 2021* as reference documents in the planning scheme.
- Amend Planning Scheme Map No.6ddo to remove the rear of property at 32 Smith Street, Collingwood from Schedule 23 to Clause 43.02 Design and Development Overlay (DDO23).
- Amend Planning Scheme Map No.6ddo to remove Schedule 2 to Clause 43.02 Design and Development Overlay from the western side of Wellington Street where the new DDO23 would apply.

Figure 1: Land affected by the Amendment - Collingwood South (Mixed Use) Precinct



Strategic assessment of the Amendment

Why is the Draft Amendment required?

Draft Amendment C293yara is required to manage and respond to increased development activity in the Collingwood South Mixed-Use Precinct.

The scale and density of development approved and currently being proposed within the area has increased substantially in recent years. In November 2018, the Minister for Planning approved Amendment C250 to the Yarra Planning Scheme to apply interim built form controls to the area. These interim controls have been used to manage development while permanent controls were progressed. Amendment C251yara introduced interim heritage overlays (HO) to the area and under C245yara these interim HOs were made permanent.

The Collingwood South Mixed-Use Precinct is part of Smith Street Major Activity Centre which has been identified as an area suitable for further development and housing growth as per Plan Melbourne 2017-2050 and Council's Housing Strategy.

To ensure appropriate and orderly planning, these interim built form controls have been revised to better facilitate and guide the scale, massing and bulk of new development. Amongst other things, permanent built form planning controls would ensure that new development appropriately considers the impacts on the heritage qualities, streetscapes, public realm and amenity within the area.

Design and Development Overlay Schedule 23

Draft Amendment C293yara proposes to implement the built form recommendations of the *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework*, June 2018 (Framework) and the *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, May 2021* (Heritage Report Update) through the introduction of Schedule 23 to the Design and Development (DDO23) on a permanent basis. The Framework has been prepared by Hansen Partnership (urban design) with extensive input from GJM Heritage (heritage) and Traffix Group (access, movement and parking). These reports provide a strong strategic basis for the future planning of the area.

Through the application of a mix of discretionary provisions and mandatory controls DDO23 provides an appropriate balance that will assist to achieve adequate development outcomes in the higher change area. It includes requirements that respond to the mixed industrial and residential heritage character and the topography of the precinct. Mandatory heights and upper level setbacks are proposed to be applied to the majority of lower-scale heritage buildings in response to the Precinct's valued and unique heritage character. Mandatory overshadowing requirements to opposite footpaths will ensure that the limited amount of public realm in the centre is protected, given the increase in density and limited amount of public space in the area make the public realm a highly valued resource. Discretionary provisions are applied to infill sites and selected heritage buildings to guide development outcomes that are appropriate to the character of the area whilst also allowing for flexible design responses. Where discretionary heights and setbacks are proposed, a range of performance-based provisions are included within the DDO to provide certainty and ensure appropriate development.

Importantly, the DDO provides built form certainty where there are heritage, amenity and public realm sensitivities and protects the character of the area. Draft Amendment C293yara will facilitate development appropriate to a major activity centre, whilst ensuring that new development is site responsive, and improved amenity outcomes are achieved.

Mapping changes

Draft Amendment C293yara proposes to correct a mapping error. The property at 32 Smith Street, Collingwood has two zones applied to a single site. The front section of the site is in the Commercial Zone (C1Z) and the rear is in a Mixed-Use Zone (MUZ). Interim DDO23 currently applies to the rear of the site. Draft Amendment C293yara proposes to exclude 32 Smith Street from DDO23. It is anticipated the entire property would be included in the proposed permanent DDO which would apply to properties fronting Smith Street. The zoning of the property and application of a future DDO to Smith Street would be addressed in a separate planning scheme amendment.

Draft Amendment C293 also proposes to remove Schedule 2 to Clause 43.02 – Design and Development Overlay from the western side of Wellington Street where it would overlap with DDO23. DDO2 – Main Roads and Boulevards seeks amongst other things to '*reinforce and enhance the distinctive heritage qualities of main roads and boulevards*' and recognise and '*reinforce the pattern of development and the character of the street*'. It is superseded by the specific design objectives and built form provisions which are proposed in DDO23.

How does the Draft Amendment implement the objectives of planning in Victoria?

The Draft Amendment implements the objectives in Section 4 of the *Planning and Environment Act 1987* (the Act), in particular:

- a) *to provide for the fair, orderly, economic and sustainable use, and development of land;*
- c) *to secure a pleasant, efficient and safe working, living and recreational environment; and*
- d) *to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;*
- g) *to balance the present and future interests of all Victorians.*

The Draft Amendment will facilitate housing growth as well as economic growth and create a more economically viable mixed-use precinct that has economic benefits for the local area.

How does the Draft Amendment address any environmental, social and economic effects?

The Draft Amendment is consistent with the overarching goal in the planning scheme to:

Integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

The Draft Amendment is expected to generate positive social and economic benefits as it will facilitate development within the area, providing opportunities for economic development, housing and employment growth. The Draft Amendment will also respond to the local demand for housing and provide housing and employment in a location, which has strong access to public transport infrastructure and social services.

Does the Draft Amendment address relevant bushfire risk?

The land affected by the Draft Amendment is not located within an identified area of bushfire risk.

Does the Draft Amendment comply with the requirements of any Minister's Direction applicable to the draft amendment?

The Draft Amendment complies with Ministerial Direction No. 9 in addressing and responding to the Metropolitan Planning Strategy, Plan Melbourne 2017-2050.

The Draft Amendment complies with the Direction on the form and content of planning schemes.

Draft Amendment C293 is consistent with the following Directions contained in *Plan Melbourne 2017-2050*:

Direction 1.1 - Create a city structure that strengthens Melbourne's competitiveness for jobs and investment, which seeks to strengthen the competitiveness of Melbourne's employment land. The Draft Amendment provides appropriate policy direction for the planning and development of the Collingwood South Mixed-Use Precinct to ensure that the activity centre continues to meet community needs.

Direction 5.1 - Create a city of 20-minute neighbourhoods which aims to cluster new housing in activity centres and other places that offer good access to jobs, services and public transport and includes policy for local governments to prepare structure plans for activity centres to accommodate growth.

How does the Draft Amendment support or implement the Planning Policy Framework and any adopted State policy?

The Draft Amendment supports and implements the Planning Policy Framework in responding to the following clauses:

Clause 11.02-2S - Structure planning

To facilitate the orderly development of urban areas.

Clause 13.03-1 - Contaminated and potentially contaminated land

To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.

Clause 15.01-1S - Urban Design

To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Clause 15.01-5S - Neighbourhood character

To recognise and protect neighbourhood character and sense of place.

Clause 15.03-1 S– Heritage Conservation

To ensure the conservation of places of heritage significance.

Clause 16.01 – Residential development

To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.

Clause 17.02-1S - Business

To encourage development which meet the community's' needs for retail, entertainment, office and other commercial services.

How does the Draft Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The vision for the City of Yarra in the existing Municipal Strategic Statement in relation to built form is that by 2020, all new development will demonstrate design excellence.

The Draft Amendment is consistent with and facilitates the following Clauses of the Local Planning Policy Framework:

Clause 21.03 Vision

The vision for the City of Yarra in the existing Municipal Strategic Statement in relation to built form is that by 2020, all new development will demonstrate design excellence.

Clause 21.04-2 - Activity centres

Objective 4 - To maintain a balance between local convenience and regional retail roles in Yarra's activity centres.

Strategy 4.1 Increase the range of retail, personal and business services, community facilities, and recreation activities, within individual centres.

Strategy 4.3 Support the role of all activity centres, including Neighbourhood Activity Centres, in providing local day-to-day needs of residents of all abilities.

Objective 5 - To maintain the long-term viability of activity centres.

Strategy 5.2 Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.

Strategy 5.3 Discourage uses at street level in activity centres which create dead frontages during the day.

Strategy 5.4 Permit residential development that does not compromise the business function of activity centres.

Clause 21.05-1 Heritage

Objective 14 - To protect and enhance Yarra's heritage places.

Strategy 14.1 - Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage.

Strategy 14.2 - Support the restoration of heritage places.

Strategy 14.3 - Protect the heritage skyline of heritage precincts.

Strategy 14.6 - Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.

Clause 21.05-2 Urban design

Objective 16 To reinforce the existing urban framework of Yarra.

Strategy 16.2 - Maintain and strengthen the preferred character of each Built Form Character Type within Yarra.

Objective 19 To create an inner-city environment with landscaped beauty.

Strategy 19.1 - Require well resolved landscape plans for all new development.

Strategy 19.2 - Encourage opportunities for planting suitable trees and landscape areas in new development.

Objective 20 To ensure that new development contributes positively to Yarra's urban fabric.

Strategy 20.1 - Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.

Objective 21 - To enhance the built form character of Yarra's activity centres.

Strategy 21.1 Require development within Yarra's activity centres to respect and not dominate existing built form.

Strategy 21.2 Require new development within an activity centre to consider the context of the whole centre recognising that activity centres may consist of sub-precincts, each of which may have a different land use and built form character.

Strategy 21.3 Support new development that contributes to the consolidation and viability of existing activity centres.

The Draft Amendment is consistent with and supported by the following local policies under Clause 22:

- 22.02 Development guidelines for sites subject to the Heritage Overlay
- 22.05 Interface uses policy
- 22.07 Development abutting laneways
- 22.10 Built form and design policy
- 22.12 Public open space contribution policy

How does the draft amendment support or implement the Municipal Planning Strategy?

Currently the City of Yarra is in the process of translating its Local Planning Policy Framework into the new Planning Policy Framework via Amendment C269yarra.

The Draft Amendment is generally consistent with and supported by the following proposed local policies as in C269yara:

- Clause 02.03 Strategic Directions
- Clause 02.04 Strategic Framework Plan
- Clause 11.03-1L Activity Centres
- Clause 15.01-1L Urban Design
- Clause 15.01-2L Building Design
- Clause 15.03-1L Heritage
- Clause 16.01-2L Location of Residential Development

Does the Draft Amendment make proper use of the Victoria Planning Provisions?

The Draft Amendment is consistent with the Victoria Planning Provisions. A Design and Development Overlay (DDO) is considered the best tool to control future built form.

How does the Draft Amendment address the views of any relevant agency?

Council sought the views of the Department of Transport, the Department of Environment, Land, Water and Planning (DELWP) and YarraTrams in the drafting this Draft Amendment.

Does the Draft Amendment address relevant requirements of the Transport Integration Act 2010?

The Draft Amendment is consistent with the requirements of the Transport Integration Act 2010 and will facilitate development outcomes that promote the principles of transit-oriented development.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The Draft Amendment will have some impact on the general operation of Council's statutory planning department which is covered by Council's budget.

The application of planning controls is considered to provide a more consistent assessment of planning permit applications. This is considered to ultimately reduce costs by providing more certainty to the community.

Standing Advisory Committee hearing

In accordance with the Terms of Reference for the Yarra Activity Centre Standing Advisory Committee, the Amendment was publicly exhibited between 14 September and 27 October 2021 and subject to a public hearing. The hearing was conducted between the 28 March and 1 April 2022.

For more information on the Committee, please visit planning.vic.gov.au/panels-and-committees/browse-panels-and-committees/projects/yarra-activity-centres-standing-advisory-committee

Where you may inspect this Draft Amendment

The Draft Amendment can be inspected free of charge at the Department of Environment, Land, Water and Planning's website at <https://www.planning.vic.gov.au/schemes-and-amendments/browse-planning-schemes> and at the City of Yarra's website at www.yarracity.vic.gov.au/amendmentC293.

The Draft Amendment is available for public inspection, free of charge, during office hours at the following Yarra City Council locations:

Information Counter Collingwood Town Hall 140 Hoddle Street Abbotsford VIC 3067
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The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection

Planning and Environment Act 1987

YARRA PLANNING SCHEME

DRAFT AMENDMENT C293yara

INSTRUCTION SHEET

The planning authority for this draft amendment is Yarra City Council.

The Yarra Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 1 attached map sheet.

Overlay Maps

1. Delete interim DDO23 and amend Planning Scheme Map No. 6 in the manner shown on the 2 attached maps marked "Yarra Planning Scheme, Amendment C293".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In Municipal Strategic Statement – Clause 21, replace Clause 21.11 Reference Documents with a new Clause in the form of the attached document.
3. In Overlays – Clause 43.02 replace interim Schedule 23 with a new Schedule 23 in the form of the attached document.

End of document

YARRA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C293yara



LEGEND

- DDO23 - Design and Development Overlay - Schedule 23
- Local Government Area

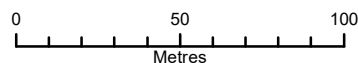


Part of Planning Scheme Map 6DDO

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Amendment Version: 1



Environment,
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YARRA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C293yara



LEGEND

- D-DDO - Area to be deleted from a Design and Development Overlay
- Local Government Area



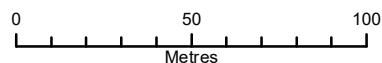
Part of Planning Scheme Map 6DDO

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