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Proposed  
C231

## SCHEDULE 16 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO16**.

### QUEENS PARADE

#### 1.0 General design objectives

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- To recognise and respond to the distinct character, heritage streetscape and varying development opportunities defined by the five precincts along Queens Parade,
- To support a new mid rise character behind a consistent street wall in precincts 2-5.
- To ensure development respects the architectural form and qualities of heritage buildings and streetscapes and maintains the visual prominence of the St John the Baptist church belfry and spire, the former ANZ Bank building, the former United Kingdom Hotel and the former Clifton Motors garage.
- To ensure new development responds to the grand, tree-lined boulevard character of Queens Parade.
- To ensure that the overall scale and form of new buildings provides a suitable transition to low scale residential areas and protects these properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.

#### 2.0 Buildings and works

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

#### 2.1 Definitions

**1:1 ratio heritage street wall to new built form** is where the height of the heritage street wall equals the height of the new development above street wall when viewed from the opposite side of the street from the centre of the footpath at a height of 1.6 metres above ground level

**Street wall** is the façade of a building at the street boundary. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge, with the exception of architectural features and building services.

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

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

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

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

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

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

## 2.2 General design requirements

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

- A permit cannot be granted to construct a building or carry out works which are not in accordance with the mandatory requirements specified in the relevant Precinct Tables.
- A permit cannot be granted to construct a building or carry out works which exceeds the preferred building height and setbacks shown in the relevant Precinct Tables unless the following requirements are met, to the satisfaction of the responsible authority:
  - The built form outcome as a result of the proposed variation satisfies the general design objectives in Clause 1.0; and
  - The built form outcome as a result of the proposed variation satisfies the relevant requirements specified in this schedule.
- Facades at ground level must be designed with floor to floor ceiling heights suitable to accommodate commercial activity in the Commercial 1 Zone and the Mixed Use Zone.
- Development must create a consistent street wall height along the streetscapes.
- Future vehicle access and services must be provided from a rear laneway or side street where possible.
- Development must provide setbacks which ensure that upper level additions seen from the public realm are high quality and do not diminish the appreciation of the heritage building and streetscape.
- Development must avoid repetitive stepped built form at upper levels of development.
- Unless specified in another table in this schedule, any part of a building adjacent to land in a residential zone must comply with the following:

**Table to Clause 2.2 boundary wall height and setback requirements for development adjoining a residential zone**

	<b>boundary wall height</b>	<b>setback</b>
<b>Common boundary</b>	5 metres	45 degrees above boundary wall height
<b>Laneway interface</b>	8 metres	45 degrees above boundary wall height

## 2.3 Heritage design requirements

### **Design requirements for development on land affected by a Heritage Overlay or immediately adjacent to a heritage building**

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

Element	Design Requirement
<p>Building facades and street frontages</p>	<p><b>Infill buildings and development adjoining a heritage building</b></p> <p>Façade treatments and the articulation of infill buildings on land affected by a heritage overlay or immediately adjoining a heritage building must:</p> <ul style="list-style-type: none"> <li>• ensure façade treatments and the articulation of new development are simple and do not compete with the more elaborate detailing of nineteenth century buildings</li> <li>• respect the vertical proportions of the nineteenth and twentieth century facades in the heritage streetscape and/or the adjoining heritage building(s) avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts</li> <li>• avoid large expanses of glazing with a horizontal emphasis except for ground floor shopfronts avoid the use of unarticulated curtain glazing and highly reflective glass</li> <li>• reflect the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building(s)</li> </ul> <p><b>Adaption of contributory or individually significant buildings must:</b></p> <ul style="list-style-type: none"> <li>• avoid highly reflective glazing in historic openings</li> <li>• encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings</li> <li>• maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings</li> </ul>
<p>Upper level behind heritage street wall</p>	<p><b>Upper level development on land within a heritage overlay and on land immediately adjoining a heritage building must:</b></p> <ul style="list-style-type: none"> <li>• be visually recessive and not visually dominate the heritage building and the heritage streetscape</li> <li>• retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid 'facadism'</li> <li>• utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades</li> <li>• incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape</li> <li>• be articulated to reflect the fine grained character of the streetscape</li> </ul>

## 2.4 Precinct design requirements

The following precinct specific design requirements apply in addition to the general design requirements outlined in Clause 2.2.

### 2.4.1 Precinct 1 – Brunswick Street

Shown on the planning scheme map as **DDO16-1**

The design requirements for Precinct 1 are as follows:

- Development must:
  - ensure that upper level development is visually recessive
  - retain the visual prominence of the individually significant corner building that forms the southern gateway to Queens Parade and to Fitzroy North more broadly
  - be low rise
  - reinforce the heritage values of the precinct
  - provide for vehicular access off the laneway



Map of Precinct 1

**Table 1B – Front street wall height, building height setbacks for Precinct 1B**

Built Form	Mandatory Control	Preferred Control
<b>Development at and adjoining 460 Brunswick Street</b>		
Building height	Maximum 9 metres	
Street wall height and front setback	Match the parapet height of 460 Brunswick Street	Built to boundary at ground level
Upper level setback	Minimum 5 metres	
Setbacks from side and rear boundary		Res Code B17
<b>Development on Brunswick Street, Queens Parade and land fronting the laneway known as Lot 1 on Title Plan TP806921 (apart from land at and adjoining 460 Brunswick Street)</b>		
Building height	Maximum 9 metres on Lot 1	Maximum 9 metres elsewhere

on Title Plan TP806921		
Street wall or façade height and setback	Retain existing	Match the parapet or eaves height of taller adjacent heritage building
Setbacks from side and rear boundary and a laneway		Res Code B17
Upper level setback		6 metres from the facade

### 2.4.1 Precinct 2 – Boulevard Precinct

Shown on the planning scheme map as **DDO16-2**

The design requirements for Precinct 2 are as follows:

- Development must:
  - not diminish or detract from the heritage values of the boulevard streetscape, the heritage street wall and the heritage trees along Queens Parade.
  - deliver an appropriate interface arrangement to neighbouring properties and minimise visual bulk and mass when viewed from the adjoining properties.
  - avoid a repetitive stepped form within the 45 degree angle profile.
- Development in Precinct 2A must also:
  - 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.
  - ensure adequate solar access is provided to the Queens Parade boulevard and Napier Street Reserve at the equinox from 9am-3pm.
  - maintain the prominence and significance of the art deco facade.
  - 
  - recognise the low scale, buildings and fine grain subdivision pattern of existing development to the north and west.
  - encourage pedestrian permeability within and through the precinct.
- Development in Precincts 2C and 2D must also:
  - maintain the prominence of heritage buildings along Napier Street when viewed from Napier Reserve.
  - be appropriately setback at upper levels from the heritage buildings along Napier Street.
  - provide an appropriate transition in scale from the heritage buildings along Napier Street and Alexandra Parade.
  - provide vehicular access from laneways
  - provide building separation to reduce visual bulk



**Table 2 – Street wall height, building height and setbacks for Precincts 2A, 2C and 2D**

Built form	Mandatory requirement	Preferred requirement
<b>Precinct 2A</b>		
<b>Built Form</b>	<b>Mandatory requirement</b>	<b>Preferred requirement</b>
Building height	Maximum of 31m	
Front street wall height	Retain height of existing heritage façade. Maximum of 10 metres where no heritage façade exists.	Street wall of development adjoining the individually significant building must not exceed the parapet height of the taller adjoining heritage building
Front setback		0 metres to maximum 10 metres
Upper level setback from front of building		Above existing heritage façade: <ul style="list-style-type: none"> <li>• Minimum 8 metre setback from 10 metres to 16 metres</li> <li>• Minimum 10 metre setback from 16 metres</li> </ul> Above new street wall (where no existing heritage façade): <ul style="list-style-type: none"> <li>• Minimum of 5 metre setback from 10 metres to 16 metres</li> <li>• Minimum of 8 metres setback from 16 metres</li> </ul>

Setback(s) from rear boundaries north and west adjacent to NRZ and GRZ		ResCode B17 from rear boundary of adjoining properties to 10 metres Setback within 45 degree angle measured from 10-25 metres (
Setbacks from side boundary east adjacent to NRZ		0 metre setback to match party wall of existing adjoining development to 10 metres Setback within 45 degree angle measured from 10-25 metres
Setbacks from side boundary east adjacent to MUZ		0 metre setback to match party wall of existing adjoining development, or 10 metre where no party wall exists. Minimum of 9 metre setback from the windows/ balconies of adjoining apartments up to 16 metres Minimum of 15 metre setback above 16 metres
Setbacks from side and rear boundaries west and north-west adjacent to MUZ		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 10-25 metres
<b>Precinct 2C</b>		
<b>Built Form</b>	<b>Mandatory requirement</b>	<b>Preferred requirement</b>
Building height		Maximum of 28 metres
Front street wall height		Maximum 18 metres for development on Queens Parade, George Street and Alexandra Parade Development on Napier Street should not exceed the parapet height of the adjoining heritage buildings.
Upper level setback		5 metres minimum
Setback(s) from boundary of 472 to 484 Napier Street		Setback within a 45 degree angle line measured from 12 metres
Side and rear setbacks		ResCode B17
<b>Precinct 2D</b>		
<b>Built Form</b>	<b>Mandatory requirement</b>	<b>Preferred requirement</b>
Building height		18 metres
Front street wall	Retain existing parapet height	

height		
Upper level setback	Minimum 6 metres from facade	

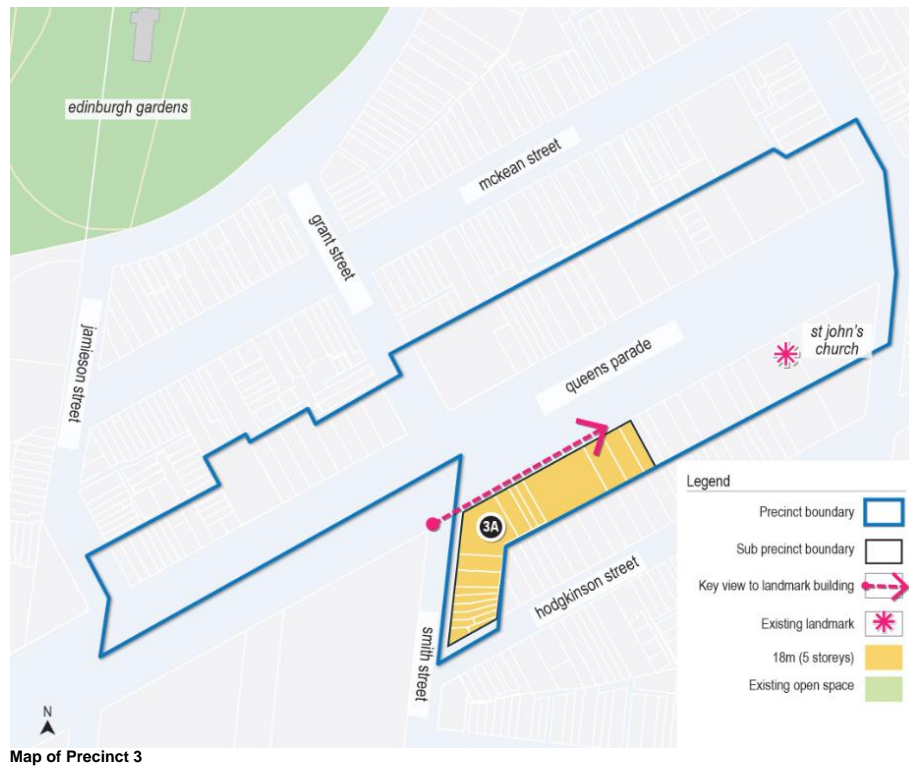
### 2.4.2 Precinct 3 – St John’s Precinct

Shown on the planning scheme map as **DDO16-3**

The design requirements for Precinct 3A are as follows:

- Development must maintain views of the belfry and spire of St John’s church and maintain clear sky between the belfry and spire and new development when viewed from the centre of the footpath on the south-east corner of the intersection with Queens Parade and Smith Street. A permit cannot be granted to construct a building or carry out works if it does not meet this requirement.
- Development must
  - achieve a consistent street wall height along Queens Parade, extending along Smith Street.
  - respond to the low scale form of existing development outside Precinct 3 on Hodgkinson Street through an appropriate transition in building height.
  - recognise the fine grain character of heritage streetscapes and minimise the dominance of wide building frontages.
  - deliver high quality architectural detailing that respects the heritage qualities of Queens Parade and Smith Street.
  - maintain the prominence of the heritage street wall in the streetscape and the vista along Queens Parade.
  - ensure that upper level development is visually recessive and does not detract from the heritage streetscape.
  - use materials at upper levels that are recessive in finish and colour.
  - be designed so that side walls are articulated and read as part of the overall building design.
  - avoids continuous built form at upper levels.





**Table 3 – Street wall height, building height and setbacks for Precinct 3A**

Built Form	Mandatory requirement	Discretionary requirement
Building height		Maximum of 18m
Front street wall height	Maximum 11 metres for 15-33 Queens Parade Retain height of existing heritage façade. Development adjoining a heritage building must match the parapet height of adjacent taller heritage building. Maximum of 14m elsewhere	
Upper level setback	Minimum of 6 metres at 664 Smith Street (former Fire Station) and Minimum 6 metres at 15-41 Queens Parade	6 metres elsewhere
Street wall setback		0 metres - built to front boundary at ground level
Rear setback		45° above 8 metres from rear boundary to a laneway 45° above 5 metres from rear boundary (no laneway)
Side setback		If adjoins NRZ, ResCode B17 0 metres elsewhere

**2.4.3 Precinct 4 – Activity Centre Precinct**

Shown on the planning scheme map as **DDO16-4**

The design requirements for Precinct 4 are as follows:

- Development must protect and maintain key view lines and visual prominence of the former ANZ Building from the south-west and north-east, in particular to the upper floor, roof form and chimneys. A permit cannot be granted to construct a building or carry out works if it does not meet this requirement.
- Development must:
  - retain the visual prominence of heritage buildings, their street wall and significant ‘High Street’ streetscapes when viewed from the opposite side of Queens Parade.
  - facilitate the appropriate mid rise infill of the sites located to the rear of commercial properties fronting Queens Parade.
  - retain the visual prominence of the return facades of buildings that front Queens Parade, Delbridge, Gold and Michael Streets.
  - ensure that facades at ground floor incorporate verandahs which are consistent with the form and scale of adjoining verandahs.
  - retain chimneys visible from the public realm.
  - enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.
  - respect the low scale, fine grain subdivision pattern of existing development on Hodgkinson Street and McKean Street.



**Table 4 – Street wall height, building height and setbacks for Precinct 4**

Built Form	Mandatory requirement	Preferred requirement
Building height	21.5 metres	
Front street wall	Retain height of existing	

Built Form	Mandatory requirement	Preferred requirement
height on Queens Parade	heritage façade. Where no heritage façade exists, development must be: <ul style="list-style-type: none"> <li>a minimum of 8 metres a maximum of 11 metres or where there is an adjacent heritage building, the parapet height of that building if taller than 11 metres.</li> </ul>	
Front street wall height in side streets.		Retain height of existing heritage façade. Where no heritage façade exists development should be: <ul style="list-style-type: none"> <li>a minimum of 8 metres a maximum of 11 metres or where there is an adjacent heritage building, the parapet height of that building if taller than 11 metres</li> </ul>
Upper level setback Queens Parade	Minimum 6 metres in significant heritage streetscape area Minimum 8 metres at 364 Queens Parade	Minimum 6 metres at 167-197 Queens Parade
Upper level setback in side streets		Minimum 6 metres
Street wall setback	0 metres - built to front boundary at ground level	
Side and rear setback (NRZ interface)		45 degree angle above 8 metres from rear boundary to laneway 45 degree angle above 5 metres where no laneway

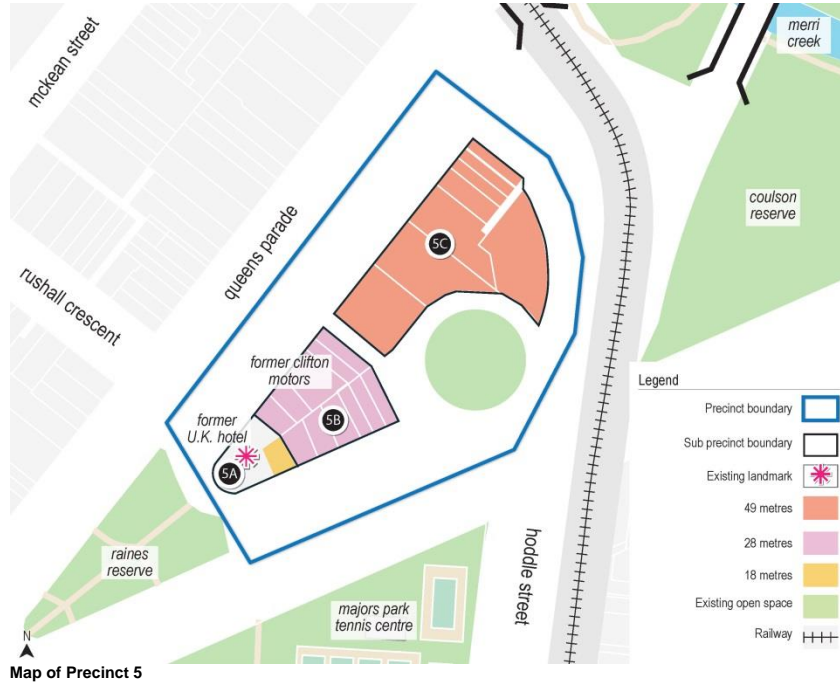
#### 2.4.4 Precinct 5 – North Eastern Precinct

Shown on the planning scheme map as **DDO16-5**

The design requirements for Precinct 5 are as follows:

- Development must
  - retain the visual prominence and not visually dominate the three dimensional forms of the former United Kingdom Hotel when viewed from Raines Reserve and the former Clifton Motors Garage when viewed from the opposite side of Queens Parade.
  - retain, conserve and incorporate the moderne façade of the former Clifton Motor Garage (205-211 Queens Parade) in any redevelopment of the site and ensure that the three dimensional form of the façade remains prominent and the decorative vertical fin remains a prominent freestanding element when viewed from the public realm.
  - be designed above street wall in Precincts 5B and 5C as a series of separate development parts with building separation.

- establish a transition and gradual stepping down of building heights from taller forms in Precinct 5C to existing heritage form in Precinct 5A.



**Table 5— Street wall height, building height and setbacks for Precincts 5A, 5B and 5C**

Built form	Mandatory requirement	Preferred requirement
<b>Precinct 5A</b>		
Building height		18 metres
Street wall height	Match existing parapet or eaves height	
Upper level setback		Minimum 5 metres
<b>Precinct 5B</b>		
Building height		1:1 heritage street wall to new built form behind Clifton Motors and 203 Queens Parade visible from the opposite side of Queens Parade 28 metres elsewhere
Front street wall height	Match parapet height of former Clifton Motor Garage and eaves line of former UK Hotel	11 metres for non contributory buildings facing Queens Parade and Dummett Crescent
Street wall setback	0 metres	
Setback from side and rear boundary	0 metres	
Upper level	6 metres for development at former Clifton Motor Garage	6 metres elsewhere

setback		
<b>Precinct 5C</b>		
<b>Built Form</b>	<b>Mandatory requirement</b>	<b>Preferred requirement</b>
Building height		49 metres
Front street wall height		35 metres
Upper level setback		10 metres

**3.0 Subdivision**

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None specified.

**4.0 Advertising**

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None specified.

**5.0 Decision guidelines**

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

- Whether the General Design Requirements, Heritage Design Requirements and the Precinct Design Requirements in Clauses 2.2, 2.3 and 2.4 are met.
- If roof decks are proposed, whether they are set back from lower levels and are recessive in appearance.
- The profile and impact of development along Queens Parade when viewed from from the north side of McKean Street and the south side of Hodgkinson Street.
- The design response at the interface with existing, low scale residential properties.
- The design of the streetscape interface along the primary street frontage.
- Whether side and rear setbacks are sufficient to limit the impact on the amenity of existing dwellings.
- How any proposed buildings and works will impact on solar access to Queens Parade and Napier Street Reserve.
- Whether heritage buildings on street corners retain their prominence when viewed from both streets.
- Whether heritage buildings retain their three-dimensional form when viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not dominate or visually overwhelm the heritage buildings.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- The impact of development on views to:
  - the former ANZ Bank building’s tower, roof, chimney and upper level
  - the St John the Baptist Church belfry and spire
  - the former Clifton Motor Garage’s Moderne façade and fin
- The wind effects created by the development.

**Reference Documents**

*Queens Parade, Clifton Hill Built Form Review* prepared by Hansen Partnership – December 2017.