

# SWAN STREET ACTIVITY CENTRE

## BUILT FORM FRAMEWORK

DRAFT REPORT - SEPTEMBER 2017



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# 1. INTRODUCTION



## 1.1 STUDY PURPOSE

The Swan Street Built Form Study sets out a preferred built form framework and supporting design principles for the future development within the Swan Street Activity Centre. The recommendations have been guided by design principles, which aim to achieve best practice development within Swan Street.

The study builds on the 2014 Swan Street Structure Plan [SSSP] but provides additional guidance around built form across the Activity Centre. There have been a number of policy changes, key VCAT decisions and developments that have occurred since the development of the SSSP. This project considers these changes in the preparation of a built form framework for the Activity Centre.

A heritage review of the Swan Street Activity Centre by GJM Heritage, was undertaken concurrently with the Built Form Framework. Preliminary recommendations from the framework were tested in by the heritage consultants. Additional findings from the heritage review have been integrated into the Built Form Framework.

A number of other strategies, policies and existing controls have also informed the study and these are summarised in Section 2.

The following key steps were undertaken to arrive at the preferred built form outcomes for the Centre:

- Undertake analysis and background research to understand the Centre, its context and drivers for development.
- Develop design principles to guide heights and setbacks. These principles build on the Swan Street Structure Plan.
- Test building height and setback scenarios at a street block level through 3D modeling. Not every site and street within the study area was tested in detail.
- Develop preferred building heights and setbacks and additional design requirements for development. These were refined following input from the heritage review.

## 1.2 STUDY AREA

The study area includes the commercial land uses along Swan Street between Punt Road in the west and Park Grove / Burnley Park in the east.

Four precincts have been identified in the Study Area which have been adopted from the Swan Street Structure Plan. Each precinct has a distinct character and varying redevelopment opportunities.

Each precinct has a distinct character and varying redevelopment opportunities. The western entry precinct is focused around the Richmond Railway Station, employment uses in Cremorne and the sports and entertainment precinct. It generally lacks a consistent built form character and does little to create a memorable entrance into the Activity Centre.

The main shopping precinct is located east of the Rail line and extends up to a high point around Brighton Street. This precinct has a strong heritage character, which is reflected in the rich legacy of state-significant and individually significant buildings and highly intact streetscapes of consistent scale and architectural quality. The portion of the Swan Street corridor is valued by the local community and visitors alike, and its heritage buildings provide a unique backdrop for contemporary retail shops, hospitality venues and commercial uses.

Further east, the character changes with a less coherent street wall, fewer active uses and a small number of heritage buildings. The Burnley Street railway station and nearby shops provides a secondary hub for activity in Swan Street.

EXCLUDED FROM STUDY AREA SUBJECT TO STREAMLINING HODDLE PROJECT AND FLINDERS STREET STATION TO RICHMOND STATION CORRIDOR INVESTIGATION

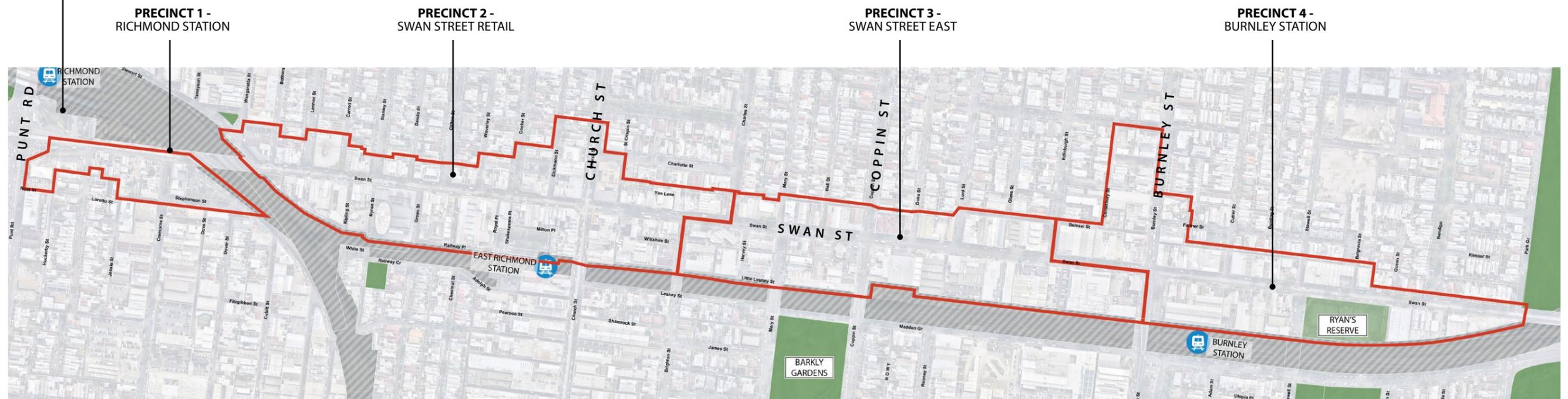


FIGURE 1 - STUDY AREA AND BUILT FORM PRECINCTS

## 2. STRATEGIC CONTEXT



## 2.1 PLANNING CONTEXT

### 2.1.1 PLAN MELBOURNE 2017-2050

The updated Plan Melbourne document provides strategic direction and guidance for some of Melbourne's state significant employment and activity centre clusters, along with housing and transport directions for greater Melbourne. While the document does not provide specific guidance to the Swan Street Major Activity Centre, some of the relevant directions are applicable to the Swan Street MAC, as listed below:

- Direction 1.2: Improve access to jobs across Melbourne and closer to where people live;
  - MAC's are distributed to enable access to jobs outside of the central city, and closer to where people live, or on key transport routes
- Direction 2.2: Deliver more housing closer to jobs and public transport
  - There are significant opportunities for medium and higher density housing options in locations close to jobs and services including located around Major Activity Centres

These strategic directions closely align to the future outcomes envisaged for Swan Street. Particularly providing housing opportunities close to transport enabling people to work and live in close proximity.

### 2.1.2 LOCAL PLANNING POLICIES

#### CLAUSE 21.05 - BUILT FORM

This policy provides objectives and strategies to guide built form across the City of Yarra. The following policies are considered relevant to this study:

##### 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 14.3 - Protect the heritage skyline of heritage precincts.
- Strategy 14.4 - Protect the subdivision pattern within heritage places
- 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.

##### 21.05-2 Urban Design

- Objective 17: To retain Yarra's identity as a low-rise urban form with pockets of higher development.
- Strategy 17.1 Ensure that development outside activity centres and not on Strategic Redevelopment Sites reflects the prevailing low-rise urban form.
- Strategy 17.2 Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:
  - Significant upper level setbacks
  - Architectural design excellence

- Best practice environmental sustainability objectives in design and construction
- High quality restoration and adaptive re-use of heritage buildings
- Positive contribution to the enhancement of the public domain
- Provision of affordable housing
- Objective 20: To ensure that new development contributes positively to Yarra's urban fabric
- Strategy 20.2: Require development of Strategic Redevelopment Sites to take into account the opportunities for development on adjoining land.
- Strategy 20.3: Reflect the fine grain of the subdivision pattern in building design where this is part of the original character of the area.
- 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

#### CLAUSE 22.02 DEVELOPMENT GUIDELINES FOR SITES SUBJECT TO THE HERITAGE OVERLAY

This policy Seeks to protect and enhance heritage places and provides guidance on a number of elements:

##### Full demolition:

- Building identified as being not contributory.
- Identified as contributory however new evidence does not give it heritage significance and it does not form part of a group of similar buildings.

##### Removal of Part of a Heritage Place of Contributory Elements:

Generally discourage the demolition of an individually significant or contributory building or removal of contributory elements, unless:

- For contributory - that part is not visible from the street, abutting park or public open space
- The removal of the part would not adversely affect the contribution of the building

##### New development, Alterations for Additions:

- Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.
- Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.
- Be visually recessive and not dominate the heritage place.
- Be distinguishable from the original historic fabric.
- Not remove, cover, damage or change original historic fabric.
- Not obscure views of principle façades.

- Consider the architectural integrity and context of the heritage place or contributory element.

#### CLAUSE 22.03 LANDMARKS AND TALL STRUCTURES

This policy seeks to maintain the prominence of Yarra's valued landmarks and landmark signs including the Ball Tower of Dimmeys in Swan Street.

The relevant policies include:

- Maintain the prominence of Yarra's valued landmark signs.
- Protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference.
- Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.
- The policy seeks to ensure new buildings within vicinity of the Dimmeys Tower are designed to ensure the landmark remains as the principal built reference.

#### CLAUSE 22.10 BUILT FORM AND DESIGN POLICY

This policy applies to development not included in a Heritage Overlay.

The relevant policies include:

- The policy comprises ten design elements that address the following issues:
  - Urban form and character.
  - Setbacks and building heights.
  - Street and public space quality.
  - Environmental sustainability.
  - Site coverage.
  - On-site amenity.
  - Off-site amenity.
  - Landscaping and fencing.
  - Parking, traffic and access.
  - Service infrastructure.
- It provides design objectives and guidelines many of which are more relevant to residential development.

#### BUILT FORM IMPLICATIONS

- Clause 21.05 provides guidance on heights in Activity Centres however it will be superseded by more detailed investigations as part of this study.
- Local policies provide strong support for protection of heritage streetscapes and places.
- Clause 22.03 reinforces the Dimmeys Tower as a major landmark that should be protected

### 2.1.3 PLANNING ZONES

#### COMMERCIAL 1 ZONE (C1Z)

The western sections of the Activity Centre and Burnley Street shopping area is included within the Commercial 1 Zone which supports vibrant mixed use commercial centres for retail, office, business, entertainment and community uses, as well as residential uses at densities complementary to the role and scale of the commercial centre.

Relevant land uses not requiring a permit include shop, retail premises [other than shop], office and accommodation [where the ground floor frontage does not exceed 2 metres in width].

A permit is required for new buildings and works.

The relevant decision guidelines of this zone include:

- The interface with adjoining zones, especially the relationship with residential areas.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

#### COMMERCIAL 2 ZONE (C2Z)

Eastern sections of the activity centre are located in the Commercial 2 Zone. A number of these areas are currently proposed for rezoning.

This zone encourages commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services. It also aims to ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

Relevant land uses not requiring a permit include office, restricted retail premises and trade supplies. Other uses including shops, supermarket, warehouse and industry are permitted subject to conditions. Importantly, accommodation [which includes housing], is a prohibited use.

A permit is required for new buildings and works.

Relevant decision guidelines include:

- The interface with adjoining zones, especially the relationship with residential areas.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The design of buildings to provide for solar access.

The Commercial 2 Zoned land within the Swan Street study area is identified for rezoning to Commercial 1 Zone. This will support a greater mix of uses across the Activity Centre which will provide stronger incentive for the redevelopment of properties.

#### MIXED USE ZONE (MUZ)

A small pocket of the Study Area is included in the Mixed Use Zone.

This zone provides for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality. It provides for housing of higher densities while encouraging development that responds to the existing or preferred neighbourhood character of the area.

Relevant land uses not requiring a permit include office [not exceeding 250 sqm], shop [not exceeding 150sqm] and dwellings. Industry uses require a permit.

A permit is required for new buildings and works.

Relevant decision guidelines include:

Use for industry and warehouse

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off site amenity impacts.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

- The objectives, standards and decision guidelines of Clause 55.
- For a development of five or more storeys, excluding a basement, the Design Guidelines for Higher Density Residential Development [Department of Sustainability and Environment 2004].

#### PUBLIC PARK AND RECREATION ZONE (PPRZ)

Ryans Reserve in the eastern section of the study area is included within the public Park and Recreation Zone.

The purpose of this zone is to provide for public recreation and open space, protect and conserve areas of significance and to provide for commercial uses where appropriate.

**PLANNING ZONES**

**RESIDENTIAL ZONES**

- RGZ - RESIDENTIAL GROWTH
- R2Z - RESIDENTIAL 2
- GRZ - GENERAL RESIDENTIAL / R1Z -

**RESIDENTIAL 1**

- NRZ - NEIGHBOURHOOD RESIDENTIAL
- R3Z - RESIDENTIAL 3
- LDRZ - LOW DENSITY RESIDENTIAL
- MUZ - MIXED USE
- TZ - TOWNSHIP

**COMMERCIAL / BUSINESS ZONES**

- C1Z - COMMERCIAL 1 / BUSINESS 1
- B2Z - BUSINESS 2
- C2Z - COMMERCIAL 2
- B3Z - BUSINESS 3
- B4Z - BUSINESS 4
- B5Z - BUSINESS 5

**SPECIAL DEVELOPMENT ZONES**

- ACZ - ACTIVITY CENTRE
- CCZ - CAPITAL CITY
- DZ - DOCKLANDS
- CDZ - COMPREHENSIVE DEVELOPMENT
- PDZ - PRIORITY DEVELOPMENT
- UGZ - URBAN GROWTH

**INDUSTRIAL ZONES**

- IN1Z - INDUSTRIAL 1
- IN2Z - INDUSTRIAL 2
- IN3Z - INDUSTRIAL 3

**RURAL ZONES**

- RLZ - RURAL LIVING
- RAZ - RURAL ACTIVITY
- FZ - FARMING / RUZ - RURAL
- GWAZ - GREEN WEDGE A
- GWZ - GREEN WEDGE
- ERZ - ENVIRONMENTAL RURAL
- RCZ - RURAL CONSERVATION

**OTHER ZONES**

- SUZ - SPECIAL USE
- CA - COMMONWEALTH LAND
- PZ - PORT
- RDZ1 - ROAD - CATEGORY 1
- RDZ2 - ROAD - CATEGORY 2
- UFZ - URBAN FLOODWAY
- PPRZ - PUBLIC PARK AND RECREATION
- PCRZ - PUBLIC CONSERVATION AND RESOURCE
- PUZ4 - PUBLIC USE - TRANSPORT
- PUZ1 - PUBLIC USE - SERVICE & UTILITY /
- PUZ2 - EDUCATION / PUZ3 - HEALTH COMMUNITY / PUZ 5 - CEMETARY /
- CREMATORIUM / PUZ 6 - LOCAL GOVERNMENT /
- PUZ7 - OTHER PUBLIC USE



FIGURE 2 - SWAN STREET ZONING PLAN

## 2.1.4 PLANNING OVERLAYS

### HERITAGE OVERLAYS (HO)

The Heritage Overlay aims to conserve and enhance heritage places of natural or cultural significance and ensure development does not adversely affect these places. Heritage Overlays within the study area include:

Precinct Overlays

- HO335: Swan Street Precinct
- HO315 : Church Street Precinct
- HO332: Richmond Hill Precinct
- HO309: Bendigo Street Precinct

Individual Heritage Overlay Sites:

- HO294: 'House', 15 Wellington Street
- HO405: 'The Greyhound Hotel', 60-62 Swan Street
- HO245: 'House', 234 Coppin Street
- HO285: 'Former Central Club Hotel', 291 Swan Street
- HO440: 'Swan Street Drill Hall', 309 Swan Street
- HO441: 319 Swan Street
- HO286: 'Former Burnley Theatre', 365 Swan Street
- HO442: 413-415 Swan Street

Victorian Heritage Register sites:

- H0048: Former Richmond South Post Office
- H2184: Dimmeys
- H0732: State Bank

A permit is required to demolish or remove a building or to construct a building or construct or carry out works on a Heritage Overlay Property.

Relevant decision guidelines include:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance, heritage study and any applicable conservation policy.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

### AMENDMENT C183

Yarra Amendment C183 implemented the City of Yarra Heritage Gap Study: Central Richmond, 2014 including, in part:

- The inclusion of the Burnley Street Precinct in the Heritage Overlay [proposed HO474] (which incorporates properties on Swan Street).
- The extension of HO319 to incorporate residential properties immediately north of Swan Street commercial properties.

The Panel Report for Amendment C183 was issued to Council in mid June 2016 and Council adopted it at its meeting of 23 August 2016.

Updates to this Amendment are underway to include adjustments to the Statements of Significance to better reflect the existing architectural qualities of heritage streetscapes and buildings.

### SCHEDULE 5 TO THE DESIGN AND DEVELOPMENT OVERLAY (DDO5) - CITY LINK EXHAUST STACK ENVIRONS

DDO5 applies to majority of the Study Area. It aims to ensure that development of land around the City Link exhaust stack is not adversely affected by the operation of the stack and does not adversely affect the operation of the stack.

A permit is not required to construct a building or construct or carry out works.

### SPECIAL BUILDING OVERLAY (SBO)

Special Building Overlay [SBO] applies to low point in eastern section of the study area. The overlay aims to ensure that development maintains the free passage and temporary storage of flood waters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

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

Relevant decision guidelines include:

- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.

### CITY LINK PROJECT OVERLAY (CLPO)

The City Link Project Overlay applies to properties on the south side of Swan Street in the western part of the study area. The Overlay aims to ensure the efficient operation and maintenance of the Melbourne City Link Project and ensure the display of a Business identification sign on land no longer required for the Melbourne City Link Project is limited to a level that does not compete with the display of signs shown on the plan titled "Melbourne City Link Project - Advertising Sign Locations November 2003".

### ENVIRONMENTAL AUDIT OVERLAY (EAO)

The Environmental Audit Overlay applies to properties in the western and central sections of the study area. The Overlay aims to ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

The overlay requires a certificate of environmental audit to be issued before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences.



FIGURE 3 - SWAN STREET HERITAGE AND BUILDING OVERLAYS PLAN

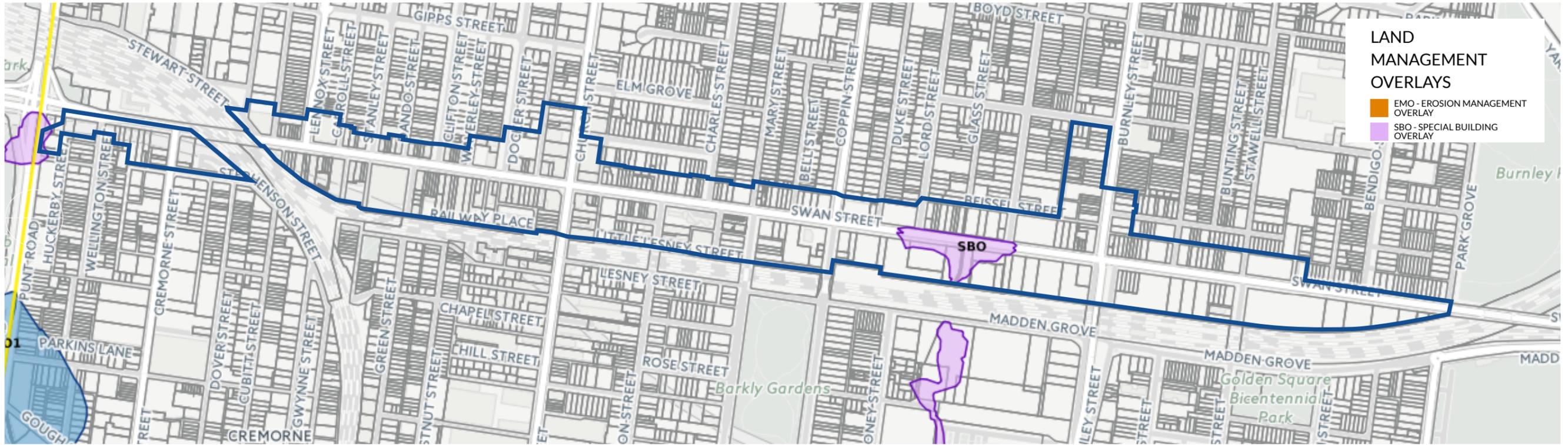


FIGURE 4 - SWAN STREET LAND MANAGEMENT OVERLAYS PLAN

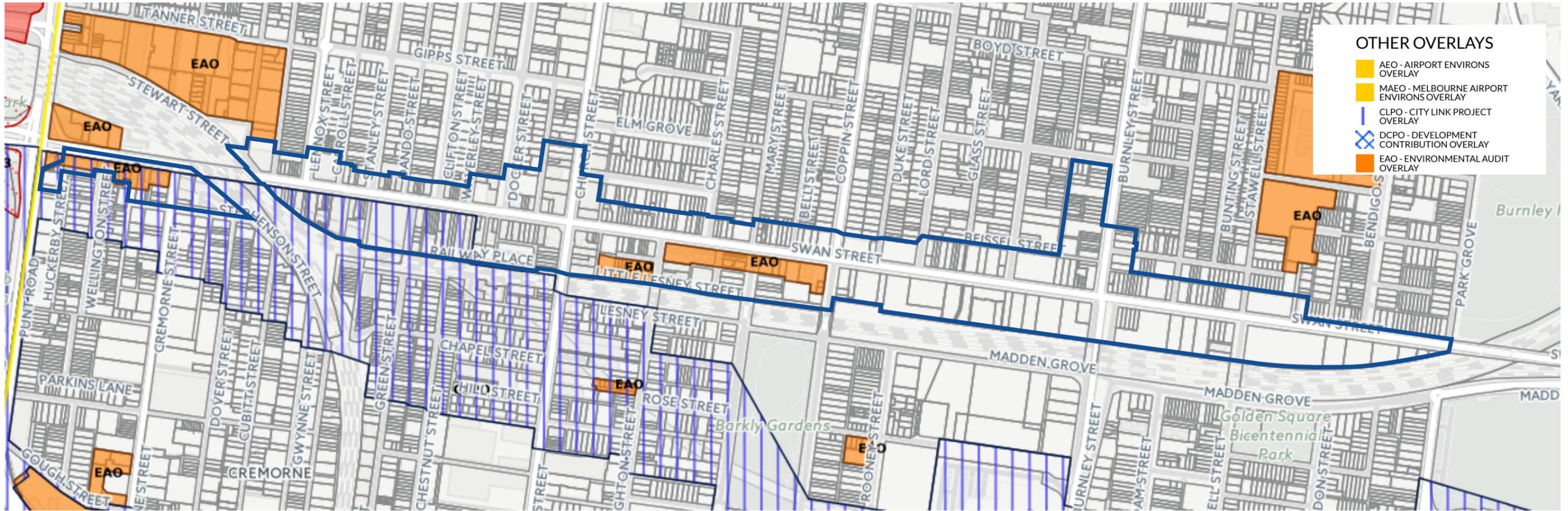


FIGURE 5 - SWAN STREET OTHER OVERLAYS PLAN

## 2.2 THE SWAN STREET STRUCTURE PLAN

The Swan Street Structure Plan provides a high level land use and built framework for the Swan Street Major Activity Centre.

The Structure Plan outlines urban design principles to guide future built form in the centre. The principles cover aspects such as street interface, street wall, recessive upper levels, residential interface and building separation.

The Structure Plan establishes a number of specific precincts and identifies building heights, access improvements and key public spaces. Swan Street is divided into four precincts including Richmond Station, Swan Street retail, Swan Street East, and Burnley Station Village precincts.

The Structure Plan document states that further investigation and design controls are necessary to appropriately guide the preferred outcomes for the Structure Plan in order to better respond to the changing conditions of the area.

The Principles from the Swan Street Structure Plan are reviewed and tested in Chapter 3 of this report.

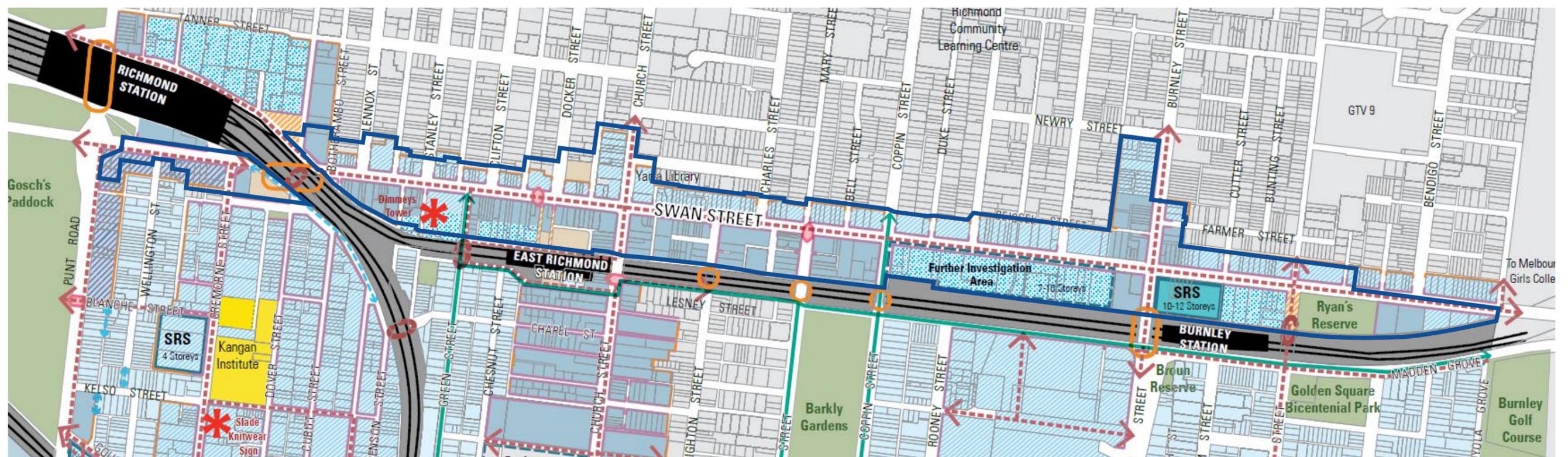


FIGURE 6 - SWAN STREET STRUCTURE PLAN

## 2.3 SWAN STREET BUILT FORM HERITAGE REVIEW - GJM HERITAGE

### 2.3.1 OVERVIEW

The Swan Street Built Form Study Area contains precincts and individual buildings of local and state-level heritage significance. It also contains one of a small number of highly intact turn of the century High Streets within the City of Yarra and wider Metropolitan Melbourne. The heritage built form along Swan Street ranges from narrow fronted single and two-storey shops with simple façades, to large two and three-storey commercial buildings with highly decorated façades and parapets.

Heritage consultants, GJM Heritage, were engaged to assess the heritage values within the Swan Street Built Form Framework area. This study was undertaken simultaneously with the Built Form Framework Study.

The Heritage Review undertook a comprehensive analysis of existing heritage values within Swan Street and adjoining precincts. This included a thorough review of existing policies and controls, practice notes and panel hearing reports for similar contexts.

The study made recommendations for changes to the heritage overlays to adjust boundaries and include individual heritage buildings. It also recommended the re-grading of some buildings within an existing precinct overlay area.

The western portion of Swan Street is of particular significance given the higher concentration of significant heritage buildings and evident character representing a highly intact turn of the century 'High Street', and is one of the main influences of this study.

### 2.3.2 REVIEW OF THE BUILT FORM FRAMEWORK

The primary focus for the GJM study was to assess the appropriateness of the preliminary building heights and setbacks recommended as part of the Built Form Framework, ensuring that new development respects the heritage context and does not visually overwhelm the predominantly two-storey scale of the heritage streetscapes. With a particular focus on:

- Street wall height for buildings within heritage precincts or sites adjoining heritage buildings
- Upper level front setbacks
- Upper level side setbacks
- Return facades on corner buildings on major and minor streets
- Upper level setbacks to maintain views to the Dimmeys Tower

Having regard to the identified heritage values of the Study Area, the GJM Study tested and a number of recommendations of the Built Form Framework. In summary, it provided the following guidance:

- The street wall height of the existing Victorian/Edwardian era shop/residences should not be exceeded in heritage precincts.
- Upper level setbacks should be provided to maintain the prominence of the heritage street wall, particularly within the Heritage Precincts.
- Views to the Dimmeys Tower requires strong protection through the application of upper level setbacks within the identified viewing corridor.
- Upper level setbacks to side streets for development above heritage buildings should be provided to ensure heritage buildings are able to be read in the round.
- For major corners and sites of individual significance, larger upper level setbacks should be provided.
- Specific requirements for infill development in heritage streetscapes.

The study also addresses whether discretionary or mandatory controls are warranted on various elements of built form from a heritage perspective. This considered various practice notes and panel hearing reports for implementation of built form controls in similar contexts.

The recommendations recognised the differing levels of heritage cohesion and as such recommended mandatory built form controls in some areas and discretionary controls in others.

The findings of the GJM study have been considered and integrated into the precinct built form recommendations in Section 4.

### 2.3.3 RECOMMENDATIONS FOR ADDITIONAL HERITAGE PLACES AND PRECINCTS

The GJM study identified additional places or precincts of potential heritage significance. These places are mapped in Figure 8.

The study found that generally the Heritage Overlay coverage and gradings within the Study Area is comprehensive and consistently applied. No places of obvious high-level local heritage significance have been excluded from the Heritage Overlay. A small number of places were identified for inclusion within an HO:

- 30-42 Swan Street
- 273A Swan Street
- 323-325 Swan Street
- 223-239 Swan Street

This report reflects these additions.

The GJM Study also reviewed the grading of buildings within identified Heritage Precinct Overlays. The review made some recommendations for re-grading of a number of buildings.



229-235 Swan Street [Source: GJM Heritage Review]



FIGURE 7 - SWAN STREET HERITAGE GRADINGS



# 3. METHODOLOGY



# 3.1 ANALYSIS

## 3.1.1 HERITAGE

### ANALYSIS

- Swan Street provides a rich legacy of state-significant and individually significant buildings and highly intact streetscapes of consistent scale and architectural quality. The principal Swan Street High Street commences immediately east of the railway viaduct, between the railway viaduct and the apex of the hill at Brighton Street.
- The character of the Study Area varies greatly along the length of Swan Street, moving from the highly intact turn of the century 'High Street' towards the western end, to a diverse and substantially less historically intact retail and residential area towards the east.
- Within the H0335 area, built form ranges from narrow fronted single and two-storey shops with simple parapets, to large two and three-storey commercial buildings with highly decorated façades and parapets. The majority of the heritage streetscape is identified as 'contributory' with the larger and more elaborately articulated buildings are often identified as 'individually significant'. While their gradings may differ, GJM recommended that similar planning controls are required to protect their heritage values and that of the streetscape.
- The Dimmeys Tower is major landmark in the Centre and visually prominent on both eastern and western approaches.

- West of the railway bridge, the Richmond Railway Station dominates the north side of Swan Street, with a mixture of reasonably intact late-nineteenth and early twentieth century two-storey buildings, including the Precinct Hotel.
- The majority of the buildings on the east side of Church Street have been redeveloped during the twentieth century. Church Street to the north of Swan Street does not retain the same degree of intactness and as a result does not present as a consistent heritage streetscape.
- East of Brighton Street, the north side of Swan Street contains a mixture of nineteenth century commercial buildings, single and two-storey buildings dating from the early to late twentieth century. The south side of Swan Street, the buildings are predominantly of recent construction.
- The Burnley Street precinct includes a fairly intact row of single and two-storey buildings dating from the late nineteenth and early twentieth centuries.
- East of the Burnley Street Precinct, Swan Street retains little nineteenth or early twentieth century fabric and the buildings are predominantly of recent construction.
- The GJM Heritage Review identified additional areas and sites for future heritage overlay protection as mapped below.

### BUILT FORM IMPLICATIONS

- Future building heights should respond to the low to mid-rise character of the Activity Centre whilst allowing for development intensity where there are minimal impacts on streetscapes, heritage elements and public realm.
- Maintaining the prominence of the heritage street wall will be important in the heritage precinct.
- Upper level setbacks will be required in order to protect the street wall height and visual prominence of the existing heritage facade.
- Setbacks will be required to protect the visual prominence of the Dimmeys Tower along key views.
- Upper level setbacks at the residential interface will be required to minimise visual and amenity impacts on existing low scale detached dwellings. However this must be balanced with the proximity of these sites to an Activity Centre.

**LEGEND**

**BOUNDARIES**

- Site Boundary

**MOVEMENT NETWORK**

- Train Station
- Bridge

**LAND USE**

- Heritage Overlay Site
- Heritage Overlay 335 (Precinct)
- Heritage Overlay 474 (Precinct)
- Proposed Heritage Inclusion - GJM Heritage Review

**INTERFACES/EDGES**

- Intact Heritage Character Buildings
- Railway Reserve

**BUILT FORM**

- Dimmeys Tower
- Dimmeys Tower Primary Viewing Corridor



FIGURE 8 - SWAN STREET HERITAGE AND BUILDING OVERLAYS PLAN

### 3.1.2 BUILT FORM CHARACTER

#### ANALYSIS

- The Activity Centre is generally low scale with buildings generally ranging from two to four storeys. A small number of more recent developments are located in the western section of the study area extending up to ten storeys.
- The entry precinct is anchored around the Richmond Station and employment uses to the south. This Precinct has inconsistent setbacks and could be improved with new built form that enhances the western entry into the Activity Centre. The Precinct Hotel and two storey historic shopfronts are notable buildings in this precinct.
- The Swan and Church Street heritage areas provide a strong cohesive heritage character with fine grain frontages. A predominant street wall of two storeys exists in the Swan Street Heritage Precinct which is equivalent to a contemporary three storey building.
- A network of smaller streets and laneways is located on the south side of Swan Street around Railway Place and between Little Lesney Street and Mary Street. This area has a more urban and enclosed character than Swan Street.

- East of Brighton Street, buildings vary in terms of setback, street wall height and width, with a mix of showrooms, warehouses and smaller shopfronts. The larger footprints of buildings support these uses.
- Burnley Street includes two storey heritage buildings on the north side of Swan Street which provide a change in character from the Swan Street frontage
- The residential interface generally exists to the north of properties on the northern side of Swan Street. The interface consists of a mix of rear gardens, houses and laneways.

#### BUILT FORM IMPLICATIONS

- Opportunity to enhance the western entry to the Activity Centre with a stronger built form presence.
- Built form within the heritage precinct should seek to ensure the heritage street wall remains the dominant streetscape element. Upper level setbacks should be applied and the scale of new development needs to respect the heritage streetscape.
- Swan Street east provides an opportunity for a new character with high quality development that contributes to highly active streetscapes.
- Areas behind Swan Street provide an opportunity for a different character where there is a strong presence of buildings to the street. These areas are currently undesirable pedestrian environments and could be significantly improved.

**LEGEND**

**BOUNDARIES**

- Built Form Character Areas

**MOVEMENT NETWORK**

- Train Station
- Tram Stop
- Bridge

**LAND USE**

- Existing Car Parking

**INTERFACES/EDGES**

- Railway Reserve
- Proximity to Railway Station (1km)

**BUILT FORM**

- Dimmies Tower
- Dimmies Tower Primary Viewing Corridor
- Built Form Related VCAT Decisions
- Approved Developments (6 LVL)
- Recently Developed Sites (6 LVL)
- Prominent Built Form Locations
- Inconsistent Street Setback
- Residential Interface

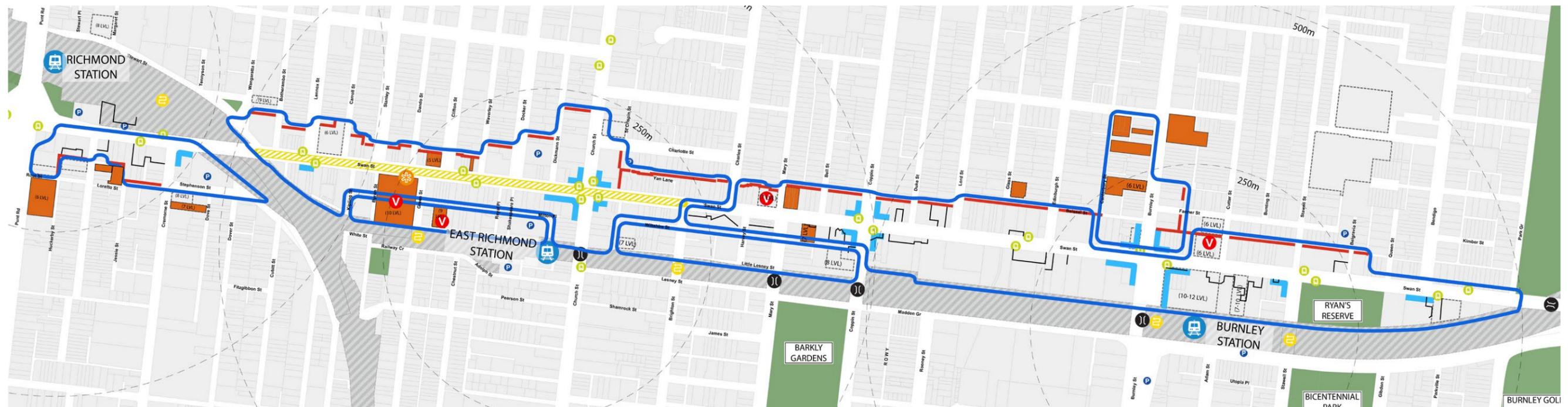


FIGURE 9 - SWAN STREET HERITAGE AND BUILDING OVERLAYS PLAN

### 3.1.3 PUBLIC REALM AND PEDESTRIAN ACCESS

#### ANALYSIS

- Swan Street's major public realm assets include the footpaths, which play an important role in the vitality of the Activity Centre. There is generally a lack of 'green' public spaces in the heart of the centre
- The primary footpath area is located along Swan Street between the railway line and Brighton Street. This area includes retail and hospitality uses, narrow shopfronts and outdoor dining.
- The eastern footpaths of the study area are less active however there is a concentration retail activity around the Burnley Street shops and railway station. Pedestrian activity in this area is expected to increase with planned mixed use developments.
- A potential public space is identified in the car park behind the shops linking East Richmond Station to Swan Street.
- Pedestrian connections under and over the railway line are highly utilised thoroughfares, connecting residents and workers to the highly desired Swan Street retail strip and public transport connections. The Structure Plan identifies a number of these linkages for improvement.
- Key above ground / over railway line pedestrian connections include Cremorne Street, Church Street, Brighton Street, Mary Street and Coppin Street.

- Pedestrian connections linked through railway underpasses include Green Street, Burnley Street Station, and Stawell Street.
- There are distinctive outer entry points into the activity centre which currently provide an underwhelming entry experience.
- The Dimmeys Tower is a major landmark visible from many sections of Swan Street. Its primary viewing corridor is located between the Railway line and the crest of the hill at Brighton Street.
- Other key views within the Activity Centre include the city skyline which is available looking east along Swan Street and views to the Church Street spire.

#### BUILT FORM IMPLICATIONS

- Development will need to maintain solar access to key pedestrian streets across the Centre. A key area of focus is the southern footpath of Swan Street which will play a more important role as a public space as the population increases across the Activity Centre.

- The laneways connecting to Swan Street provide major opportunities for an improved public realm with a high quality building address to the street and active land uses.
- Development adjoining the potential open space on the current car park near East Richmond Station will need to consider solar access to the future open space. Developments should also activate the park and provide surveillance from upper levels.
- Opportunities for new public plazas and spaces should be encouraged through the redevelopment of larger sites.

#### LEGEND

- BOUNDARIES**
  - Site Boundary
- MOVEMENT NETWORK**
  - Train Station
  - Tram Stop
  - Bridge
- LAND USE**
  - Urban Area
  - Existing Car Parking
- PUBLIC ACCESS**
  - Primary Activity Area
  - Secondary Activity Area
  - Key Access Streets
  - Pedestrian/Cycle Connections
  - Under/Overpass (Pedestrian/Cycle)
  - Key Pedestrian Destination
  - Dimmeys Tower
  - Activity Centre Gateway
  - Heritage Precinct Gateway
  - Key Intersection
  - Potential Future Open Space
  - Swan Street High Point
- INTERFACES/EDGES**
  - Dimmeys Viewing Corridor
  - Proximity to Railway Station
  - Railway Reserve

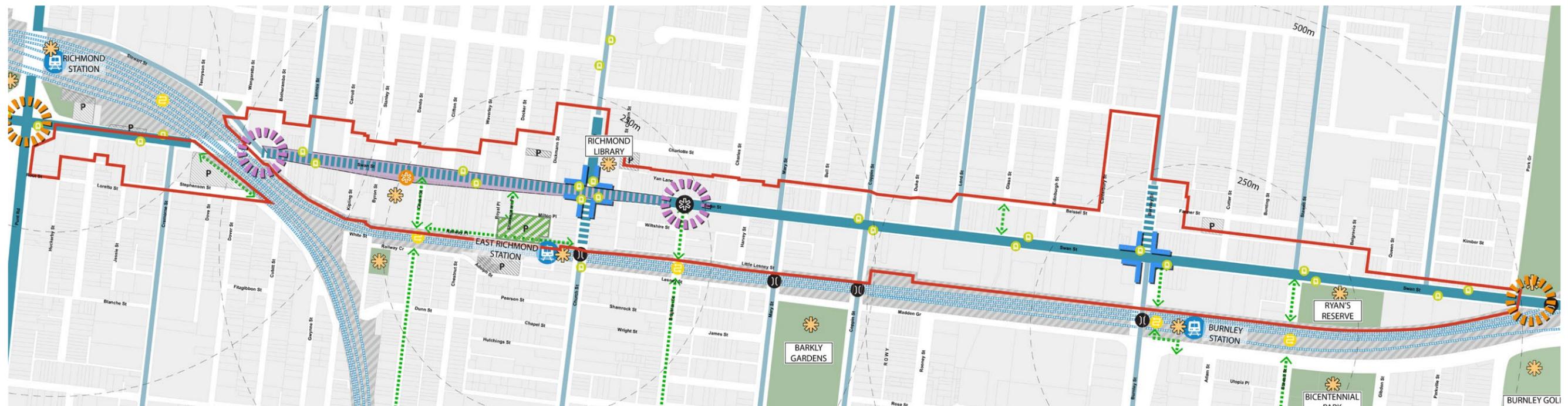


FIGURE 10 - SWAN STREET PUBLIC REALM AND PEDESTRIAN ACCESS PLAN

### 3.1.4 LOT WIDTH ANALYSIS & TYPOLOGIES

Lot width has a significant impact on the configuration of development and overall yield. The typologies below provide an indication of the type of development that could be provided on various lot widths. The colours have been applied to properties based on their width. It shows a stronger presence of wider lots to the east of the study area.

This analysis is based on a residential development outcome above the street wall however it is anticipated that commercial development could also be provided and will have a different development outcome.

While this analysis identifies potential development outcomes for individual properties, it does not take into consideration the potential for multiple properties being consolidated.

Front and rear facing apartments provide the simplest development outcome for narrow lots, as they can facilitate 1-2 apartments facing the street, and one facing the rear of the property, on each floor (subject to width). This type of development occupies the entire width of the lot, and does not provide any articulation or activation to either side of the development (which is intended to develop in a similar manner). However, development on narrow sites can become problematic when they are located on the corner of two streets with a heritage facade requiring appropriate side setbacks to a facade returning down the secondary street. In this instance, side setbacks can limit the feasibility of developing a narrow site. In these instances, lot consolidation is the preferred method to allow development to be commercially viable and deliver high quality urban design outcomes.

Wider properties can accommodate a different model of development, podium and tower, which can have an outlook to other developments either side. This type of development can provide for a greater range of apartment types with varying aspects. It does however create issues of apartment separation for privacy and daylight that need to be considered. This can typically be resolved through appropriate building separation provided by adjoining developments, allowing sight-lines to be controlled, and allowing creativity in the location/siting of tower elements to avoid these issues. This type of development also facilitates a key aspect of breaking up the built form by separating out tower elements and allowing daylight to be visible between taller built form elements.

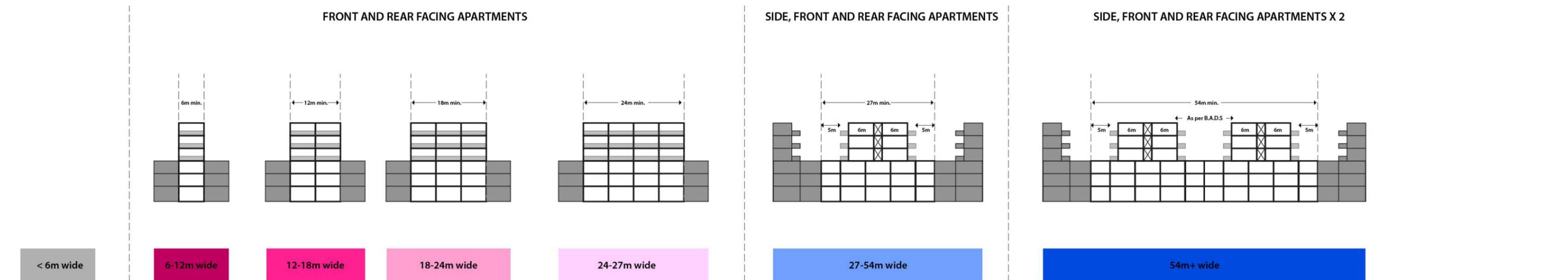


FIGURE 11 - LOT WIDTH & DEVELOPMENT TYPOLOGIES



FIGURE 12 - LOT WIDTHS IN SWAN STREET

### 3.1.5 LOT DEPTH ANALYSIS & TYPOLOGIES

Similar to lot width, the depth of a property has an impact on the type of development that can be provided as shown on the typologies opposite. The lot depth ranges have been mapped below.

The mapping shows greater depths in the eastern sections of the study area.

The typologies indicate that shallow lots provide a limited opportunity for development, and allow for only single aspect apartments. This takes into account a typical setback to a residential interface, and a suitable interface to Swan Street.

Lots which are deeper provide opportunities for dual aspect apartments, addressing the street, and the rear of the lot. Dependant upon the access for parking and basement parking (preferable via rear laneways), these apartments can typically be set back from the street and still provide for a number of residential floors.

Lots greater than 55m approx could allow for two buildings with both front and rear facing apartments. This outcome does create apartment separation issues that need to be considered.

The lot depth also assists in determining an appropriate overall height control that is suited to a particular area. Once a front setback has been taken into account, and the rear interface (which can be significant impact when abutting an existing residential property), heritage constraints and any overshadowing where applicable, the remaining depth of the allotment determines the potential built form heights.

Typically, smaller sites that have restrictive setbacks on two or more sides, are less able to develop to a taller overall height than those with less restrictions. This is calculated against standard commercial development envelopes for dual or single aspect apartments modules to assist in determining the

potential overall building height, providing a commercially viable development envelope.

In addition to lot depth, other contributing factors can impact the potential overall height of a development, such as if it is abutting a laneway. It is fortunate that lot depths vary along Swan Street, creating an appropriate variation in overall building heights along the length of the Major Activity Centre.

Properties on the northern side of Swan Street require some form of building separation to reduce limit an unbroken length of upper level development. Where larger parcels develop, or parcels consolidate, side facing apartments can facilitate these setbacks and breaks in the upper levels, to allow visual relief of a long length of built form.

Due to the potentially large building heights in the eastern end of Swan Street, a key principle will be ensuring that appropriate building separation occurs between upper levels of development. Where these large sites occur, it is important that there is not a uniform wall of development at the upper levels, and that there are breaks in between tower elements to facilitate breaks in the skyline.

This can be achieved through the specific siting of a tower element on the podium, the setbacks between tower elements internally, and how they interface with neighbouring development.

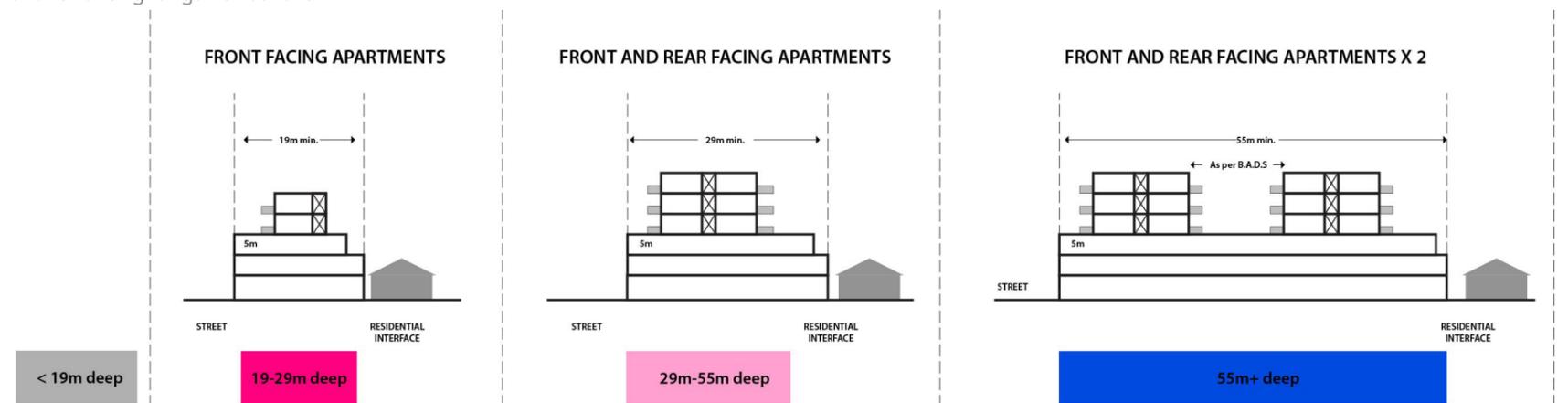


FIGURE 13 - LOT DEPTH & DEVELOPMENT TYPOLOGIES



FIGURE 14 - LOT DEPTHS IN SWAN STREET

### 3.1.6 DEVELOPMENT ACTIVITY

#### ANALYSIS

- Major redevelopment opportunities exist on the south side of Swan Street between Coppin Street and the eastern boundary of the study area, however the existing Commercial 2 Zoning prohibits residential uses and reduces redevelopment potential. This area is planned to be rezoned to Commercial 1 which will provide for a greater diversity of land uses.
- The plan highlights properties in red below where sites are constrained for taller development (greater than 6 storeys) as they are not wide or deep enough to accommodate setbacks required for off-site impacts within the site boundaries. These properties would require consolidation to achieve greater building heights.
- Properties that abut the rail reserve on the south side of Swan Street present good development opportunities due to the absence of amenity impacts and lack of overshadowing limitations.
- There is good laneway access for properties on the northern side of Swan Street however these lots are generally smaller than the southern side of Swan Street.
- There are a number of approved developments throughout

the study area ranging from six to ten levels in height.

- Existing / recently approved / constructed developments provide some guidance and precedent for new applications, in relation to heights, building setbacks and residential interfaces. These include:
  - 123 Swan Street,
  - 140 Swan Street,
  - 429 Swan Street,
  - 1-3 Railway Place,
  - 381 Punt Road.

#### BUILT FORM IMPLICATIONS

- The southern side of Swan Street and locations towards the railway line could accommodate higher scale development due to the deeper lots and minimal amenity impacts at the rail line interface.
- The northern side of Swan Street generally provides limited opportunities for substantial building height due to lot width and depth, the adjoining residential interface and overshadowing of footpath constraints.
- Lot consolidation should be encouraged across the study area to minimise adverse visual impacts and amenity

issues.

- Recently constructed and approved development establishes key built form implications for the study area including:
  - Establishing an overall building height precedent in a number of areas.
  - Identifying the preferred setbacks from Swan Street in relation to the heritage precinct, and the view corridor to the Dimmey's Ball Tower.
  - Establishing acceptable interfaces to existing residential sites where overshadowing is not an issue.
  - Establishing that the street wall height could be varied between the different precincts, dependent upon surrounding heritage and existing residential context.

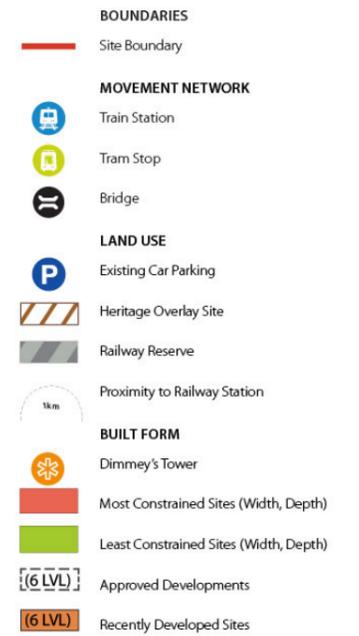


FIGURE 15 - SWAN STREET DEVELOPMENT ACTIVITY AND POTENTIAL PLAN

### 3.1.7 RELEVANT VCAT DECISIONS

A number of VCAT decisions have occurred in the study area which provide direction on interpretation of policies and built form controls. The key decisions affecting the Built Form Framework study are summarised below.

#### **RICHMOND ICON PTY LTD V YARRA CC VCAT 2175 (8 NOVEMBER 2011) - DIMMEYS SITE**

This case involves a proposal to undertake alterations and additions to Dimmey's and the development of a new glass residential tower that extends up 10 storeys in height.

Yarra City Council and a number of other objectors held the view that the glass tower was not a quality design that it is not respectful of Dimmey's clock ball tower, and it will compete with and diminish the ball tower's landmark significance.

The Tribunal found that there was an acceptable and appropriate addition to the local area, including the adjacent low rise heritage streetscape of Swan Street. This proposal was considered to rejuvenate and renew the tower through the proposed new development and the combination of residential, retail and office use of the old and new buildings on the site.

The Tribunal also found that the design responds to its context by being different to the surrounds. It has an elliptical form that is simplistic and a glass surface that is calm. These attributes ensure the tower does not compete with the heritage façades of Swan Street or the Dimmey's clock ball tower and reveals the modern structure for what it is.

This case also involved the provision of road / laneway widening in order to support post-development levels of traffic in a safe manner in the context of Swan Street.

Built Form Implications:

- Clause 21.05 - Built Form was a key reference for this hearing - particularly the focus on 'Architectural Excellence'
- The tribunal agreed with evidence that suggested that a range of contextual, regulatory and functional issues come into play in considering the merits of a particular design - i.e. less about the subjectivity
- Views to the Dimmeys Tower - Primary viewing corridor established along Swan Street. Not all views from every angle of the Ball Tower have to be protected, with the Swan Street views critical to its public appreciation
- Nearby structures should be visually subservient to the Dimmey's

Ball tower, however retaining the Ball tower as the principle built form reference

- Dimmey's Ball tower was to be protected to allow for clear sky around it to enable it to continue to 'stand out against the sky'
- Considered to be an appropriate response because of the 23m setback and 'calm' glass facade of the building - Dimmeys Ball Tower will remain the primary built form reference in the street
- Overshadowing of nearby residence was a key issue during the hearing. It was concluded that the amenity expectations of residents living in a business zone and an activity centre must be tempered, while acknowledging that this specific case had limited impacts on living and dining rooms of the objectors. Given the nature of the relevant planning controls and policies this loss of amenity was considered acceptable.
- Development should be setback so that the tower remains in the foreground
- A calm backdrop helps ensure that the significant detailing of the tower will contrast
- Occasional taller form in a low rise area is acceptable in terms of Yarra's current policy
- Provision of a shared zone represents a possible solution to traffic conflicts along side streets/laneways
- 10 Storeys on southern side of Swan Street frontage is acceptable in an heritage area
- Taller street wall than three storeys is acceptable outside of Swan Street heritage area

#### **RICHMOND ICON PTY LTD V YARRA CC & ORS [2013] VCAT 493 (14 MARCH 2013) - 1-3 RAILWAY PLACE**

This is an application to review the decision of the Responsible Authority to refuse permission for the construction of a nine storey building at 1-3 Railway Place, Cremorne.

The application was refused by the Responsible Authority for a number of reasons including:

- It did not provide an appropriate transition in height with the surrounding building stock, contrary to clauses 15.01-2 (Urban Design Principles) and clause 22.10 (Built form and design policy) of the Yarra Planning Scheme.
- It would unreasonably impact the amenity of the dwellings to the west by virtue of overshadowing, contrary to clauses 15.01-2 (Urban Design Principles) and clause 22.10 (Built form and design policy) of the Yarra Planning Scheme.
- The proposal would unreasonably impact the development potential for adjoining sites due to the proximity of windows to the boundary.

Built Form Implications:

- Clause 21.05 tested during the hearing with a particular focus on 'Architectural Excellence'. The tribunal considered that design excellence must be focused entirely on those matters encompassed within the planning scheme - referenced State Planning Scheme Clauses
- Upper level setbacks - Considered unnecessary in the context to achieve acceptable amenity impacts, or to achieve an equitable sharing of development potential with neighbouring properties - recommended 3.0m separation to balcony and 4.5m to adjoining property
- Amenity Impacts of nearby residences - Considered to be acceptable (with some modifications) as the housing was located in a Commercial 1 Zone.
- Development without upper level setbacks is appropriate in such a context (away from Swan Street/adjoining a rail corridor)
- Assessment of amenity impacts must always be contextual, including consideration of zoning and policy outcomes encouraged for the site and wider area.
- Consideration needs to be given to adjoining development and separation between habitable room windows. A total separation of 6.0 m for balconies and non habitable room windows, and 9.0 m between habitable room windows was recommended.

#### **429 SWAN STREET PTY LTD V YARRA CC [2016] VCAT 370 (11 MARCH 2016)**

The construction of nine, three storey town houses and a six storey building [with basement parking] accommodating a food and drink premises, five shops, two studio/offices and 73 dwellings.

A key element that was tested at this hearing was whether upper level setbacks should be required for levels 3,4 and 5. The application had only proposed an upper level setback for level 6 of the development.

Built Form Implications:

- The decision referenced the proposed Burnley Street Heritage Precinct however not given significant weight as its status was not confirmed.
- The three storey 'street wall' principles outlined in the Structure Plan was also referenced, with little support given the lack of heritage.
- On balance tribunal supported for the five storey street wall because the corner location of the site, distance from heritage buildings and specifics of the design.
- A consistent 3 storey street wall the length of Swan Street as recommended in the Structure Plan outside of heritage areas was not supported.

#### **BLUEPRINT DEVELOPMENT PTY LTD V YARRA CC [2016] VCAT 2105 (12 DECEMBER 2016) - 245-251 SWAN STREET**

This tribunal focused around a permit condition issued by Council, which required the deletion of the top level of the development, reducing the building height from six to five levels.

The VCAT member ruled in favour of the applicant and removed the condition to delete the top level of the development.

Built Form Implications:

- Clause 21.05 of the planning scheme contemplates development of 5-6 storeys for strategic redevelopment sites such as this one
- The upper level is sufficiently recessed from the Swan Street and Mary Street frontages.
- The rear massing and transition to the adjoining residential property will not be assisted by the deletion of the upper level. Although visible, the visual impact of the upper level is acceptable in this inner urban context given the setbacks proposed, the oblique views and the lack of any overshadowing.
- The visibility of the upper level from further north in Mary Street was considered acceptable because the contrast of built form between Swan Street and the residential hinterland is supported by the planning scheme.
- A six storey development interfacing with low scale residential is acceptable with sufficient set backs of upper level development to Swan Street (min 3.0m) and residential development (varied setbacks).

#### **BARKLY GARDENS PTY LTD V YARRA CC [2017] VCAT 995 (6 JULY 2017) 314-320 SWAN STREET & 236 COPPIN STREET**

This VCAT hearing focussed around permit conditions issued by Council which required removal of two storeys from the original height of 8 storeys, and a setback of no less than 6 metres from the two top most levels of the building fronting Coppin Street.

The VCAT member did not support the condition to remove two storeys finding that the sensitivity of the heritage and existing low rise character was not a satisfactory basis for the condition. The setting of the heritage building was not identified to be significant and given the site is in a location identified for further change. The Member found that an eight storey development would be a pioneer in an area that will continue to change and if and when the development adjoining land is completed in the future. The height of the Coppin Street building will be unremarkable, in a character sense.

The removal of the condition for a 6.0m setback was also supported. The VCAT member concluded that above the three storey street wall, a three metre setback to the base of the tower element is acceptable. The less sensitive context of the Coppin Street influenced this finding.

Built Form Implications:

- The presence of a heritage building may not be a satisfactory basis for reducing the building height where the setting of the heritage building is not identified to be significant and in a location identified for further change.
- A building height of 8 storeys in this precinct is considered acceptable
- A 3m set backs above the street wall is acceptable in the less sensitive side street context.
- Little weight given to the Swan Street Structure Plan

#### **A GENSER & ASSOCIATES (AUST) PTY LTD V YARRA CC [2012] VCAT 695 (25 MAY 2012) - 379-385 PUNT ROAD**

This VCAT hearing focussed around the height of the proposed building [12 storeys revised to 8 storeys] and related interface and design matters.

The VCAT members found the scale of the tower component presents a 55m long east and west-facing façades and overpowers its surrounds, including land to the south and east, and unreasonably imposes itself into Punt Road and into Gosch's Paddock on the opposite side of Punt Road. They considered the proposal too tall and bulky, overbearing from land closer to the east and south of the subject land. They concluded that if two storeys were deleted from the proposal, it would be a much more comfortable fit into Punt Road and NW Cremorne.

They found that a flat façade is the best solution for this 'city edge' streetscape, particularly from its long range views from which the building will be most appreciated. They found the predominately three-level form, with a subservient four level, is an appropriate interface to Huckerby Street and a visual transition to the higher form setback behind it.

Built Form Implications:

- A six storey form along Punt Road was considered a comfortable fit in this location
- Three storey interface to a street with low scale residential opposite was considered acceptable.
- A flat façade was appropriate for this location.

#### **BUILT FORM IMPLICATIONS OF OTHER APPROVED DEVELOPMENTS:**

133 Swan Street /Clifton Street - built

- This development establishes a 5 storey building height on the north side of Swan Street with a residential interface and within the HO335 area.
- The GJM report identifies that the smaller front setback to the heritage street wall provides an outcome that overwhelms the heritage building.

368 Burnley Street - built

- Demonstrates a precedent for 5 to 6 storeys along Burnley Street
- Reflects a 3 storey interface and 45 degree setback from residential street
- Supports principle of discretion on setbacks in Burnley Precinct but that 5m setback is preferred above heritage wall

Timber-yard Site – Adopted by Council awaiting Minister approval

- Supports 12 storey development
- Supports discretion for setback above street wall
- Supports not applying the 1/3:2/3 rule to sites on south side outside heritage areas
- Importance of managing site access onto Swan Street

### 3.1.8 ACCESS AND SERVICING

#### ANALYSIS

- Laneway access, or a second road frontage to development is important in order to facilitate development along Swan Street. Properties with only have one road frontage (as identified on the plan below) have limited servicing opportunities.
- In order to maintain the active and pedestrian friendly area that the Swan Street retail precinct is, driveway access into developments along Swan Street should be limited.
- Larger parcels that have multiple frontages (side street or rear lane) have an opportunity to provide easier access arrangements for car parking, however some site specific laneway widening may need to occur in order to provide a safe and accessible laneway for use by future residents and employees.
- The area between Coppin and Burnley Streets, laneways and second frontages are not as common due to the larger lot sizes. This will require additional vehicle cross overs onto Swan Street in order to facilitate development. For this area, there is an opportunity for a new laneway network to connect Coppin and Burnley Streets and reduce crossovers on Swan Street.

#### BUILT FORM IMPLICATIONS

- Narrow properties with no side or rear road or laneway access are constrained for redevelopment because of challenges in providing underground car parking.
- Laneway widening may be required in some areas to provide suitable access to future developments. This will impact on ground level setbacks of future buildings.
- New road access at the rear of properties will be required between Coppin Street and Burnley Street in order to service new development and minimise driveway crossovers onto Swan Street.
- A recent Planning Panel (Amendment C185) for a mixed use development at 462-482 Swan Street highlighted concerns about the impact of vehicle access on the function and efficiency of Swan Street (including the tram network). The concerns related to the delay to trams and safety to pedestrians. This reinforces the need to focus vehicle access into laneways and secondary streets.

**LEGEND**

**BOUNDARIES**

- Site Boundary

**MOVEMENT NETWORK**

- Train Station

**LAND USE**

- Open Space
- Single Frontage Parcel of Land

**INTERFACES/EDGES**

- Existing Laneway
- Existing Laneway - Widening Required
- Widen Pedestrian Laneway
- New Pedestrian Laneway
- Proposed Laneway
- Intermediate / Temporary Laneway
- Railway Reserve

**LANDMARK**

- Dimmeys Ball Tower



FIGURE 16 - SWAN STREET ACCESS AND SERVICING PLAN

## 3.2 TESTING THE STRUCTURE PLAN PRINCIPLES

### OVERVIEW

This section provides a review of the design principles identified in the Swan Street Structure plan and makes recommendations for additional principles.

The principles have informed the development of the more detailed recommendations and have guided the application of building heights and setbacks across the study area.

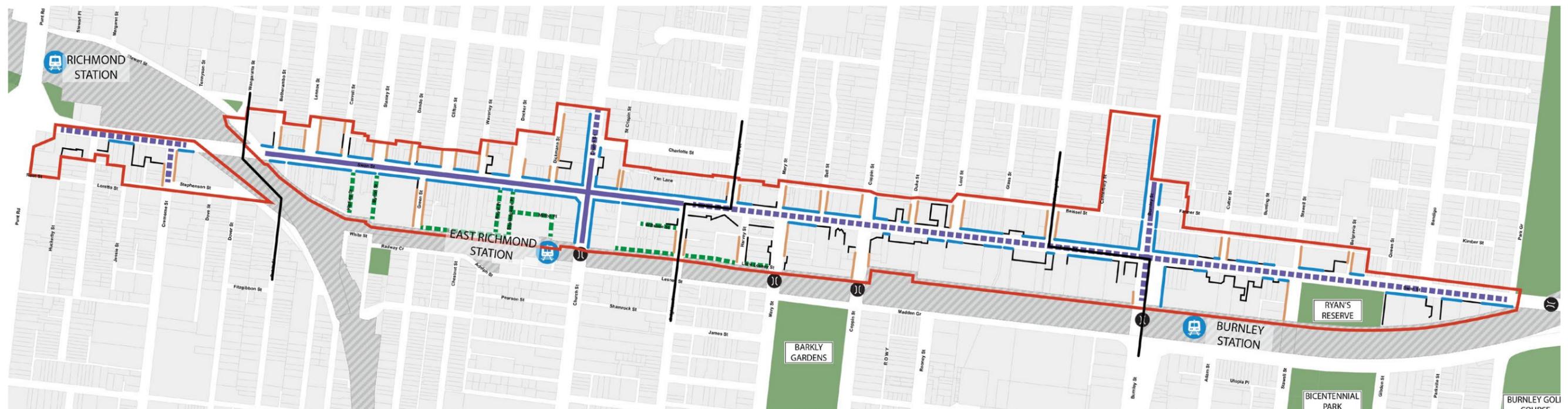
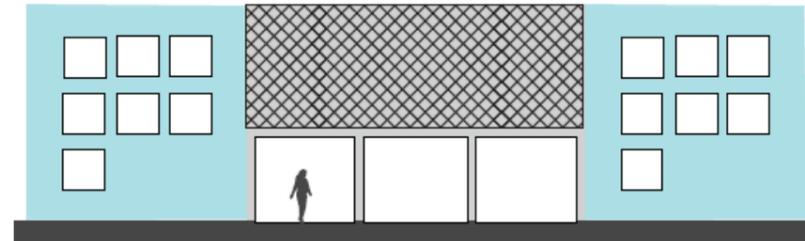


FIGURE 17 - SWAN STREET ACTIVE AND INACTIVE FRONTAGES

### PRINCIPLE 1 - WALKABILITY

#### SUMMARY OF STRUCTURE PLAN PRINCIPLE

- Provide fine grain subdivision to provide visual interest
- Active frontages encouraged to provide visual engagement between the ground floor and the street
- The front façade of a building and its main entrance face, and open towards, the street



#### TESTING THE PRINCIPLE

This principle is important to continue to develop Swan Street's role as an activity centre.

The narrow shopfronts in Swan Street provide visual interest and a greater diversity of uses and experiences. It is recommended this character is continued through new developments across the Activity Centre. However there is also an opportunity wider frontages in some areas to create a variety of floor plates that support a diversity of land uses.

Continuous retail and business activity across the centre is key to providing a positive pedestrian experience. Locations where there are blank walls, car park or loading areas to the street, disrupt the flow of retail activity and provide limited passive surveillance of the footpaths.

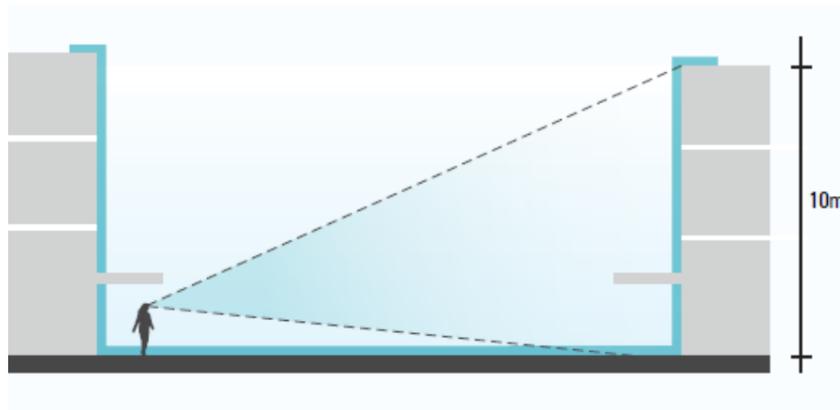
It is recommended that all streets across the Activity Centre are treated as active frontages, with windows at ground level, and uses at the front of the building that provide for customer engagement. Servicing uses should be restricted to laneways where possible to maintain continuous activity. However development in laneways should provide surveillance from lower and upper levels with balconies, windows and habitable rooms.

This principle should also be broadened to ensure weather protection is provided through building awnings. This is an integral component of walkability.

## PRINCIPLE 2 - STREET WALL/HUMAN SCALE

### SUMMARY OF STRUCTURE PLAN PRINCIPLE

- Recommends a contemporary 3 storey street wall of approximately 10 metres. This is consistent with existing street walls of 1-3 storeys, Victorian, Edwardian and inter-war buildings – generally between 9m and 10m.



### TESTING THE PRINCIPLE

The building height at the street edge is important not only to create a scale that does not overwhelm the streetscape but also to provide a scale that is compatible with the heritage fabric of Swan Street.

Where there is an existing heritage building, the street wall / facade should be retained within any new development. This principle primarily deals with infill development on non contributory heritage sites and outside of heritage areas where there are no heritage precinct overlays guiding additional levels of protection.

Historic buildings generally have larger floor to ceiling proportions than modern buildings, particularly for upper levels. Typically, historic shopfronts of two storeys range in height from 9.5m to 11m. This is equivalent to a modern mixed-use three storey development, with a retail / commercial ground floor and residential / commercial above.

In responding to a street edge height in Swan Street existing two and three storey historic buildings have been measured to understand how new development can respond to the existing heritage fabric.

There are a number of larger scale three storey historic buildings which currently stand out within the streetscape. These buildings include the Maple building at 120 Swan Street, 105 Swan Street and further east at 291 Swan Street. These buildings do not reflect the predominant 1 and 2 storey character of the street and should retain their prominence at 13.5 - 16m.

A three storey building height at the street is supported for the heritage sections of study area. The three storey edge and upper level setbacks responds to the heritage fabric and reinforces the human scale of streets.

The heritage review undertaken by GJM Heritage Consultants supported the recommended street wall height of three storeys in heritage areas, noting that a street wall height of less than a two-storey building (8m) would detract from the consistent rhythm of the streetscape.

The GJM Study recommended that, given the highly intact heritage fabric along the length of the Heritage Precinct (HO335 overlay area) and the consistency of the street wall height, a mandatory maximum street wall height of 11m and mandatory minimum of 8m are appropriate (to discourage the construction of single-storey buildings). They also recommended that the height of infill buildings should be encouraged match the height of the taller of the neighbouring two storey 'contributory or 'individually significant' building's parapet, if they exceed 11m in height. In other heritage areas, the street wall height is recommended as a three storey discretionary control because of less intact heritage streetscapes.

The recommended dimension for the three storey street wall is 11m. This allows for a ground level retail level of approximately 4.0m, and then two additional commercial / office levels of 3.5m. This differs from the Structure Plan which recommended a street wall height of 10m.

For sections of Swan Street further east, a street wall height of four storeys (14.5m) is recommended due to the limited presence of heritage buildings. The additional storey to the street wall provide opportunities for additional commercial uses without overwhelming the streetscape.

An established urban design principle is to match the street wall height to the width of the road to create a strong street wall expression. If applied, this would result in five storey (20m) street wall along the eastern sections of Swan Street outside of the heritage areas. It was considered that a five storey street wall along a substantial length of Swan Street (approximately 1km) would deliver an outcome that is not consistent with the broader high street character of Swan Street, and create too much enclosure to the street space.

The recommended four storey street wall strikes a balance between providing additional commercial floor space and maintaining a scale consistent with the broader Swan Street character. It is recommended as a discretionary street wall height.

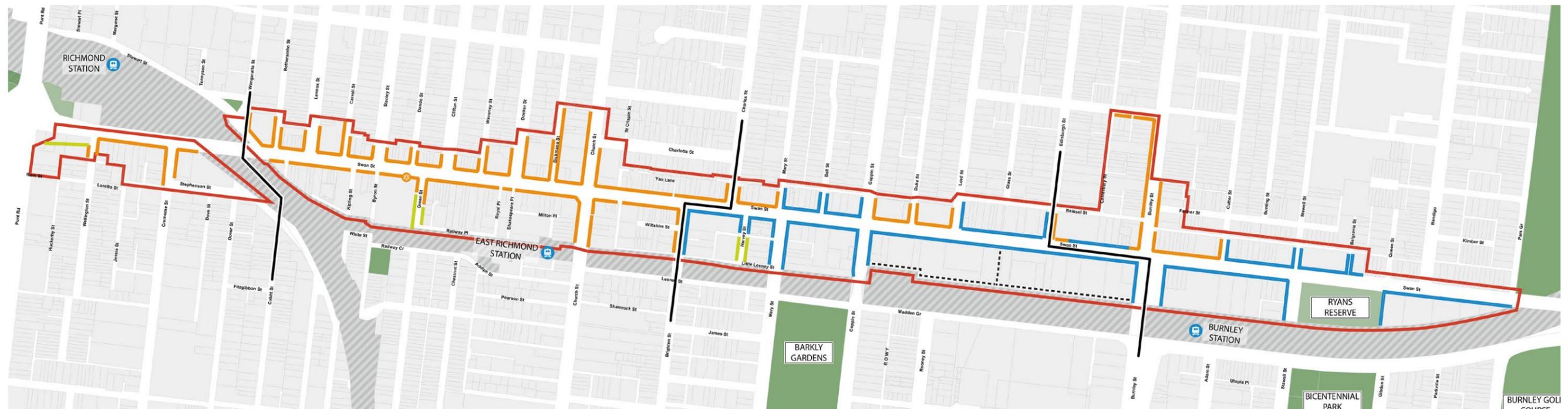
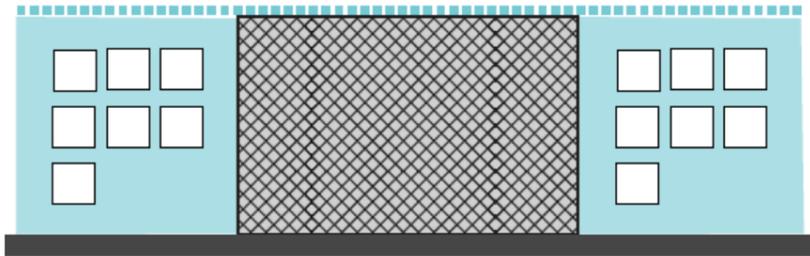


FIGURE 18 - SWAN STREET WALL HEIGHTS BASED ON HERITAGE

### PRINCIPLE 3 - A CONSISTENT STREET WALL

#### SUMMARY OF STRUCTURE PLAN PRINCIPLE

- The principle aims to ensure buildings are built to the street boundary with ground floor retail or commercial uses.



#### TESTING THE PRINCIPLE

Buildings are built to the front street boundary for the majority of the study area. There are some larger properties in the eastern sections with varied setbacks (refer to Figure 19). Properties in these areas address the street streetscape with a mix of at-grade car parking, materials or waste storage, and recessed blank façades.

The consistent street wall principle is supported in the Built Form Framework in order to create continuous activity along Swan Street and create greater containment in the streetscape.

A key consideration for Swan Street is the potential visual bulk of new development if sites are built-out from boundary to boundary. On the south side of Swan Street, east of Coppin Street, there are no north-south streets to break-up built form. This would result in an unbroken street wall for a length of 400m. An overly continuous street wall for this length would not be consistent with the balance of Swan Street, which provide street wall breaks every 80-100m because of intersecting side streets.

For the eastern sections of Swan Street, breaks in the street wall are encouraged either within or at the edge of wider allotments in order to provide relief to the street wall. The breaks could function as building entry and access points, or public plazas that are activated by adjoining land uses.



Service Station in the eastern sections of Swan Street



- LEGEND**
- BOUNDARIES**
- Site Boundary
  - Precinct Boundaries
- MOVEMENT NETWORK**
- Train Station
  - Bridge
- INTERFACES/EDGES**
- Railway Reserve
- BUILT FORM**
- Inconsistent Street Setback
  - Improve Street Wall Consistency
  - Provide Ground Level Breaks in Street Wall

FIGURE 19 - SWAN STREET ACTIVE AND INACTIVE FRONTAGES

## PRINCIPLE 4 - VISUALLY RECESSIVE UPPER LEVEL

### SUMMARY OF STRUCTURE PLAN PRINCIPLE

- Heritage and streetscape qualities of heritage precincts and buildings are preserved whilst allowing sympathetic and responsive opportunities for development
- Additional levels should be sufficiently set back from the front building line they will not unacceptably detract from the valued streetscape character generated by lower forms
- Upper forms can be made more 'recessive' through materials or colours.
- The proportion of the upper forms occupying the view from across the street to approximately one third of the total view and the lower forms should occupy two thirds
- For areas where there is a consistent 10m street wall an upper level setback of 6m is recommended
- For areas where a street wall height of between 12m to 14m a preferred upper level setback of 3m is recommended.



### TESTING THE PRINCIPLE

The principle of having visually recessive upper levels is supported in the Swan Street Activity Centre, particularly in heritage areas to ensure the heritage built form maintains its prominence in the streetscape. Setbacks are necessary to retain the historic scale of the two to three [Victorian-era] storey street wall along Swan Street, ensure key heritage elements of heritage places remain prominent and legible [including the consistent application of parapets to the street frontage of heritage buildings]. The setback ensures that the new built form remains a recessive element, and, ensure that heritage buildings are read "in the round" rather than as thin façades.

For heritage areas, a primary upper level setback of 5m from the street wall is recommended and supported by the GJM Heritage Study. This dimension roughly represents a bay width of between approximately 3.5m and 5m or approximately 1 bay in depth. This is recommended for all heritage precincts, including H0335 Swan Street Precinct, H0332 Richmond Hill Precinct, H0315 Church Street Precinct, H0474 Proposed Burnley Street Precinct, and any individually significant heritage buildings with a heritage overlay.

In addition to a 5m upper level setback, the 'one third - two third' principle has been applied in heritage areas. This ensures that the heritage facade remains the dominant element in the streetscape by occupying two thirds of the view from across the street and the upper levels are recessed to occupy one third of the view. Refer to Figure 21.

This principle utilises a measure of 11m from the ground level to calculate the bottom 'two - thirds' of the view, in order to calculate the upper 'one - third' setback. It is recommended that this principle is applied with some flexibility in order to promote consistent upper level setbacks with adjoining development and avoid excessive stepping of façades.

The 'one third - two third' setback principle is generally effective for areas where lower building heights are proposed i.e. up to 6 storeys. For development of up to 10 storeys with no heritage controls, the typical 'one third - two third' setback principle with a three storey street wall will result in an upper level setback of up to 24.4m for the

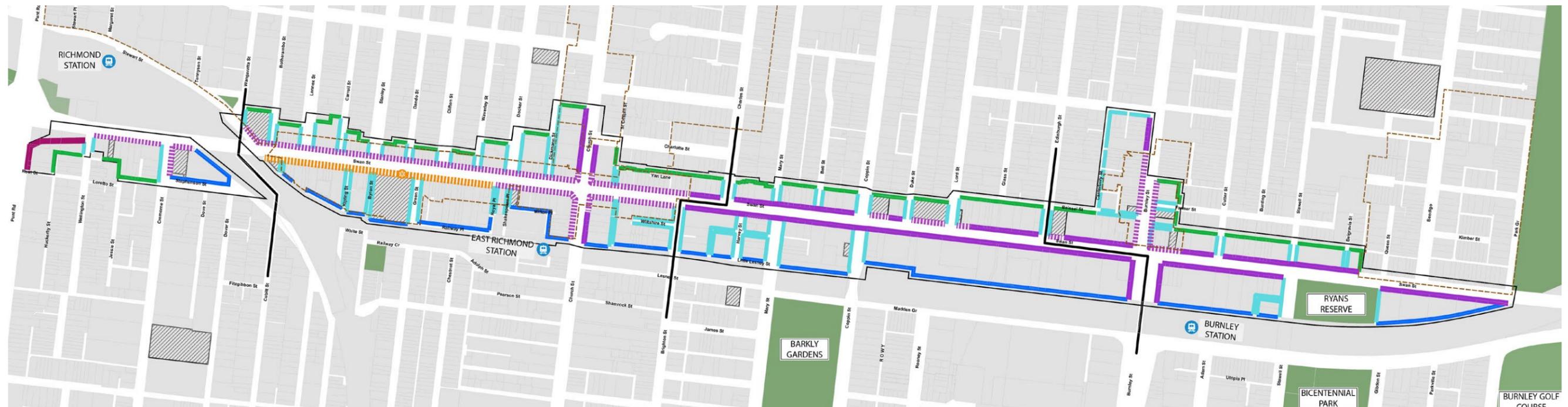
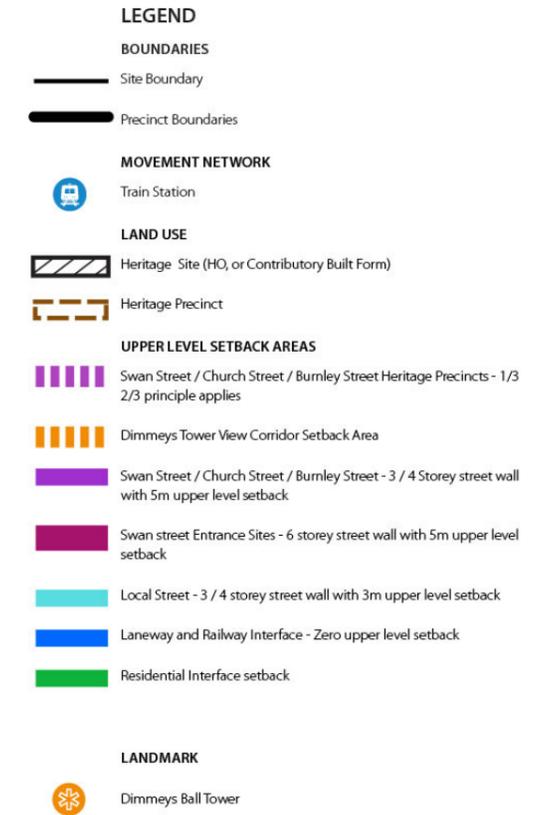


FIGURE 20 - STREET INTERFACES WITH DIFFERING UPPER LEVEL SETBACK CONTROLS

10th level. This is considered to be excessive and would limit development opportunities across the eastern sections of study area where there is a minimal heritage presence.

For these areas of taller ultimate heights, an upper level setback of 5m from a four storey street wall is recommended [refer to Figure 22]. This will create a character where there is a stronger presence of upper levels to the street. Creative facade design should be encouraged in these areas to reduce visual bulk to the street. This is evident in the building articulation and facade design proposed at 462-468 Swan Street.

The GJM study provided more detailed recommendations for setbacks to side streets for heritage buildings. The study notes that each site requires a tailored setback based on the design of the heritage building and whether the site is located on a major road.

The returns of façades at the numerous corner sites along Swan Street, typically have a bay width [that is the distance between the centres of the windows or pilasters] of between approximately 3.5m and 5m [11' to 16']. GJM recommend that for these sites the 5m setback applied to the Swan Street frontage should also be applied. The retention of the 5m setback from the Swan Street frontage will ensure that buildings can be appreciated as three-dimensional forms and avoid 'façadism'.

On intersections between Swan Street and major cross streets, buildings often have return façades and splays used together. The splays on these corners are larger – up to approximately 9.5m wide in the case of 238 Swan Street. GJM recommend that for these sites the 5m setback applied to the Swan Street frontage should also be applied.

Returns of façades on minor (north-south orientated) streets generally have no splay or a much smaller splay of no more than 1.2m in width. GJM noted that due to the variety of different façade return conditions evident on minor streets, cross street setbacks should be articulated as a 5m discretionary setback as flexible design approaches are required.

Upper level setback controls can often result in undesirable outcomes, with 'wedding cake' building design outcomes often occurring. The Built Form Framework recommends that variations in upper level setbacks are minimised. A requirement for 65% of all upper level setback provided as a common setback has been recommended.

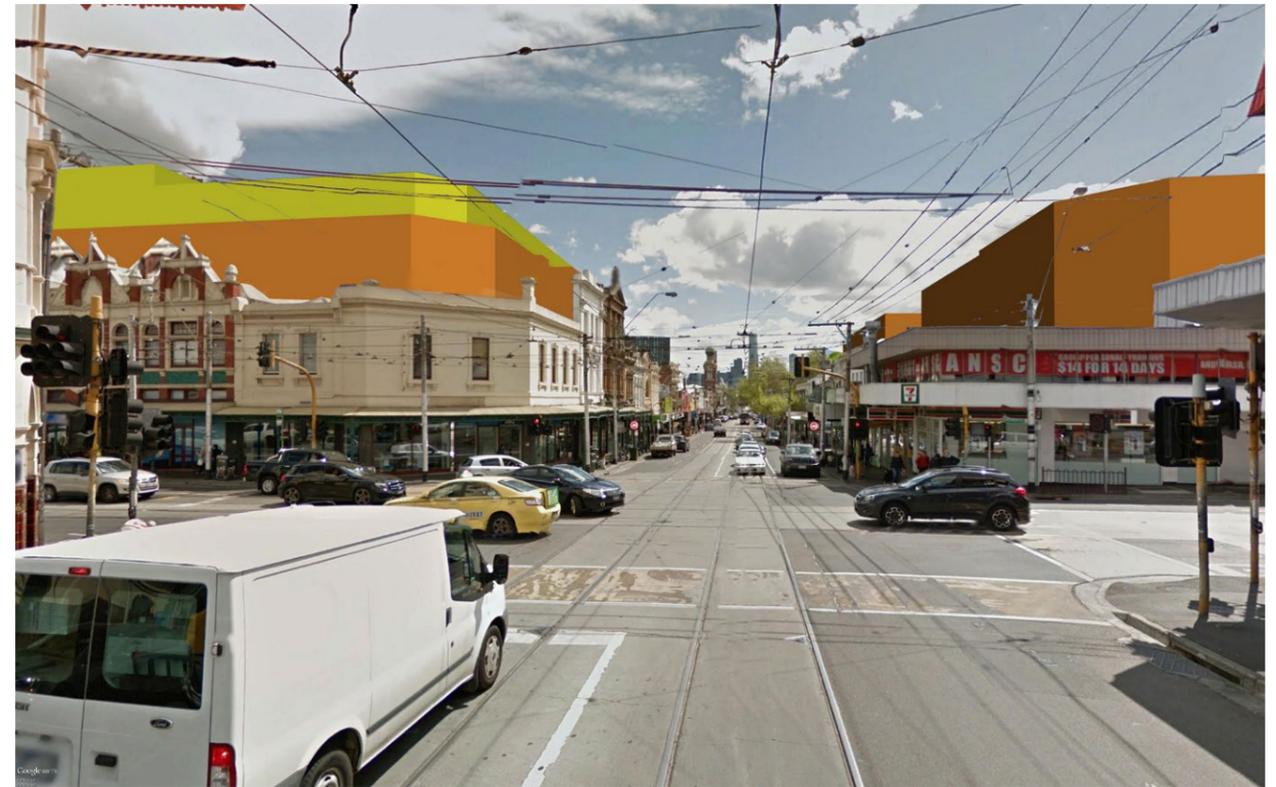


FIGURE 23 - 3D MODEL VIEW FROM CORNER OF CHURCH AND SWAN SHOWING PROPOSED UPPER LEVEL SETBACKS (IMAGE SOURCE: GOOGLE)

- LEVELS 4-6: 5m street setback from Church and Swan Street
- LEVELS 7-8: Set back in accordance with 1/3 - 2/3 guideline

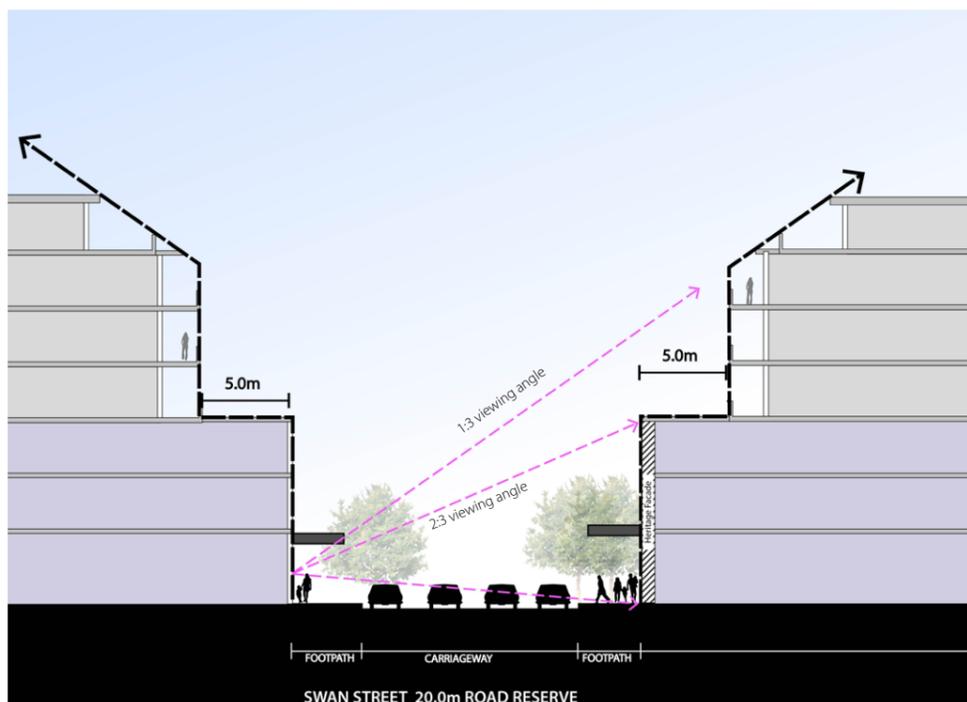


FIGURE 21 - ONE THIRD, TWO THIRD PRINCIPLE APPLYING TO HERITAGE STREETScape AND BUILT FORM OUTSIDE OF DIMMEYS VIEWSHED

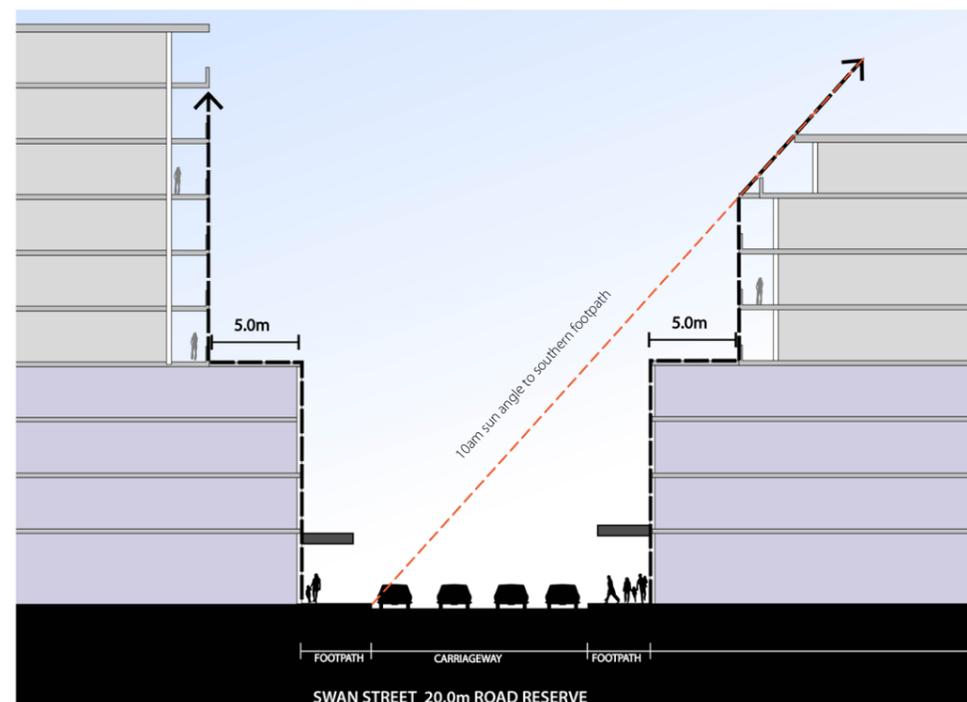
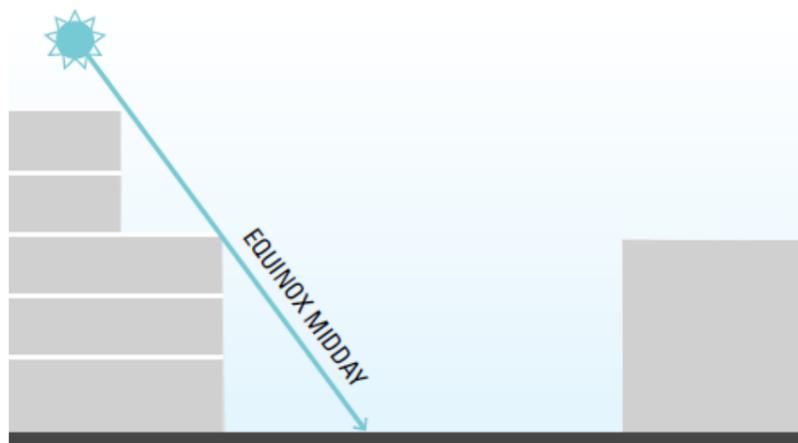


FIGURE 22 - 5M SETBACK WITH A FOUR STOREY STREET WALL, WITH NO HERITAGE FACADE OUTSIDE OF DIMMEYS VIEWSHED

## PRINCIPLE 5 - SOLAR ACCESS

### SUMMARY OF STRUCTURE PLAN PRINCIPLE

- Focuses on maintaining solar access to key footpaths in Swan Street and Church Street. It recommends that the height of buildings should ensure that solar access is maintained between 10am and 2pm to at least one footpath of Church Street and Swan Street at the equinox.



### TESTING THE PRINCIPLE

This principle is strongly supported in the Built Form Framework Study. Solar access to footpaths is critical to the success of the centre, particularly as retail and hospitality uses intensify. The absence of dedicated public open spaces in the centre means that the footpaths are particularly important.

The map below identifies a number of streets where sunlight should be maintained to footpaths at key times. Building heights and setbacks will need to be implemented to ensure this outcome is achieved.

The southern footpath of Swan Street is a key public space in the Activity Centre that will become even more important as the population increases. New development on the north side of Swan Street has potential to overshadow this footpath and will need to be carefully controlled. The Built Form Framework recommends that buildings do not overshadow the southern footpath of Swan Street from 10am at the equinox (22 September).

A footpath width of 4m is identified for Swan Street. Although the existing footpath is narrower in some locations, the 4m width ensures that sunlight is provided to the footpath if it is widened into the future.

In heritage locations, the application of the 1/3 - 2/3 principle will require a greater set back than the solar access requirements to the southern footpath as seen in Figure 26.

A number of north-south street are also identified on the plan below as locations for solar access. These include Church Street, Burnley Street and local streets. The recommendation ensures sunlight is maintained to either the eastern or western footpath between 10am and 2pm at the equinox (22 September). This is applied as a discretionary requirement because of the lower order pedestrian role these streets play.

For Church Street and Burnley Street, a 3m footpath width is identified and for local streets a 2m footpath width is identified.

In addition to the footpaths, two other spaces are recommended for solar access including Ryans Reserve and the potential park adjacent to East Richmond Station.

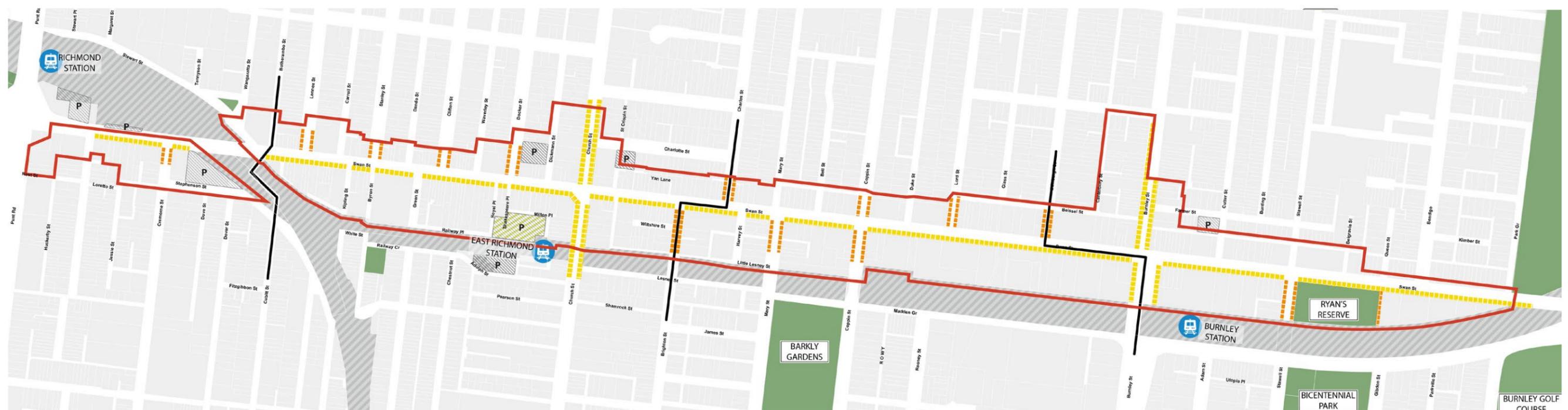


FIGURE 24 - STREETS TO MAINTAIN SOLAR ACCESS BETWEEN 10AM AND 2PM ON THE EQUINOX (22 SEPTEMBER)

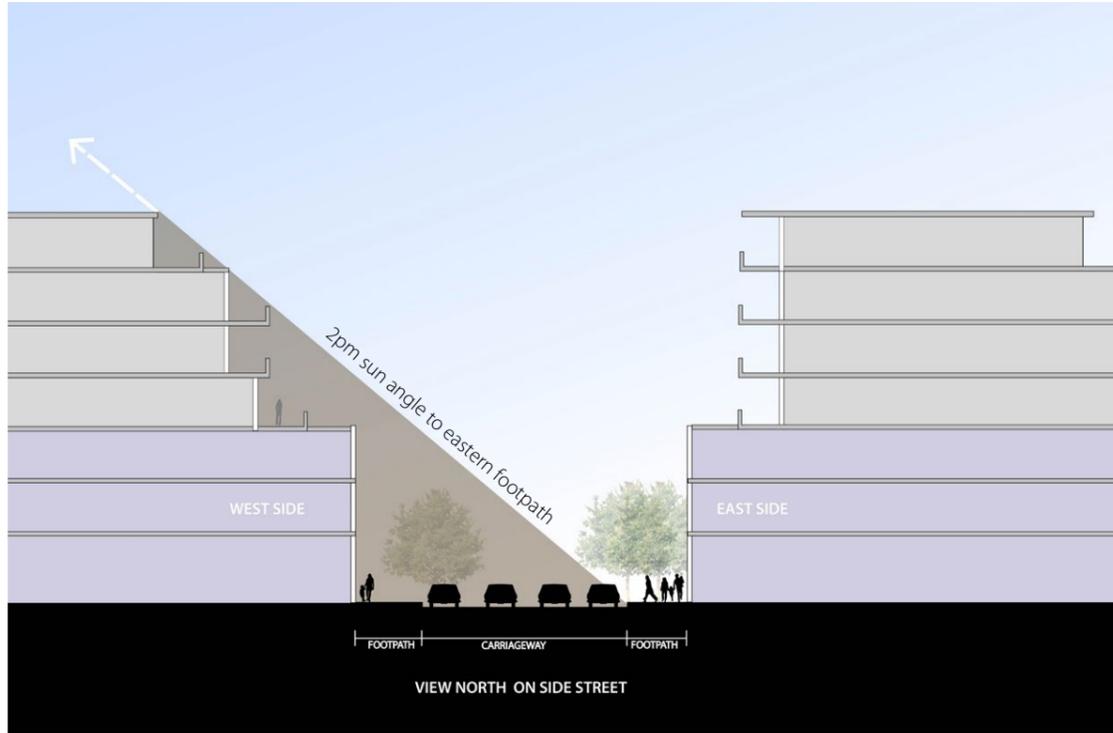


FIGURE 25 - SETBACKS DIAGRAM TO PROTECT OVERSHADOWING OF THE EASTERN FOOTPATH - OVERSHADOWING DIAGRAM DIFFERS BASED ON STREET WIDTH

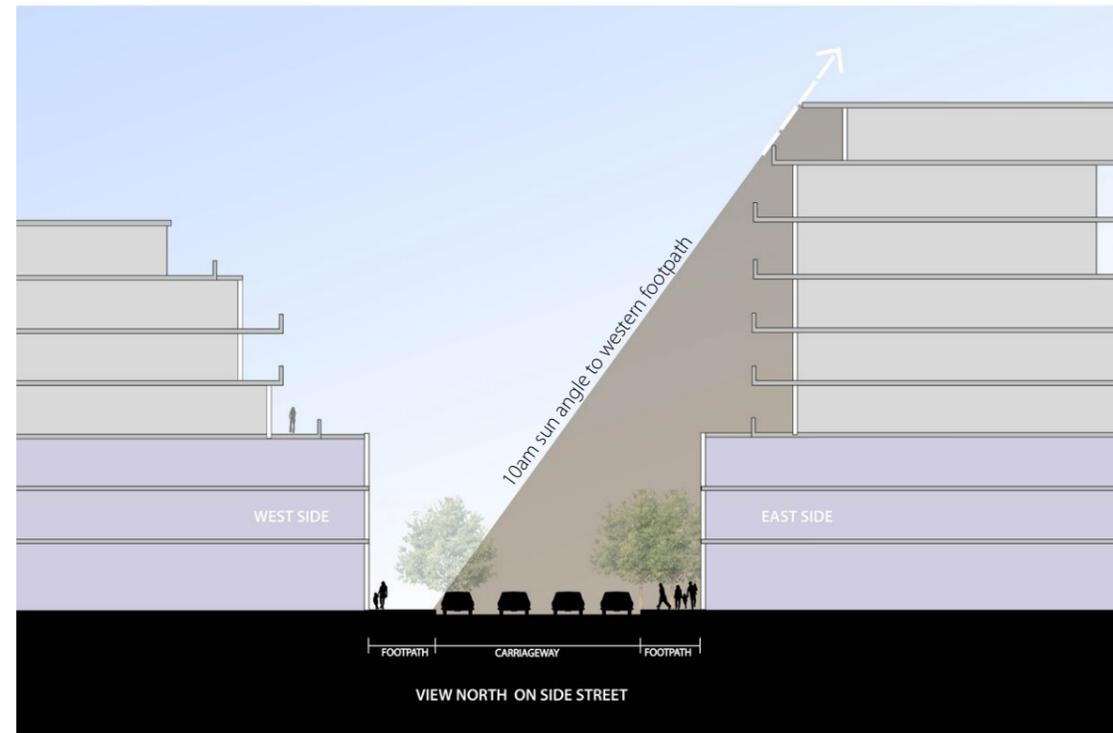


FIGURE 26 - SETBACKS DIAGRAM TO PROTECT OVERSHADOWING OF THE WESTERN FOOTPATH - OVERSHADOWING DIAGRAM DIFFERS BASED ON STREET WIDTH

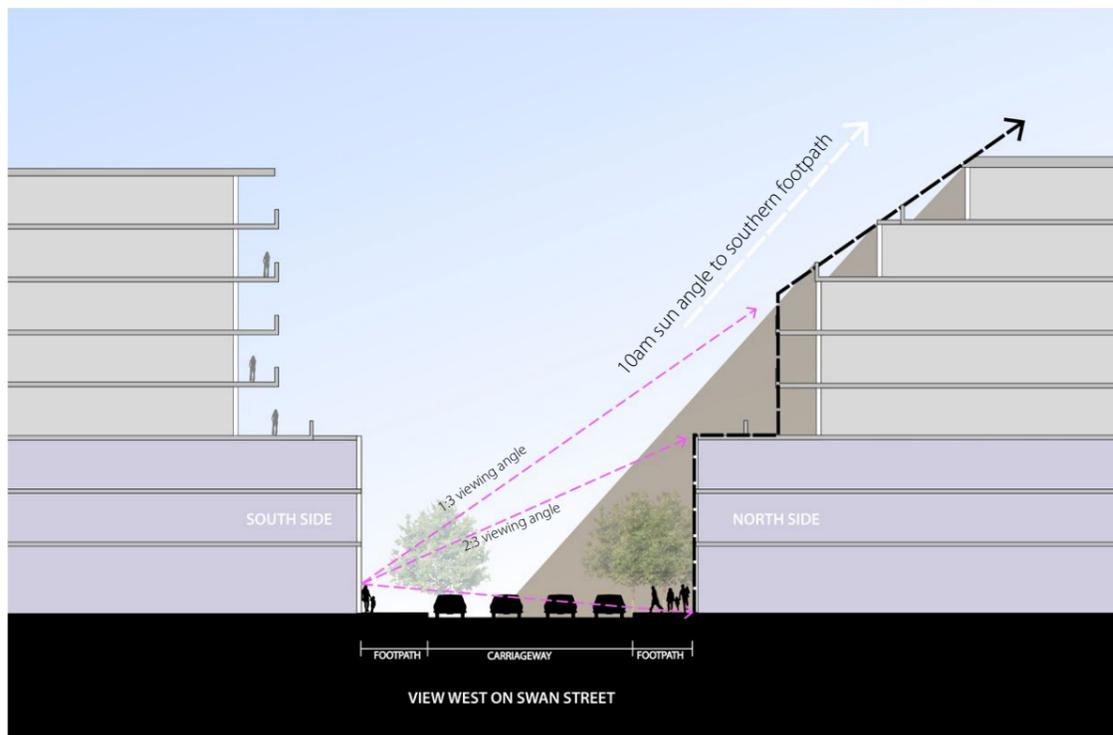
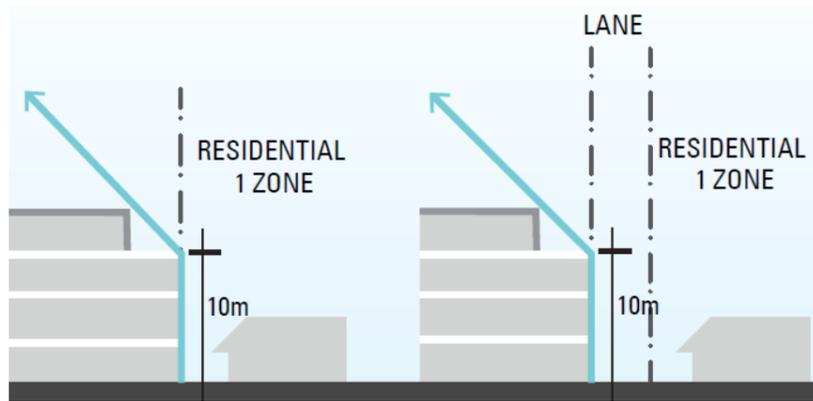


FIGURE 27 - SETBACKS DIAGRAM TO PROTECT OVERSHADOWING OF THE SOUTHERN FOOTPATH - THREE STOREY STREET WALL SCENARIO IS IMPACTED MORE BY 1:3 2:3 RULE THAN OVERSHADOWING ON THE SOUTHERN FOOTPATH

## PRINCIPLE 6 - RESIDENTIAL INTERFACE

### SUMMARY OF STRUCTURE PLAN PRINCIPLE

- New buildings should be 'stepped back' from a maximum of 3 storeys (10m) adjacent to the site boundary above which a building should be setback at a ratio of 1:1 for any additional building height
- Residential properties adjacent to activity centres must temper their expectations in relation to amenity protection



### TESTING THE PRINCIPLE

The principle of providing a height and setback transition between commercial properties and abutting residential properties should be provided within the Swan Street Activity Centre. The Built Form Framework supports the Structure Plan which notes that residential properties must temper their expectations in relation to amenity protection. This view has been supported in a number of VCAT decisions within the Activity Centre.

The majority of residential properties are located on the north of the study area. This means that there will be no shadowing impacts from the future development sites. Any impacts that are likely to occur are by new developments overlooking existing private open space, or through excessive visual bulk when viewed from the adjoining residential property.

Appropriate residential interfaces also allow for a gradual transition in height between existing residential properties, and newly developed commercial and residential apartments. This can assist in managing relationships with existing residents, and also in limiting perceived visual bulk of new buildings at this interface.

The Structure Plan recommends that a 3 storey wall can be built to the adjoining residential boundary. The Built Form Framework tested this outcome and found that this impact would be too great on the predominantly single storey dwellings abutting the study area. Particularly views from private open space. Recent DDO's in Moreland [Clause 43.02 Schedule 18] articulate a similar position, and have supported reduced development heights abutting residential interfaces.

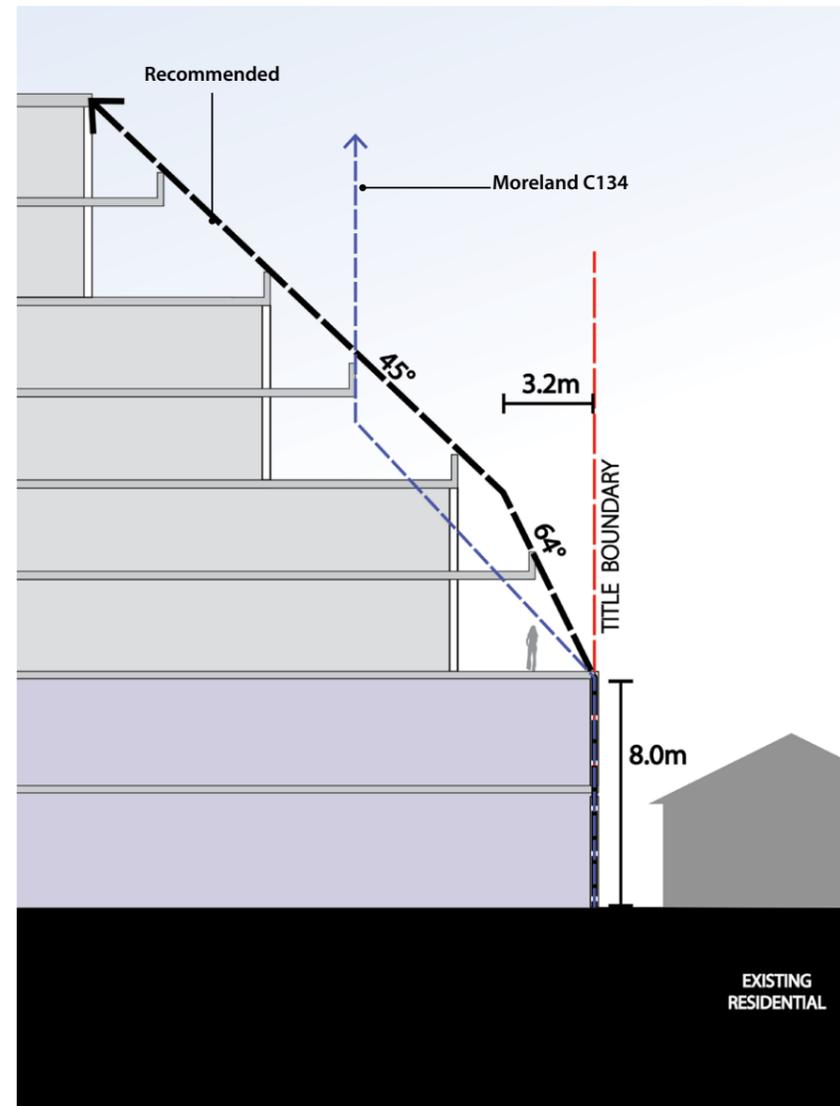


FIGURE 28 - DIRECT RESIDENTIAL INTERFACE TO NORTH

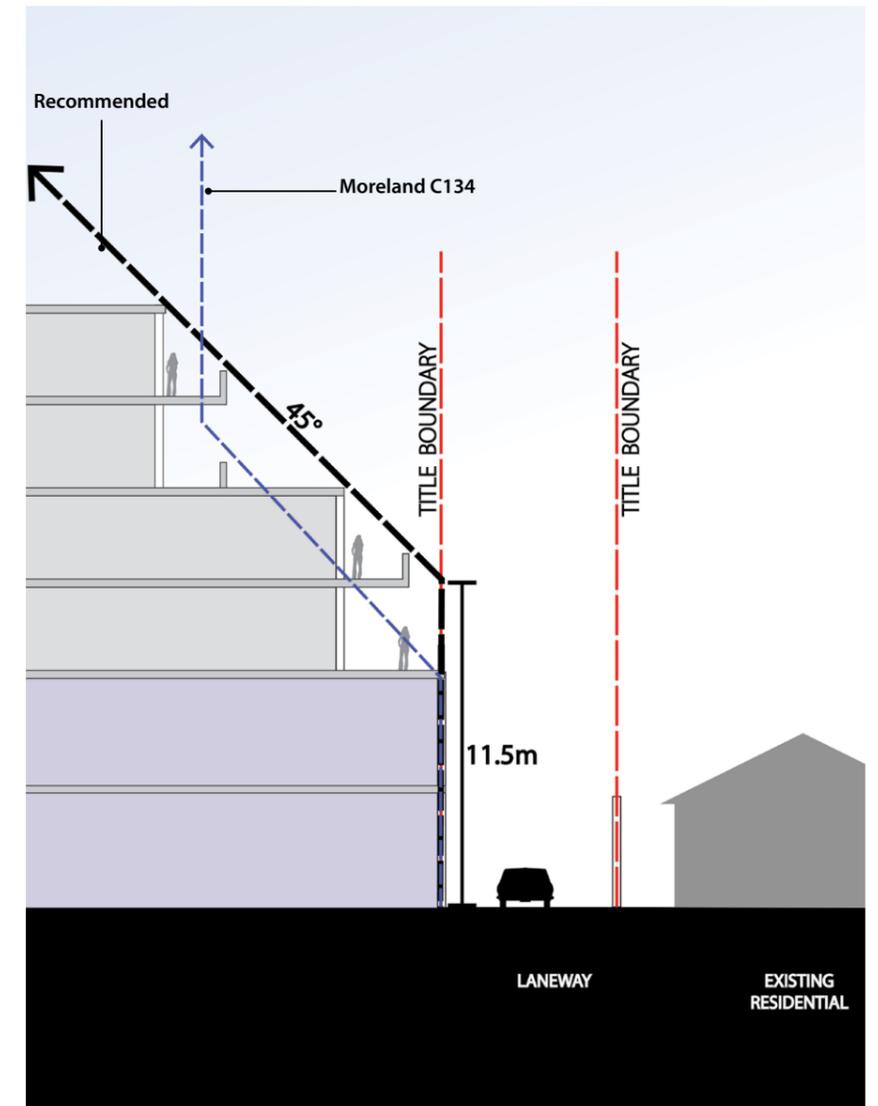


FIGURE 29 - RESIDENTIAL INTERFACE WITH LANEWAY TO NORTH

The Built Form Framework recommendations are shown below. Figure 28 applies to properties where there is a direct residential interface with no laneway separation. This facilitates two levels of commercial development (typically with 4m floor - to floor heights) at the common property boundary. From the 8m interface, the envelope sets back at 1:2 [64 degrees] for the next two levels of development. Additional levels (above four storeys) are recessed at 1:1 [45 degrees].

Where development abuts a laneway, a different interface is recommended because of the separation provided by the laneway. This enables 11.5m [3 storeys] to be built to the edge of the laneway, before recessing at 1:1 [45 degrees]. Refer to Figure 29 below for an example of this interface diagram.

Overlooking to private open space of existing residences is likely to be an issue particularly where no laneway exists between properties. New development should not have to rely on screening or obscured glass to mitigate this issue. The new development should ensure that there is no view line from a habitable internal space to adjoining existing private open space to within 9m horizontal distance of the window.

In addition to the setback diagrams, it is recommended that excessive stepping of upper levels is minimised to provide a more consistent and higher quality built form outcome.

The residential interface recommendations aim to strike a balance between reducing the visual impact of development to residential areas whilst allowing for smaller properties Swan Street to be feasibly developed.

Due to the range of development opportunities, lot depths and interface scenarios through the Swan Street Activity Centre, these residential interface controls should be discretionary to allow for site specific outcomes to occur.

**LEGEND**

**BOUNDARIES**

- Site Boundary
- Precinct Boundaries

**MOVEMENT NETWORK**

- Train Station
- Railway Reserve

**INTERFACE**

- Laneway Separation to Residential
- Direct Residential Interface
- Existing Car Park

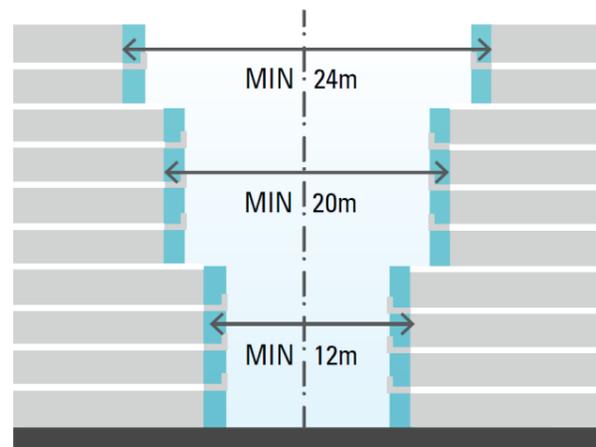


FIGURE 30 - SWAN STREET RESIDENTIAL INTERFACES PLAN

## PRINCIPLE 7 - BUILDING SEPARATION

### SUMMARY OF STRUCTURE PLAN PRINCIPLE

- The separation of taller buildings (development above 4 storeys) can affect the internal amenity of neighbouring buildings and so too the amenity of the surrounding public realm.
- A minimum tower separation of 20m above four storeys is considered appropriate between buildings to allow good natural light into buildings and reasonable outlook
- Development should ensure that good daylight and privacy and an outlook from habitable rooms for both existing and proposed development can be provided



### TESTING THE PRINCIPLE

#### Side and Rear Setbacks for amenity

Determining appropriate building separation on a development is a complex process, which needs consideration of the neighbouring properties and future development outcomes on those properties.

Specifying separation distances of the scale specified in the Structure Plan (diagram above) is likely to have a significant impact on development yields on many sites in the Swan Street Activity Centre. The building heights outlined in Chapter 4 will not be achieved on many sites where this is applied.

In addition, calculating sunlight to dwellings is a complex exercise that requires detailed design to be undertaken including location of windows, living spaces and specification of building materials.

The Better Apartment Design Standards are implemented into Clause 58 of the Yarra Planning Scheme and outline objectives and design standards for building setback and separation through Clause 58.04.

These objectives relate to allowing adequate daylight into apartments, limiting views to habitable rooms and private open spaces, ensuring that building setbacks provide appropriate internal amenity for residents, and to ensure that building setbacks respond to the existing urban context, or the preferred future development context of an area.

In addition to this Clause, the Built Form Framework recommends a discretionary minimum setback of 4.5m above the street wall for new apartments where a primary outlook or balcony is proposed. This will enable the adjoining property to be developed in a similar manner, and allow a total of 9m separation between apartments on both properties.

Where a secondary outlook or commercial window is proposed to a common boundary, a smaller setback of 3m is supported to enable opportunities for light into buildings and articulation of façades.

#### Building Separation for character

Horizontal visual bulk of upper levels is likely to be a key issue along the rail corridor and in the eastern sections of the study area where lot depths allow for taller development, and where properties are wide and there are no streets to break the horizontal built form. It is recommended that upper level side setbacks greater than 4.5m are provided to create separation and visibility of sky between developments.

The built form recommendations identify specific locations where these upper level breaks should occur. These locations align with existing north-south streets on the north side of Swan Street and existing easements, which is intended to provide some relief of built form when approaching Swan Street from residential areas.

#### Unarticulated Walls

Another key consideration is the visibility of unarticulated walls built to the side or rear boundaries of allotments. These walls are generally visible from oblique views along a streetscape and provide an undesirable element. This is a common outcome on narrow allotments as development is oriented with habitable rooms towards the street frontage and rear boundary.

Unarticulated side walls on taller developments (greater than 6 storeys) will have big visual impact on streetscapes, particularly if neighbouring allotments don't redevelop in the near future, or at all.

To address this, development above 6 storeys should also be designed read 'in the round', which would require all visible façades to be articulated.

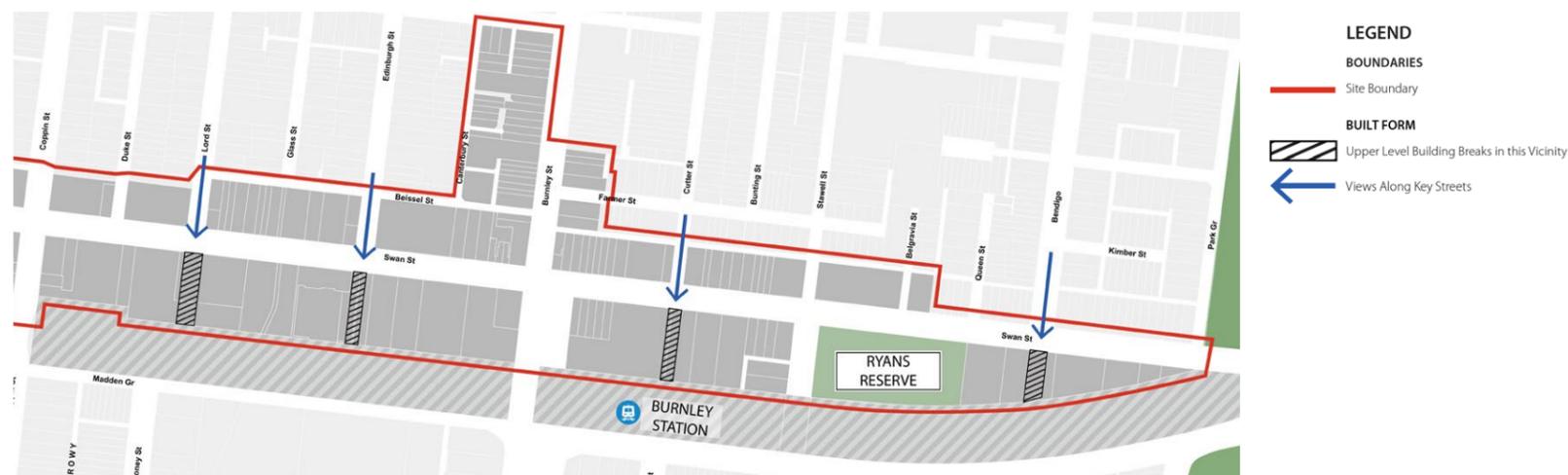


FIGURE 31 - UPPER LEVEL BUILD BREAKS LOCATED IN THE EASTERN PORTION OF SWAN STREET

### 3.4 NEW BUILT FORM PRINCIPLES

The following principles have been developed to provide additional guidance for built form in the Swan Street Activity Centre.

#### NEW PRINCIPLE 1 - MID-RISE CHARACTER

##### SUMMARY OF NEW PRINCIPLE

- Building heights within the Swan street Activity Centre reflect a mid-rise character seen elsewhere in Yarra’s Activity Centres
- Opportunities for higher scale built form is provided on sites where development will have minimal visual or amenity impacts
- Typical Mid Rise Character ranges between 5 and 12 storeys in height.
- Application of the proposed front and rear setbacks across the study area results in a mid-rise character.

#### TESTING THE PRINCIPLE

The Swan Street Activity Centre is located within the inner ring of suburbs surrounding the Melbourne CBD. Like other inner Melbourne Activity Centres it is expected to accommodate additional growth, which will be provided in buildings taller than existing 2-4 storey built form.

This change is starting to occur in similar activity centres in Yarra including Bridge Road, Victoria Gardens and Smith Street where low scale shopfronts are being replaced or redeveloped into mixed use buildings. These buildings typically range from 5 to 12 storeys, which reflects a mid-rise scale that is appropriate to the surrounding residential context and role of the Activity Centres.

Swan Street shares similar characteristics to these other centres in that it is located within the inner ring of Melbourne, it has a significant presence of heritage buildings, it is predominantly strip based and existing low scale housing either abuts or is located nearby the centre. The application of the front and rear setbacks to reflect these interfaces across the study area results in a mid-rise character.

It is recommended that the building height approach of Swan Street is similar to other Activity Centres in Yarra where a mid-rise character is adopted with

opportunities for higher scale development on sites that have minimal visual and amenity impact.

Building scale along the northern side of Swan Street is limited by solar access and residential interface constraints. This establishes a general height of around 5-8 storeys. On the south side of Swan Street, towards the rail line and further east, there are sites that could accommodate taller buildings with limited impacts.

It is important that the buiding heights for less constrained sites on the southern side of Swan Street are compatible with the more constrained sites on the northern side of Swan Street and within the heritage precinct. This will ensure a 'balanced' streetscape by providing a similar scale of building on either side of Swan Street.

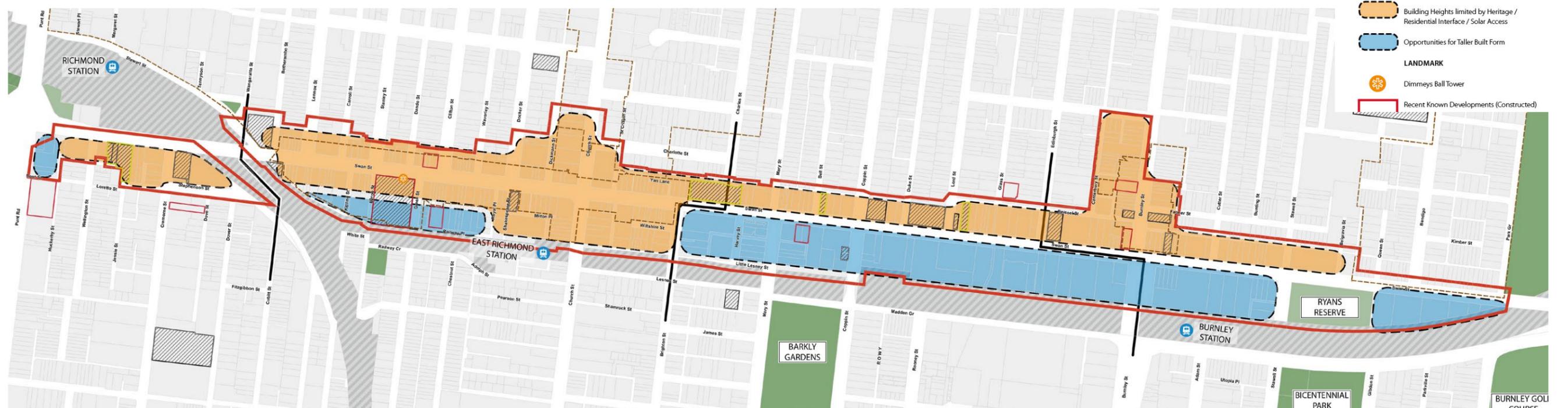


FIGURE 32 - MID RISE CHARACTER AND CONSISTENCY OF THE STREET

## NEW PRINCIPLE 2 - PROTECT AND ENHANCE KEY VIEWS TO THE DIMMEYS TOWER

### SUMMARY OF THE NEW PRINCIPLE

- Building heights and setbacks in the vicinity of the Dimmeys Tower ensure the landmark remains as the principal built reference
- New development must be set back to make the tower visible and give it space along key view lines on Swan Street
- Design of adjoining buildings should not compete with detail of the Ball Tower structure

### TESTING THE PRINCIPLE

The primary public realm viewing corridor for the Dimmeys Tower is defined between the rail bridge in the west and the apex of the hill in the east around the intersection of Swan and Charles Street. Within this corridor the portion of the Tower that is highly visible is the section band, including the rectangular openings, clock face and ball. Visibility of these elements should be protected when approaching from the east and west to reinforce the tower's landmark status in the street. VCAT decisions have determined that the Dimmeys' ball element that is the significant feature, and needs protection.

To achieve this appropriate upper level setbacks should be provided to ensure there is clear sky between new development and the existing Dimmeys Tower.

Visibility of the Dimmeys Tower has been tested through 3D modelling to understand how an acceptable setback to new development could be applied. The 3D modelling superimposes future building envelopes within an existing 3D model of the street. Using this method a number of upper level setback scenarios were tested.

Based on 3D modelling prepared for this purpose, a minimum setback of 10 metres to a building height of six-storeys (approximately 21 metres in height) is appropriate between the former Richmond Post Office and Royal Place in order to achieve this visual separation. Larger setbacks would increase this visual separation, however the 3D modelling has suggested that a 10m setback would be the absolute minimum in retaining the prominence of the Dimmeys Tower.

Based on the modelling, further to the east, a setback of only 5m is appropriate between Royal Place and Church Street to a building height of six-storeys (approximately 20 metres in height).

There is also a need to protect the visual prominence of the Dimmeys Tower from developments greater than six-storeys in height, requiring a further setback. Through the use of the 3D modelling, it has been identified that a 20 metre setback from Swan Street for any built form above six-storeys is the necessary minimum to protect the upper portion of the tower.

These setback recommendations have been supported by the GJM Heritage Study. The GJM study also recommends mandatory setback controls as the heritage importance of the tower meets the exceptional circumstances required by practice notes.

In addition to the setbacks, it is recommended that new development nearby the tower is designed sensitively to complement rather than compete with the unique form and detail of the Dimmeys Tower. In the case of *Richmond Icon Pty Ltd v Yarra CC VCAT 2175* [8 November 2011], the Tribunal found that, to ensure that new development does not compete with the Dimmeys Tower and provides a calm facade that does not compete for visual primacy.

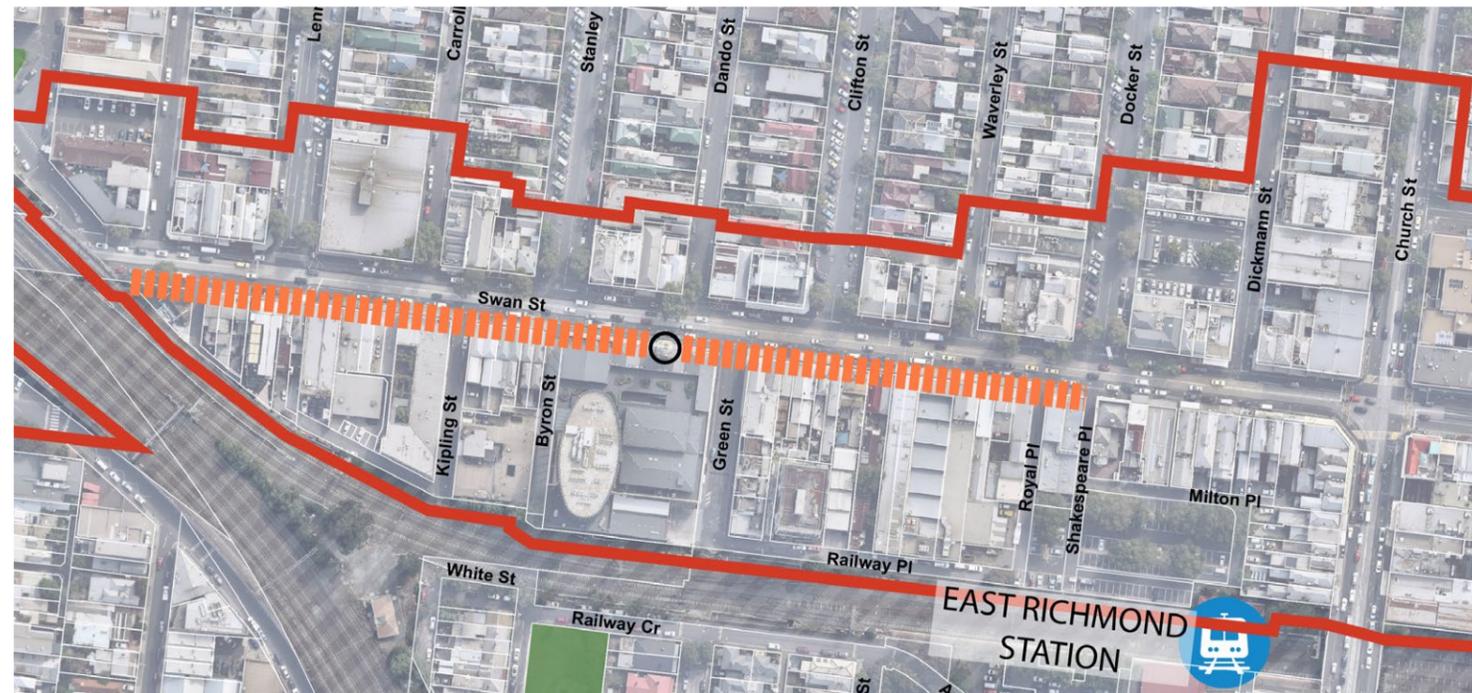
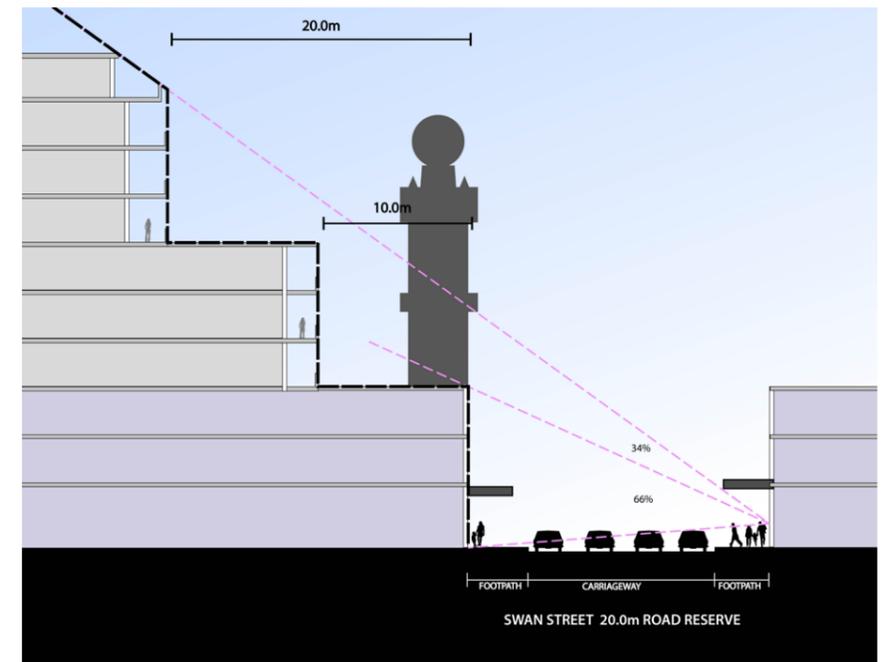
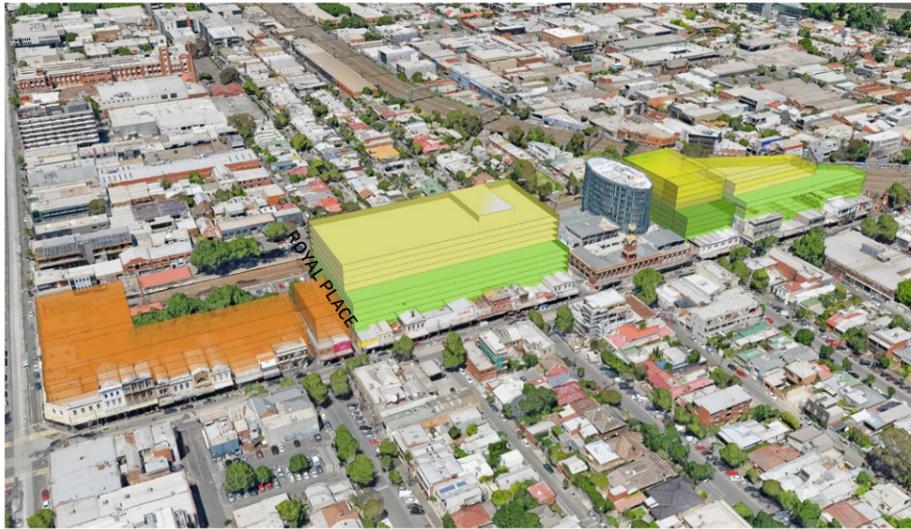


FIGURE 34 - APPLICATION OF THE DIMMEY'S TOWER UPPER LEVEL SETBACK



- LEVELS 4-6: 5m street setback east of Royal Place
- LEVELS 4-6: 10m street setback west of Royal Place
- LEVELS 7-10: 20m street setback



FIGURE 35 - VIEW TO DIMMEYS TOWER LOOKING EAST FROM LENNOX STREET - SHOWING PROPOSED UPPER LEVEL SETBACKS (IMAGE SOURCE: GOOGLE)

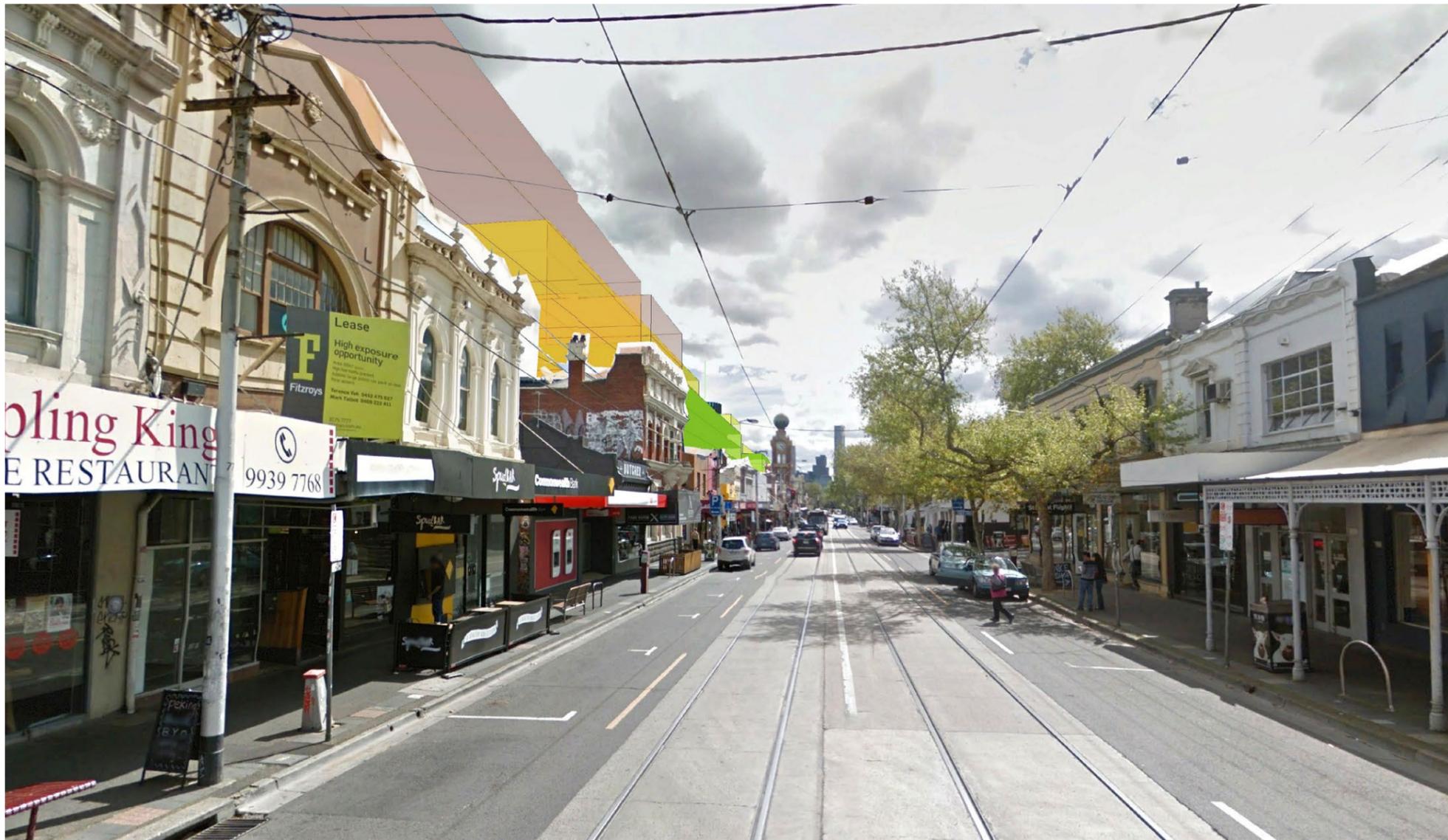


FIGURE 36 - VIEW TO DIMMEYS TOWER LOOKING WEST - SHOWING PROPOSED UPPER LEVEL SETBACKS (IMAGE SOURCE: GOOGLE)

- LEVELS 4-6: 5m street setback east of Royal Place
- LEVELS 4-6: 10m street setback west of Royal Place
- LEVELS 7-10: 20m street setback

## NEW PRINCIPLE 3 - SERVICING OF NEW DEVELOPMENT

### SUMMARY OF THE NEW PRINCIPLE

- Provide for widening of laneways where it is required to ensure existing and future developments can be adequately serviced
- Integrate new laneway systems and mid-block link into properties where no access exists.

### TESTING THE PRINCIPLE

As the Activity Centre grows and intensifies with additional development, so do the servicing and access requirements for buildings. This includes access to car parking for residents, workers and customers, access for service vehicles, and pedestrian and cycle access.

It is important that new development takes advantage of existing service access arrangements through laneways in order to avoid vehicle disruption to footpaths and to tram services. Where no laneway exists, driveway crossovers should be located on secondary frontages and minimised in width.

In a number of locations, the existing laneway width is not sufficient to accommodate service vehicles and passenger vehicles to pass and manoeuvre. Ground level setbacks for buildings will be required to incrementally widen laneways.

Another important consideration is ensuring new development can be accessed adequately by pedestrians and cyclists. On larger sites this may require new mid-block links to provide more direct access to key destinations across the Activity Centre.

The plan on this page identify locations where laneway widening would be required in order to achieve suitable access. These recommendations have been based on traffic analysis undertaken by Traffix Group, who have also recommended where location for temporary laneways should be provided in lieu of the ultimate new road network.

Improved pedestrian access is also detailed in the report, which facilitates development to include appropriate connections for pedestrians and cyclists to connect to key pieces of infrastructure.

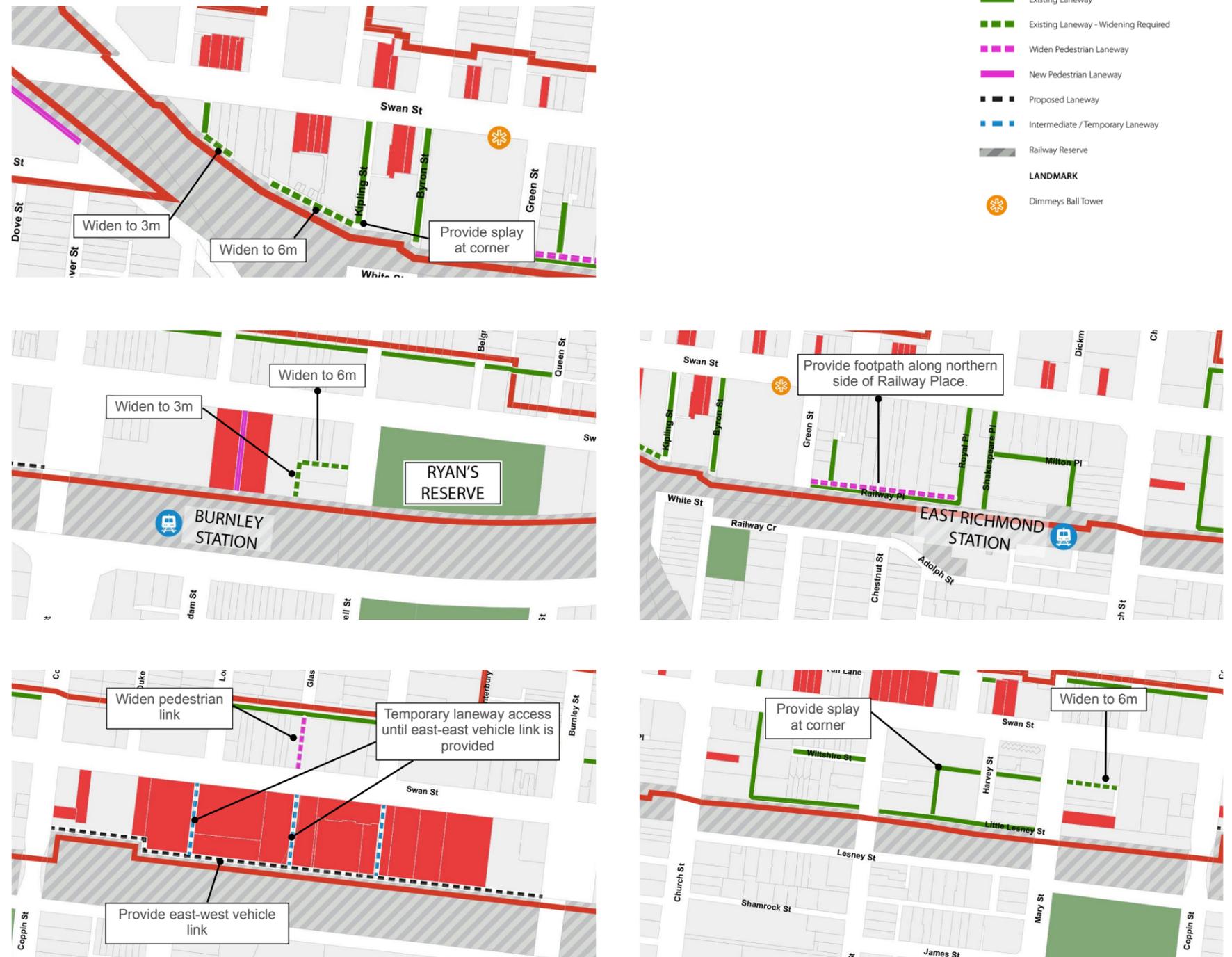


FIGURE 37 - PROPOSED ACCESS IMPROVEMENTS

# 4. THE BUILT FORM FRAMEWORK



## 4.1 LEVEL OF CHANGE

Swan Street is identified as an Activity Centre under Plan Melbourne. It is expected to increase its economic role and population by providing additional shops, jobs, services and housing close to public transport. These additional uses will be provided in new, multi-level buildings that extend above the existing low scale shopping strip.

Some parts of the activity centre are well suited to accommodate this change where properties are large, have no heritage constraints and have limited interface with surrounding residential areas. Other areas are less suited where there is a strong heritage character, or where site depths and direct residential interfaces will limit development opportunities.

This section outlines these opportunities and constraints and identifies an anticipated level of change and future character for each section of the Study Area.

The level of change refers to the difference between what currently exists and what it possible to occur based on the proposed built form recommendations in this report. The plan below identifies areas where the development should reinforce the existing character and other areas where there is an intention to facilitate the renewal of a precinct through higher quality urban form.

The anticipated level of change is mapped below in Figure 34.

### 4.1.1 PRECINCT 1 - RICHMOND STATION

An important precinct at the western entry to the Activity Centre anchored by the Richmond Station and has a strong relationship to the sports precincts including AAMI Park, the MCG and the Tennis Centre. South of the precinct is the Cremorne employment area and educational uses. A lot of people walk through the precinct however the lack of land uses provide limited reasons to stay in the precinct.

There is a minimal presence of built form with varied setbacks and a number of at grade car parks. There is a group of notable historic buildings on the south side of Swan Street and the Precinct Hotel, which is protected by a Heritage Overlay.

#### Constraints:

- The individually significant Precinct Hotel is included in this precinct adjacent to the railway line.
- The GJM report identifies properties at 32-40 Swan Street to be included in a Heritage Overlay.
- A small group of residential properties exist to the south in the western section of the precinct.
- Development opportunities are impacted by the Road Zone 1 boundary which reduces development area on some properties.

#### Opportunities:

- Significant opportunity to create a strong sense of built form at important entry.
- Opportunity to provide land uses which complement the adjoining railway station, sports precinct and employment areas.

- The railway station presents a major redevelopment opportunity that could create a local landmark and public space for the centre. The Station and northern side of Swan Street are subject to more detailed planning through the Streamlining Hoddle Project and Flinders Street Station to Richmond Station Corridor Investigation.

#### Preferred Character:

The Western entry to Swan Street is transformed into an exciting place anchored by the Richmond Station. Activity spills out from the station into shops and hospitality uses either side of the street and alfresco dining areas along footpaths. It is a key destination for surrounding employment and educational uses in the Cremorne area.

The entry is defined with high quality, contemporary buildings that wrap around from Hoddle Street into Swan Street. These buildings set the tone for a development quality that extends throughout Swan Street. A diversity of land uses are provided in a mix of wider and narrower frontages.

Looking east, the Precinct Hotel maintains its prominence in the streetscape. Other heritage shopfronts sit comfortably next to contemporary buildings that provide a similar scale to the street. New development sits behind this well-defined street wall providing additional uses and people in the precinct.

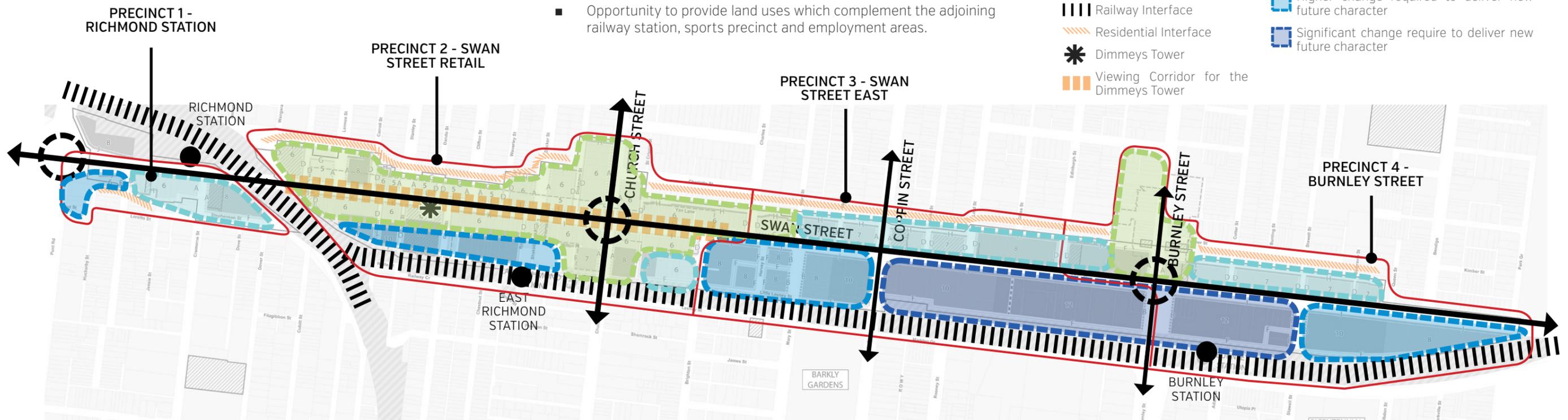


FIGURE 38 - SWAN STREET LEVEL OF CHANGE PLAN

#### 4.1.2 PRECINCT 2 - SWAN STREET RETAIL

The Swan Street Retail Precinct provides the strongest heritage built form character in the Activity Centre. A consistent street wall is provided with predominantly two storey heritage shopfronts and occasional higher scale heritage buildings such as the Maples Building and the Swan Hotel. The Dimmeys Towers is a major landmark and its prominence is recognised and protected in a number of planning policies.

The fine grain shopfronts provide for a high level of visual interest and variation of street based activity.

Recent development demonstrates potential for taller development up to 10 storeys on the south side away from the Swan Street frontage.

##### Constraints:

- The precinct is considered a prized heritage streetscape covered by a Heritage Overlay with a number of significant and contributory buildings. A number of individually significant buildings are located in the precinct.
- The Dimmeys Tower is a major heritage landmark and views to the tower will need to be protected.
- The entire northern interface is bordered by residential uses with no laneway separation. Visual bulk and overlooking will be key issues for new development. Development on these properties will require a suitable transition in height.
- A small area bordered by Little Lesney Street, Wiltshire Street and Brighton Street includes a group of townhouses and detached dwellings. These properties are located within the Mixed Use Zone.
- Lot sizes on the northern side of Swan Street are constrained for development because of shallow lot depths and narrow frontages.
- Solar access to the southern footpath of Swan Street must be provided at key times of the year. This will limit building heights on the north side of Swan Street.
- Solar access to the east and west footpaths of Church Street, Lennox Street, Stanley Street and Docker Street should be provided at key times of the year. This will impact on building heights and setbacks.
- The existing car park south of Milton Place is a potential future open space. Sunlight to this space will need to be provided at key times of the year.

##### Opportunities:

- Lot sizes are deep on the south side of Swan Street and interface with the railway line with minimal amenity impacts.
- Opportunity to improve activation of smaller streets and laneways throughout the precinct.

##### Preferred Character:

Precinct 2 is the major focus for hospitality and retail uses within the Activity Centre provided within existing fine-grain, heritage shopfronts. The footpaths are key public spaces providing opportunities for outdoor dining and public engagement. Activated linkages to East Richmond Station connect people to a new public space for the community to gather.

Looking along Swan Street, the intact heritage buildings define the streetscape with new, contemporary development set behind and recessive to the heritage façades. The Dimmeys Tower remains a clear focal point in the street standing out from surrounding buildings.

Higher scale development is visible towards the railway line however it is designed and spaced to contribute to an interesting skyline, and remain subservient to the heritage streetscape. In these streets there is a different feel with buildings providing a stronger sense of enclosure to the laneways and streets. These buildings and others across the precinct activate streets with businesses and housing.

#### 4.1.3 PRECINCT 3 - SWAN STREET EAST

Precinct 3 is located east of the apex of the hill on Swan Street and has a less consistent character than the retail precinct to the west. Buildings are generally built to the street edge on the north side of Swan Street however on the south side there are a number of at-grade car parks and buildings of varying width and character.

A small number of individual heritage properties are included within the precinct on the north side of Swan Street. These buildings vary in terms of architectural style and height.

There are small laneway networks on the south side of Swan Street. These areas provide an opportunity for a different character and improved activation.

##### Constraints:

- Five individual heritage overlay buildings are located in the precinct mostly on the northern side of Swan Street.
- The entire northern interface is bordered by residential uses with laneway separation for most properties. Visual bulk and overlooking will be key issues for new development.
- Lot sizes on the northern side of Swan Street are somewhat constrained for development because of lot depths and narrow frontages. However the presence of a rear laneway for most properties improves development potential.
- Solar access to the southern footpath of Swan Street should be provided at key times of the year. This will impact on building heights and setbacks on the north side of Swan Street.

- Solar access to the east and west footpaths of Coppin, Lord and Mary Streets should be provided at key times of the year. This will impact on building heights and setbacks.
- The wide allotments could result in significant visual bulk if properties are built to each side boundary

##### Opportunities:

- Opportunity for a new high quality character that provides for a stronger presence of buildings to the street.
- Lot are deep and wide on the south side of Swan Street and interface with the railway line with minimal amenity impacts.
- A general absence of heritage properties will support a higher scale street edge in most areas.

##### Preferred Character:

Swan Street East is a true mixed use precinct providing for a range of retail, commercial and residential uses within new mid-rise developments of varying heights, widths and character. The consistent front setback and continuation of the broad scale of the street wall of Precinct 2 provides a continuity with the balance of the centre and an improved pedestrian experience at street level.

On the north side of Swan Street, the heritage buildings remain visually prominent in the streetscape and development is scaled and sited sensitively to the adjoining low scale residential area. On the south side of Swan Street a high quality taller buildings gradually scale up to Burnley Street denoting the importance of the station. Breaks between these buildings maintain views to the sky from street level and create a varied skyline and backdrop to the shopping strip when viewed from surrounding residential and commercial areas.

New and improved laneways connecting to Swan Street offer opportunities for interesting public spaces that complement improvements to the public realm along Swan Street.

#### 4.1.4 PRECINCT 4 - BURNLEY STREET

The Burnley Street Precinct acts as a secondary activity hub within the Swan Street Activity Centre focused around the railway station and shops located along Burnley Street.

Burnley Street is identified as a heritage precinct with single and double storey historic shopfronts that extend around the corner into Swan Street.

Elsewhere, built form consists of a mix of single and double storey warehouses and office buildings with wide frontages and minimal architectural character. On the south side of Swan Street, there is a minimal presence of buildings with car parking in front setbacks and sporting courts in Ryans Reserve.

There is a recently approved proposal for a mixed use development on the south east corner of Swan Street and Burnley Street. This development will provide for major retail uses and development of up to 12 storeys, reinforcing the importance of the Burnley precinct as an activity hub.

##### Constraints:

- A heritage overlay is proposed for a small number of properties along Swan Street close to the intersection of Burnley Street.
- The entire northern interface is bordered by residential uses with laneway separation for most properties. Visual bulk and overlooking will be key issues for new development.
- Lot sizes on the northern side of Swan Street are somewhat constrained for development because of lot depths and narrow frontages. However the presence of a rear laneway for most properties improves development potential.
- A number of properties along Burnley Street are double fronted and address a residential street at the rear.
- Solar access to the southern footpath of Swan Street should be provided at key times of the year. This will impact on building heights and setbacks on the north side of Swan Street.
- Solar access to the east and west footpaths of Burnley Street should be provided at key times of the year. This will impact on building heights and setbacks.
- Solar access to Ryan's Reserve should be provided at key times of the year. This will impact on building heights and setbacks.

##### Opportunities:

- Lot are deep and wide on the south side of Swan Street and interface with the railway line with minimal amenity impacts.
- A general absence of heritage properties will enable a higher scale street edge on the south side of Swan Street.

##### Preferred Character:

The Burnley Street Precinct is anchored around Burnley Station and the Burnley Street Village. High quality new buildings adjoining Burnley Station with a range of retail, office, hospitality, residential and personal services activate new and improved pedestrian connections to the station.

Along Burnley Street, the heritage buildings remain prominent with new infill development integrating as a cohesive part of the streetscape. Buildings behind Burnley Street and along the north side of Swan Street scale sensitively to the adjoining low scale residential area.

Breaks between buildings at upper levels maintain views to the sky from street level and create a varied skyline when viewed from surrounding residential areas.

## 4.2 PRECINCT 1: RICHMOND STATION

### 4.2.1 BUILT FORM OBJECTIVES

Built Form Element	Urban Context	Precinct Objectives
<b>Mid-Rise Character</b>	<p>The precinct includes a number of single and double storey shopfronts and vacant yards. The wide street and turning lanes diminishes the scale of the buildings.</p> <p>An opportunity exists to provide a greater sense of containment in the streetscape with buildings of a scale that defines a strong entry into Swan Street.</p>	<ul style="list-style-type: none"> <li>■ To create a stronger presence of built form and enhance the entry into the Swan Street Activity Centre</li> <li>■ To provide a scale that integrates with future development of the railway station precinct.</li> <li>■ To provide a building scale that is compatible with adjoining residential properties</li> </ul>
<b>Consistent Street Edge</b>	<p>The western entry to the Swan Street activity centre is characterised by an inconsistent street edge. Many sites are dominated by car parking located to the site frontage to Swan Street both on the north and south side of the street.</p> <p>Potential to repair the street edge can be provided through future redevelopment of these sites.</p>	<ul style="list-style-type: none"> <li>■ To reinforce the built form edge to Swan Street and provide greater definition for the entry to Swan Street activity centre.</li> <li>■ To enhance pedestrian experience through promoting a sense of enclosure and continuity in built form.</li> <li>■ To provide activated frontages which engage with the adjoining footpath.</li> <li>■ To provide for larger building footprints that encourage non-residential uses that integrate with adjoining employment areas.</li> </ul>
<b>Street Wall Height</b>	<p>The western entry to the Swan Street activity centre is characterised by an inconsistent street edge and street wall height. Many sites are dominated by car parking located to the site frontage to Swan Street both on the north and south side of the street.</p> <p>A small cluster of heritage buildings are located on the south side of Swan Street. The Precinct Hotel is graded as individually significant and is located on the south-east corner of Swan Street and Cremorne Street.</p> <p>The GJM Heritage Study has recommended that properties at 30-42 Swan Street be included within a new Heritage Overlay</p>	<ul style="list-style-type: none"> <li>■ To provide taller street walls on the southern side of Swan Street west of Wellington Street to define the entry to the Activity Centre.</li> <li>■ To provide a consistent street wall height to promote a continuity of built form and integration between new built form and existing heritage buildings (where relevant).</li> <li>■ To establish a pedestrian scale street environment.</li> </ul>
<b>Visually recessive upper levels</b>	<p>The entry sites on the southern side of Swan Street provide an opportunity for a stronger presence of built form with no upper level setbacks. This built form outcome is consistent with development on adjacent sites fronting onto Punt Road.</p> <p>A limited number of heritage buildings are located in this precinct and upper level setbacks will be required to protect their heritage value and character.</p>	<ul style="list-style-type: none"> <li>■ To create a stronger presence of built form on corners at the entry to the activity centre.</li> <li>■ To ensure that upper level setbacks promote consistency with the broader Swan Street character.</li> <li>■ To ensure that upper level development does not overwhelm heritage buildings.</li> <li>■ To maintain the dominance of the Precinct Hotel on the corner of Cremorne Street and Swan Street within the streetscape.</li> <li>■ To provide visual separation between buildings on larger sites</li> <li>■ To minimise excessive stepping of upper level setbacks.</li> <li>■ To ensure new buildings greater than 6 storeys are expressed as a building in the round and designed to be seen in all directions.</li> </ul>
<b>Solar Access</b>	<p>Significant pedestrian traffic is experienced given the west end of Swan Street provides a key point of access to the Melbourne Sports and Entertainment Precinct and forms the primary linkage between Richmond Station, tram routes and hospitality venues in the primary retail hub along Swan Street.</p> <p>No built form controls are proposed for the northern side of Swan Street as it is subject to more detailed planning through the Streamlining Hoddle Street project. It will be important for the Streamlining Hoddle Street project to consider solar access to footpaths on the southern side of Swan Street.</p> <p>Cremorne Street provides an important link into employment and education uses. Solar access to the footpaths of Cremorne Street will be important to enhance this important link.</p>	<ul style="list-style-type: none"> <li>■ To protect pedestrian amenity through ensuring that good solar access is provided to the footpath on the eastern and western sides of Cremorne Street.</li> </ul>
<b>Residential interface</b>	<p>There is a small area providing a direct interface with existing residential dwellings on the south side of Swan Street between Cremorne Street and Huckerby Street.</p>	<ul style="list-style-type: none"> <li>■ To ensure an appropriate transition in height to the adjoining low-scale residential area.</li> <li>■ To minimise visual bulk and overlooking from new development when viewed from private open space in adjoining residential properties.</li> <li>■ To minimise overshadowing of private open space on adjoining residential properties.</li> <li>■ To minimise excessive stepping of upper level setbacks to the residential interface.</li> </ul>
<b>Servicing Development</b>	<p>This is a highly constrained traffic environment and high pedestrian flow area.</p> <p>Vehicular access to most properties is available from side streets or rear of properties.</p> <p>An important pedestrian link is located along the northern side of the Precinct Hotel. It will be important to enhance this link through any redevelopment of this site.</p>	<ul style="list-style-type: none"> <li>■ To limit the number of new vehicular crossovers, promote a continuous street edge and enhance pedestrian safety and amenity.</li> <li>■ To encourage provision of vehicular access from either the side or rear of sites with frontage to Swan Street.</li> <li>■ To enhance the pedestrian link along the northern side of the Precinct Hotel</li> <li>■ To ensure new development provides well-located accessible and safe car parking areas that do not visually dominate the streetscape.</li> </ul>

## 4.2.2 BUILT FORM RECOMMENDATIONS PLAN

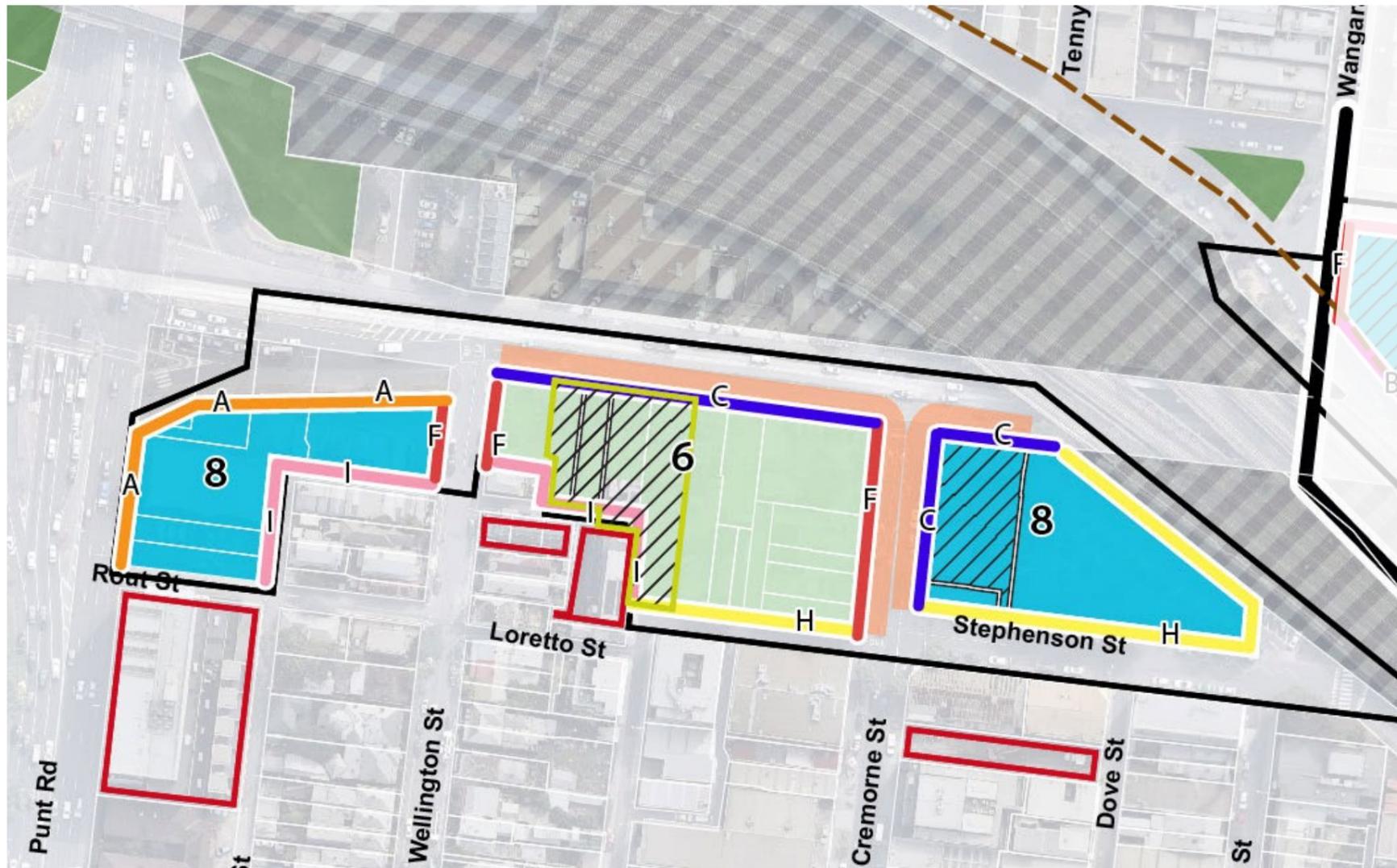


FIGURE 39 - PRECINCT 1 - RICHMOND STATION: BUILT FORM RECOMMENDATIONS PLAN



### 4.2.3 STRATEGIC JUSTIFICATION / RATIONALE

#### ENTRY SITES

The entry sites on the southern side of Swan Street provide an opportunity to create a stronger presence of built form. This is achieved through the provision of a six storey street wall. This street wall height is consistent with development occurring further south. These properties directly abut a low scale residential area to the east and south. It is recommended that buildings scale down to this interface.

The overall building height of 8 storeys will ensure these sites mark the entry to Swan Street with buildings of a significant scale.

#### PROPOSED HERITAGE PRECINCT

A building height of 6 storeys is recommended for properties between Wellington Street and Cremorne Street. This recommendation responds to the presence of heritage buildings, partial residential interface and fragmentation of property holdings. A three storey street wall through this area and the application of the 1/3 upper level to 2/3 street wall principle will ensure existing heritage buildings retain their prominence in the streetscape.

#### PRECINCT HOTEL

The Precinct Hotel is recommended for an 8 storey building height. This site is larger than others in the area and could accommodate taller built form with less impact on the heritage value of the existing building. This height is also consistent with a recent planning permit approval on the southern side of Stephenson Street.

A recommended upper level setback of 5m to both Swan Street and Cremorne Street will ensure the heritage building is dominant and able to be read as a three dimensional form. No upper level setback is recommended to Stephenson Street. This will create a stronger urban character and reflects the built form outcome of a recent approval opposite.

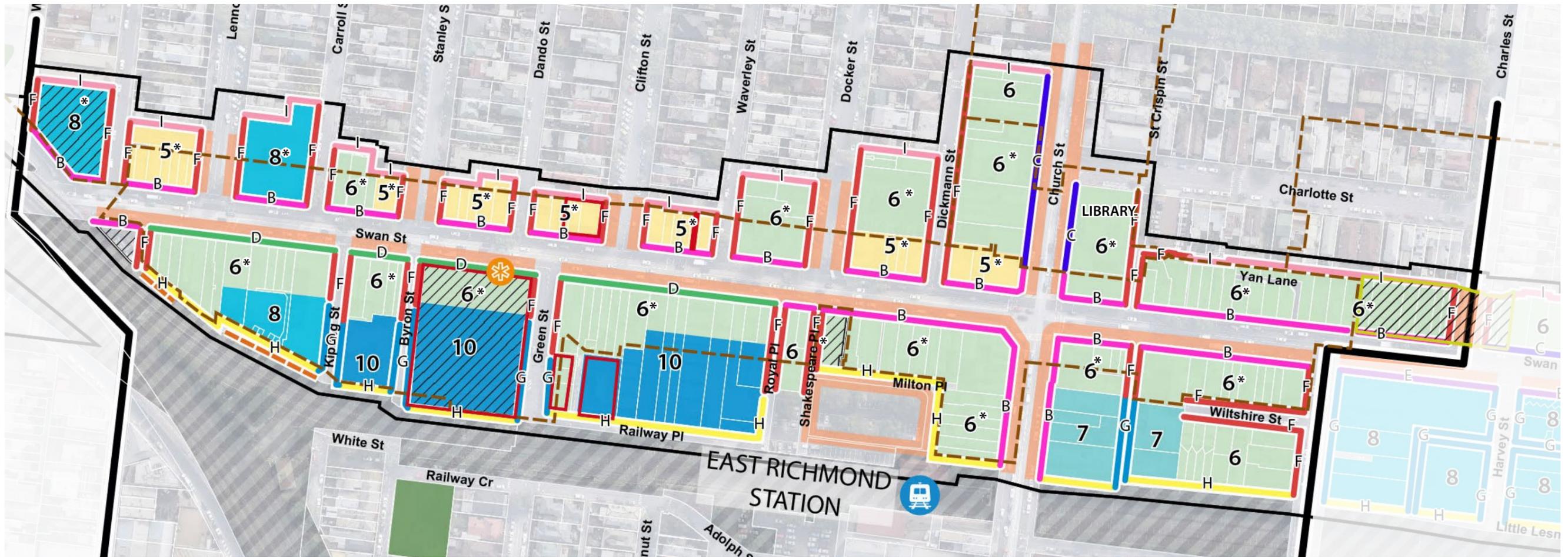
## 4.3 PRECINCT 2: SWAN STREET RETAIL

### 4.2.4 BUILT FORM OBJECTIVES

Built Form Element	Urban Context	Precinct Objectives
<b>Mid-Rise Character</b>	<p>Building heights on the northern side of Swan Street will be limited by the adjoining residential interface to the north and solar access requirements to the southern footpath. Properties on Church Street have similar development constraints.</p> <p>On the south side of Swan Street, building heights are limited to maintain the prominence of the Dimmeys Tower. Opportunities for higher scale built form exists towards the railway line as demonstrated by the apartment development on the Dimmeys site and to Railway Place.</p>	<ul style="list-style-type: none"> <li>■ To provide a building scale that respects the heritage streetscape.</li> <li>■ To provide a building scale along the north side of Swan Street and along Church Street that is compatible with adjoining residential properties.</li> <li>■ To provide for additional building heights towards the rail line where amenity impacts can be minimised.</li> </ul>
<b>Consistent Street Edge</b>	<p>This precinct is highly uniform in its street edge setbacks, predominately at the zero lot line.</p> <p>Any new built form should maintain this level of setback, in order to appropriately integrate with the surrounding streetscape.</p>	<ul style="list-style-type: none"> <li>■ To enhance pedestrian experience through promoting a sense of enclosure and continuity in built form.</li> <li>■ To provide fine-grain articulation within buildings.</li> <li>■ To provide for improved activation of smaller streets and laneways.</li> </ul>
<b>Street Wall</b>	<p>The Swan Street Retail Precinct comprises mostly double storey heritage shopfronts which are equivalent to a modern three storey building. It is recommended that existing heritage buildings are retained.</p> <p>The recommended street wall height for infill development responds to the predominant two storey heritage facades by allowing for an 11m street wall.</p> <p>In other streets closer to the rail line, a taller street wall is proposed. This provides a stronger urban character and ensures development can be maximised where there are minimal amenity and heritage impacts.</p>	<ul style="list-style-type: none"> <li>■ To retain existing heritage buildings.</li> <li>■ To provide a consistent street wall height to promote a continuity of built form and integration between new built form and existing heritage buildings (where relevant).</li> <li>■ To provide a street wall height that respects the heritage fabric of individually significant and contributory buildings.</li> <li>■ To provide taller street walls in locations closer to the railway line that create a stronger sense of enclosure in streets.</li> <li>■ To establish a pedestrian scale street environment.</li> <li>■ To enhance the connections between Swan Street and East Richmond Station with activated frontages.</li> </ul>
<b>Visually recessive upper levels</b>	<p>The H0335 Heritage Precinct along Swan Street is a highly intact and architecturally accomplished turn of the century High Street which includes places on the Victorian Heritage Register. Retention of this heritage character is of primary importance in this precinct. It will be important to ensure that the existing street wall heritage buildings remain the dominant element in the streetscape by setting back upper levels from the street. The proportion of visibility of these upper levels should also be managed by applying the 1/3 upper level to 2/3 street wall level principle.</p> <p>For heritage buildings on corners, additional upper level setback are recommended. This will ensure existing heritage buildings can maintain their prominence a three dimensional forms rather than just a facade.</p> <p>The Dimmeys Tower is a major landmark in the City of Yarra. Its primary public realm viewing corridor is located along Swan Street between the railway bridge and the apex of the hill around the intersection of Swan and Charles Street.</p> <p>Development fronting the southern side Swan Street must be setback in order to protect views to the Dimmeys Ball Tower on Swan Street, ensuring its visual primacy in the streetscape.</p>	<ul style="list-style-type: none"> <li>■ To ensure that the lower section of any building (street wall) remains the dominant built form element in the streetscape and upper levels remain subservient.</li> <li>■ To ensure heritage buildings on corners retain their prominence when viewed from both streets and are able to be read in the round.</li> <li>■ To ensure the Dimmeys Tower remains as the principal built form reference when viewed from the public realm between the railway bridge and Charles Street.</li> <li>■ To ensure the design of adjoining buildings does not compete with detail and form of the Dimmeys Tower ball structure.</li> <li>■ To minimise the visual bulk of upper levels on larger sites through breaks in building forms.</li> <li>■ To ensure new buildings greater than 6 storeys are expressed as a building in the round and designed to be seen in all directions.</li> </ul>
<b>Solar Access</b>	<p>The Swan Street Retail Precinct is the primary focus for street based pedestrian activity in the Centre with a significant amount of retail and hospitality uses activating the footpaths. Swan Street also provides linkages to the Richmond Railway Station, tram stops, and the Melbourne Sports and Entertainment Precinct.</p> <p>Maintaining adequate sunlight to the southern footpath of Swan Street is critical in order to ensure it remains a desirable environment for pedestrians. Church Street and key intersecting side streets also play important public realm roles and should retain sunlight to both side of the street at key times of the year.</p> <p>Smaller intersecting side streets are also identified as places where solar access should be provided. These streets provide alternative public realm and outdoor dining opportunities to Swan Street.</p> <p>Solar access to the future proposed park bordered by Milton Place and Shakespeare Lane has also been considered. Recommendations for upper level setbacks to this site have been provided.</p>	<ul style="list-style-type: none"> <li>■ To ensure good solar access is provided to the footpath on the southern side of Swan Street, and both footpaths on Church Street.</li> <li>■ To ensure good solar access is provided to footpaths on key intersecting side streets including Lennox Street, Stanley Street, Clifton Street, Docker Street</li> <li>■ To ensure good solar access to the future proposed park (existing car park) bounded by Milton Place and Shakespeare Lane.</li> </ul>

Built Form Element	Urban Context	Precinct Objectives
<b>Residential interface</b>	<p>There is a continuous residential interface to the north, with intermittent rear laneway access to Swan Street properties. Residential properties to the north of the activity centre are zoned Neighbourhood Residential (NRZ) or General Residential (GRZ).</p> <p>There are no existing residential zoned housing that will be affected by developments on the south side of Swan Street.</p> <p>There are some existing townhouses within the mixed-use zone to the west of Brighton Street, however given the nature of a mixed use zoning and the commercial zoning surrounding them, the existing townhouses can not unreasonably limit the development of adjacent commercially zoned parcels.</p> <p>There is a small section of Dickman Street where development will front onto a residential street. Building heights will need to transition at this interface.</p>	<ul style="list-style-type: none"> <li>■ To ensure an appropriate transition in height to the adjoining low-scale residential area.</li> <li>■ To minimise visual bulk and overlooking from new development when viewed from private open space in adjoining residential properties.</li> <li>■ To ensure amenity impacts are considered for existing dwellings within the Commercial 1 and Mixed Use zones</li> </ul>
<b>Servicing Development</b>	<p>The northern side of Swan Street has a number of parcels with no access other than towards Swan Street, with a frontage not wide enough to enable a driveway cross over and basement car parking.</p> <p>The southern side of Swan Street provides for improved access outcomes, due to a number of existing laneways which can service properties. Access from the laneway is preferred in order to allow the existing Swan Street footpaths to remain uninterrupted.</p> <p>There are a number of properties with existing laneway access that will need to be widened to ensure effective servicing of properties as they develop.</p>	<ul style="list-style-type: none"> <li>■ To limit the number of new vehicular crossovers, promote a continuous street edge and enhance pedestrian safety and amenity.</li> <li>■ To encourage provision of vehicular access from either the side or rear of sites with frontage to Swan Street.</li> <li>■ To ensure new development can be adequately serviced from existing laneways.</li> <li>■ To ensure new development provides well-located accessible and safe car parking areas that do not visually dominate the streetscape.</li> </ul>

4.3.2 BUILT FORM RECOMMENDATIONS PLAN



LEGEND

- BOUNDARIES**
- Site Boundary
  - Precinct Boundaries
- MOVEMENT NETWORK**
- Train Station
- LAND USE**
- Heritage Site (HO, or Contributory Built Form)
  - Heritage Precinct
  - Proposed Heritage Inclusion - GJM Heritage Review
  - Laneway Widening Required

BUILDING HEIGHTS

- 12 12 Storeys (40.0m)
- 10 10 Storeys (33.6m)
- 8 8 Storeys (27.2m)
- 7 7 Storeys (24.0m)
- 6 6 Storeys (20.8m)
- 5 5 Storeys (17.6m)
- Upper Level Building Breaks in this Vicinity
- \* Mandatory heights due to Heritage Significance

BUILT FORM INTERFACE TYPES (REFER TO SECTION 4.7)

- A: Swan Street Entrance Sites
  - B: Swan Street and Church Street (HO335 & HO315) 3 Storey Wall
  - C: Swan Street, Church Street, Burnley Street - 3 Storey Street Wall
  - D: Dimmeys Tower View Corridor
  - E: Swan Street, Burnley Street - 4 Storey Street Wall
  - F: Local Street - 3 Storey Street Wall
  - G: Local Street - 4 Storey Street Wall
  - H: Railway Interface
  - I: Residential Interfaces
  - Retain Sunlight to Footpath / Public Space
  - Intermediate / Temporary Laneway
  - Proposed Future Road / Pedestrian Network
  - Railway Reserve
- LANDMARK**
- Dimmeys Ball Tower
  - Recent Known Developments (Constructed)

FIGURE 40 - PRECINCT 2 - SWAN STREET RETAIL: BUILT FORM RECOMMENDATIONS PLAN

### 4.3.3 STRATEGIC JUSTIFICATION / RATIONALE

#### PRECINCT-WIDE

The primary focus for the built form recommendations for Precinct 2 is to retain the prominence of the intact heritage façades along Swan Street by ensuring development above the street wall is recessive to this facade.

A maximum three storey [11.0m] street wall is recommended across the precinct. The predominant street wall height of two-storey Victorian/Edwardian era shop/residences should be retained. A mandatory maximum of 11m and mandatory minimum of 8m will ensure this occurs. Flexibility is provided to allow the infill development to be constructed to the street wall height (being the flat top of the parapet or balustrade) of the higher immediately adjacent two-storey 'contributory' or 'individually significant' building to ensure smooth transitions between heritage and new built form.

The minimum upper level setback of 5m is recommended for entire length of Swan Street and Church Street. This responds to the bay depth or module in a historic building. In the areas covered by H0335, it is recommended that this minimum setback is mandatory. The GJM report supports this recommendation on the basis that it meets the 'exceptional circumstances' test and follows the precedent set in Moreland Amendment C134 in relation to Sydney Road within the Brunswick Activity Centre.

In order to maintain the prominence of the street wall across the precinct, the 1/3 upper level to 2/3 street wall principle is applied to buildings fronting onto Swan Street. The application of this setback control is discretionary to allow flexibility for building design and respond to varying conditions.

Upper level setbacks will also be provided to ensure adequate solar access to the southern footpath of Swan Street. It is recommended that sunlight is provided to the footpath from 10am on September 22 [the equinox]. This is applied as a mandatory requirement because of the importance of the southern footpath of Swan Street as a public space.

Solar access requirements are also recommended for Church Street at key times of the year. Smaller intersecting side streets are also identified as these streets provide alternative public spaces to Swan Street.

Mandatory building height controls are recommended within the H0335 area with exception of properties close to the railway line. The GJM Heritage Study notes that the heritage precinct meets the test for mandatory building controls.

#### NORTH SIDE OF SWAN STREET

On the north side of Swan Street the lot depths are a key determinant for the overall recommended heights. The solar access requirements to the southern footpath of Swan Street and the 1/3 to 2/3 principle, combined with the residential interface requirement restrict development from the front and back of the allotment to determine an overall building height.

This limits heights mostly to between 5 and 6 storeys and along the northern side of Swan Street. This height is considered to be compatible with the low scale residential interface and the heritage streetscape.

These heights are recommended as mandatory in the Heritage Overlay area because of the importance of maintaining a scale that does not overwhelm the heritage streetscape.

There are a small number of larger sites on the northern side of Swan Street where the depth of the properties will allow for heights of up to 8 storeys.

#### SOUTH SIDE OF SWAN STREET

The Dimmeys viewing corridor is a key determinant for building heights and setbacks on the south side of Swan Street between the railway line and Royal Place. In this area, a recommended setback of 10m from the street wall for development up to 6 storeys is recommended. Building heights can extend beyond the 6 storey height at a distance of 20m from the front street wall. This is a similar setback to the Dimmeys apartment tower which is set back 23m from the front street wall.

Visual testing of these building heights and setbacks indicates that the Dimmeys Ball Tower will retain its prominence and will have sufficient space to ensure it is visible in the round.

Height and setback recommendations for the Dimmeys Tower are mandatory. This is supported by the GJM Heritage Study which notes that protection of views to the Dimmeys Tower meets the exceptional circumstances for mandatory controls.

#### CHURCH STREET

The recommended building heights along Church Street north of Swan Street, respond to existing lot depths, solar access requirements to footpaths and the existing residential interface along Dickman Street. South of Swan Street, the recommended building heights are slightly greater because of the absence of residential interfaces.

For properties along Church Street within the Heritage Overlay, a mandatory street wall of 11.0m and 5m upper level setback is recommended which is consistent with the balance of properties within the heritage overlay along Swan Street. The discretionary 1/3 to 2/3 principle also applies to these properties.

The street wall height along Church Street is recommended at 3 storeys [11.0m] to provide consistency with Swan Street. A 5m upper level setback is proposed outside of the Heritage Overlay area. Both of these requirements are recommended to be applied with discretion because of the absence of heritage buildings in these areas.

#### RAILWAY PLACE

Towards the rail line, a maximum building height of up to 10 storeys is recommended. In these locations the buildings will have minimal impact on the heritage streetscape of Swan Street and no direct residential impacts. This building height is consistent with previous approvals and developments in the area.

A key outcome in this area will be providing physical separation between buildings on wider sites to minimise visual bulk from Swan Street. This will require careful consideration of the development outcomes on neighbouring sites.

Towards the railway line a street wall height to the maximum building height is recommended. This is consistent with recent developments and approvals in the study area. It will be important to provide articulation of upper levels to minimise visual bulk to the local streets and from residential streets south of the railway line.

The railway place car park is recommended as a future open space in the Swan Street Structure Plan. Solar access requirements to this car park are proposed to ensure it can fulfil its role as a public park.

#### LITTLE LESNEY / WILTSHIRE LANE AREA

This area provides a different character to other parts of precinct 2 because of its small east-west laneway network and separation from Swan Street. Major redevelopment opportunities exist in this area which will enable the activation of streets and revitalisation of this area.

There is a small group of three-storey town houses and two heritage dwellings located within this area. These buildings are located within a mixed use precinct where major change from the existing low scale buildings is expected to occur. It is unreasonable to restrict future neighbouring development to a similar height because of these existing conditions. However building should allow for an appropriate transition to these existing buildings. A recommended height of 6 storeys is proposed because of these existing buildings and fragmented land holdings.

A small upper level setback above three storeys is proposed to Wiltshire Lane and Brighton Street. This will ensure new development provides a compatible street wall scale with the existing town houses and heritage buildings.

At the rail line interface, zero upper level setbacks are proposed. These locations have minimal amenity impacts because of the rail line. It will be important to provide upper level articulation to minimise the visual bulk of these buildings when viewed from surrounding areas south of the rail line.

## 4.4 PRECINCT 3: SWAN STREET EAST

### 4.3.4 BUILT FORM OBJECTIVES

Built Form Element	Urban Context	Precinct Objectives
<b>Mid-Rise Character</b>	<p>The precinct comprises one and two storey buildings on both sides of Swan Street of minimal architectural quality and character. The heritage protected Central Club Hotel is a notable difference with three historic storeys equivalent to a modern five storey building.</p> <p>Building heights on the northern side of Swan Street will be limited by the adjoining residential interface to the north and solar access requirements to the southern footpath.</p> <p>On the south side of Swan Street, building heights will scale from the Swan Street Heritage precinct up to the Burnley Street built form precinct. A number of large sites that adjoin the railway line will take advantage of the absence of amenity impacts providing opportunities for higher scale buildings.</p>	<ul style="list-style-type: none"> <li>■ To provide for high density, taller development on the south side of Swan Street that delivers significant public realm outcomes.</li> <li>■ To provide a transition in building heights from the lower scale Swan Street Heritage Precinct into the Burnley Street Precinct.</li> <li>■ To provide an appropriate building scale along the north side of Swan Street that is compatible with adjoining residential areas.</li> </ul>
<b>Consistent Street Edge</b>	<p>The street edge is fairly consistent on the north side of Swan Street with buildings extending the footpath edge.</p> <p>The south side of Swan Street is less consistent with car parking within a number of front setbacks.</p> <p>The preferred outcome is a consistent zero lot line setback in order to unite Swan Street in a consistent manner. However occasional ground level breaks are encouraged between Coppin Street and Burnley Street to provide some relief in the street wall.</p>	<ul style="list-style-type: none"> <li>■ To reinforce the built form edge to Swan Street and provide greater activation of the street</li> <li>■ To enhance pedestrian experience through promoting a sense of enclosure and continuity in built form.</li> <li>■ To provide occasional ground level breaks in built form on the south side of Swan Street to create physical and visual permeability and opportunities for linkages or public spaces.</li> </ul>
<b>Street Wall</b>	<p>The existing street wall height varies across the precinct. There are a handful of heritage properties on the north side of Swan Street which vary in terms of street wall height.</p> <p>On the south side of Swan Street, a slightly taller street wall is proposed to increase opportunities for retail and commercial uses in the podium levels of development.</p> <p>There is an opportunity for a more urban character in smaller streets and laneways. A higher scale street wall is recommended in these areas.</p>	<ul style="list-style-type: none"> <li>■ To provide a consistent street wall height to promote a continuity of built form and integration between new built form and existing heritage buildings (where relevant).</li> <li>■ To provide for a street wall to Swan Street that maximises retail and office uses in podium levels of development.</li> <li>■ To provide a street wall height that respects the heritage fabric of individually significant and contributory buildings.</li> <li>■ To establish a pedestrian scale street environment.</li> <li>■ To provide taller street walls south of Swan Street to create a stronger sense of enclosure in streets.</li> <li>■ To provide a variety of fine-grain and wider frontage buildings that support a diversity of land uses.</li> </ul>
<b>Visually recessive upper levels</b>	<p>The Swan Street East Precinct will reflect a stronger urban character than precincts further west. Upper levels of development have a greater presence to the street and form an important part of the streetscape.</p> <p>Side setbacks on wider sites will mean that buildings will be read in the round rather than a continuous upper level wall.</p>	<ul style="list-style-type: none"> <li>■ To ensure that upper level development does not overwhelm individually significant heritage buildings on the north side of Swan Street.</li> <li>■ To ensure that upper level setbacks promote consistency with the broader Swan Street character.</li> <li>■ To minimise the visual bulk of upper levels through articulation and breaks in building forms.</li> <li>■ To provide upper level building breaks that align with views along north-south streets on the northern side of Swan Street</li> <li>■ To minimise excessive stepping of upper level setbacks.</li> <li>■ To ensure new buildings greater than 6 storeys are expressed as a building in the round and designed to be seen in all directions.</li> </ul>
<b>Solar Access</b>	<p>The eastern section of Swan Street will play an important role as land uses and housing intensifies in the Activity Centre.</p> <p>Maintaining adequate sunlight to the southern footpath of Swan Street is critical in order to ensure it remains a desirable environment for pedestrians for outdoor dining and entertainment.</p> <p>Other opportunities exist on key intersecting side streets including Lord, Coppin and Mary Street.</p>	<ul style="list-style-type: none"> <li>■ To ensure good solar access is provided to the footpath on the southern side of Swan Street, and the east and western sides of Coppin, Lord and Mary Streets.</li> </ul>
<b>Residential interface</b>	<p>This precinct is well serviced by rear laneways to the north of the precinct, providing separation between commercial properties and the adjoining residential uses.</p> <p>Development should respond to the residential interface by recessing built form at the rear boundary</p>	<ul style="list-style-type: none"> <li>■ To minimise visual bulk and overlooking from new development when viewed from private open space in adjoining residential properties.</li> <li>■ To ensure an appropriate transition in height to the adjoining low-scale residential area.</li> <li>■ To minimise excessive stepping of upper level setbacks to the residential interface.</li> </ul>
<b>Servicing Development</b>	<p>The northern side of Swan Street is serviced by a near complete network of laneways. The preferred servicing outcome is for development to gain vehicular access from side streets or rear lane ways.</p> <p>On the south side of Swan Street, an east-west vehicle link is proposed adjacent to the railway line to provide servicing for new development.</p>	<ul style="list-style-type: none"> <li>■ To limit the number of new vehicular crossovers, promote a continuous street edge and enhance pedestrian safety and amenity.</li> <li>■ To encourage provision of vehicular access from either the side or rear of sites with frontage to Swan Street.</li> <li>■ To provide a continual east-west vehicle access link between Coppin Street and Burnley Street at the rear of properties on the south side of Swan Street.</li> <li>■ To ensure new development provides well-located accessible and safe car parking areas that do not visually dominate the streetscape.</li> <li>■ To encourage north-south pedestrian links between the southern boundary of Swan Street and the proposed east-west vehicle link adjacent to the railway line.</li> </ul>

4.4.1 BUILT FORM RECOMMENDATIONS PLAN



LEGEND

BOUNDARIES

- Site Boundary
- Precinct Boundaries

MOVEMENT NETWORK

- Train Station

LAND USE

- Heritage Site (HO, or Contributory Built Form)
- Heritage Precinct
- Proposed Heritage Inclusion - GJM Heritage Review
- Laneway Widening Required

LANDMARK

- Dimmeys Ball Tower
- Recent Known Developments (Constructed)

BUILDING HEIGHTS

- 12 Storeys (40.0m)
- 10 Storeys (33.6m)
- 8 Storeys (27.2m)
- 7 Storeys (24.0m)
- 6 Storeys (20.8m)
- 5 Storeys (17.6m)
- Upper Level Building Breaks in this Vicinity

BUILT FORM INTERFACE TYPES (REFER TO SECTION 4.7)

- A: Swan Street Entrance Sites
- B: Swan Street and Church Street (HO335 & HO315) 3 Storey Wall
- C: Swan Street, Church Street, Burnley Street - 3 Storey Street Wall
- D: Dimmeys Tower View Corridor
- E: Swan Street, Burnley Street - 4 Storey Street Wall
- F: Local Street - 3 Storey Street Wall
- G: Local Street - 4 Storey Street Wall
- H: Railway Interface
- I: Residential Interfaces
- Retain Sunlight to Footpath / Public Space
- Intermediate / Temporary Laneway
- Proposed Future Road / Pedestrian Network
- Railway Reserve

FIGURE 41 - PRECINCT 3 - SWAN STREET EAST: BUILT FORM RECOMMENDATIONS PLAN

## 4.4.2 STRATEGIC JUSTIFICATION / RATIONALE

### PRECINCT-WIDE

The Swan Street East precinct will provide a substantially different character to what currently exists, particularly on the southern side of Swan Street.

Along the Swan Street frontage, a mix of three and four storey street walls are proposed. The three storey street wall is proposed where heritage buildings exist and elsewhere a four storey street wall is proposed. The four storey street wall will retain a human scale to the street whilst allowing a greater amount of floor space in the podium levels of buildings which will encourage retail and commercial uses in these lower levels.

A five metre upper level setback is recommended from the front street wall for all development above the street wall. This setback is consistent with other sections of Swan Street and will provide adequate separation between the podium and upper levels. It is also consistent with the proposed redevelopment on the former timber yards site at the corner of Swan Street and Burnley Street.

Upper level setbacks will also be provided to ensure adequate solar access to the southern footpath of Swan Street. It is recommended that sunlight is provided to the footpath from 10am on September 22 [the equinox]. This is applied as a mandatory requirement because of the importance of the southern footpath as a public space.

Smaller intersecting side streets are also identified as these streets provide alternative public spaces to Swan Street.

### NORTH SIDE OF SWAN STREET

The proposed building heights along the north side of Swan Street are determined by two key requirements. Solar access to the southern footpath of Swan Street requires upper level of developments to be gradually recessed from the Swan Street frontage. The residential interface recommendation has been applied to the rear of the properties which also requires upper levels to be gradually recessed.

These considerations have been applied to each property and resulted in building heights of between 6 and 8 storeys depending on the lot depth.

The proposed heights allow for intensification within the activity centre whilst managing amenity impacts at the residential interface and providing for a scale that is compatible with the adjoining one and two storey residential context.

Development that exceeds these heights will start to overwhelm the low scale residential context, particularly when viewed from adjacent residential properties and along streets heading towards Swan Street.

### SOUTH SIDE OF SWAN STREET

Building heights along the south side of Swan Street are greater than the north side because of the absence of interface issues and large allotments. Heights scale up towards the Burnley Street intersection which will provide a focus for activity into the future.

A key consideration is minimising the visual bulk of upper levels of development, particularly on wider sites. It is recommended that upper level side setbacks are provided to create separation and visibility of sky between developments.

The built form recommendations identifies locations where these upper level breaks should occur. These locations align with existing north-south streets on the north side of Swan Street, which is intended to provide some relief of built form when approaching Swan Street from residential areas. Upper level breaks are further reinforced with the recommendation to provide a minimum of 4.5m upper level side setback for development above 6 storeys,

Another key consideration for this precinct is the potential visual bulk of the lower levels of development (street wall) if sites are built-out from boundary to boundary. East of Coppin Street there are no north-south streets to break-up built form. This would result in an unbroken street wall for a length of 400m. This differs from areas west of Coppin Street, the existing street network creates breaks in built form every 80-100m.

The intention of the built form recommendations is to create a similar character where the street wall is broken every 80-100 metres and provide some relief the continuous built form. The recommendations encourage ground level breaks in the built form either within or at the edge of wider allotments [greater than 35m wide]. These function as building entry or access points or public plazas that are activated by adjoining land uses.

## 4.5 PRECINCT 4: BURNLEY STATION

### 4.4.3 BUILT FORM OBJECTIVES

Built Form Element	Urban Context	Precinct Objectives
<b>Mid-Rise Character</b>	<p>The precinct comprises of one and two storey on both sides of Swan Street. A small heritage precinct extends into Swan Street at the Burnley Street intersection with consistent two storey heights (3 storey modern equivalent)</p> <p>The Burnley Street Precinct is activity hub within the Centre. A major mixed use development within buildings of up to 12 storeys has been approved at the corner of Swan and Burnley Street.</p> <p>Large sites on the southern side of Swan Street will accommodate taller built form and scale up towards the Burnley and Swan Street intersection.</p> <p>Building heights on the northern side of Swan Street will be limited by the adjoining residential interface to the north and solar access requirements to the southern footpath.</p>	<ul style="list-style-type: none"> <li>■ To provide for high density, taller development on the south side of Swan Street that delivers significant public realm outcomes.</li> <li>■ To reinforce the corner of Swan Street and Burnley Street as a vibrant commercial, retail and residential location.</li> <li>■ To provide a building scale that respects the heritage streetscape along Burnley Street.</li> <li>■ To provide an appropriate building scale along the north side of Swan Street and along Burnley Street that is compatible with adjoining residential areas.</li> </ul>
<b>Consistent Street Edge</b>	<p>The street edge is fairly consistent on the both sides of Swan Street with buildings extending the footpath edge. There are a small number of sites with car parking in the front setbacks.</p> <p>The preferred outcome is a consistent zero lot line setback in order to unite Swan Street in a consistent manner.</p>	<ul style="list-style-type: none"> <li>■ To reinforce the built form edge to Swan Street and provide greater activation of the street</li> <li>■ To enhance pedestrian experience through promoting a sense of enclosure and continuity in built form.</li> <li>■ To provide occasional ground level breaks in built form to that create physical and visual permeability</li> </ul>
<b>Street Wall</b>	<p>The existing street wall height consists of a mix of two storey heritage shopfronts around the Burnley Street Heritage Precinct and more recent one and two storey warehouses.</p> <p>The recommended street wall height matches the existing height of the two storey heritage shopfronts within Burnley Street.</p> <p>Elsewhere, a slightly taller street wall allows podium development to maximise retail and commercial land uses.</p>	<ul style="list-style-type: none"> <li>■ To establish a pedestrian scale street environment along Swan Street and Burnley Street</li> <li>■ To provide a street wall height to Burnley Street that respects the heritage fabric of individually significant and contributory buildings</li> <li>■ To provide for a street wall to Swan Street that maximises retail and office uses in podium levels of development.</li> <li>■ To provide taller street walls adjoining the rail line.</li> <li>■ To provide a variety of fine-grain and wider frontage buildings that support a diversity of land uses.</li> </ul>
<b>Visually recessive upper levels</b>	<p>Swan Street provides are more intensive built form character than precincts further west. Upper levels of development are more visible front the street and contribute positively to the streetscape.</p> <p>Along Burnley Street, upper levels of development are recessed to ensure the heritage buildings retain their prominence in the streetscape.</p>	<ul style="list-style-type: none"> <li>■ To ensure that upper level setbacks promote consistency with the broader Swan Street character.</li> <li>■ To ensure that the lower section of any building (street wall) along Burnley Street remains the dominant built form element in the streetscape and upper levels remain subservient.</li> <li>■ To minimise the visual bulk of upper levels through articulation and breaks in building forms.</li> <li>■ To provide upper level building breaks that align with views along north-south streets on the northern side of Swan Street</li> <li>■ To minimise excessive stepping of upper level setbacks.</li> <li>■ To ensure new buildings greater than 6 storeys are expressed as a building in the round and designed to be seen in all directions.</li> </ul>
<b>Solar Access</b>	<p>The Burnley Street Precinct section of Swan Street will play an important role as land uses and housing intensifies in the Activity Centre.</p> <p>Maintaining adequate sunlight to the southern footpath of Swan Street is critical in order to ensure it remains a desirable environment for pedestrians for outdoor dining and entertainment.</p> <p>Burnley is another key street where solar access should be provided at key times of the year.</p>	<ul style="list-style-type: none"> <li>■ To ensure good solar access is provided to the footpath on the southern side of Swan Street, and the east and western footpaths of Burnley Street.</li> <li>■ To ensure good solar access is provided to Ryans Reserve.</li> </ul>
<b>Residential interface</b>	<p>This precinct is well serviced by rear laneways to the north of the precinct, providing separation between commercial properties and the adjoining residential uses.</p> <p>Development should respond to the residential interface by recessing built form at the rear boundary</p>	<ul style="list-style-type: none"> <li>■ To minimise visual bulk and overlooking onto adjoining residential areas.</li> <li>■ To ensure an appropriate transition in height to the adjoining low-scale residential area.</li> <li>■ To provide an appropriate building scale and address for new development fronting onto Canterbury Street and Newry Street.</li> <li>■ To minimise excessive stepping of upper level setbacks to the residential interface.</li> </ul>
<b>Servicing Development</b>	<p>Given than the northern side of Swan Street is serviced by a near complete network of laneways, the preferred servicing outcome is for development to gain vehicular access from side streets or rear lane ways.</p> <p>A number of existing laneways on the southern side of Swan Street will need widening to enable adequate servicing of future development.</p>	<ul style="list-style-type: none"> <li>■ To limit the number of new vehicular crossovers, promote a continuous street edge and enhance pedestrian safety and amenity.</li> <li>■ To encourage provision of vehicular access from either the side or rear of sites with frontage to Swan Street.</li> <li>■ To ensure new development provides well-located accessible and safe car parking areas that do not visually dominate the streetscape.</li> </ul>

### 4.5.1 BUILT FORM RECOMMENDATIONS PLAN

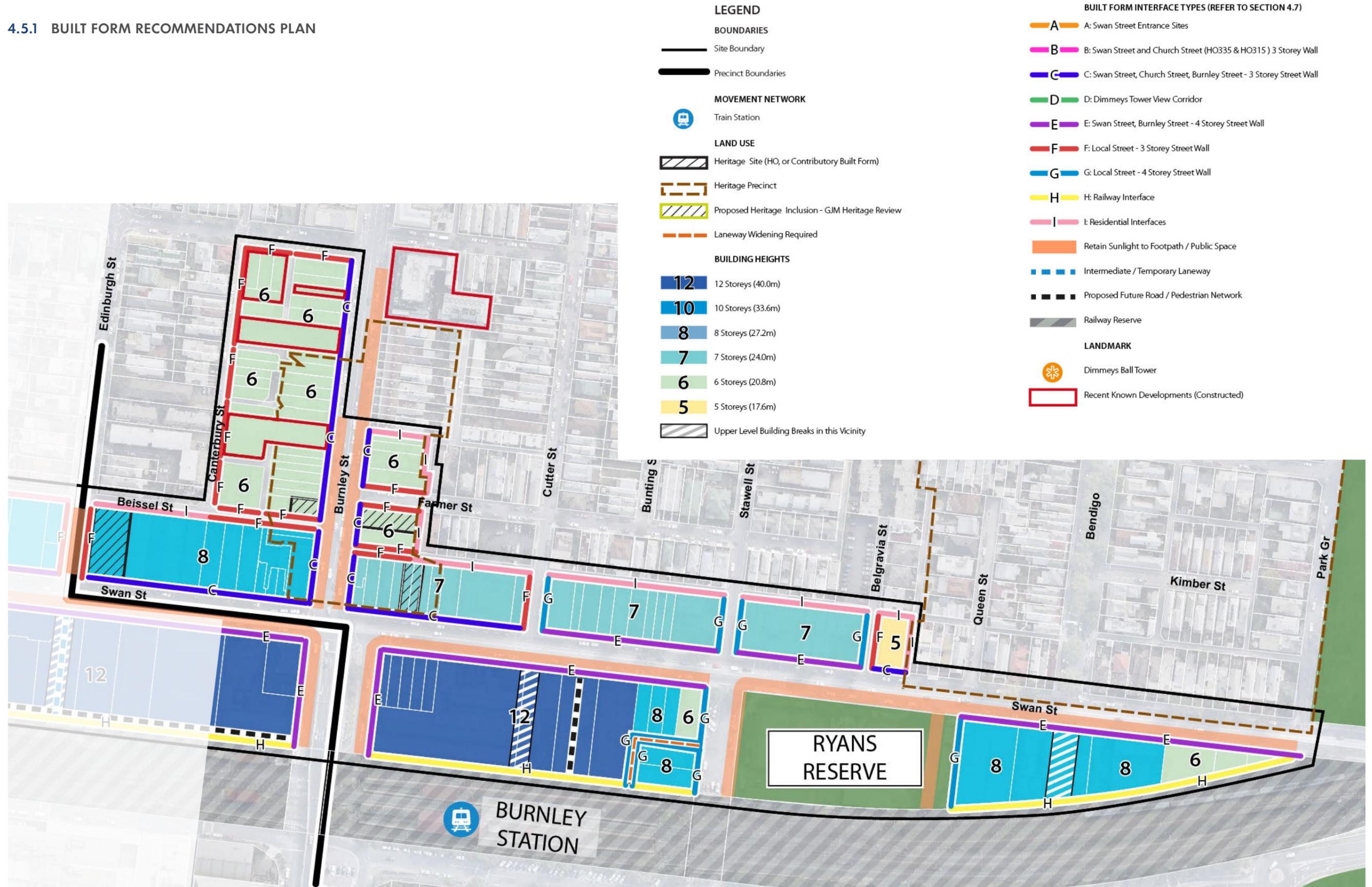


FIGURE 42 - PRECINCT 4 - BURNLEY STATION: BUILT FORM FRAMEWORK

## 4.5.2 STRATEGIC JUSTIFICATION / RATIONALE

### PRECINCT-WIDE

The Burnley Street Precinct will provide a significant transformation from its existing character particularly on the southern side of Swan Street. Development along Burnley Street north of Swan Street, will ensure the heritage character of the street is maintained.

A mix of three and four storey street walls are proposed along Swan Street depending on where existing heritage buildings are located. The four storey street wall proposed in areas where there will retain a human scale to the street whilst allowing a greater amount of floor space in the podium levels of buildings which will encourage retail and office uses in these lower levels.

Along Swan Street, a five metre upper level setback is recommended from the front street wall for all development above the street wall. This setback is consistent with other sections of Swan Street and the recent approval on the Timber Yards site. It will provide adequate separation between the podium and upper levels.

Upper level setbacks are proposed to ensure adequate solar access is provided to the southern footpath of Swan Street. It is recommended that sunlight is provided to the footpath from 10am on September 22 (the equinox). This is applied as a mandatory requirement because of the importance of the southern footpath as a public space.

Solar access requirements are also recommended for Burnley Street at key times of the year. Ryans Reserve is identified as location where solar access should be provided.

### NORTH SIDE OF SWAN STREET

The proposed building heights along the north side of Swan Street are determined by the solar access requirements to the southern footpath of Swan Street and residential interface requirements. Each property is separated from the residential property by a laneway allowing building heights to extend up to three storeys at the residential interface.

When these considerations are applied a building height of between 7 and 8 storeys is achievable. This varies across the precinct depending on individual lot depth.

The proposed heights allow for intensification within the activity centre whilst managing amenity impacts at the residential interface and providing for a scale that is compatible with the adjoining one and two storey residential context.

Development that exceeds these heights will start to overwhelm the low scale residential context, particularly when viewed from adjacent residential properties and along streets heading towards Swan Street.

### SOUTH SIDE OF SWAN STREET

A major development has recently been approved on former Timber Yard site located on the south east corner of Swan Street and Burnley Street. This development provides a three storey podium and three towers of between 10 and 12 storeys. This approval sets a guide for future heights across this precinct.

Building heights scale down to the east as lot sizes get smaller. Solar access requirements to Ryans Reserve also restrict heights in this area. The recommendations require sunlight to the eastern edge of the playing courts from 10am and the western boundary of the site until 2pm.

### BURNLEY STREET

Building heights along Burnley Street respond to the heritage values of the precinct and the adjoining providing a scale that is compatible with the residential interfaces to the east and west.

A three storey (11.0m) street wall is proposed along Burnley Street, which is compatible with historic two storey shopfronts. A 5m upper level setback and the 1/3 upper level to 2/3 street principle is applied to these properties to ensure the historic street wall is the prominent streetscape element.

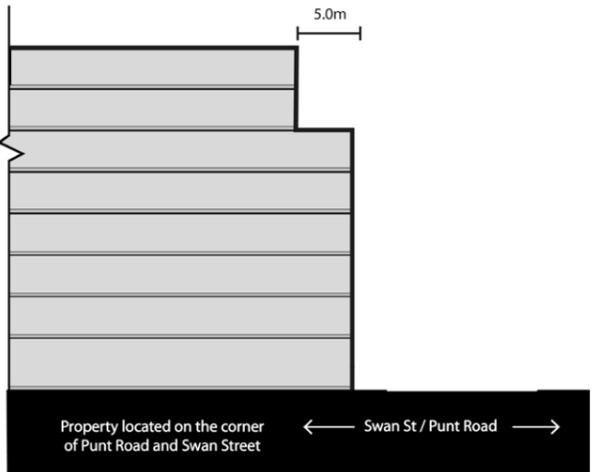
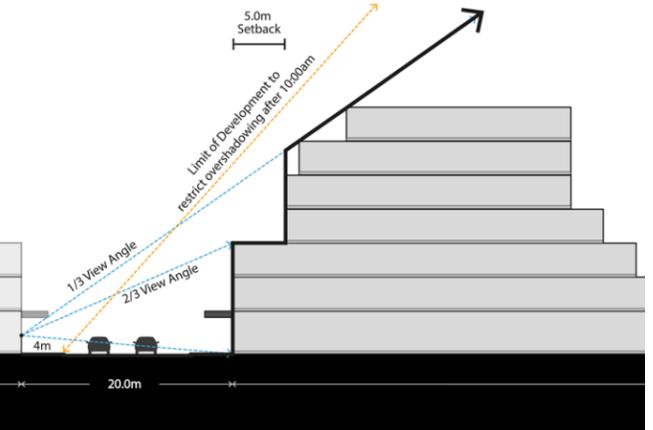
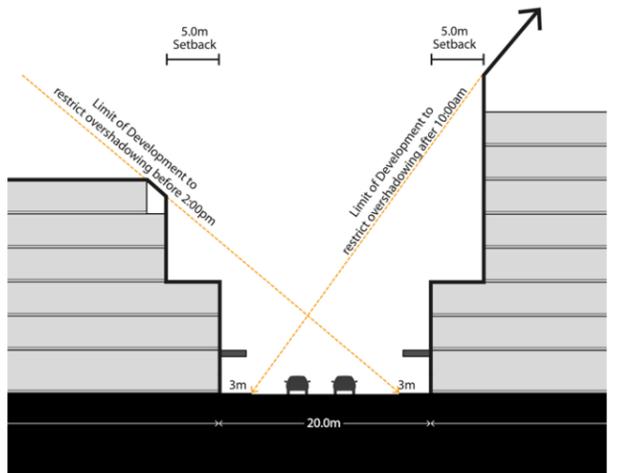
It is recommended that these built form recommendations be applied as discretionary as the heritage character is less consistent than Swan Street HO335. However for individually significant heritage buildings, a mandatory upper level setback of 5m is recommended.

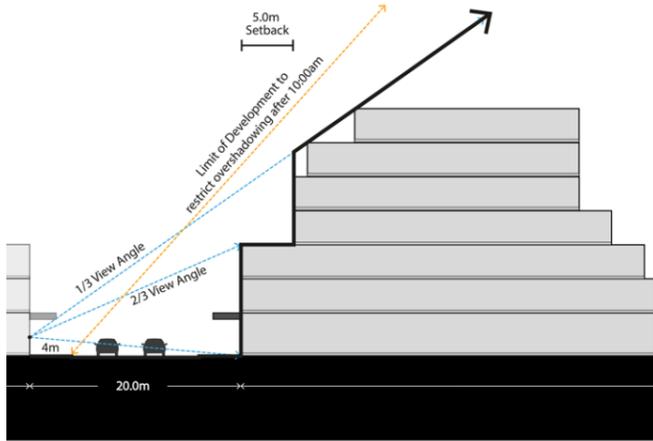
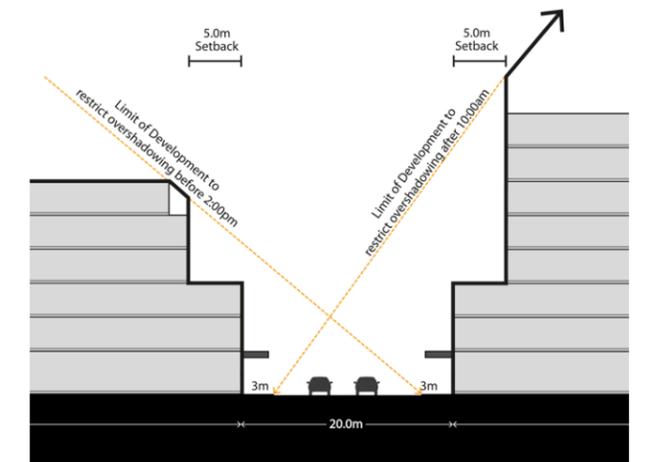
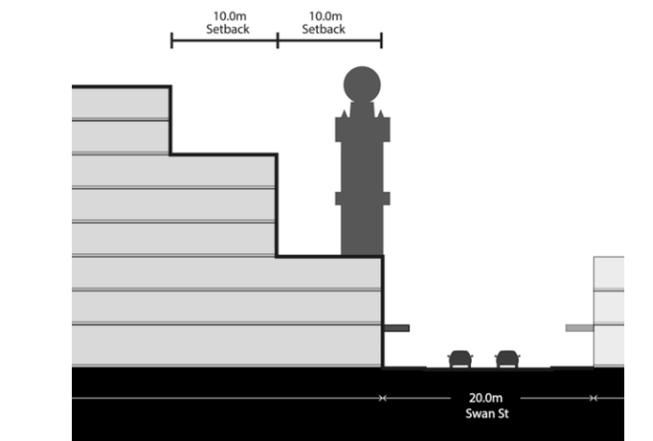
For the rear of properties on the west side of Burnley Street, a three-storey street wall is proposed to Canterbury Street and Newry Street, which provides a scale transition to the predominantly single storey residential streetscape. A three metre upper level setback is applied for development above three storeys, which is consistent with similar developments in the surrounding area. Solar access to the front property boundary of dwellings along Canterbury Street will also influence upper level setbacks for new development.

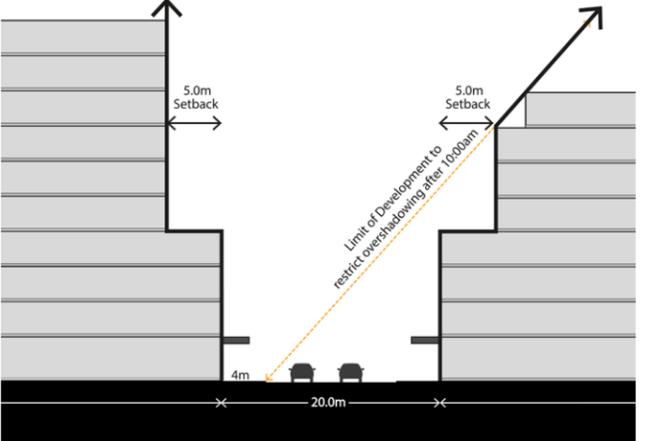
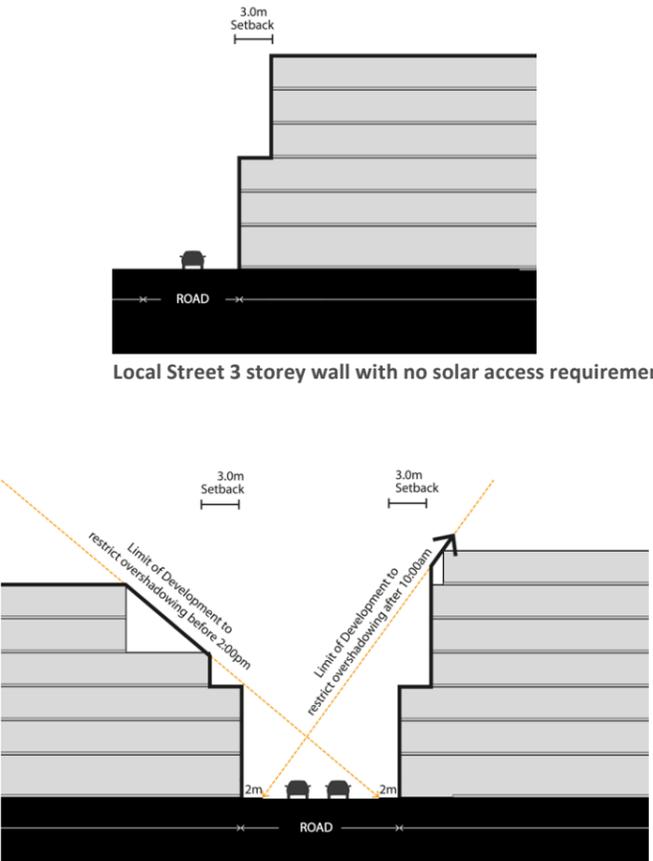
The recommended building heights in this street balance the requirements to integrate with the heritage character of the street and the residential interface to the east, west and north of properties. Exceeding the recommended building heights along Burnley Street is likely to have a detrimental impact on the heritage character and be visually dominant when viewed from residential areas.

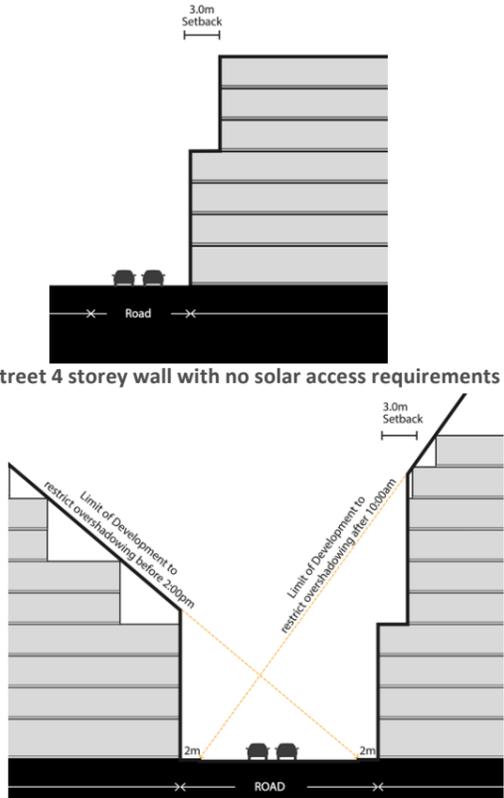
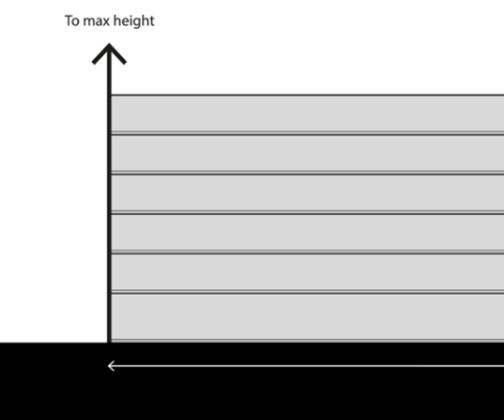
### 4.5.3 BUILT FORM INTERFACE TYPES

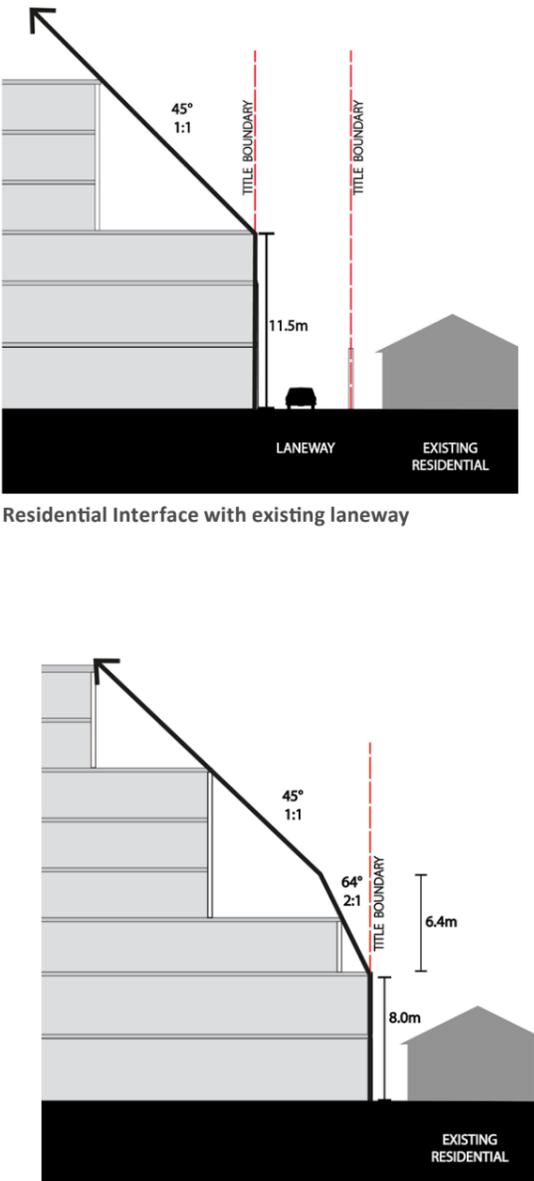
Refer to Built Form Framework Plans for applicable Interface Type.

Interface Area	Street Wall, Upper Level Setbacks and Solar Access	Development Outcomes	Interface Diagram
<p><b>A - Swan Street Entrance Sites</b></p>	<p><b>Street Wall</b></p> <ul style="list-style-type: none"> <li>Street wall height should not exceed 20.9m [6 storeys].</li> <li>Zero front and side setbacks up to the street wall height.</li> </ul> <p><b>Upper Level Setbacks</b></p> <ul style="list-style-type: none"> <li>The upper level setback from the front of the building should be a minimum of 5m.</li> <li>Development should adopt the same street setback for at least 65% of the height of the upper levels to avoid 'wedding cake' built form outcomes.</li> </ul>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Contributes to a high quality entrance into the Swan Street Activity Centre.</li> <li>Provides for activated uses to Swan Street.</li> <li>Avoids unarticulated upper level façades that give a bulky appearance, especially from oblique views.</li> <li>Is articulated to reflect a mix of fine grain and wider frontages to support a diversity of uses.</li> <li>Reinforces the built form edge to Swan Street.</li> </ul>	 <p>Property located on the corner of Punt Road and Swan Street</p>
<p><b>B - Swan and Church Street (H0335 &amp; H0315 Precinct)- 3 storey street wall</b></p>	<p><b>Street Wall</b></p> <ul style="list-style-type: none"> <li>The street wall height should match the height of the adjoining 'contributory' or 'individually significant' heritage building and must not exceed 11m [3 storeys] and must not be lower than 8m [2 storeys]. Allow new development to be constructed to the street wall height of the adjacent two-storey 'contributory' or 'individually significant' building if the parapet or balustrade of that building exceeds 11m in height.</li> <li>Retain existing heritage façades</li> <li>Zero front and side setbacks up to the street wall height.</li> </ul> <p><b>Upper Level Setbacks</b></p> <ul style="list-style-type: none"> <li>The upper level setback from the front of the building must be a minimum of 5m.</li> <li>Development above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from an eye level of 1.7metres on the opposite side of the street.</li> <li>Development should adopt the same street setback for at least 65% of the height of the upper levels to avoid 'wedding cake' built form outcomes.</li> <li>Incorporate an angled splay on upper levels comparable with the heritage façade on corners where relevant</li> </ul> <p><b>Solar Access</b></p> <p>New development must maintain solar access to footpaths and public spaces as follows:</p> <ul style="list-style-type: none"> <li>Within 4.0 metres of the southern boundary of Swan Street from 10:00am onwards on 22 September [the equinox].</li> <li>Within 3.0 metres of the eastern and western boundary of Church Street between 10:00am and 2:00pm on 22 September [the equinox].</li> </ul>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Respects the heritage fabric of individually significant and contributory buildings.</li> <li>Retains the primacy of the three-dimensional form of the heritage building within the streetscape on corner sites</li> <li>Ensures that the design and setback of the addition does not visually dominate the heritage building or surrounding heritage places</li> <li>Is distinguishable from the original heritage fabric and adopts a high quality and respectful contextual design response.</li> <li>Avoids unarticulated façades that give a bulky appearance, especially from oblique views.</li> <li>Is articulated to reflect the fine grained character of narrow sites.</li> <li>Reinforces the built form edge to Swan Street</li> <li>Maintains a pedestrian scale environment at street level.</li> <li>Maintains solar access to the southern footpath of Swan Street and eastern and western footpaths of Church Street.</li> </ul>	 <p>Application of the 1/3 to 2/3 principle and solar access to southern footpaths of Swan Street</p>  <p>Solar access to the Church Street footpath</p>

Interface Area	Street Wall, Upper Level Setbacks and Solar Access	Development Outcomes	Interface Diagram
<p><b>C - Swan, Church and Burnley Street - 3 storey street wall</b></p>	<p><b>Street Wall</b></p> <ul style="list-style-type: none"> <li>Street wall height should not exceed 11.0m (3 storeys).</li> <li>Zero front and side setbacks up to the street wall height.</li> <li>The street wall height should match the height of the adjoining 'contributory' or 'individually significant' heritage building and should not exceed 11m (3 storeys). Allow new development to be constructed to the street wall height of the adjacent two-storey 'contributory' or 'individually significant' building if the parapet or balustrade of that building exceeds 11m in height.</li> <li>Retain existing heritage façades</li> </ul> <p><b>Upper Level Setbacks</b></p> <ul style="list-style-type: none"> <li>The upper level setback from the front of the building should be a minimum of 5m.</li> <li>For places of individual heritage significance, the upper level setback from the front of the building to Swan Street, Church Street and Burnley Street must be a minimum of 5m.</li> <li>For the former Burnley Theatre at 365 Swan Street (HO286) the upper levels must be recessed 10m from the heritage street wall along Swan Street to allow the foyer area and part of the roof form to be retained.</li> <li>Development above the street wall should be designed to ensure that it occupies no more than one third of the vertical angle defined by the whole building in the view from an eye level of 1.7metres on the opposite side of the street.</li> <li>Development should adopt the same street setback for at least 65% of the height of the upper levels to avoid 'wedding cake' built form outcomes.</li> <li>Incorporate an angled splay on upper levels comparable with the heritage façade on corners where relevant</li> </ul> <p><b>Solar Access</b></p> <p>New development must maintain solar access to footpaths and public spaces as follows:</p> <ul style="list-style-type: none"> <li>Within 4.0 metres of the southern boundary of Swan Street from 10.00am onwards on 22 September (the equinox).</li> <li>Within 3.0 metres of the eastern and western boundary of Burnley Street between 10:00am and 2:00pm on 22 September (the equinox).</li> </ul>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Reinforces the built form edge to Swan Street and Burnley Street</li> <li>Maintains a pedestrian scale environment at street level.</li> <li>Respects the heritage fabric of individually significant and contributory buildings where relevant</li> <li>Retains the primacy of the three-dimensional form of the heritage building within the streetscape on corner sites where relevant</li> <li>Ensures that the design and setback of the addition does not visually dominate the heritage building or surrounding heritage places.</li> <li>Is distinguishable from the original heritage fabric and adopts a high quality and respectful contextual design response.</li> <li>Avoids unarticulated façades that give a bulky appearance, especially from oblique views.</li> <li>Is articulated to reflect the fine grained character of narrow sites.</li> <li>Maintains solar access to the southern footpath of Swan Street and eastern and western footpaths of Burnley Street.</li> </ul>	 <p><b>Application of the 1/3 to 2/3 principle and solar access to southern footpaths of Swan Street</b></p>  <p><b>Solar access to the Burnley Street footpath</b></p>
<p><b>D - Dimmeys Tower View Corridor</b></p>	<p><b>Street Wall</b></p> <ul style="list-style-type: none"> <li>Street wall height should match the height of the adjoining 'contributory' or 'individually significant' heritage building and must not exceed 11m (3 storeys) and must not be lower than 8m (2 storeys). Allow new development to be constructed to the street wall height of the adjacent two-storey 'contributory' or 'individually significant' building if the parapet or balustrade of that building exceeds 11m in height.</li> <li>Retain existing heritage façades</li> <li>Zero front and side setbacks up to the street wall height.</li> </ul> <p><b>Upper Level Setbacks</b></p> <ul style="list-style-type: none"> <li>The upper level setback from the street wall must be a minimum of 10m for development up to 21m (6 storeys),</li> <li>The upper level setback from the street wall must be a minimum of 20m for any heights above 21m (6 storeys)</li> <li>Development should adopt the same street setback for at least 65% of the height of the upper levels to avoid 'wedding cake' built form outcomes.</li> </ul>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Ensures the visual prominence of the Dimmeys Tower is maintained</li> <li>Does not visually compete with the Dimmeys Tower with similar forms or detailing.</li> <li>Respects the heritage fabric of individually significant and contributory buildings.</li> <li>Retains the primacy of the three-dimensional form of the heritage buildings within the streetscape.</li> <li>Ensures that the design and setback of the addition does not visually dominate the heritage building or surrounding heritage places</li> <li>Is distinguishable from the original heritage fabric and adopts a high quality and respectful contextual design response.</li> <li>Avoids unarticulated façades that give a bulky appearance, especially from oblique views.</li> <li>Is articulated to reflect the fine grained character of narrow sites.</li> <li>Reinforces the built form edge to Swan Street</li> <li>Establishes a pedestrian scale environment at street level.</li> </ul>	 <p><b>Dimmeys Tower viewing corridor setbacks</b></p>

Interface Area	Street Wall, Upper Level Setbacks and Solar Access	Development Outcomes	Interface Diagram
<p><b>E - Swan Street and Burnley Street - 4 Storey Street Wall</b></p>	<p><b>Street Wall</b></p> <ul style="list-style-type: none"> <li>Street wall height should not exceed 14.5m [4 storeys].</li> <li>Zero front setbacks up to the street wall height.</li> <li>Provide occasional ground breaks in the street wall on the south side of Swan Street to create physical and visual permeability. Breaks should be provided on properties wider than 35m to create relief along the street every 80-100m.</li> </ul> <p><b>Upper Level Setbacks</b></p> <ul style="list-style-type: none"> <li>The upper level setback from the front of the building should be a minimum of 5m.</li> <li>Development should adopt the same street setback for at least 65% of the height of the upper levels to avoid 'wedding cake' built form outcomes.</li> <li>Provide upper level side setbacks to maintain visibility of sky when looking towards Swan Street along intersecting north-south streets. Refer to Built Form Recommendations Plans for locations</li> </ul> <p><b>Solar Access</b></p> <p>New development must maintain solar access to footpaths and public spaces as follows:</p> <ul style="list-style-type: none"> <li>Within 4.0 metres of the southern boundary of Swan Street from 10.00am on 22 September [the equinox].</li> <li>Within 3.0 metres of the eastern and western boundary of Burnley Street from 10.00am to 2:00pm on 22 September [the equinox].</li> </ul>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Promotes a sense of enclosure and continuity in built form.</li> <li>Establishes a pedestrian scale environment at street level.</li> <li>Provides for additional hospitality, retail and commercial uses within the lower levels of development.</li> <li>Provides occasional relief in the street wall on the southern side of Swan Street with a mix of public plazas, pedestrian links and recessed building entries.</li> <li>Avoids unarticulated façades that give a bulky appearance, especially from oblique views.</li> <li>Minimises visual bulk and maintains views to sky when looking towards Swan Street along north-south intersecting streets.</li> <li>Is articulated to reflect a mix of fine grain and wider frontages to support a diversity of uses.</li> <li>Reinforces the built form edge to Swan Street.</li> <li>Avoids repetitive stepped/'wedding cake' profile.</li> <li>Maintains solar access to the southern footpath of Swan Street and eastern and western footpaths of Burnley Street.</li> </ul>	 <p><b>Four storey street wall and solar access to the southern footpath of Swan Street</b></p>
<p><b>F - Local Streets - 3 storey street wall</b></p>	<p><b>Street Wall</b></p> <ul style="list-style-type: none"> <li>Street wall height should not exceed 11m [3 storeys].</li> <li>Zero front and side setbacks up to the street wall height.</li> </ul> <p><b>Upper Level Setbacks</b></p> <ul style="list-style-type: none"> <li>For properties within Schedule 335 to the Heritage Overlay and individually significant heritage buildings, the upper level setback from the street wall should be a minimum of 5m.</li> <li>The upper level setback from the street wall should be a minimum of 3m.</li> <li>Development should adopt the same street setback for at least 65% of the height of the upper levels to avoid 'wedding cake' built form outcomes.</li> </ul> <p><b>Solar Access</b></p> <p>New development should maintain solar access to footpaths and public spaces as follows:</p> <ul style="list-style-type: none"> <li>Within 2.0 metres of the eastern and western boundary of Cremorne Street, Lennox Street, Stanley Street, Clifton Street, Docker Street and Coppin Street from 10.00am to 2:00pm on 22 September [the equinox].</li> <li>The western boundary of Canterbury Street and Dickman Street from 10:00am on 22 September [the equinox].</li> </ul>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Respects the heritage fabric of individually significant and contributory buildings.</li> <li>Provides activation to the street through habitable ground level spaces.</li> <li>Provides a transition in scale into the adjoining residential areas.</li> <li>Retains the primacy of the three-dimensional form of the heritage building within the streetscape (where relevant).</li> <li>Ensures that the design and setback of the addition does not visually dominate the heritage building or surrounding heritage places</li> <li>Is distinguishable from the original heritage fabric and adopts a high quality and respectful contextual design response.</li> <li>Avoids unarticulated façades that give a bulky appearance, especially from oblique views.</li> <li>Reduces visual bulk by recessing upper levels from local streets.</li> <li>Is articulated to reflect the fine grained character of narrow sites.</li> <li>Reinforces the built form edge to the street</li> <li>Establishes a pedestrian scale environment at street level.</li> <li>Maintains solar access to footpaths of Cremorne Street, Lennox Street, Stanley Street, Clifton Street, Docker Street and Coppin Street.</li> <li>Maintains solar access to residential properties along Canterbury Street and Dickman Street.</li> </ul>	 <p><b>Local Street 3 storey wall with no solar access requirements</b></p> <p><b>Local Street 3 storey wall with solar access requirements</b></p>

Interface Area	Street Wall, Upper Level Setbacks and Solar Access	Development Outcomes	Interface Diagram
<p><b>G - Local Streets - 4 storey street wall</b></p>	<p><b>Street Wall</b></p> <ul style="list-style-type: none"> <li>Street wall height should not exceed 14.5m [4 storeys].</li> <li>Zero front and side setbacks up to the street wall height.</li> </ul> <p><b>Upper Level Setbacks</b></p> <ul style="list-style-type: none"> <li>The upper level setback from the street wall should be a minimum of 3m.</li> <li>Development should adopt the same street setback for at least 65% of the height of the upper levels to avoid 'wedding cake' built form outcomes.</li> </ul> <p><b>Solar Access</b></p> <p>New development should maintain solar access to footpaths and public spaces as follows:</p> <ul style="list-style-type: none"> <li>Within 2.0 metres of the eastern and western boundary of Mary Street and Coppin Street from 10.00am to 2:00pm on 22 September [the equinox]</li> </ul> <p>New development should maintain solar access to Ryan's Reserve as follows:</p> <ul style="list-style-type: none"> <li>Beyond 16m of the eastern boundary from 10.00am onwards on 22 September [the equinox].</li> <li>At the western property boundary until 2:00pm on 22 September [the equinox].</li> </ul>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Provides activation to the street through habitable ground level spaces.</li> <li>Provides for additional hospitality, retail and commercial uses within the lower levels of development.</li> <li>Avoids unarticulated façades that give a bulky appearance, especially from oblique views.</li> <li>Is articulated to reflect a mix of fine grain and wider frontages to support a diversity of uses.</li> <li>Reinforces the built form edge to local streets.</li> <li>Reduces visual bulk by recessing upper levels from local streets.</li> <li>Establishes a pedestrian scale environment at street level.</li> <li>Maintains solar access to the footpaths of Mary Street and Coppin Street</li> <li>Maintains solar access to the playing courts of Ryans Reserve.</li> </ul>	 <p><b>Local Street 4 storey wall with no solar access requirements</b></p> <p><b>Local Street 4 storey wall with solar access requirements</b></p>
<p><b>H - Railway Interface</b></p>	<p><b>Street Wall</b></p> <ul style="list-style-type: none"> <li>Zero front and side setbacks should be provided.</li> <li>Provide a ground level setback at 1 Stephenson Street, to enable widening of the existing footpath to a width of 3.0m. Provide for activation to the footpath.</li> <li>Provide ground level setbacks to properties along Railway Place to achieve a 2m wide footpath on Railway Place</li> <li>Provide ground level rear setbacks for properties at 94-98 Swan Street to achieve a laneway width of at least 3.0m.</li> <li>Provide ground level rear setbacks for properties at 106-120 Swan Street, 300-312 Swan Street, and 2 Kipling Street to achieve a laneway width of at least 6.0m.</li> <li>Provide ground level rear setbacks for properties at 348-442 Swan Street to achieve a laneway width of at least 7.0m.</li> <li>Provide a north-south pedestrian link of at least 3.0m wide through 382-390 Swan Street</li> <li>Provide ground level rear setbacks for 444 Swan Street to achieve a laneway width of at least 7.0m.</li> <li>Provide ground level rear setbacks for properties at 500-506 Swan Street to achieve a laneway width of at least 6.0m.</li> <li>Provide ground level rear setbacks for properties at 130-136 Stawell Street to achieve a laneway width of at least 3.0m.</li> <li>Provide for activation of ground level façades.</li> </ul> <p><b>Upper Level Setbacks</b></p> <ul style="list-style-type: none"> <li>Zero upper level setbacks. The development should incorporate facade articulation, and recessed elements to minimise perceived visual bulk.</li> </ul> <p><b>Solar Access</b></p> <p>New development should maintain solar access to proposed open space [existing at grade car park] adjacent to East Richmond Station as follows:</p> <ul style="list-style-type: none"> <li>Beyond 7m of the eastern boundary from 10.00am onwards on 22 September [the equinox].</li> <li>Beyond 10m of the northern boundary from 10.00am onwards on 22 September [the equinox].</li> </ul>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Contributes to a visually interesting skyline with buildings of high architectural quality.</li> <li>Avoids unarticulated façades that give a bulky appearance, especially from oblique views.</li> <li>Provides significant breaks and recesses in upper levels of building massing.</li> <li>Provides activation at the street level and an enhanced public realm.</li> <li>Ensure buildings are able to be 'read in the round' with high quality articulation to all visible façades.</li> <li>Minimises visual bulk and maintains views to sky when looking towards Swan Street along north-south intersecting streets.</li> <li>Provides for laneway and footpath widening where appropriate.</li> <li>Creates an enhanced public realm.</li> <li>Maintains solar access to the future proposed park adjacent to east Richmond Station.</li> </ul>	 <p><b>Laneway and Railway Interface</b></p>

Interface Area	Street Wall, Upper Level Setbacks and Solar Access	Development Outcomes	Interface Diagram
<p><b>I - Residential Interfaces</b></p>	<p><b>Street Wall</b></p> <ul style="list-style-type: none"> <li>Where no laneway exists, building height should not exceed 8m [2 storeys] at the residential interface.</li> <li>Where a laneway exists, building height should not exceed 11.5m [3 storeys] at the residential interface.</li> <li>Where new development abuts a residential property in a Heritage Overlay the height of the new development should not exceed one storey higher than the abutting contributory or individually significant dwelling.</li> </ul> <p><b>Upper Level Setbacks</b></p> <ul style="list-style-type: none"> <li>Upper levels should be recessed in accordance with the interface diagrams opposite.</li> <li>For development above six storeys and development on wider allotments, visual bulk should be minimised through additional setbacks and building separation.</li> <li>New development should minimise overshadowing to the private open space of existing residential dwellings located directly south, east or west.</li> <li>Minimise stepping of upper level setbacks to provide a high quality outcome to the adjoining residential interface.</li> <li>New development should ensure that there is no view line from a habitable internal space to adjoining existing private open space to within 9m horizontal distance of the window.</li> </ul>	<p>Development that:</p> <ul style="list-style-type: none"> <li>Does not overwhelm existing residential properties.</li> <li>Is articulated to minimise visual bulk when viewed from residential properties.</li> <li>Minimises overlooking onto adjoining private open space</li> <li>Provides an overall scale that is compatible with adjoining low-scale residential areas</li> <li>Considers overshadowing impacts to residential properties located to the south, east or west of the development.</li> <li>Avoids excessive stepping and reads as a vertical element from neighbouring properties</li> <li>Provides an abutting interface that does not overwhelm the private open space of adjoining residential uses.</li> </ul>	 <p><b>Residential Interface with existing laneway</b></p> <p><b>Residential Interface direct abuttal</b></p>

## 4.6 CENTRE-WIDE RECOMMENDATIONS

The following recommendations apply to all development across the Activity Centre.

Built Form Element	Objectives	Design Requirements
Heritage	<ul style="list-style-type: none"> <li>■ To ensure new development is compatible with adjoining residential heritage areas.</li> <li>■ To ensure the retention of heritage buildings.</li> <li>■ To ensure new infill development does not overtly compete with the nineteenth and early twentieth century façades.</li> <li>■ To ensure the adaptation of heritage buildings is undertaken in a way that maintains the heritage integrity of the building.</li> <li>■ To provide upper level development that is compatible and recessive to an existing significant or contributory heritage building.</li> </ul>	<ul style="list-style-type: none"> <li>■ Where new development has a rear interface with a residential property in the Heritage Overlay, the height of the new development should not exceed one-storey higher than the abutting 'contributory' or 'individually significant' dwelling at that interface (i.e. a maximum height of two-storeys should be constructed against a single-storey dwelling and a maximum height of three-storeys should be constructed against a two-storey dwelling).</li> <li>■ Original or early shop-fronts should be retained. The reinstatement of early shop-front designs is encouraged. Where the form of an early recessed entry has survived this should be retained.</li> <li>■ Where evidence of an early street verandah exists it should be reinstated.</li> <li>■ The conservation of heritage buildings through repair, restoration and reconstruction (where appropriate) is encouraged.</li> <li>■ The roof form of an 'individually significant' building between the parapet and any new development should be retained where it is visible from the public realm and/or contributes to the significance of the heritage place.</li> <li>■ New upper level development should be recessive in terms of visibility and massing by subtly contrasting with the masonry structure below through its architectural treatment.</li> <li>■ New infill development within a heritage overlay precinct should:             <ul style="list-style-type: none"> <li>■ Interpret the historic façade rhythm, including fenestration patterns and proportions, the relationship between solid and void, and the module of structural bays.</li> <li>■ Be distinguishable from the original heritage fabric and adopt a high quality and respectful contextual design response.</li> <li>■ Ensure façade treatments and the articulation of new development is simple and does not compete with the more elaborate detailing of nineteenth century buildings.</li> <li>■ Ensure fenestration patterns of new development respect the vertical proportions of nineteenth and early twentieth century façades and avoids large expanses of glazing with a horizontal emphasis except to ground floor shopfronts.</li> <li>■ Maintain the existing canopy/verandah height.</li> <li>■ Avoid the use of unarticulated curtain glazing or highly reflective glass.</li> <li>■ Avoid the replication of existing decorative features and architectural detail.</li> </ul> </li> <li>■ The adaptation of existing 'contributory' and 'individually significant' heritage buildings should:             <ul style="list-style-type: none"> <li>■ Discourage highly reflective glazing in historic openings.</li> <li>■ Ensure the inter-floor height of the existing building is maintained and avoid new floor plates and walls cutting through historic openings.</li> <li>■ Encourage the retention of solid built form behind retained façades and avoid balconies behind existing openings.</li> </ul> </li> <li>■ New upper level development behind the street wall within a heritage precinct should:             <ul style="list-style-type: none"> <li>■ Ensure that the design and setback of the addition does not visually dominate the heritage building or surrounding heritage places.</li> <li>■ Retain the primacy of the three-dimensional form of the heritage building within the streetscape.</li> <li>■ Incorporate materials and finishes that are recessive in texture and colour.</li> <li>■ Utilise visually lightweight materials that provide a juxtaposition with the heavier masonry of the heritage façades.</li> <li>■ Incorporate simple architectural detailing so it does not detract from significant elements of the existing building or streetscape.</li> <li>■ Provide a consistent and recessive backdrop to the heritage street wall and individual heritage buildings.</li> <li>■ Avoid highly articulated façades with recessed and projecting elements.</li> <li>■ Avoid highly contrasting or vibrant primary colours.</li> <li>■ Avoid unarticulated façades that give a bulky appearance, especially from oblique views.</li> <li>■ Be articulated to reflect the fine grained character of narrow sites.</li> </ul> </li> </ul>

Built Form Element	Objectives	Design Requirements
<b>Building Form and Design</b>	<ul style="list-style-type: none"> <li>■ To encourage high-quality buildings that contribute positively to the streetscape through the use of innovative architectural responses.</li> <li>■ To retain the existing fine-grain character of commercial/retail buildings throughout the Activity Centre and reflect this character in new development where relevant.</li> <li>■ To encourage development that retains the existing human scale and does not dominate the adjoining public realm.</li> <li>■ To encourage development that contributes to creating an attractive skyline when viewed within Swan Street and surrounding residential areas.</li> <li>■ To ensure all new development incorporates best practice Environmentally Sustainable Development (ESD) initiatives, such as reducing greenhouse gas emissions, maximising energy efficiency, reducing water consumption and minimising waste to landfill.</li> </ul>	<ul style="list-style-type: none"> <li>■ Building design should minimise the visual bulk of large buildings through significant breaks and recesses in building massing.</li> <li>■ New development should be designed to create human scaled places that promote visual and pedestrian amenity.</li> <li>■ Buildings should reflect the existing fine grain pattern of narrow shop fronts within the traditional shopping strips by incorporating separate ground floor tenancies and vertically modulated forms.</li> <li>■ Provide wider frontages in accordance with the preferred character of each precinct to support opportunities for a diverse range of employment uses.</li> <li>■ On larger buildings, articulate or divide roof forms into distinct sections in order to minimise visual bulk.</li> <li>■ Buildings should utilise materials that do not generate glare, and can withstand the effects of weathering and wear to minimise maintenance and assist in achieving the 'high quality' development objectives of the Built Form Framework.</li> <li>■ All new buildings are to incorporate best practice Environmentally Sustainable Development (ESD) principles, such as passive solar design, where appropriate for the incorporation of green walls, and the use of sustainable materials. Refer to the Sustainable Design Assessment in the Planning Process (SDAPP) Fact Sheets for guidance on the requirements and the sustainability assessment process.</li> </ul>
<b>Building Separation</b>	<ul style="list-style-type: none"> <li>■ To ensure development considers the amenity impacts on existing and potential future development across the Activity Centre.</li> <li>■ To minimise the visual impact of unarticulated walls to common boundaries.</li> <li>■ To provide opportunities for adequate sunlight to future development on adjoining properties.</li> </ul>	<ul style="list-style-type: none"> <li>■ Development should provide upper level setbacks of at least 4.5m to the common side or rear boundary where windows of habitable rooms and balconies face onto the common boundary. Where development abuts a laneway the 4.5m setback is measured from the centreline of the laneway.</li> <li>■ Development should provide upper level setbacks of at least 3.0m to the common side or rear boundary for non-habitable rooms and service areas.</li> <li>■ New development should consider the impact on future development opportunities of adjoining sites when determining building setbacks, interfaces and orientation of building forms.</li> </ul>
<b>Street Interface</b>	<ul style="list-style-type: none"> <li>■ To ensure buildings within core retail areas and along key pedestrian streets contribute to active and engaging street frontages and support a high level of pedestrian amenity.</li> </ul>	<ul style="list-style-type: none"> <li>■ On all street frontages, buildings should provide pedestrian interest and interaction with a permeable façade incorporating windows and door openings with clear glazing.</li> <li>■ Buildings on corner sites should be designed to actively address both frontages at street level.</li> <li>■ Buildings incorporating podium forms should provide opportunities for activation of upper podium levels to support passive surveillance of the public realm.</li> <li>■ Buildings fronting laneways should be designed for passive surveillance with a permeable façade, including windows and door openings.</li> <li>■ Upper levels of buildings should be designed to provide habitable rooms with windows or balconies that overlook the public realm.</li> </ul>
<b>Weather Protection</b>	<ul style="list-style-type: none"> <li>■ To ensure weather protection is provided in new developments within primary active frontage areas.</li> </ul>	<ul style="list-style-type: none"> <li>■ Incorporate verandahs into the façade design along streets identified in the Swan Street Activity Centre Built Form Plan. In special circumstances verandahs or awnings may be omitted, such as on heritage buildings or where daylight or upward views are desirable.</li> <li>■ Verandahs should be continuous and should be set back from street kerbs by at least 0.75m to avoid vehicle damage and service poles. Greater setback or cut outs might be required to accommodate existing or future street trees.</li> <li>■ Verandahs should be at an appropriate height above the footpath to avoid damage whilst still providing effective weather protection, generally between 3 and 4.5m and consistent with adjoining sites.</li> <li>■ Verandahs should be designed to mitigate the potential for visual clutter effects from light fittings, service cables and under awning signage.</li> </ul>

Built Form Element	Objectives	Design Requirements
<p><b>Access and Services</b></p>	<ul style="list-style-type: none"> <li>■ To provide site and building services that are incorporated into the design of developments and screened from public view.</li> <li>■ To minimise the visual impact of car parking, access, loading and service activities from the street so that it does not adversely affect streetscape character.</li> </ul>	<ul style="list-style-type: none"> <li>■ Pedestrian entries to buildings should be clearly visible and easily identifiable from the street and accessible for all abilities</li> <li>■ Ramps or stairs required to access a raised ground floor level must be within the development property boundary.</li> <li>■ Residential entries should be distinguished from retail and commercial entries.</li> <li>■ Screen air conditioning services, antennas and other utilities from public view using balcony treatments / roof structures / architectural elements.</li> <li>■ Waste storage, loading and recycling facilities should be screened from public view. They should be easily accessed by residents and well ventilated.</li> <li>■ Vehicle crossovers should be minimised and located to prevent traffic disruption and preserve nature strips and street trees if present.</li> <li>■ Parking and vehicle entries should not present as a dominant element when viewed from the public realm. Appropriate and innovative screening and screen planting should be incorporated where necessary.</li> <li>■ Car parking, turning areas, loading areas or other hard stand areas should not be located in front setbacks.</li> <li>■ Loading and service access to be located off laneways or secondary streets.</li> <li>■ Undercroft and podium level car parking should be set behind built form providing active uses to the street. Use of other screening from the street, such as landscaping and/or articulated screening, may be acceptable where it can be demonstrated that active use to the street is not achievable.</li> <li>■ Car parks (underground, at grade or multi-storey) should be designed to consider the following: <ul style="list-style-type: none"> <li>■ Impacts on the street and landscaping</li> <li>■ Flooding impacts</li> <li>■ Provision of natural ventilation</li> <li>■ Integration of ventilation grilles or security gates into the façade and landscape design</li> <li>■ Provision of security gates, conceal service pipes and ducts, to improve the appearance of basement entries from the street</li> <li>■ Provision of bicycle parking, public access, and pedestrian safety to lifts</li> </ul> </li> </ul>
<p><b>Landscaping</b></p>	<ul style="list-style-type: none"> <li>■ To improve the amenity of key strategic development sites through the provision of high quality public open space.</li> <li>■ To provide landscaping that is integrated with the design of the development and complements the landscaping of the adjoining public realm.</li> <li>■ To ensure high quality public realm outcomes.</li> </ul>	<ul style="list-style-type: none"> <li>■ Communal garden spaces should be provided at podium and rooftop levels where appropriate to create amenity for residents, workers and visitors. The gardens should take into consideration, aspect, materials and solar orientation.</li> </ul>

## 4.7 BUILT FORM CROSS SECTIONS

The following cross sections represent potential built form envelopes when the building heights and interface requirements are applied. The cross sections do not depict a designed built form outcome.

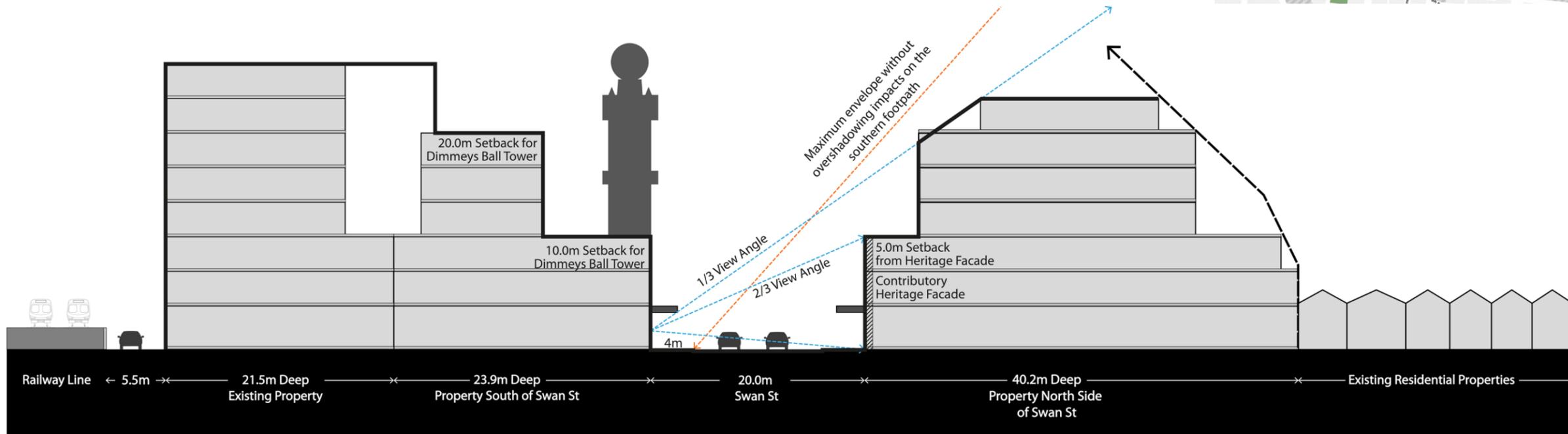


FIGURE 43 - BUILT FORM SECTION 01

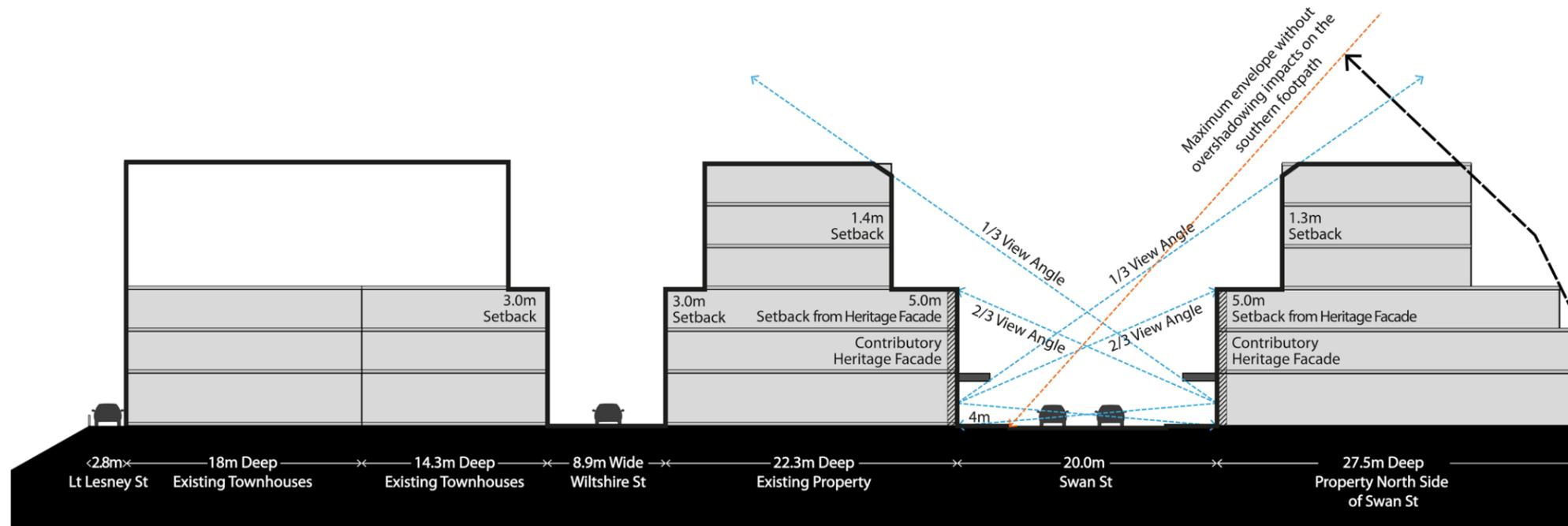


FIGURE 44 - BUILT FORM SECTION 02

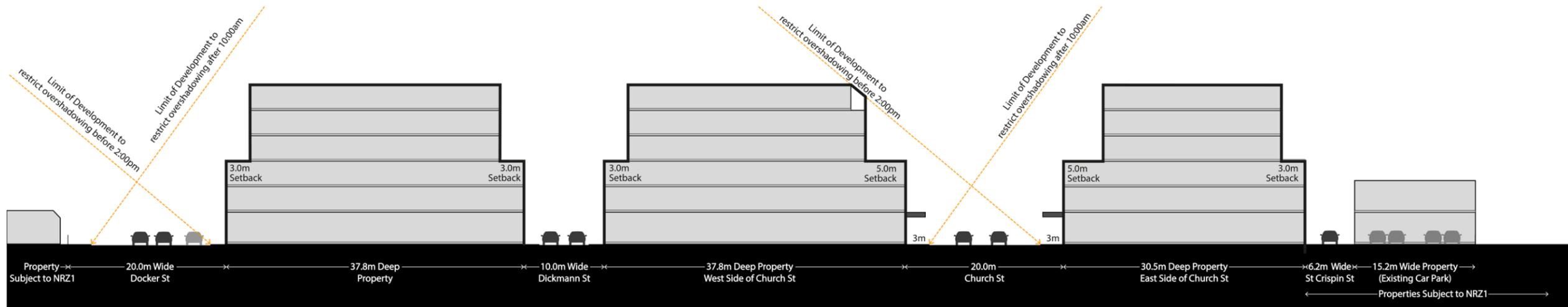


FIGURE 45 - BUILT FORM SECTION 03

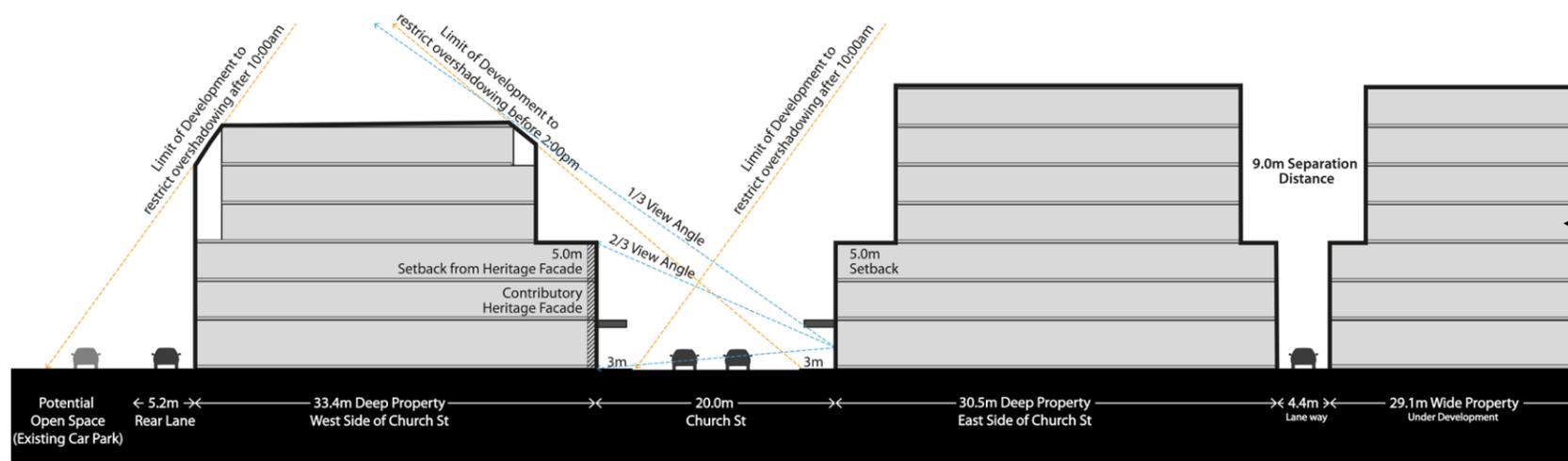


FIGURE 46 - BUILT FORM SECTION 04

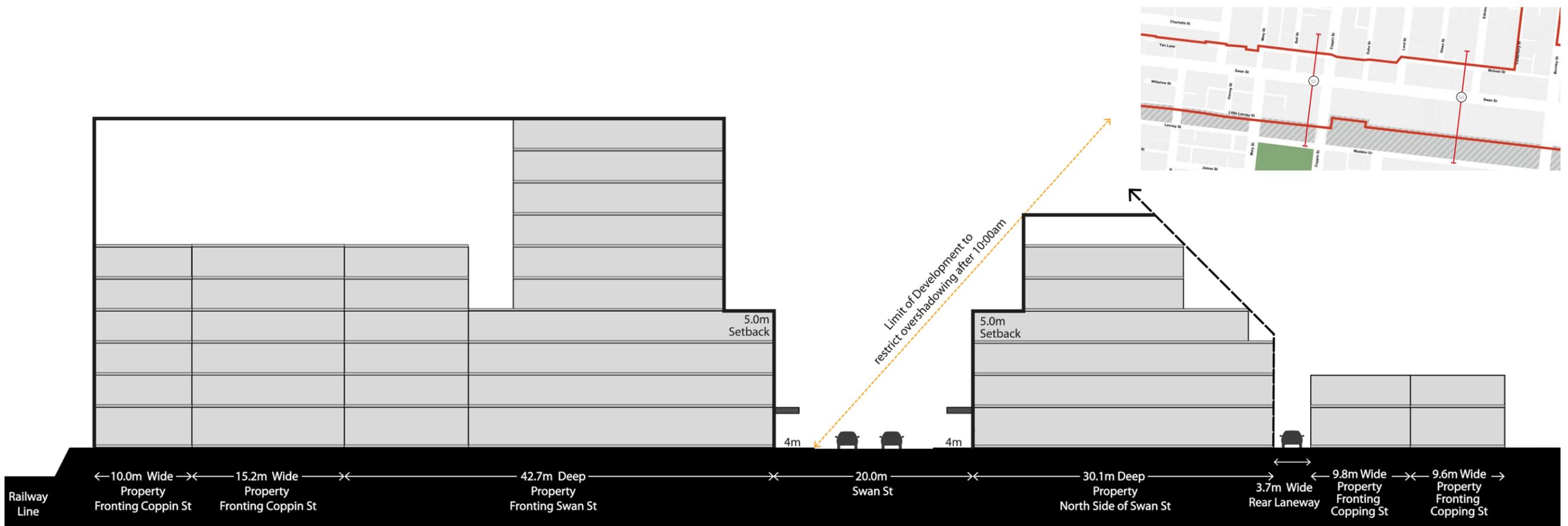


FIGURE 47 - BUILT FORM SECTION 05

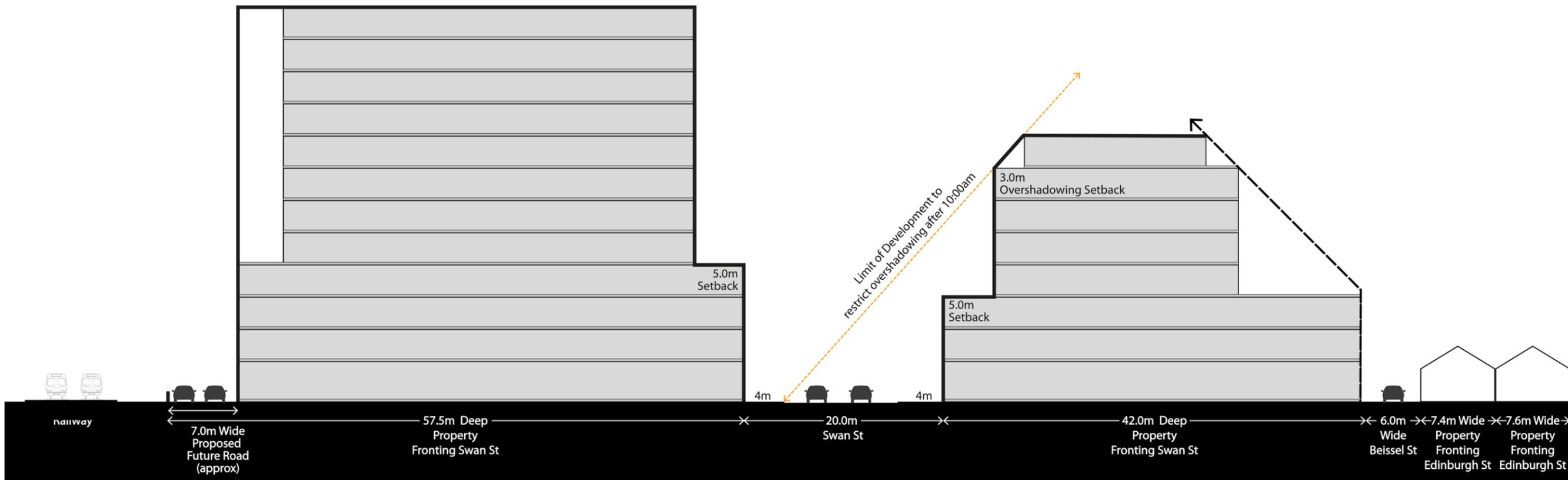


FIGURE 48 - BUILT FORM SECTION 06

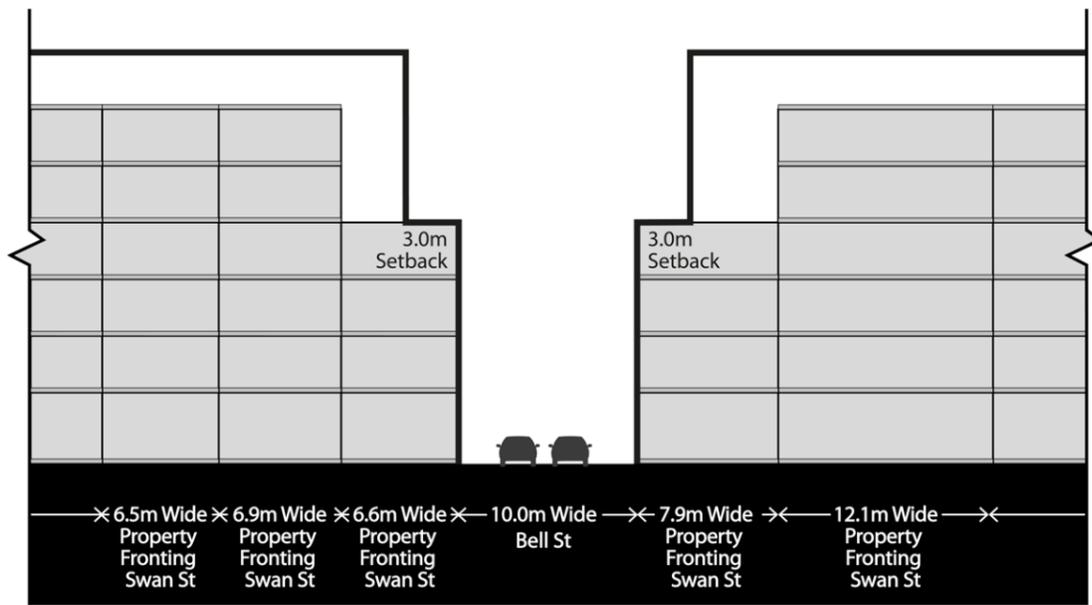


FIGURE 50 - BUILT FORM SECTION 07

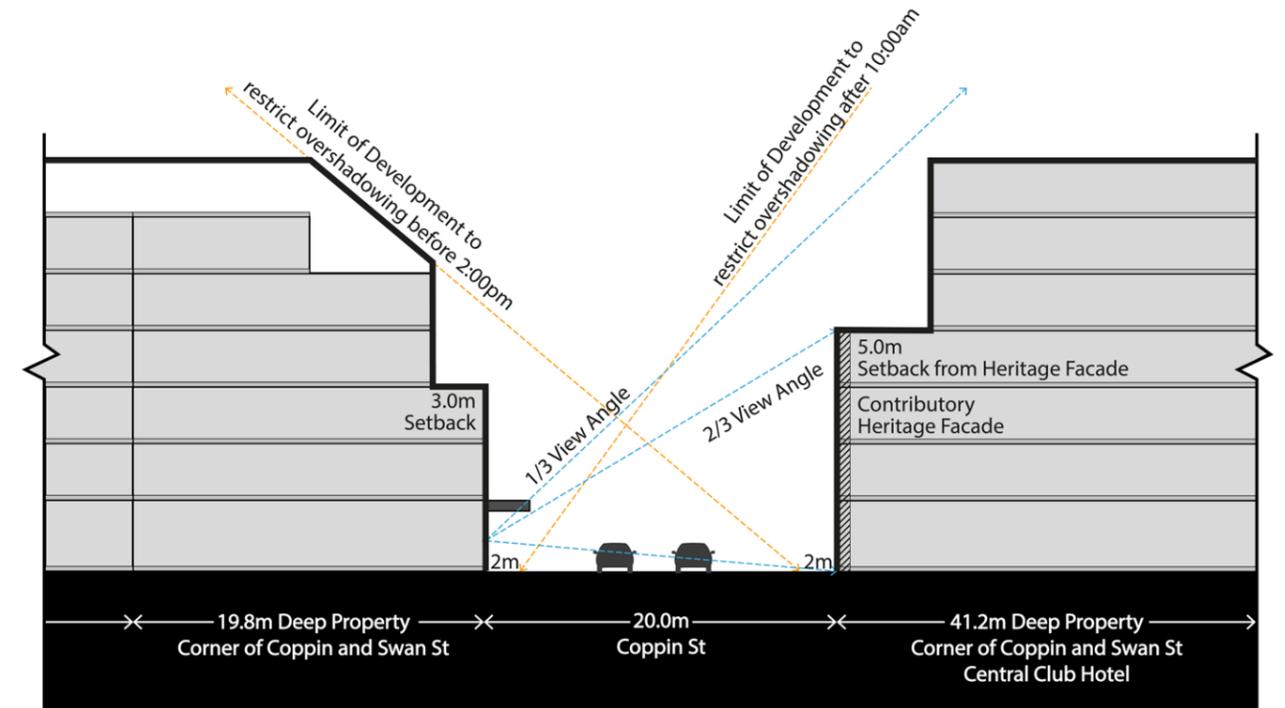


FIGURE 49 - BUILT FORM SECTION 08

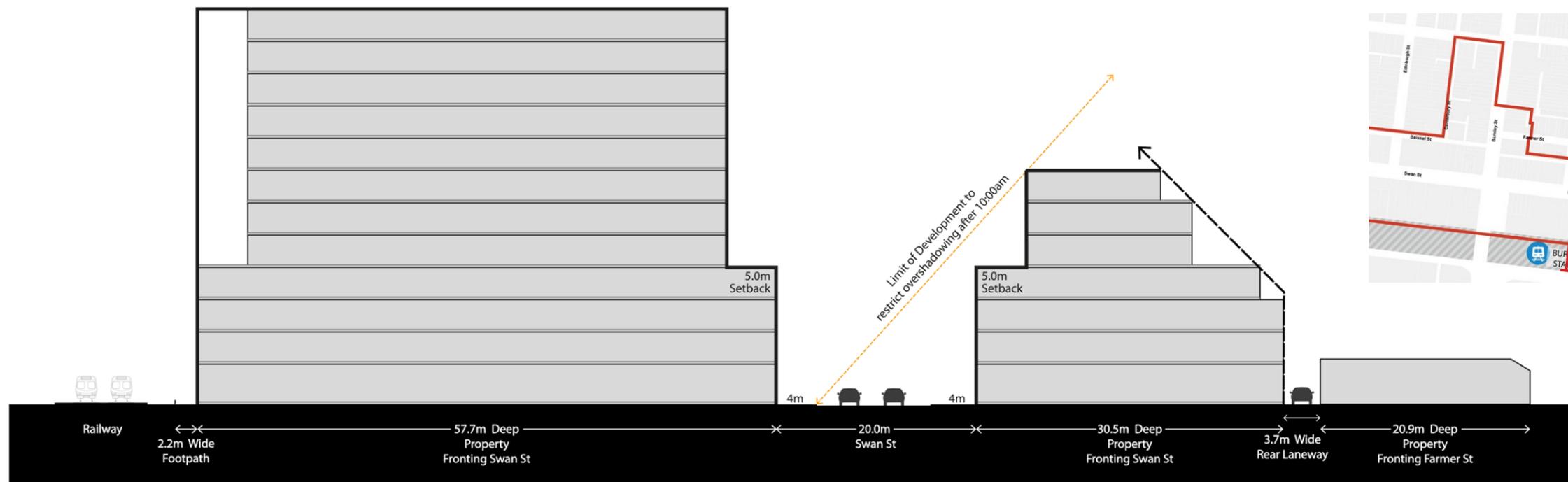
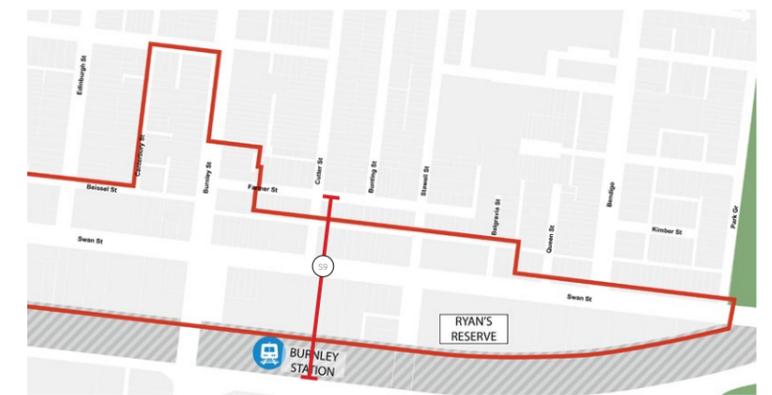
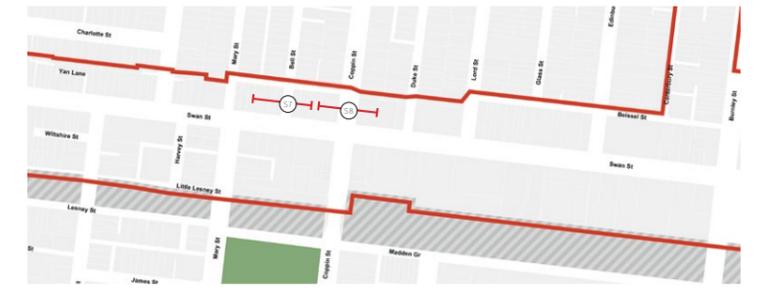


FIGURE 51 - SECTION 09



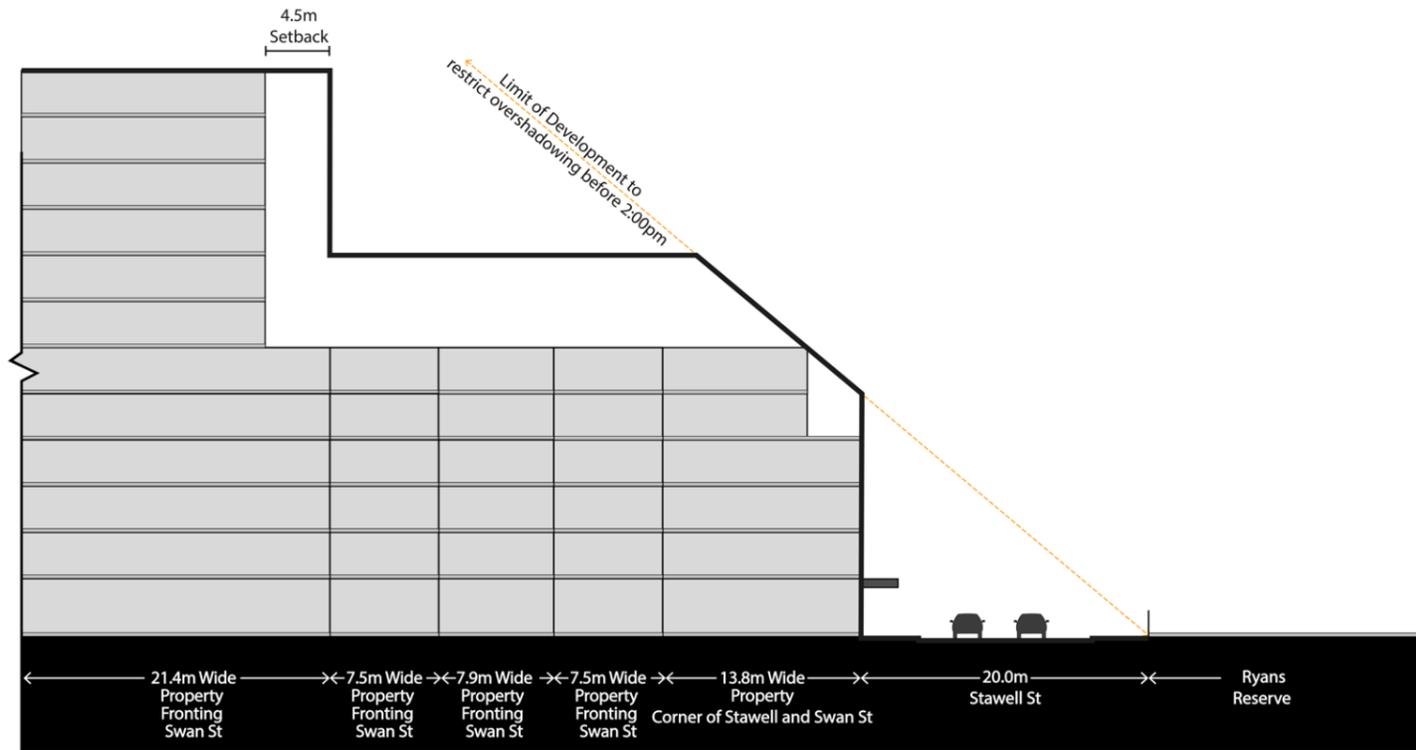


FIGURE 52 - SECTION 10

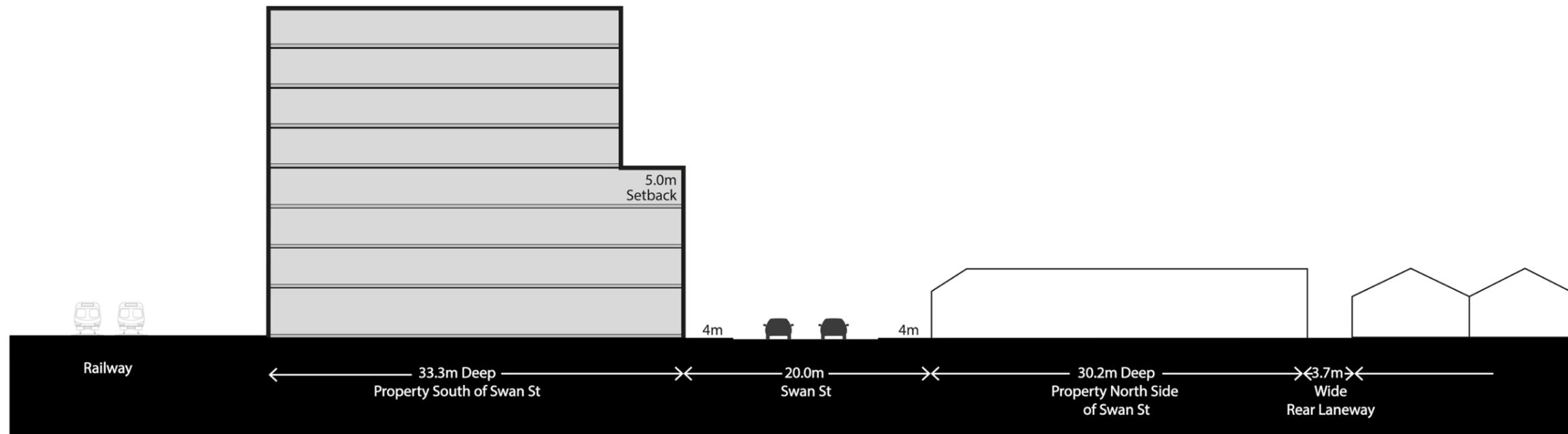
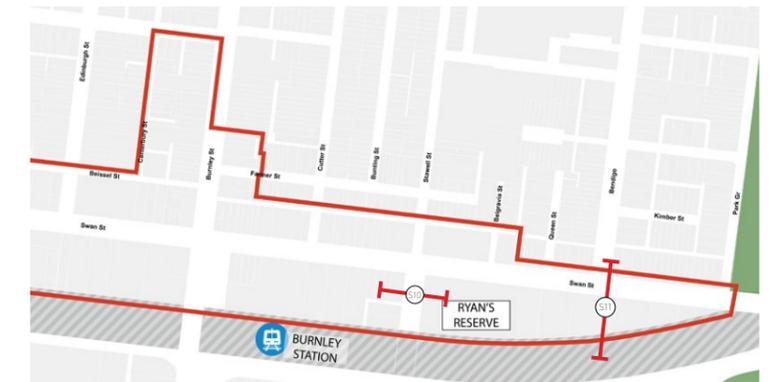


FIGURE 53 - SECTION 11