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Proposed  
C241

## SCHEDULE 20 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO20**.

### QUEENS PARADE

#### 1.0 General design objectives

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- To recognise and respond to the distinct character, heritage streetscape and varying development opportunities defined by the four precincts along Queens Parade, including:
  - Precinct 2 – Boulevard Precinct
  - Precinct 3 – St John’s Precinct
  - Precinct 4 – Activity Centre Precinct
  - Precinct 5 – North Eastern Precinct
- To support a new mid rise character (3 to 14 storeys) behind a consistent street wall in precincts 2-5.
- To ensure development respects the architectural form and qualities of heritage buildings and streetscapes and maintains the visual prominence of the St John the Baptist church belfry and spire, the former ANZ Bank building, the former United Kingdom Hotel and the former Clifton Motors garage.
- To ensure new development responds to the grand, tree-lined boulevard character of Queens Parade.
- To ensure that the overall scale and form of new buildings provides a suitable transition to low scale residential areas and protects these properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.

#### 2.0 Buildings and works

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

#### 2.1 Definitions

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

**2:1 ratio heritage street wall to new built form** is where the height of the heritage street wall is double the height of the new development above street wall when viewed from the opposite side of the street from the centre of the footpath at a height of 1.6 metres above ground level

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

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

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

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

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

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

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

## 2.2 General design requirements

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

- A permit must not be granted to construct a building or carry out works if it does not meet the mandatory requirements specified in the relevant Precinct Tables.
- A permit must not be granted to construct a building or carry out works which exceeds the preferred building height and setbacks shown in the relevant Precinct Tables unless the following requirements are met, to the satisfaction of the responsible authority:
  - The built form outcome as a result of the proposed variation satisfies the general design objectives in Clause 1.0; and
  - The built form outcome as a result of the proposed variation satisfies the relevant precinct requirements specified in this schedule.
- Facades at ground level must be designed with floor to floor ceiling heights suitable to accommodate commercial activity in the Commercial 1 Zone and the Mixed Use Zone.
- Development must retain, enhance and incorporate existing heritage facades and building form into future redevelopment and to create a consistent street wall height of 8-11 metres along the streetscapes.
- Future vehicle access and services must be provided from a rear laneway or side street where possible.
- Development must provide setbacks which ensure that upper level additions seen from the public realm are high quality and do not diminish the appreciation of the heritage building and streetscape.
- Development must avoid repetitive stepped built form at upper levels of development.
- Unless specified in another table in this schedule, any part of a building adjacent to land in a residential zone must comply with the following:

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

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

### 2.3 Heritage design requirements

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

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

<b>Element</b>	<b>Design Requirement</b>
Building facades and street frontages	<p><b>Infill buildings and development adjoining a heritage building</b>                      Façade treatments and the articulation of infill buildings on land affected by a heritage overlay or immediately adjoining a heritage building must:</p> <ul style="list-style-type: none"> <li>• interpret the rhythm of the heritage streetscape and/or adjoining heritage building including fenestration patterns and proportions, the relationship between solid and void, and the pattern of structural bays</li> <li>• be distinguishable from the original heritage fabric and adopt a high quality and respectful contextual response</li> <li>• ensure façade treatments and the articulation of new development are simple and do not compete with the more elaborate detailing of nineteenth century buildings</li> <li>• ensure fenestration patterns of new development respects the vertical proportions of nineteenth and early twentieth century facades and avoids large expanses of glazing with a horizontal emphasis except to the ground floor shop fronts</li> <li>• avoid large expanses of glazing with a horizontal emphasis except to ground floor shopfronts</li> <li>• maintain the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building(s)</li> <li>• avoid the use of unarticulated curtain glazing and highly reflective glass</li> <li>• ensure ground floor facades facilitate activated street frontages.</li> </ul> <p><b>Adaption of contributory or individually significant buildings</b>                      Adaptation of contributory or individually significant buildings must:</p> <ul style="list-style-type: none"> <li>• avoid highly reflective glazing in historic openings</li> <li>• encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings</li> <li>• maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings</li> <li>• encourage the retention of heritage fabric</li> <li>• retain original or early shop fronts and verandahs.</li> </ul>
Upper level behind heritage street wall	<p><b>Upper level development must:</b></p> <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>• ensure that setbacks retain key viewlines</li> <li>• retain the primacy of the three-dimensional form of the heritage building as viewed from</li> </ul>

Element	Design Requirement
	<p>the public realm to avoid ‘facadism’</p> <ul style="list-style-type: none"> <li>• retain the roof form of individually significant buildings between the parapet and new development where it contributes to the significance of the building or it is visible from the public realm</li> <li>• utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades</li> <li>• use simple architectural detailing that does not detract from significant elements of the existing building or streetscape</li> <li>• be articulated to reflect the fine grained subdivision character of narrow sites</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>• incorporate fenestration patterns and solid to void ratios that respect heritage facades</li> <li>• provide a recessive backdrop to the heritage street wall and individual heritage buildings.</li> </ul>

## 2.4 Precinct design requirements

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

### 2.4.1 Precinct 2 – Boulevard Precinct

Shown on the planning scheme map as **DDO20-1**

The design requirements for Precinct 2 are as follows:

- Development must:
  - not diminish or detract from the heritage values of the boulevard streetscape, the heritage street wall and the heritage trees along Queens Parade.
  - deliver an appropriate interface arrangement to neighbouring properties and minimise visual bulk and mass when viewed from the adjoining properties.
  - avoid a repetitive stepped form within the 45 degree angle profile.
  - maintain the prominence of heritage buildings along Napier Street when viewed from Napier Reserve.
  - be appropriately setback at upper levels from the heritage buildings along Napier Street.
  - provide an appropriate transition in scale from the heritage buildings along Napier Street and Alexandra Parade.
  - provide vehicular access from laneways
  - provide building separation
  - to reduce visual bulk



Map of Precinct 2

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

Built form	Mandatory requirement	Preferred requirement
<b>Precinct 2C</b>		
<b>Built Form</b>	<b>Mandatory requirement</b>	<b>Preferred requirement</b>
Building height		Maximum of 28 metres (8 storeys)
Front street wall height	Maximum 18 metres (5 storeys) for development on Queens Parade, George Street and Alexandra Parade	Development on Napier Street should not exceed the parapet height of the adjoining heritage buildings.
Upper level setback		5 metres minimum
Setback(s) from boundary of 472 to 484 Napier Street		Setback within a 45 degree angle line measured from 12 metres (5 storeys).
Side and rear setbacks		ResCode B17
<b>Precinct 2D</b>		
Building height		18 metres (5 storeys)
Front street wall height	Retain existing parapet height	
Upper level setback	Minimum 6 metres from facade	

## 2.4.2 Precinct 3 – St John’s Precinct

Shown on the planning scheme map as **DDO20-2**

The design requirements for Precinct 3A are as follows:

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



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

Built Form	Mandatory requirement	Discretionary requirement
Building height		Maximum of 18m (5 storeys)
Front street wall height	<p>Maximum 11 metres for 15-33 Queens Parade</p> <p>Retain height of existing heritage façade.</p> <p>Development adjoining a heritage building must match the parapet height of adjacent taller heritage building.</p> <p>Maximum of 14m (4 storeys) elsewhere</p>	
Upper level setback	<p>Minimum of 6 metres at 664 Smith Street (former Fire Station) and</p> <p>Minimum 6 metres at 15-41 Queens Parade</p>	6 metres elsewhere
Street wall setback		0 metres - built to front boundary at ground level
Rear setback		<p>45° above 8 metres from rear boundary to a laneway.</p> <p>45° above 5 metres from rear boundary (no laneway).</p>
Side setback		<p>If adjoins NRZ, ResCode B17</p> <p>0 metres elsewhere</p>

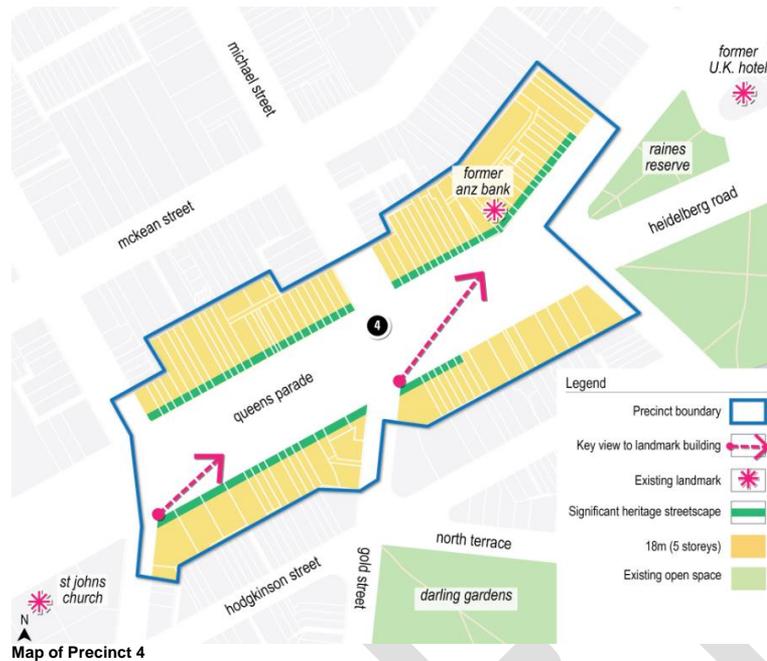
### 2.4.3 Precinct 4 – Activity Centre Precinct

Shown on the planning scheme map as **DDO20-3**

The design requirements for Precinct 4 are as follows:

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

- o respect the low scale, fine grain subdivision pattern of existing development on Hodgkinson Street and McKean Street



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

Built Form	Mandatory requirement	Preferred requirement
Building height	21.5 metres (6 storeys)	
Front street wall height on Queens Parade	Retain height of existing heritage façade. Where no heritage façade exists, development must be: <ul style="list-style-type: none"> <li>• a minimum of 8m (2 storeys)</li> <li>• a maximum of 11m (3 storeys) or where there is an adjacent heritage building, the parapet height of that building if taller than 11 metres.</li> </ul>	
Front street wall height in side streets.		Retain height of existing heritage façade. Where no heritage façade exists development should be: <ul style="list-style-type: none"> <li>• a minimum of 8m (2 storeys)</li> <li>• a maximum of 11m (3 storeys) or where there is an adjacent heritage building, the parapet height of that building if taller than 11m.</li> </ul>
Upper level setback Queens Parade	Minimum 6 metres in significant heritage streetscape area Minimum 8 metres at 364 Queens Parade	Minimum 6 metres at 167-197 Queens Parade
Upper level setback in side		Minimum 6 metres

Built Form	Mandatory requirement	Preferred requirement
streets		
Street wall setback	0 metres - built to front boundary at ground level	
Side and rear setback (NRZ interface)		45 degree angle above 8 metres from rear boundary to laneway 45 degree angle above 5 metres where no laneway

**2.4.4 Precinct 5 – North Eastern Precinct**

Shown on the planning scheme map as **DDO20-4**

The design requirements for Precinct 5 are as follows:

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



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

<b>Built form</b>	<b>Mandatory requirement</b>	<b>Preferred requirement</b>
<b>Precinct 5A</b>		
Building height		18 metres (5 storey)
Street wall height	Match existing parapet or eaves height	
Upper level setback		Minimum 5 metres
<b>Precinct 5B</b>		
Building height		1:1 heritage street wall to new built form behind Clifton Motors and 203 Queens Parade visible from the opposite side of Queens Parade 28 metres (8 storeys) elsewhere
Front street wall height	Match parapet height of former Clifton Motor Garage and eaves line of former UK Hotel	11 metres (3 storeys) for non contributory buildings facing Queens Parade and Dummett Crescent.
Street wall setback	0 metres	
Setback from side and rear boundary	0 metres	
Upper level setback	6 metres for development at former Clifton Motor Garage	6 metres elsewhere.
<b>Precinct 5C</b>		
<b>Built Form</b>	<b>Mandatory requirement</b>	<b>Preferred requirement</b>
Building height		49 metres (14 storeys)
Front street wall height		35 metres (10 storeys)
Upper level setback		10 metre street wall fronting Queens Parade

**Application Requirements**

Unless with the written consent of the Responsible Authority, an application must provide:

- Perspectives showing the form, massing, profile, material finishes and detailed design of the proposed building(s), including perspectives from the opposite side of Queens Parade.
- Perspective and modelling of the proposed building(s) in:

- Precinct 2A when viewed from the north side of Newry Street and of Coleman Street, and the WT Peterson Oval, the Fitzroy Grandstand and other locations in the southern part of Edinburgh Gardens to Council’s specifications.
- Precinct 3A when viewed from the centre of the footpath at the south-eastern corner of the intersection of Queens Parade and Smith Street (Precinct 3A).
- Precincts 3A and 4 when viewed from the south side of Hodgkinson Street and north side of McKean Street (Precinct 4).
- Precinct 5 when viewed from Raines Reserve and Coulson Reserve.
- Sight line analysis from the opposite side of the relevant street taken at eye level (1.6 metres above the footpath 1 metre from the kerb).
- The following information in the Traffic Engineering Report:
  - measures to reduce conflict and improve pedestrian and bicycle amenity
  - details regarding loading and waste collection
  - any impacts on the operational efficiency and road safety of the tram route
  - any impacts on laneway access and services in the laneway
  - any modifications to existing roads and/or laneways and/or provision of new laneway(s)
  - A Green Travel Plan prepared by a suitably qualified person outlining site-specific initiatives and actions to encourage the use of more sustainable transport options.
- An environmental wind assessment prepared by a suitably qualified professional to undertake measurements of environmental wind conditions around the proposed development and develop wind amelioration features as necessary.
- A heritage impact statement prepared by a suitably qualified professional that assesses the impact of the proposed development on the heritage values of the heritage place and nearby heritage places, as identified in the relevant heritage studies and citations.
- A waste management plan prepared by a suitably qualified waste management expert.

**3.0 Subdivision**

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None specified.

**4.0 Advertising**

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None specified.

**5.0 Decision guidelines**

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

- Whether the General Design Requirements, Heritage Design Requirements and the Precinct Design Requirements in Clauses 2.2, 2.3 and 2.4 are met.
- The architectural quality of the proposal including the design, scale height, materials, mass and visual bulk of the development in relation to the surrounding area.
- If roof decks are proposed, whether they are set back from lower levels and are recessive in appearance.

- The profile and impact of development along Queens Parade and from the north side of Newry Street and of Coleman Street, and the WT Peterson Oval, the Fitzroy Grandstand and other locations in the southern part of Edinburgh Gardens.
- The design response at the interface with existing, low scale residential properties
- The design of the streetscape interface along the primary street frontage and its contribution to an active street environment.
- Whether side and rear setbacks are sufficient to limit the impact on the amenity of existing dwellings.
- How any proposed buildings and works will impact on solar access to Queens Parade and Napier Street Reserve.
- Whether heritage buildings on street corners retain their prominence when viewed from both streets.
- Whether heritage buildings retain their three-dimensional form when viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not dominate or visually overwhelm the heritage buildings.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- The suitability of vehicle access arrangements and the location, layout and appearance of areas used for car parking.
- The impact of development on views to:
  - the former ANZ Bank building's tower, roof, chimney and upper level
  - the St John the Baptist Church belfry and spire
  - the former Clifton Motor Garage's Moderne façade and fin
- The wind effects created by the development.
- For residential development, an acoustic report prepared by a suitably qualified acoustic engineer, demonstrating how the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1, the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N- 2, sleep disturbance criteria and any other relevant Australian Standards, as applicable, will be met.

### Reference Documents

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