

## Tracked Added

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Proposed  
C231

### SCHEDULE 16 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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

#### QUEENS PARADE

##### 1.0 Design objectives

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C231

- To ensure development responds to the heritage character and ~~streetscapes~~ and varying development opportunities and supports:
  - the existing low-rise character in ~~P~~precincts 1, 3B, 4 and 5A
  - a new mid-rise character behind a consistent street wall in ~~P~~precincts 2, 3A and 5B
  - higher rise development in ~~P~~precinct 5C.
- To protect the integrity of historical streetscapes and clusters of heritage buildings of a similar scale and materiality ~~by limiting new development.~~
- 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 promote design excellence that ensures new development respects the wide, open boulevard character of Queens Parade ~~and including~~ where existing historic trees are key elements in the streetscape, they remain the dominant visual feature.
- To ensure development responds to sensitive interfaces by ensuring the overall scale and form of new buildings provides a suitable transition to low scale residential areas and protects these properties from an unreasonable loss of amenity through visual bulk, overlooking and overshadowing.

##### 2.0 Buildings and works

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Proposed  
C231

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

##### 2.1 Definitions

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

**Laneway** means a road reserve of a public highway 9 metres or less in width. This does not include Dummett Crescent.

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

**Public realm** means all streets (including Dummett Crescent) and spaces open to the public but does not include laneways.

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

**Street wall** means the façade of a building at the street boundary, or if the existing heritage building is set back from the street boundary, the front of the existing building.

**Street wall height** means the height of the street wall measured by 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 or in the case of a heritage building if it is set back from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

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

**Upper level setback** means the setback of the upper level measured from the street wall of the building.

## 2.2 General 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 or amended (unless the amendment would not increase the extent of non-compliance) to construct a building or construct or carry out works which exceed the mandatory maximum building height, mandatory maximum street wall height or mandatory maximum street wall setback or are less than the mandatory minimum street wall height or mandatory minimum upper level setbacks specified in the relevant Precinct Tables. A permit cannot be granted to vary these requirements.
- A permit must not be granted or amended (unless the amendment would not increase the extent of non-compliance) to construct a building or carry out works which exceeds the preferred building height and setbacks specified in the relevant Precinct Tables unless all the following requirements are met, to the satisfaction of the responsible authority:
  - The built form outcome as a result of the proposed variation satisfies the design objectives in Clause 1.0; ~~and~~
  - ~~all~~ All the other relevant requirements specified in this schedule.

Architectural features may exceed the preferred or mandatory height.

Service equipment ~~and~~ structures including plant rooms, lift overruns, structures associated with green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment (other than solar panels); ~~and~~
- The equipment does not cause additional overshadowing of private open space, Napier Reserve and Queens Parade; ~~and~~
- The equipment does not extend higher than 3.6 metres above the maximum building height.

Projections such as balconies and building services ~~must~~ should not intrude into a setback or upper level setback.

- Development should respond to the low scale form of existing development outside Precinct 3 on Hodgkinson Street through an appropriate transition in building height and setbacks to ensure a reasonable standards of amenity.
- ~~ensure that~~ Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum

dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

### 2.3 Street wall height requirements

- Except in Precinct 4, the street wall height should be no higher than the parapet height of a taller abutting heritage building/s, ~~where present,~~ for a minimum length of 6 metres measured from the edge of the heritage building/s.

### 2.4 Upper levels requirements

- ~~Development~~ Upper level development should:
  - ~~provide~~ Provide setbacks to ensure that upper level additions seen from the public realm do not diminish the appreciation of the heritage building and streetscape.
  - ~~avoid~~ Avoid repetitive stepped built form at upper levels.
  - ~~ensure~~ Ensure that upper level development is visually recessive.
  - ~~use~~ Use materials at upper levels that are recessive in finish and colour.
  - ~~include~~ Include articulated side walls which read as part of the overall building design.
  - ~~avoid~~ Avoid continuous built form at upper levels.
  - ~~ensure~~ Ensure balconies at upper levels do not dominate the solid façades of heritage street walls.
  - ~~Minimise~~ Minimise the visual intrusion of equipment and services.
  - Protect the contribution made by chimneys, parapets and other architectural features to the fine grained character of the area.

### 2.5 Corner site requirements

- New development on a corner site with a frontage to Queens Parade should continue the Queens Parade street wall height along the side street, with a transition in height to match the rear interface where required. This requirement does not apply to Napier Street in Precinct 2C, Precinct 5C, or to a laneway except where specified. This requirement applies to the laneway abutting 215 Queens Parade in Precinct 5B to a height of 11m.

### 2.6 Ground floor design requirements

- Facades at ground level should be designed with floor to floor ceiling heights suitable to accommodate commercial activity in the Mixed Use Zone, Commercial 1 Zone and the Commercial 2 Zone.
- Building services and service cabinets should be located away from the street frontage of heritage facades. ~~Where unavoidable, they and~~ should be designed and located so they ~~do not dominate~~ complement the street frontage ~~or detract from~~ and ~~the~~ character and appearance of the heritage building.

- Windows of commercial premises, habitable rooms, and principal pedestrian entrances should be orientated towards the public realm and contribute to the safety of the adjoining public realm.

## 2.7 Vehicular access, car parking, and loading areas requirements

- New vehicle crossovers onto Queens Parade, Brunswick Street and Napier Street should be avoided.
- Vehicle ingress and egress into development, including loading facilities and building servicing, should ensure a high quality standard of pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.
- Development on a laneway should include a rear/side setback or a corner splay at ground floor, to facilitate the ongoing functionality of the laneway and allow for building services and car park access.
- Future vehicle access and services must be provided by a rear laneway or side street where possible.
- Permanent obstructions within a rear/side setback or splay to a laneway should be avoided.

## 2.8 Heritage design requirements

**The following design requirements apply to development on land affected by a Heritage Overlay or immediately adjacent to a heritage building.**

Element	Design Requirement
Building facades and street frontages	<p><del>Infill buildings and development adjoining a heritage building</del></p> <p><del>Facade treatments and the articulation of infill buildings should:</del></p> <p><del>be simple and not compete with the more elaborate detailing of nineteenth century buildings</del></p> <p><del>respect the vertical proportions of the nineteenth and twentieth century facades in the heritage streetscape and/or the adjoining heritage building(s)</del></p> <p><del>avoid large expanses of unarticulated curtain glazing, highly reflective glass and glazing with a horizontal emphasis, except for ground floor shopfronts</del></p> <p><del>reflect the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building(s)</del></p> <p><del>Contributory or individually significant buildings</del></p> <p><del>Adaption and reuse of contributory or individually significant buildings should:</del></p>

Element	Design Requirement
	<p><del>maintain existing openings and avoid highly reflective glazing in historic openings</del></p> <p><del>encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings</del></p> <p><del>maintain the inter floor height of the existing building and avoid new floor plates and walls cutting through historic openings.</del></p>
<p><del>Design of upper levels</del></p>	<p><del>Upper level development on land within a heritage overlay and on land immediately adjoining a heritage building should:</del></p> <p><del>be visually recessive and not visually dominate the heritage building and the heritage streetscape</del></p> <p><del>retain the primacy of the three dimensional form of the heritage building as viewed from the public realm to avoid 'facadism'</del></p> <p><del>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</del></p> <p><del>incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape</del></p> <p><del>reflect the rhythm of the wider streetscape, fine grained character and subdivision pattern of the streetscape, especially on larger sites.</del></p>
<p><del>Upper level setbacks</del></p>	<p><del>Upper level setbacks in excess of the minimum mandatory upper level setback should be provided where:</del></p> <p><del>it would facilitate the retention of a roof form and chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape</del></p> <p><del>it would maintain the perception of the three dimensional form and depth of the building</del></p> <p><del>a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along Queens Parade.</del></p>

## 2.9 Precinct design requirements

The following precinct specific design requirements apply in addition to the general design requirements outlined in Clauses 2.2-2.7 [\(and renumber accordingly\)](#)

### 2.9.1 Precinct 1 – Brunswick Street

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

#### Preferred character statement

Buildings and works should deliver ~~the following preferred precinct character:~~

- Properties fronting Brunswick Street and turning the corner to Queens Parade defined by fine grained low scaled heritage buildings, ~~with~~

~~Moderate~~ moderate low rise future infill behind the main heritage frontage, ~~supported accessed~~ by rear laneways ~~access~~.

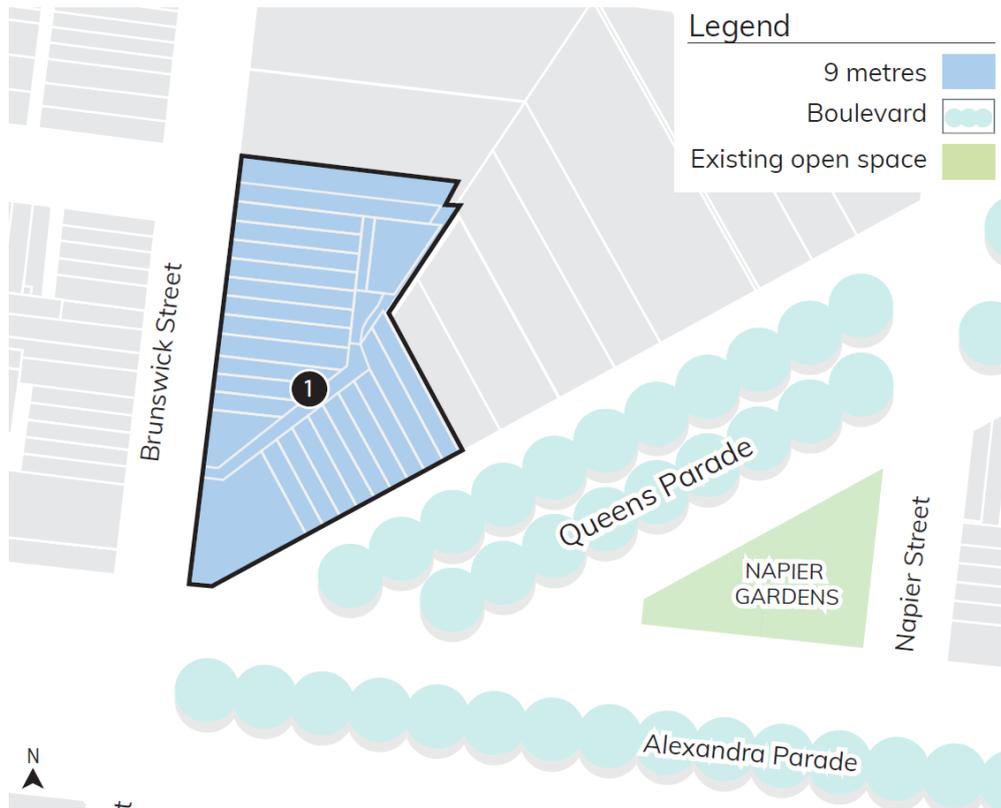
- Visual prominence of the individually significant heritage building on the corner of Brunswick Street and Queens Parade retained.

#### Design requirements

Development in Precinct 1 should:

- ~~E~~ Ensure low rise additions behind the front sections of the terraced houses of Brunswick Street and Queens Parade respect the prevailing streetscape character and subdivision grain ~~which~~ retain and conserve ~~the its~~ heritage values ~~of this low scale Victorian residential area~~.
- ~~ensure~~ Ensure upper level elevations are high quality, visually recessive and ~~do not diminish~~ enhance the appreciation of the heritage building at 460 Brunswick Street.
- ~~limit amenity impacts of building bulk, overlooking and overshadowing on existing residential properties.~~
- ~~provide for vehicular access and servicing off the laneway.~~

**Map 1 – Precinct 1**



**Table 1 – Street wall height, building height and setbacks for Precinct 1**

Built Form	Mandatory Requirement	Preferred Requirement
<b>Maximum building height</b>	460 Brunswick Street and Lot 1 on Title Plan TP806921 - 9 metres	Elsewhere – 9 metres
<b>Maximum street wall height</b>	460 Brunswick Street - match the tallest parapet height of the existing heritage building Elsewhere - Retain the height of the existing heritage street wall	None specified
<b>Maximum and minimum street setback</b>	460 Brunswick Street – Match the setback of the existing heritage building	Elsewhere – Should not be less than the setback of an adjacent heritage building
<b>Minimum upper level setback</b>	6 metres	None specified
<b>Minimum setbacks from side and rear boundary</b>	None specified	ResCode Standard B17

## 2.9.2 Precinct 2 – Boulevard Precinct

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

### Preferred character statement

Buildings and works ~~in Precinct 2~~ should deliver ~~the following preferred precinct character:~~

- A preferred location for housing and employment growth with ~~in the activity centre.~~ Well-Well designed mid-rise development ~~that~~which complements ~~the boulevard.~~ Queens Parade through transition of scale to the Gas Works site.
- ~~Matches the scale of development on the Gasworks site and “bookends” higher rise development in Precinct 5B and 5C.~~
- Visual Development that complements the visual dominance contribution of the double avenue of trees along the south western part of Queens Parade. ~~retained.~~
- Precinct 2A – A mid rise infill behind a distinct moderne heritage frontage ~~that,~~ addressing addresses the boulevard, Queens Parade and its ~~sensitive~~ heritage context an responds to the sensitivity of interface with abutting low scale close grained residential uses to the north and west ~~and providing a transition down to the established surrounding residential neighbourhood.~~
- Precincts 2B and 2C – A vibrant and attractive mid-rise business areas that addresses Napier Street, Queens Parade and Smith Street with a mix of innovative new architecture and heritage buildings to attracting accommodate a wide range of commercial development and employment opportunities.

### Design requirements

Development in Precinct 2 should:

- ~~not diminish or detract from~~ Respect the heritage values of the Queens Parade boulevard streetscape, the heritage street wall and the heritage trees along Queens Parade. and  
deliver an appropriate interface to neighbouring properties and that minimises visual bulk and mass. ~~when viewed from the adjoining properties.~~
- Orientate active frontages and provide passive surveillance to the surrounding streets.
- Ensure adequate solar access is provided to the Queens Parade and Napier Street Reserve at the equinox from 9am-3pm.
- ~~provide building separation along side and rear boundaries to reduce visual bulk and protect amenity of occupants and neighbours.~~

~~In addition,~~ Development in Precinct 2A should:

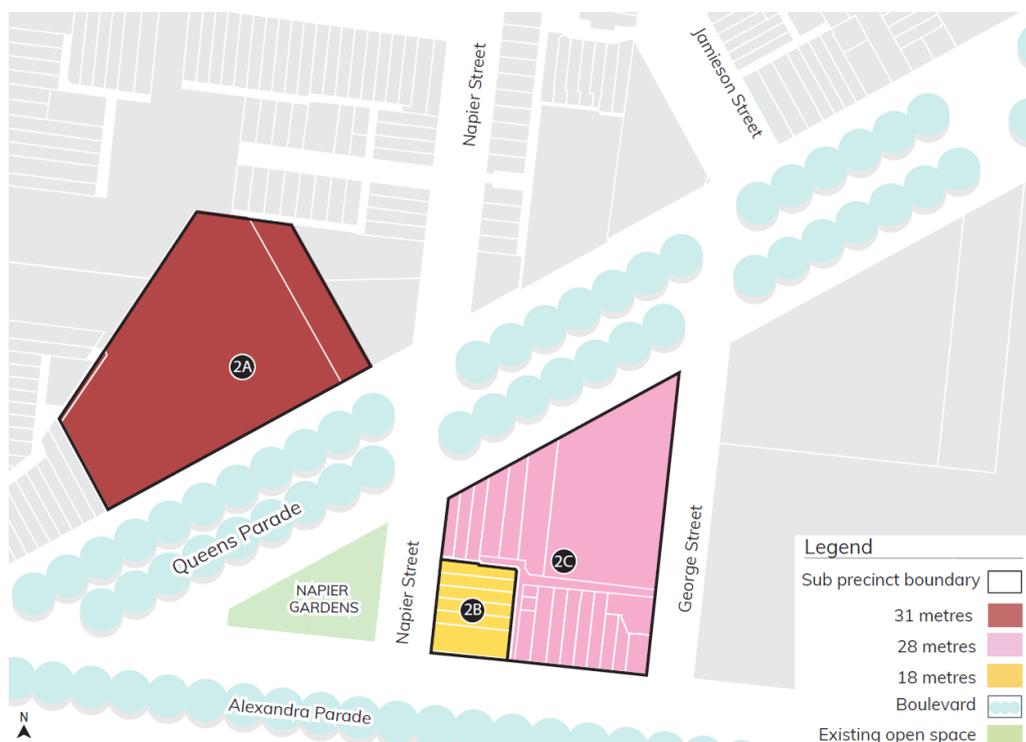
- Provide an interface to neighbouring residential properties that minimises visual bulk and mass and provides building separation along side and rear boundaries abutting existing properties.
- ~~ensure projections above the street wall are not dominant in the skyline when viewed from the north side of Newry Street and of Coleman Street and the WT Peterson Oval, the Fitzroy Grandstand and other locations in the southern part of Edinburgh Gardens.~~
- Maintain the prominence and significance of the art deco facade.
- Retain, enhance and incorporate the existing heritage façade into the redevelopment of the site and to create a consistent parapet height along the streetscape.

- **R**ecognise the low scale, buildings and fine grain subdivision pattern of existing development to the north and west.
- Encourage pedestrian permeability within and through the precinct.
- **A**void a repetitive stepped form within the 45 degree angle profile.
- **E**nsure development above the street wall ~~to be~~ designed as a series of separate development parts with building separation to enable views to the sky.

Development in Precincts 2B and 2C should:

- ~~ensure a gradual transition in development scale from east of George Street (Former Gasworks Site) to south west (heritage properties along Napier Street).~~
- ~~maintain the prominence of heritage buildings along Napier Street when viewed from Napier Reserve.~~
- ~~be appropriately set back at upper levels from the heritage buildings along Napier Street.~~
- **P**rovide an appropriate transition in scale from the heritage buildings in Precinct 2B to new built form in Precinct 2C and the higher development form of the Gas Works site.
- ~~provide vehicular access from laneways.~~
- ~~provide building separation to enhance amenity between commercial buildings and reduce building bulk and provide a transition to existing heritage buildings by utilising existing laneways and building setbacks.~~
- **C**reate a new commercial frontage to George Street to form an active edge complementary to the proposed Gasworks redevelopment.

## Map 2 – Precinct 2



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

<b>Built form</b>	<b>Mandatory requirement</b>	<b>Preferred requirement</b>
<b>Precinct 2A</b>		
<b>Maximum building height</b>	31 metres	None specified
<b>Maximum street wall height</b>	Retain height of existing heritage façade 10 metres where no heritage façade exists	None specified
<b>Minimum &amp; maximum setback to Queens Parade</b>	None specified	0 metres to maximum 10 metres
<b>Minimum upper level setback</b>	None specified	Above existing heritage façade: <ul style="list-style-type: none"> <li>• 8 metre setback from 10 metres to 16 metres</li> <li>• 10 metre setback from 16 metres</li> </ul> Above new street wall (where no existing heritage façade): <ul style="list-style-type: none"> <li>• 5 metre setback from 10 metres to 16 metres</li> <li>• 8 metres setback from 16 metres</li> </ul>
<b>Minimum setback(s) from rear boundaries - north and west adjacent to NRZ and GRZ</b>	None specified	ResCode Standard B17 from rear boundary of adjoining properties to 10 metres Setback within 45 degree angle measured from 10 <u>to</u> 25 metres
<b>Minimum setbacks from side boundary - east adjacent to NRZ</b>	None specified	0 metre setback to match party wall of existing adjoining development to 10 metres Setback within 45 degree angle measured from 10 <u>to</u> 25 metres
<b>Minimum setbacks from side boundary - east adjacent to MUZ</b>	None specified	0 metre setback to match party wall of existing adjoining development, or 10 metre where no party wall exists. 9 metre setback from the windows / balconies of adjoining apartments up to 16 metres 15 metre setback above 16 metres

Built form	Mandatory requirement	Preferred requirement
<b>Setbacks from side and rear boundaries west and north-west adjacent to MUZ</b>	None specified	0 metre setback to match party wall of existing adjoining development, or 10 metre where no party wall exists. Setback within 45 degree angle measured from 10 to -25 metres
<b>Precinct 2B</b>		
<b>Maximum building height</b>	None specified	18 metres
<b>Maximum street wall height</b>	Napier Street - Retain existing parapet height	None specified
<b>Minimum upper level setback</b>	6 metres	None specified
<b>Minimum rear setback</b>	None specified	4.5 metres from centreline of laneway for height of the entire building
<b>Precinct 2C</b>		
<b>Maximum building height</b>	None specified	28 metres
<b>Maximum street wall height</b>	Napier Street – 10 metres	Queens Parade, George Street and Alexandra Parade - 18 metres
<b>Minimum upper level setback</b>	Napier Street – 6 metres	Elsewhere - 6 metres
<b>Minimum side and rear setbacks</b>	None specified	Rear setback: 4.5 metres from centreline of laneway for height of the entire building Side setbacks: For upper levels, where a habitable room window is proposed: <ul style="list-style-type: none"> <li>4.5 metres from the common boundary or from the centre line of the laneway.</li> </ul> For upper levels, where a non-habitable room window or commercial window is proposed:

Built form	Mandatory requirement	Preferred requirement
		<ul style="list-style-type: none"> <li>3 metres from the common boundary or the centre line of the laneway</li> </ul>

### 2.9.3 Precinct 3 – St Johns Precinct

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

#### Preferred character statement

Buildings and works ~~in Precinct 3~~ should deliver ~~deliver the following preferred precinct character:~~

- An attractive mixed use area comprising residential and commercial uses with active frontages to the street, ~~well designed new buildings mixed with residential and commercial heritage fabric.~~
- ~~Development along Queens Parade has a consistent street wall with recessed upper levels.~~
- Development retains that retains the primacy of the St Johns Church landmark and views to its belfry and spire.
  - New development that articulates the higher profile of the corner of Queens Parade and Smith Street, relative to its immediate surroundings.
- ~~New development provided for at and around the Smith Street junction.~~
- ~~The prominent corner of Queens Parade and Smith Street marked by a higher street wall and development set back at the upper level.~~
- Intact streetscape on Smith Street retained with new development set back from the façade and designed to ~~not dominate~~ complement the Victorian era buildings and street wall.
- An Provide an effective transition provided to the residential areas to the south and east.

#### Design requirements

Development in Precinct 3 should:

- Reflect recognise the fine grain character of heritage streetscapes, where present and minimise the dominance of wide building frontages.
- Deliver high quality architectural detailing that respects the heritage qualities and rhythms of Queens Parade and Smith Street.
- Create a consistent street wall and that maintains the prominence of the heritage street wall ~~where present~~ in the streetscape.
  - Provide an interface with neighbouring residential properties on Hodgkinson Street that minimises visual bulk and mass and provides building separation along side and rear boundaries abutting existing properties.
- ~~recognise the fine grain character of heritage streetscapes, where present and minimise the dominance of wide building frontages.~~
- ~~respond to the low scale form of existing development outside Precinct 3 on Hodgkinson Street through an appropriate transition in building height and setbacks to ensure a reasonable standard of amenity.~~
- ~~ensure that where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3~~

~~metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.~~

~~If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.~~

~~In addition, Development in Precinct 3A must:~~

- ~~▪ Maintain views of the belfry and spire of St Johns church and maintain clear sky between the belfry and spire and new development when viewed from the pedestrian refuge on the south-west corner of the intersection with Queens Parade and Smith Street. A permit cannot be granted to vary this requirement.~~

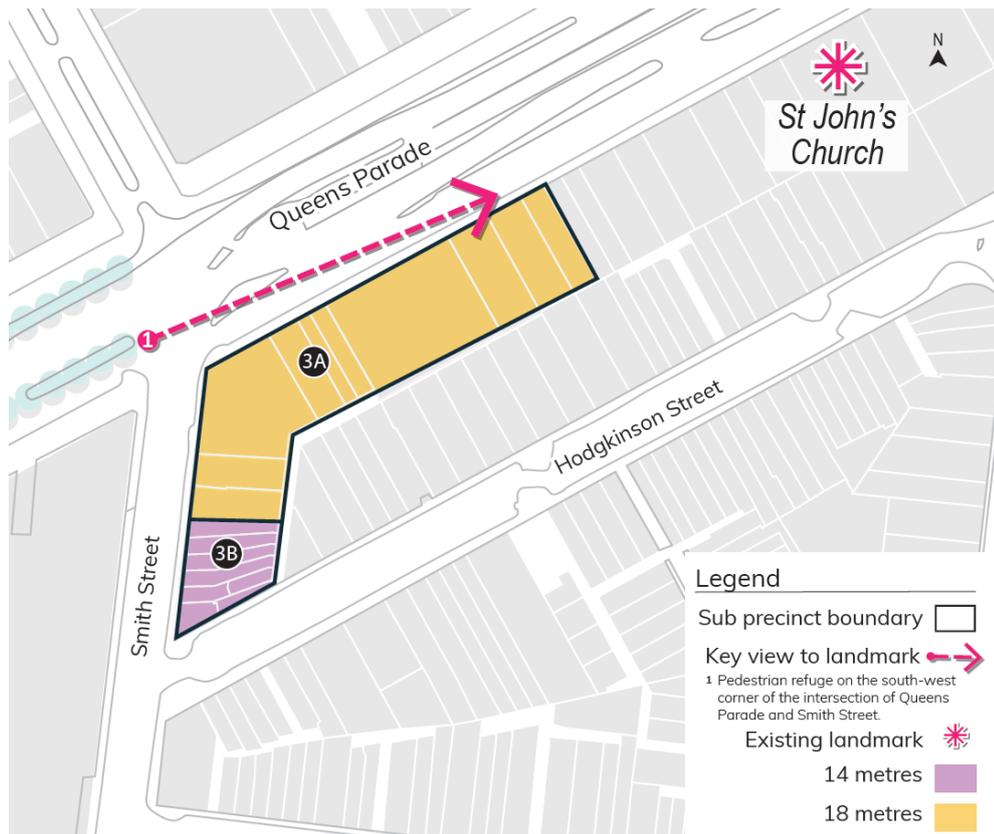
Development in Precinct 3A should:

- Emphasise the corner of Queens Parade and Smith Street with a higher street wall and distinct architectural treatments.

Development in Precinct 3B should:

- Reinforce the traditional street wall on Smith Street.
- Ensure that upper level development is visually recessive ~~and does not detract from~~ to complement the heritage streetscape.

### Map 3 - Precinct 3



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

Built Form	Mandatory requirement	Preferred requirement
Precinct 3A		

Built Form	Mandatory requirement	Preferred requirement
Maximum building height	18 metres	None specified
Maximum street wall height	15-33 & 41 Queens Parade - 11 metres 35-37 Queens Parade - retain the height of the existing heritage façade <a href="#">6 metres on either side of the corner of Smith Street and Queens Parade – 17 metres</a> Elsewhere - 14 metres	None specified
Minimum upper level setback	6 metres	-None specified
Maximum street wall setback	None specified	0 metres - built to front boundary at ground level
Minimum rear setback	None specified	Where there is a laneway: <ul style="list-style-type: none"> <li>Height and setbacks as shown in Figure 1</li> </ul> Where there is no laneway: <ul style="list-style-type: none"> <li>Height and setbacks as shown in Figure 2</li> </ul>
Minimum side setback	None specified	If side boundary adjoins NRZ and abuts an existing boundary wall, <sup>a</sup> -0 metres <sub>s</sub> to a height of 8 metres and a setback with a 45 degree angle above a height of 8 metres. Elsewhere - 0 metres
<b>Precinct 3B</b>		
Maximum building height	14 metres	None specified
Maximum street wall height	Retain height of existing heritage façade	None specified
Minimum upper level setback	6 metres	None specified
Maximum street wall setback	None specified	0 metres - built to front boundary at ground level
Minimum rear setback	None specified	Where there is a laneway: <ul style="list-style-type: none"> <li>Height and setbacks as shown in Figure 1</li> </ul>

Built Form	Mandatory requirement	Preferred requirement
		Where there is no laneway: <ul style="list-style-type: none"> <li>Height and setbacks as shown in Figure 2.</li> </ul>

#### 2.9.4 Precinct 4 – Activity Centre Precinct

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

##### Preferred character statement

Buildings and works ~~in Precinct 4~~ should deliver ~~the following preferred precinct character:~~

- A unique and vibrant Victorian era shopping strip which forms the retail and activity focus of Queens Parade building on its distinctive heritage qualities.
- ~~▪ The distinctive heritage qualities of this Victorian era shopping strip are protected.~~
- ~~New~~ Ddevelopment that complements the scale of heritage buildings and the patterns and rhythm of heritage features.
- ~~▪ The consistent heritage streetwall height is continued.~~
- ~~Sympathetic~~ Upper level infill that reinforces the prevailing street wall and subdivision grain of significant streetscapes and transitions ~~down~~ to residential abuttals to the rear.
- ~~Enhanced pedestrian experience with well~~ Well designed building frontages and public realm ~~reinforcing that reinforces the pedestrian experience of~~ this part of Queens Parade as ~~a vibrant retail centre and the central~~ hub for the local community
- Development that retains the prominence of the Significant heritage corner forms and key view lines to local landmarks (former ANZ Building) retained by sensitive upper level development.

##### Design requirements

Development in Precinct 4 ~~must~~:

- ~~Development must~~ Protect and maintain key views lines and visual prominence of the former ANZ Building from the south-west and north-east (Map 4), in particular to the upper floor, roof form and chimneys. A permit cannot be granted to vary this requirement.

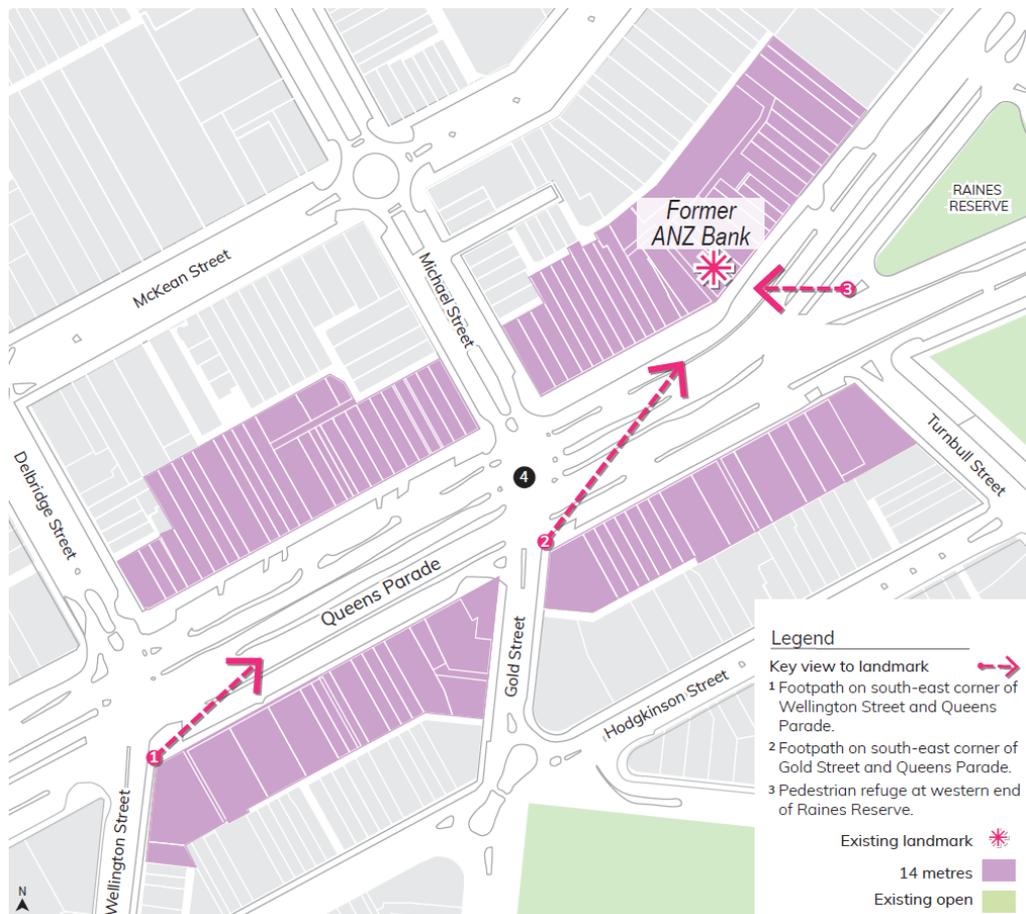
Development in Precinct 4 should:

- Respect the consistent scale, grain, rhythm and architectural quality of the highly intact heritage streetscapes and the heritage buildings in the precinct.
- Retain the visual prominence of heritage buildings, their street wall and heritage streetscape when viewed from the opposite side of Queens Parade.
- Facilitate the appropriate low rise infill of the sites located to the rear of commercial properties fronting Queens Parade.
- Ensure that any upper level development is set back from the heritage façade, is visually recessive and does not detract from the heritage streetscape.
- Retain the visual prominence and heritage fabric of the return facades of heritage buildings that front Queens Parade, Delbridge, Gold, Michael and Wellington Streets.

- **E**nsure that facades at ground floor incorporate verandahs which are consistent with the form and scale of adjoining verandahs.
- **R**etain chimneys visible from the public realm.
- **E**nhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.
- **M**aintain service access from the laneways in order to facilitate commercial use of the properties fronting Queens Parade.
  - Ensure shopfront widths are not reduced to the extent they become commercially unviable.
- ~~respect the low scale, fine grain subdivision pattern of existing development on Hodgkinson Street and McKean Street through an appropriate transition in building height and setbacks.~~
- ~~ensure that where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.~~

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

**Map 4 - Precinct 4**



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

Built Form	Mandatory requirement	Preferred requirement
<b>Maximum building height</b>	<a href="#">South side of Queens Parade between Gold and Turnbull Streets</a> - 14 metres <a href="#">Elsewhere</a> - 10.5 metres	None specified
<b>Maximum and minimum street wall height on Queens Parade</b>	For existing heritage facades: <ul style="list-style-type: none"> <li>Retain height of the existing heritage façade.</li> </ul> Where no heritage façade exists and there is no adjacent heritage building/s: <ul style="list-style-type: none"> <li>at least 8 metres in height and no higher than 11 metres in height.</li> </ul> Where no heritage façade exists and there is an adjacent heritage building/s: <ul style="list-style-type: none"> <li>at least 8 metres in height and no higher than 11 metres unless an adjacent heritage building has a parapet height of more than 11 metres, in which case no higher than the adjacent heritage parapet height.</li> </ul>	None specified
<b>Maximum and minimum street wall height in side streets</b>	None specified	For existing heritage facades: <ul style="list-style-type: none"> <li>No higher than the existing heritage façade</li> </ul> Where there is no heritage façade and there is no adjacent heritage building/s: <ul style="list-style-type: none"> <li>at least 8m in height and no higher than 11m in height.</li> </ul> Where no heritage façade exists and there is an adjacent heritage building/s: <ul style="list-style-type: none"> <li>at least 8 metres in height and no higher than 11 metres unless there is an adjacent heritage building with a parapet height of more than 11 metres, in which case no higher than the adjacent heritage parapet.</li> </ul>

Built Form	Mandatory requirement	Preferred requirement
Minimum upper level setback on Queens Parade	8 metres	None specified
Minimum upper level setback in side streets	None specified	6 metres
Maximum and minimum street wall setback	0 metres - built to front boundary at ground level (except for 181, 189-191 and 193 Queens Parade)	181, 189-191 and 193 Queens Parade – Retain existing setback
Minimum setback to a NRZ interface	None specified	Where there is a laneway: <ul style="list-style-type: none"> <li>Height and setbacks as shown in Figure 1</li> </ul> Where there is no laneway: <ul style="list-style-type: none"> <li>Height and setbacks as shown in Figure 2</li> </ul>
Minimum rear setback to a C1Z interface	None specified	3 metres above 11 metres

## 2.9.5 Precinct 5 – North Eastern Precinct

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

### Preferred character statement

Buildings and works ~~in Precinct 5~~ should deliver ~~the following preferred precinct character:~~

- An area of contemporary higher rise development in a preferred location for housing growth ~~within the activity centre.~~  
where tThe significant heritage fabric (the Former UK Hotel and the former Clifton Motors garage) remains the prominent Precinct features ~~in any redevelopment.~~
- ~~An area of contemporary higher rise development and bookends the mid-rise development in Precinct 2.~~
- Steps down-up in scale in distinct increments from ~~the north-east to~~ the significant heritage buildings (the Former Clifton Motors and UK Hotel buildings) to the north-east~~in the south-west.~~
- ~~Suitable~~ Separation between buildings ~~provided~~ to enable equitable development equity and amenity and to diminish the bulk of the built form, while ~~also~~ contributing to a safe and legible walking environment that offers visual interest and encourages passive surveillance throughout the Precinct. ~~the management of building / visual bulk.~~

### Design requirements

Development in Precinct 5 should:

- ~~retain~~ Retain the visual prominence ~~and not visually dominate the three dimensional forms~~ of the former United Kingdom Hotel when viewed from the key

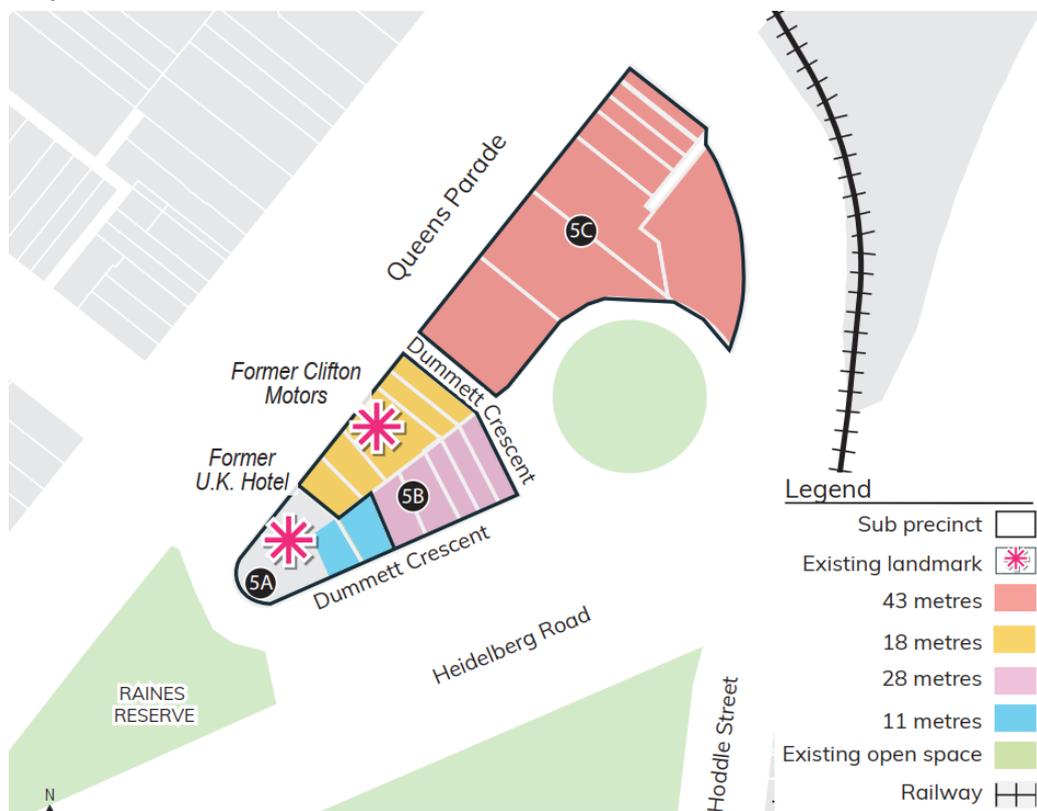
[viewpoints as indicated on Map 5.](#) Raines Reserve and the former Clifton Motors Garage when viewed from the opposite side of Queens Parade.

- ~~retain~~ [Retain](#) and incorporate the former Clifton Motor Garage (205-211 Queens Parade) in any redevelopment of the site and ensure that the three dimensional form remains prominent and the decorative vertical fin remains as a freestanding element when viewed from the public realm.
- ~~adopt~~ [Adopt](#) a street wall height for new development adjacent to the former United Kingdom Hotel that respects the façade height of ~~the building~~ [the former hotel](#).
- ~~ensure~~ [Ensure](#) buildings in Precincts 5B and 5C read as a series of separate development parts with building separation above the street wall.
- ~~establish~~ [Establish](#) a transition and gradual stepping down of building heights from taller forms in Precinct 5C to existing heritage form in Precinct 5A.
- ~~ensure~~ [Ensure](#) that adverse wind effects on the public realm are avoided.

~~In addition, in~~ [Development in](#) Precinct 5C, ~~development~~ should:

- ~~reinforce~~ [Reinforce](#) the scale of existing high-rise buildings in the precinct [trending higher to the north east](#) ~~(of 10-14 storeys), avoiding taller buildings which detract from this scale.~~
- ~~ensure~~ [Ensure](#) high quality development ~~that~~ enhances the prominent corner of Queens Parade and Hoddle Street, creating a strong address to each street frontage [that encourages active pedestrian movement and accessibility through the Precinct.](#)
- ~~ensure~~ [Ensure](#) that the height and design of the street wall creates and reinforces a 'human scale' to [diminish the perceived bulk of the buildings and](#) provide visual interest at street level along Queens Parade and Hoddle Street.

**Map 5 - Precinct 5**



Include the viewpoints

**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>		
<b>Maximum building height</b>	11 metres	None specified
<b>Maximum street wall height</b>	No higher than the height of the existing eaves of the former UK Hotel	None specified
<b>Minimum upper level setback</b>	None specified	6 metres
<b>Precinct 5B</b>		
<b>Maximum building height</b>	201-215 Queens Parade - 18 metres	Elsewhere - 28 metres
<b>Maximum street wall height</b>	201-215 Queens Parade (including the frontage to north-east boundary to Dummett Crescent for distance of 8 metres) - no higher than the parapet height of the former Clifton Motor Garage and the eaves line of the former UK Hotel  Beyond a distance of 8 metres from the corner of Queens Parade, the street wall along the north-east boundary of 215 Queens Parade no higher than 11 metres	4-10 Dummett Crescent (including the frontage to north-east boundary to Dummett Crescent) - 11 metres
<b>Street wall setback</b>	0 metres – built to the boundary	None specified
<b>Minimum upper level setback</b>	201-215 Queens Parade - 8 metres from Queens Parade	Elsewhere - 6 metres
<b>Minimum side and rear setbacks</b>	None specified	For upper levels, where a habitable room window is proposed: <ul style="list-style-type: none"> <li>• 4.5 metres from the common boundary or from the centre line of the laneway.</li> </ul> For upper levels, where a non-habitable room window or commercial window is proposed:

Built form	Mandatory requirement	Preferred requirement
		<ul style="list-style-type: none"> <li>3 metres from the common boundary or from the centre line of the laneway.</li> </ul>
<b>Precinct 5C</b>		
<b>Maximum building height</b>	None specified	<del>43</del> 49 metres
<b>Maximum street wall height</b>	None specified	18 metres
<b>Minimum upper level setback</b>	None specified	6 metres
<b>Minimum side and rear setbacks</b>	None specified	<p>For upper levels, where a habitable room window is proposed:</p> <ul style="list-style-type: none"> <li>4.5 metres from the common boundary or from the centre line of the laneway.</li> </ul> <p>For upper levels, where a non-habitable room window or commercial window is proposed:</p> <ul style="list-style-type: none"> <li>3 metres from the common boundary or from the centre line of the laneway.</li> </ul>

### 3.0

xx/xx/xxxx  
Proposed  
C231

#### Subdivision

None specified.

### 4.0

xx/xx/xxxx  
Proposed  
C231

#### Advertising

None specified.

### 5.0

xx/xx/xxxx  
Proposed  
C231

#### Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and should accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives, [preferred character statement](#) and [Requirements Design requirements](#) of this schedule.
- ~~Development~~ [For development](#) proposals for buildings over 20 metres in height ~~should be accompanied by~~ a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.

- A Traffic and Parking Assessment Report which includes an assessment of the cumulative impacts of traffic and parking in the Precinct including an assessment of the ongoing functionality of laneway/s.

## 6.0

xx/xx/xxxx  
Proposed  
C231

### Decision guidelines

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

- ~~Whether the General Design Requirements, Heritage Design Requirements and the Precinct Design Requirements in Clauses 2.2-2.9 are met.~~
- Whether the proposal delivers design excellence.
- If roof decks are proposed, whether they are set back from lower levels and are recessive in appearance.
- The profile and impact of development along Queens Parade when viewed from the north side of McKean Street and the south side of Hodgkinson Street.
- ~~The design response at the interface with existing, low-scale residential properties.~~
- The design of the streetscape interface along the primary street frontage.
- Whether side and rear setbacks and controls on light spillage and noise ~~are sufficient to~~ appropriately limit the impact on the amenity of existing dwellings.
- ~~How any proposed buildings and works will~~ The impact on solar access to Queens Parade and Napier Street Reserve.
- Whether heritage buildings on street corners retain their prominence when viewed from both streets.
- Whether heritage buildings retain their three-dimensional form when viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not dominate or visually overwhelm the heritage buildings.
- Whether the proposal contributes to and improves the pedestrian environment- and other areas of the public realm.
- The impact of development on views to:
  - the former ANZ Bank building's tower, roof, chimney and upper level
  - the St John the Baptist Church belfry and spire
  - the former Clifton Motor Garage's Moderne façade and fin
- The wind effects created by the development.
- The cumulative impact of traffic and parking in the Precinct including on the functionality of laneway/s.

### Reference Documents

~~Queens Parade, Clifton Hill Built Form Review prepared by Hansen Partnership — December 2017~~

~~Queens Parade Built Form Heritage Analysis and Recommendations prepared by GJM Heritage — December 2017~~

Figure 1 - Setback where there is a laneway to the side or rear

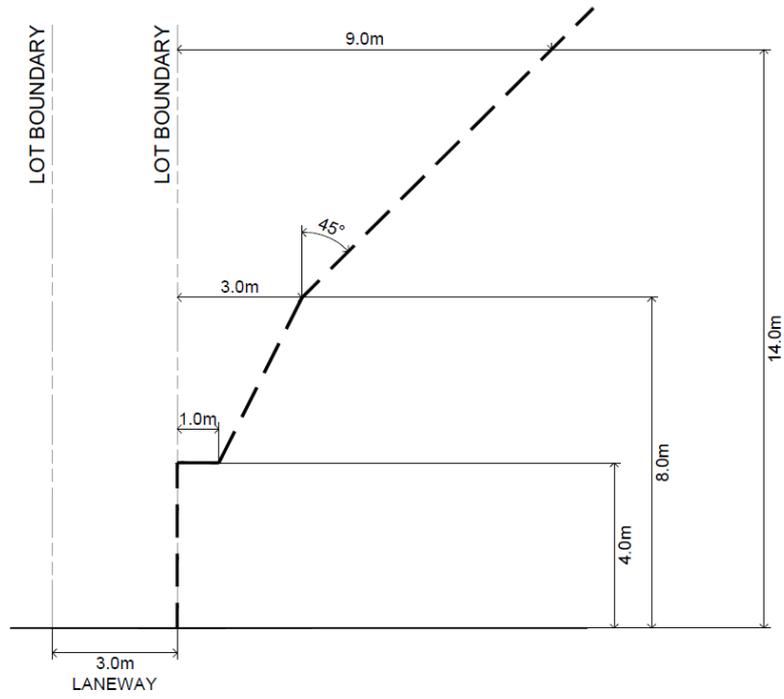


Figure 2— Setback where there is no laneway to the side or rear

