

YARRA PLANNING SCHEME

SCHEDULE 18 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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Proposed C273yara

Shown on the planning scheme map as **DDO18**.

HEIDELBERG ROAD PRECINCTS

1.0

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Proposed C273yara

Design objectives

- ~~To ensure development supports the character, built form and design outcomes, and precinct design requirements. To ensure development responds to the existing surrounding built form and parkland character.~~
- To ensure development delivers a high quality landscaped interface that incorporates canopy trees (where appropriate), openness and a significantly improved pedestrian amenity along Heidelberg Road providing passive surveillance and activated, pedestrian-oriented façades.
- To ensure development responds to heritage fabric through recessive upper level development, a legible transition in scale from taller building forms towards the interface with heritage buildings, and retains the prominence of and key view lines to the former 'Porta' chimney and heritage factory at 224-256 Heidelberg Road, Fairfield.
- To ensure development responds to sensitive interfaces by ensuring the overall scale and form of new development provides a legible transition to low-rise residential areas and protects these properties from an unreasonable loss of amenity through visual bulk, overlooking and overshadowing.

Commented [YCC1]: In response to Submission 30 regarding the reference to "design requirements" in the "design objectives"

2.0

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Buildings and works

A permit is not required to:

- extend a ground floor at the rear provided:
 - the maximum building height is not more than 4 metres above ground level.
- alter an existing building façade provided:
 - the alteration does not include the installation of an external roller shutter;
 - in a C1Z, at least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- construct an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1

Definitions

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

Laneway means a road reserve of a public road 9 metres or less wide.

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

Public realm means all streets and spaces open to the public but does not include laneways.

Street wall means the facade of a building at the street boundary or if a front ~~or street~~ setback is required in this DDO, the front of the building.

Street wall height means the height of the street wall measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street wall, with the exception of architectural features and building services.

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

Commented [YCC2]: In response to Submission 30 regarding clarity of wording.

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Upper level setback means the minimum distance between the development above the height of the street wall (including projections such as balconies, building services and architectural features) and the street wall.

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

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

2.2

General Requirements

The requirements below (including both the General Requirements and Precinct Design Requirements) apply to an application to construct a building or construct or carry out works.

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

2.2.1 Street wall height requirements

Development must not exceed the mandatory maximum street wall heights as shown on Maps 2, 3A, 3B.

Development should not exceed the preferred maximum street wall heights as shown on Maps 1, 2, 3A and 3B unless all the following requirements are met, to the satisfaction of the Responsible Authority:

- the proposed street wall height provides an appropriate transition, scaling down to the interface with a heritage building;
- the proposed street wall height does not visually overwhelm the adjoining heritage building; and
- the proposed street wall height provides an appropriate transition, scaling down to the interface with low rise residential areas.

Infill development adjoining a heritage building should match the parapet height of the adjoining building for a minimum of 6 metres in length.

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

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

Development should retain the visual prominence of:

- the heritage street wall in the vistas along the street;
- heritage fabric of the return facades of heritage buildings on corner sites.

2.2.2 Upper level front and side setback requirements

Upper levels above the Heidelberg Road, Yarra Bend Road, Park Crescent, Chandler Highway and Coate Avenue street walls:

- must be setback by a minimum of 6 metres in Precinct 3B from Heidelberg Road between Parkview Road and Yarralea Street;
- must be setback by a minimum of 10 metres from Coate Avenue in Precinct 3A and must be set back an additional minimum of 10 metres above the secondary step;
- should be set back by a minimum of 6 metres in:
 - Precinct 1
 - Precinct 2

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- Precinct 3A from Heidelberg Road and Chandler Highway
- Precinct 3B from Heidelberg Road between Yarralea Street and Como Street

Development should be setback at upper levels a minimum of 3 metres above a side street wall.

Upper levels should:

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

Heritage Buildings:

Should be setback in excess of the minimum upper level setback requirements where:

- it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
- it would maintain the perception of the three-dimensional form and depth of the building;
- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

2.2.3 Building height requirements

Development must not exceed the mandatory maximum building heights shown on Map 3A.

Development should not exceed the preferred maximum building heights shown on Maps 1, 2, and 3B.

A permit should only be granted to construct a building or construct or carry out works which exceeds the preferred maximum building height shown on Maps 1, 2 and 3B where, in addition to other requirements of this DDO, all the following requirements are met to the satisfaction of the responsible authority:

- the built form outcome satisfies the Overshadowing ~~and Daylight Access~~ Requirements in Clause 2.2.5;
- the proposal will achieve each of the following:
 - greater building separation than the minimum requirements in this schedule; and
 - no additional overshadowing impacts on secluded private open space to residentially zoned properties or adjacent parkland or reserves, beyond that which would be generated by a proposal that complies with the preferred building height.

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

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

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

Commented [YCC3]: In response to Submission 30 given there are no daylight access requirements within the DDO.

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2.2.4 Interface and rear setback requirements

Development adjoining a residential property outside this overlay must not exceed a maximum ~~boundary rear~~ wall height of:

- ~~5 metres in Precinct 2~~
- 8 metres in all other Precincts

Development along the parkland interface in Precinct 1 must not exceed a maximum building height of 14.4 metres (as shown on Map 1).

Upper levels above a rear boundary wall must be set back from the rear boundary and be contained within a 45 degree setback envelope. The envelope's angle is to be measured perpendicular to the ~~applicable development site's~~ boundary or setback, taken from the centre of the boundary.

Upper level setbacks above the rear boundary wall should be contained within a maximum of two steps (including the setback above the boundary wall below as one step) or be contained within a sloped façade to avoid repetitive stepping of individual levels.

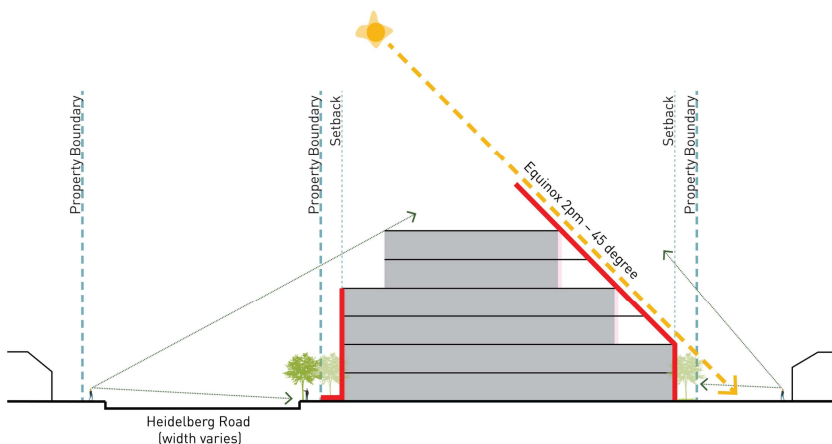
Development should respond to existing secluded private open spaces by setting back at upper levels to create a sense of separation, minimise overshadowing and reduce building bulk.

Development should not visually dominate adjoining residential sites outside this overlay.

Development must provide minimum ~~landscape ground floor~~ setbacks to the rear boundary as follows:

- Precinct 1: ~~a minimum of~~ 3 metres (as shown on Map 1);
- Precinct 3A: ~~a minimum of~~ 4.5 metres;
- Precinct 2 and Precinct 3B: All other areas: a minimum of 3 metres if the dwelling on the adjacent residential property is located less than 15 metres from the property boundary.
 - 5 metres where a development site directly abuts a rear boundary of an adjacent residential lot.
 - 3 metres where a development site directly abuts a side boundary of an adjacent residential lot.

Figure 1: Indicative Cross Section and Measurements



2.2.5 Overshadowing and daylight access requirements

Development should meet the objective of Clause 55.04-5 Overshadowing for adjoining land

Commented [YCC4]: Officer clarification.

Commented [YCC5]: Change as per Council resolution from 12 December 2023.

Commented [YCC6]: In response to Submission 31 regarding wording clarification.

Commented [YCC7]: In response to Submission 5, 34, 54 and 117 regarding improving the rear interface controls.

Commented [YCC8]: In response to Submission 30 given there are no daylight access requirements within the DDO.

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within a residential zone, including where separated by a laneway.

Development should not overshadow:

- the opposite footpath of a side street, from property boundary to kerb between 10 am and 2 pm on 22nd September; and
- any opposite kerb outstands, seating and/or planting areas (as applicable), between 10am and 2pm on 22 September.

Development should not increase the amount of overshadowing to Yarra Bend Park, TH Westfield Reserve and surrounding open space, as caused by existing conditions, measured between 10am and 2pm on 22 September.

2.2.6 Building separation, and amenity requirements

Where development shares a common boundary within the overlay, upper level development should:

- for buildings up to 14.4 metres (or 16 metres in the Commercial 2 Zone), be setback 4.5m from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
- for buildings up to 14.4 metres (or 16 metres in the Commercial 2 Zone), be setback 3.0m from the common side boundary where a commercial or non-habitable window facing the common boundary is proposed on the subject site and/or exists on the adjoining property.

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

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

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

2.2.7 Building layout requirements

Lower levels of development should:

- Be designed to accommodate commercial activity at the ground floor, incorporating a commercial floor height of approximately 4 metres floor to floor height;
- Incorporate adaptable commercial and residential floor layouts, demonstrating how each could be combined or divided so as to allow for a variety of uses over time.

2.2.8 **Front Street** setback design requirements

Front Street setbacks (as identified for each precinct in Clause 2.3 Precinct Design Requirements under the heading ‘**front street** setback requirements’) should be designed to create a sense of openness and clear line of sight at pedestrian level between the public footpath and street wall.

Front setback design should provide a high quality landscaped interface that significantly enhances the pedestrian experience along Heidelberg Road.

2.2.9 Other design requirements

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

- achieving active frontage design at ground level to create a pedestrian-oriented environment and passive surveillance towards the public realm;
- achieving fine-grain commercial façade design at ground floor for development in the Commercial 1 Zone;
- creating an appropriate ratio of solid and void elements;

Commented [YCC9]: In response to Submission 30 regarding clarity of wording.

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

Lower levels of development should:

- avoid large expanses of facades with floor to ceiling glazing and limited entries at the ground floor;
- allow unobstructed views through openings into the ground floor of buildings;
- on sites where no street setback requirement is identified and where abutting narrow footpaths of less than 1.8 metres, provide for **front-street** setbacks and/or generous, recessed building entrances to provide space for pedestrian circulation and include space for landscaping, outdoor trading, seating and/or visitor bicycle parking;
- locate building service entries/access doors and cabinets away from the primary street frontage, or where not practically possible, they should be sensitively designed to integrate into the façade of the building and complement the street frontage and character.

The design of upper levels of development should:

- distinguish between the lower and upper levels through materials and articulation, with visually lightweight materials and colours applied above the street wall;
- be designed so that side walls are articulated and read as part of the overall building design and not detract from the streetscape when viewed from direct and oblique views along the streetscape.

Development should avoid blank walls visible to the public realm, including from side streets.

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

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies and balustrades should not protrude into a street **wall-setback** and an upper level setback, except for terraces directly above a podium, as applicable.

Development interfacing with areas of public open space should:

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

Commented [YCC10]: In response to Submission 30 regarding clarity of wording.

Commented [YCC11]: Officer clarification.

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2.2.10 Access, parking and loading area requirements

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

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

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

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

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

Bicycle parking should be provided to the rates and design guidelines recommended in the Built Environment Sustainability Scorecard (BESS) tool.

Bicycle ingress/egress should be provided directly from adjacent bicycle lanes and paths.

Resident and staff bicycle parking should be located, preferably at ground floor, and designed to be secure and conveniently accessible from the street and associated uses.

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

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

Development should not provide new vehicular access from Heidelberg Road and avoid disruptions to bicycle lanes.

~~Where crossovers currently exist or new crossovers are unavoidable along Heidelberg Road, development should consolidate multiple vehicle access points along Heidelberg Road, where applicable.~~

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

Where a ground level setback is provided to achieve practicable vehicle access to a laneway, a minimum headroom clearance of 3.6 metres should be provided to any overhang of the first floor and careful consideration given to create a safe pedestrian environment.

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

2.3 Precinct Design Requirements

2.3.1 Precinct 1

Precinct objective

A new mid-rise contemporary character with buildings providing a street wall to frame Heidelberg Road, ~~retaining the prominence of the former Porta chimney and factory and creating a~~ transition in building scale down towards each of the adjacent parklands in Precinct 1.

Commented [YCC12]: In response to Submission 30 regarding wording contradiction.

Commented [YCC13]: Officer clarification to provide more clarity around development outcomes for Precinct 1.

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Design requirements

Development should:

- be separated into multiple buildings and provide a fine grain subdivision pattern.
- achieve a character that resembles a mix of old industrial and new commercial towards Heidelberg Road and fine-grain residential development that is sensitive to the surrounding parklands including Yarra Bend Park, TH Westfield Reserve and surrounding open space.
- create a sense of openness around the heritage factory building and chimney by gradually stepping down towards the factory and creating a strong clear, physical separation from the chimney.
- achieve open view lines to the chimney from the TH Westfield Reserve to the south, opposite footpath on Yarra Bend Road and the corner of Jeffrey Street and Heidelberg Road, as shown on Map 1.
- consider the adaptive re-use of the heritage buildings and/or integrate them with any new buildings on the site.
- provide a physical and visual connection from Heidelberg Road through to TH Westfield Reserve to the south, on land to the east of the building affected by Heritage Overlay 421 ensuring the connection is publicly accessible 24 hours a day and is open to the sky.
- provide for a communal space next to the building affected by Heritage Overlay 421 that is located to minimise overshadowing.
- provide a positive interface (visual interest and passive overlooking) to Yarra Bend Park, TH Westfield Reserve and surrounding open space that does not visually dominate the landscape setting.
- provide for canopy trees throughout the site to create a stronger connection with the surrounding parklands, provide for shade and to help reduce the heat island effect.
- utilise natural materials and colours to minimise the dominance of its bulk and blend in with the surrounding parklands, including vertical greening.
- locate car parking in basements, where possible.
- ensure building entrances are designed to be safe and are accessible from a public thoroughfare.

Street setback requirements

Development in Precinct 1 must be set back by a minimum of 3 metres to Heidelberg Road (except for heritage buildings) and must be set back by a minimum of 3 metres to Yarra Bend Road to provide better separation with Heidelberg Road and space for circulation and canopy landscaping.

Commented [YCC14]: In response to Submission 30 regarding wording clarification.

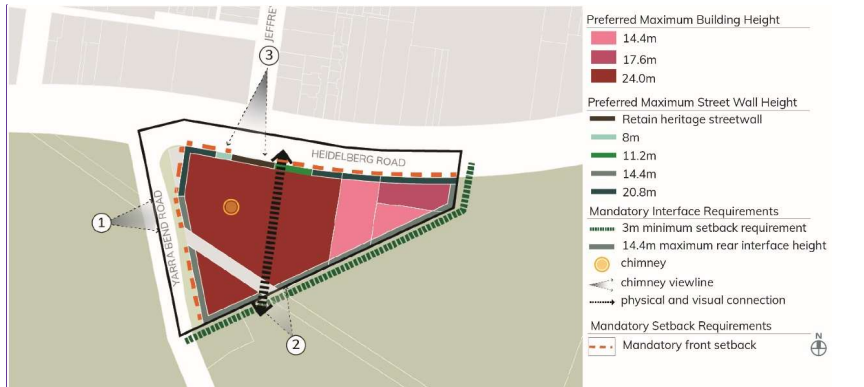
Commented [YCC15]: Officer additions to provide more clarity around development outcomes for Precinct 1.

Commented [YCC16]: Officer additions to provide more clarity around development outcomes for Precinct 1.

Commented [YCC17]: Officer additions to provide more clarity around development outcomes for Precinct 1.

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Map 1: Building and Street Wall Heights for Precinct 1



Commented [YCC18]: Officer additions to provide more clarity around the location of the chimney which has been added onto Map 1.

2.1.1 Precinct 2

Precinct objective

An emerging low-rise commercial character which comprises development set behind a landscape strip, with a consistent street wall, and recessive upper levels along Heidelberg Road in Precinct 2.

Design requirements

Development along Heidelberg Road should:

- achieve an active commercial façade.
- create a pedestrian-oriented environment at lower levels to improve pedestrian amenity, safety and the vibrancy of the area.

Development with dual frontages to Heidelberg Road and Park Crescent should create a street wall behind a front street setback towards Park Crescent to not dominate the low, residential character of Park Crescent.

Commented [YCC19]: In response to Submission 30 regarding clarity of wording.

Street setback requirements

Development in Precinct 2 must be set back by a minimum of 3 metres to Heidelberg Road and must be set back by a minimum of 3 metres to Park Crescent to provide better separation with Heidelberg Road and space for circulation and landscaping.

Map 2: Building and Street Wall Heights for Precinct 2



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2.3.3 Precinct 3A

Precinct objective

A new contemporary mid-rise development in Precinct 3A that addresses the prominent corner location, without competing with the adjacent high-rise development on the east side of Chandler Highway, and which provides perimeter landscape setbacks as well as street wall and building heights that transition down in scale to the adjacent low rise forms in Coate Avenue.

Design requirements

Development along Heidelberg Road and Chandler Highway should:

- achieve a fine grain, activated commercial building façade at the street wall levels.
- create a pedestrian-oriented environment at lower levels to improve pedestrian amenity, safety and the vibrancy of the area.

Along Coate Avenue, development should achieve a fine-grain, lower residential character to blend in with the character of the street.

Development should achieve a sense of openness by providing strong separation of upper levels from Coate Avenue and residential properties to the rear.

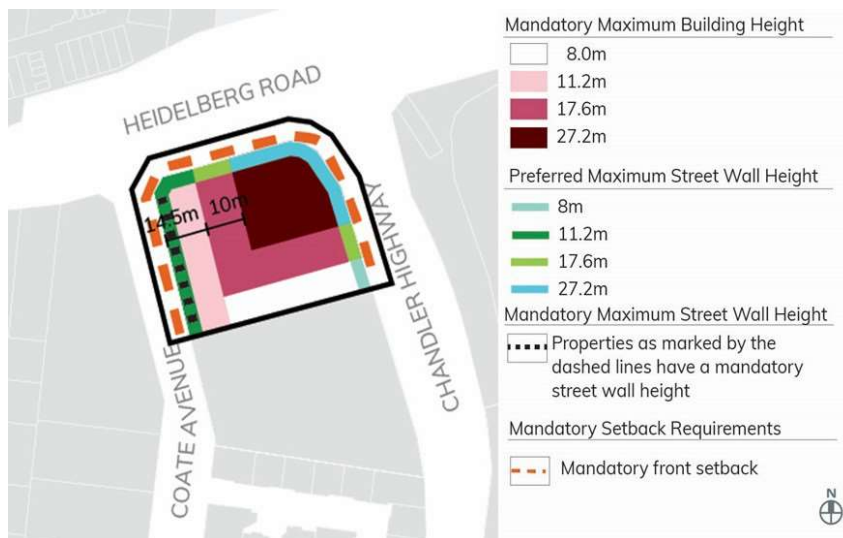
Front or street setbacks should be designed and landscaped to include canopy trees and blend in with the residential character of the street.

Commented [YCC20]: In response to Submission 30 regarding clarity of wording.

Street setback requirements

Development in Precinct 3A must be set back by a minimum of 3 metres to Heidelberg Road and Chandler Highway and must be set back by a minimum of 4.5 metres to Coate Avenue to provide better separation with Heidelberg Road and space for circulation and canopy landscaping.

Map 3A: Building and Street Wall Heights for Precinct 3A



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2.1.1 Precinct 3B

Precinct objective

A new low-rise character with a mix of retained heritage and complementary street wall heights along Heidelberg Road, and a landscape setback between Yarralea Street and Como Street in Precinct 3B.

Design requirements

Buildings should achieve a fine-grain, retail character along Heidelberg Road that includes a stall riser, pilasters, a verandah or canopy (where applicable) and clerestory window above the verandah or canopy.

Development along Heidelberg Road should provide active frontages to improve pedestrian amenity, safety and the vibrancy of the area.

Front **or street** setbacks east of Yarralea Street should be designed to include canopy trees and soft landscaping to create a more pedestrian-friendly environment and avoid the dominance of car parking areas.

Commented [YCC21]: In response to Submission 30 regarding clarity of wording.

Street setback requirements

Development in Precinct 3B must be set back by a minimum of 3 metres to Heidelberg Road between Parkview Road and Park Avenue and between Yarralea Street and Como Street to provide better separation with Heidelberg Road and space for circulation and canopy landscaping.

No front setback to Heidelberg Road should be provided between Park Avenue and Yarralea Street.



Map 3B: Building and Street Wall Heights for Precinct 3B

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3.0 Subdivision

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Proposed C273yara None specified.

4.0 Signs

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Proposed C273yara None specified.

5.0 Application requirements

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Proposed C273yara The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and should accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule;
- A desktop wind effects assessment for proposed development over 16 metres in height to assess the impact of wind on:
 - the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing; and
 - the safety and effects on cyclists travelling along bicycle routes that are adjacent to the development.
- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
 - minimises impacts on the level of service, safety and amenity of the arterial road network (including bicycle lanes);
 - reduces car dependence and promotes sustainable transport modes, and
 - assesses the impacts of traffic and parking in the Precincts including an assessment of the ongoing functionality of laneway/s, where applicable.
- A landscaping plan.

6.0 Decision guidelines

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Proposed C273yara 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 proposal provides a high-quality public realm interface that either activates the street edge or provides an engaging and well-designed street interface, and contributes positively to the pedestrian environment and other areas of the public realm;
- whether the development retains the prominence of the heritage street wall in the vistas along the primary street frontage;
- whether heritage buildings on street corners retain their prominence, including their three-dimensional form, when viewed from the opposite side of the primary and secondary street;
- whether upper level development above the heritage street wall is visually recessive and does not visually overwhelm the heritage buildings;
- whether a strong sense of separation between upper levels and street walls is achieved when viewed from the opposite side of the street;

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- whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site through a suitable transition in scale of street-wall, upper level setbacks and building height;
- whether the development delivers design excellence, including but not limited to building siting, scale, massing, articulation and materials;
- whether upper side and rear setbacks are sufficient to limit the impact on the amenity of existing dwellings, limit bulk of new development and ~~increase-retain~~ a sense of openness;
- does the design respond to the interface with existing low-scale residential properties, including avoiding additional overshadowing of secluded private open space;
- whether proposed buildings and works will ~~avoid-minimise~~ overshadowing of footpaths and public spaces;
- whether the proposed built form mitigates negative wind effects created by the development;
- the impact of development on traffic and parking in the nearby area, including on the functionality of laneways and bicycle lanes;
- whether the layout and appearance of areas set aside for vehicular access, loading, unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.

Commented [YCC22]: In response to Submission 30 regarding wording clarification.

Commented [YCC23]: In response to Submission 30 regarding wording clarification.