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SCHEDULE 15 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO15**.

JOHNSTON STREET ACTIVITY CENTRE

1.0 Design objectives

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- To preserve the valued heritage character of the streetscape and ensure that the predominantly two storey Victorian and Edwardian-era heritage street-wall remains the visually prominent built form of Johnston Street west of the railway line bridge.
- To ensure that the overall scale and form of new buildings is mid-rise (5 to 12 storeys) and provides a suitable transition to low scale residential areas, protecting surrounding residential properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.
- To activate the street edge, provide passive surveillance opportunities and accommodate commercial activity at the lower levels of new development.
- To enhance the public realm through high quality buildings and protect footpaths and public spaces on the southern side of Johnston Street from loss of amenity from overshadowing.
- To provide for equitable development outcomes through built form design that responds to the development opportunities of neighbouring properties, and through the consolidation of finer grain sites.

2.0 Buildings and works

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Definitions

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

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

Building height is measured as the vertical distance between the footpath at the centre of the frontage and the highest point of the building. It does not include architectural features and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment provided that the following criteria are met:

- Less than 50% of the roof area is occupied by the equipment (other than solar panels);
- Any equipment is located in a position on the roof so as to avoid additional overshadowing;
- Any equipment does not extend higher than 3.6 metres above the maximum building height; and
- Any equipment and any screening is integrated into the design of the building to the satisfaction of the Responsible Authority.

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

Upper Level Development refers to the levels of buildings that are above the street wall.

Design Requirements

Building Heights and Setbacks (including street-wall height and rear interface Height)

The building height and setback requirements are set out at Table 1 of this schedule.

A development must comply with the mandatory building heights and street wall heights, and the mandatory minimum setbacks outlined in Table 1.

A permit may be granted to exceed the preferred maximum height specified in Table 1 if the following criteria are met to the satisfaction of the Responsible Authority:

- the built form outcome as a result of the proposed variation satisfies the objectives of Clause 1.0 and the provisions of Clause 21.12-1 are satisfied;
- the proposed building height is consistent with the preferred mid-rise character for Johnston Street of generally 5 to 12 storeys;
- the proposal will achieve each of the following:
 - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - universal access, and communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58;
 - excellence for environmental sustainable design measured as a minimum BESS project score of 70% or 5 Star Green Standard;
 - minimal additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height;
 - for *Contributory* or *Individually Significant* buildings under the Heritage Overlay, the proposed development enhances the heritage fabric of the building (primarily through full restoration of the front façade and external features visible from the street).

A permit may be granted to vary the preferred maximum street wall height and preferred minimum setbacks requirements in Table 1 if the development meets the Design Objectives to the satisfaction of the Responsible Authority.

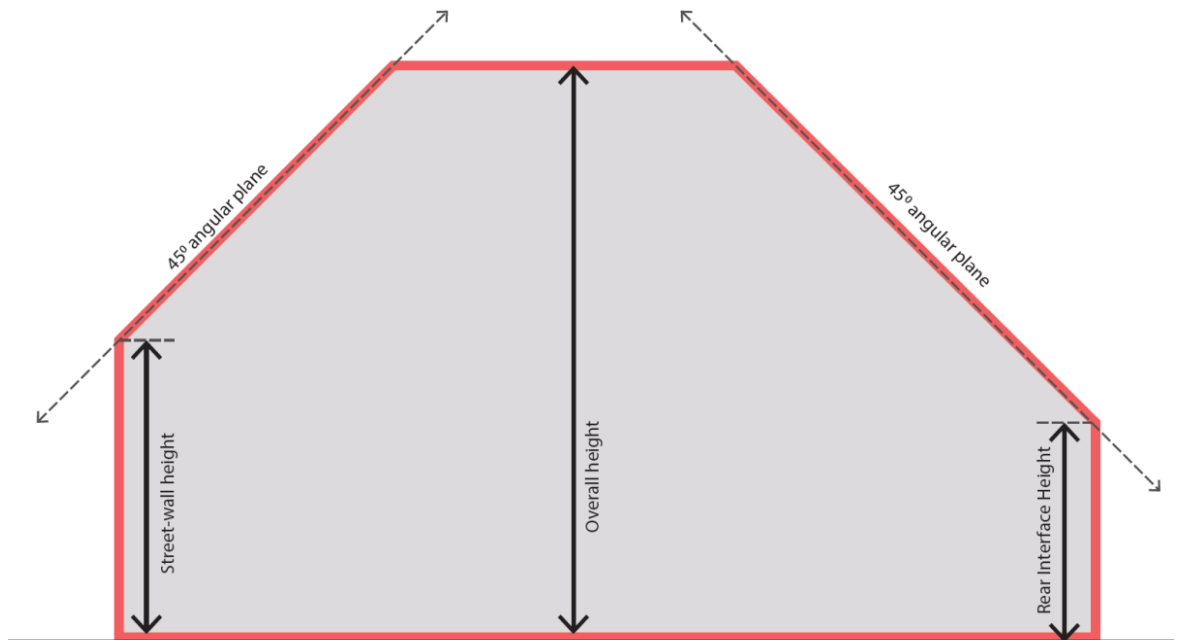
In addition to the overall building height requirements specified in Table 1 and Map 1, development above 18m (5 storeys) must be on a site, consisting of one or more titles, that has the following parameters:

- A minimum lot depth of 20m
- A minimum street frontage width of 10m

In addition to the setbacks required by Table 1, new development on sites with a north-south orientation fronting either Johnston or Sackville Street, should be setback within a 45-degree envelope measured from above the street-wall height and the rear interface height to the maximum overall height as shown in Figure 1. This does not apply to development in Precincts 1A, 1B, 2A and 2C (for the site on the northern side of Johnston Street), where new development should be setback within a 45-degree envelope from the primary street frontage only.

In Precincts 1A, 1B and 2B, the rear interface of new development should be designed to enable daylight and/or solar access to primary outlooks for existing or potential future residential development and to consider future development opportunities on neighbouring sites.

Development should avoid repetitive stepped form within the 45-degree envelope.

Figure 1 – Upper Level Setback Requirement

Building Separation

Development should be setback from common side boundaries to provide separation between buildings at the upper levels to avoid a “wall” of development above the street-wall when viewed from the opposite side of Johnston Street and Sackville Street:

- a minimum of 4.5m from the side boundary where a habitable room window is proposed
- a minimum of 3m from the side boundary where a non-habitable room window or commercial window is proposed.

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

Overshadowing and Solar Access

New development must not overshadow the southern footpath of Johnston Street, measured as 3.0m from the boundary of Johnston Street, between 10am and 2pm at September 22.

Development in Sub-Precincts 1C, 1D, 2E and 2F should be designed to minimise additional overshadowing of residential zoned properties to the south measured from 10am to 2pm at the equinox (September 22).

Street Frontages

New development should:

- be built to the front property boundary on in-fill sites along Johnston Street.
- address the primary street frontage and, where heritage elements are not a constraint, incorporate design elements that contribute to the provision of a continuous, visible and active frontage at ground level.
- provide passive surveillance from upper levels.

- be designed to allow for commercial activity at the lowest two levels (as a minimum) incorporating commercial floor to floor heights of at least 4m, where heritage elements are not a constraint.
- be designed to locate service entries/access doors away from the primary street frontage, or where not possible, be sensitively designed to integrate into the façade of the building.

West of the railway line bridge, new infill development should ensure that heritage facades remain the visually dominant feature in the streetscape. Facade treatments and articulation of new infill development within this area should:

- respond to the rhythm and pattern of the heritage streetscape and adjoining heritage buildings
- match the parapet height of a neighbouring *Contributory* or *Individually Significant* buildings identified under the Heritage Overlay.

In Precincts 2C, 2D, 2E and 2F, new development should:

- contribute to a new, well-designed, contemporary urban character that provides articulated façades, reinforcing a finer grain street pattern
- provide a transitional street wall height on sites that are adjacent to *Individually Significant* heritage properties and respect the scale and character of the heritage building.

New development on Sackville Street should be setback 3m to accommodate landscaping, or incorporate a high quality public realm treatment into the design of the building to address and improve the amenity of the streetscape.

Upper Level Development

Within areas, and on individual properties covered by the Heritage Overlay, upper level development should:

- Ensure that heritage facades remain the visually prominent feature within the streetscape when viewed from ground level.
- Be visually recessive in mass, scale and materiality, incorporating materials and finishes that are sympathetic and in keeping with the character of the heritage streetscape.

Upper level development should be designed so that side walls are articulated and read as part of the overall building design not detract from the streetscape when viewed from direct and oblique views along the streetscape.

Vehicle Access and Car Parking

New development should be designed to:

- Avoid providing vehicle access from Johnston Street and provide access from a side street or laneway where practical.
- Conceal the provision of car parking within the building or by providing basement car parking.
- Avoid providing recessed parking spaces at the ground floor level of buildings and onsite parking spaces at the front of properties.

3.0 Subdivision

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None specified.

4.0 Advertising signs

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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:

- The extent to which the proposal satisfies the Design Objectives at Clause 1.0.
- The architectural quality of the proposal, which includes the design, scale, height, materials, mass and visual bulk of the development in relation to the surrounding built form.
- How the proposal responds to the presence of heritage buildings either on, or in close proximity to the site.
- The design response at the interface with existing low-scale residential properties.
- Whether the proposal provides an active street interface to Johnston Street and contributes positively to the pedestrian environment and other areas of the public realm.
- Whether new buildings cause overshadowing of southern side footpaths and public spaces along the south side of Johnston Street when measured 10am to 2pm at the spring equinox (September 22).
- Whether the proposal provides an active street interface to Johnston Street and contributes positively to the pedestrian environment.

Map 1: Johnston Street Sub-Precincts Plan



Table 1: Building Height and Setback Requirements (subject to the criteria outlined at Clause 2.0 of this schedule)

Sub-Precinct	Preferred Maximum Building Height	Mandatory Maximum Building Height	Preferred Street-Wall Height	Mandatory Maximum Street-Wall Height	Preferred Minimum Setback (for upper levels from Street Wall Facade)	Mandatory Minimum Setback (for upper levels from Street Wall Facade)	Preferred Maximum Rear Interface Height (on boundary)
1A	24m	—	8m (Min)	11m	—	6m	—
1AA	28m	—	11m (fronting Sackville St.)	11m (fronting Johnston St.)	3m (fronting Sackville St.)	6m (fronting Johnston St.)	—
1B	24m	—	11m (Max)	—	3m	—	—
1C	21m	28m	8m (Min)	11m	—	6m	8m
1D	—	21m	8m (Min)	11m	—	6m	8m
2A	21m	—	8m (Min)	11m	—	6m	11m
2B	21m	—	8m (Min)	11m	—	6m	8m
2C	34m	—	15m (Max)	18m	3m	—	15m
2D	24m	31m	15m (Max)	18m	3m	—	11m
2E	21m	24m	15m (Max)	18m	3m	6m (293 & 323-325 Johnston St.)	8m
2F	—	21m	15m (Max)	18m	3m	—	8m

* This plan is intended to be read in colour