

22/10/2021  
C272yara

## SCHEDULE 18 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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

### HEIDELBERG ROAD PRECINCTS

#### 1.0

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#### Design objectives

- To ensure development supports:
  - a new mid-rise contemporary character providing a mix of building heights and forms with building separation providing internal amenity, a prominent street wall on Heidelberg Road and a transition in building scale towards the adjacent parklands in Precinct 1;
  - an emerging low-rise commercial character with development set behind a landscape strip with a prominent street wall and recessive upper levels along Heidelberg Road in Precinct 2;
  - a new contemporary mid-rise development that addresses the street prominent corner with perimeter landscape setbacks and building heights that transition in scale and street wall height towards Coate Avenue and adjoining residential properties in Precinct 3A;
  - a new low-rise character with a mix of retained heritage and new street wall heights along Heidelberg Road and a landscape setback between Yarralea Street and Como Street in Precinct 3B.
- To ensure development improves the landscape quality, openness and 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 transition in scale from taller building forms towards the interface with heritage buildings, and retains the prominence 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 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

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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 to 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, on the Victorian Heritage Register or any building graded as either Contributory or Individually Significant.

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

**Parapet** 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 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 buildings and works requirements apply to an application to construct a building or construct or carry out works and must be read in conjunction with the relevant precinct design guidelines:

#### 2.2.1 Street wall height requirements

Street wall heights should not exceed the heights specified in Maps 1, 2, 3A and 3B (Precincts 2, 3A and 3B).

The street wall on corner buildings should continue the main frontage street wall height for a minimum of 8 metres to the side street, with a transition in height to match the rear interface where required. Infill development should match the frontage street wall height of an adjoining heritage property for a minimum of 6 metres along the front boundary.

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

Development should be setback at upper levels above the Heidelberg Road, Yarra Bend Road, Park Crescent and Chandler Highway and Coate Avenue street walls a minimum of:

- 6 metres in Precincts 1, 2 and 3B;
- 10 metres from Coate Avenue and should be an additional minimum of 10 metres above the secondary step in Precinct 3A;
- 6 metres from Heidelberg Road and Chandler Highway in Precinct 3A.

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

Upper levels should:

- be visually recessive from main frontages and side streets to and minimise upper level bulk
- contain upper level setbacks above the street wall within a maximum of two steps (including the setback from the street wall below) to avoid repetitive steps in the built form

For heritage buildings, upper level setbacks behind the street wall in excess of the minimum upper level setback should be provided 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 Overall building height requirements**

Development should not be higher than shown on Maps 1, 2, 3A and 3B.

Architectural features may exceed the building height.

Service equipment/structures including unenclosed pergolas for communal areas, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the height provided that:

- the equipment/structures do not cause additional overshadowing of secluded private open space to residential land, opposite footpaths, kerb outstands etc.; and
- the equipment/structures are no higher than 3.6 metres above the preferred maximum height; and
- occupy less than 50 per cent of the roof area.

### **2.2.4 Interface and rear setback requirements**

Development adjoining a residential property outside this overlay should not exceed a maximum boundary wall height of 8 metres.

Upper levels above a rear boundary wall should 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 adjoining residential site's boundary, taken from the centre of the boundary.

Upper level setbacks above the 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.

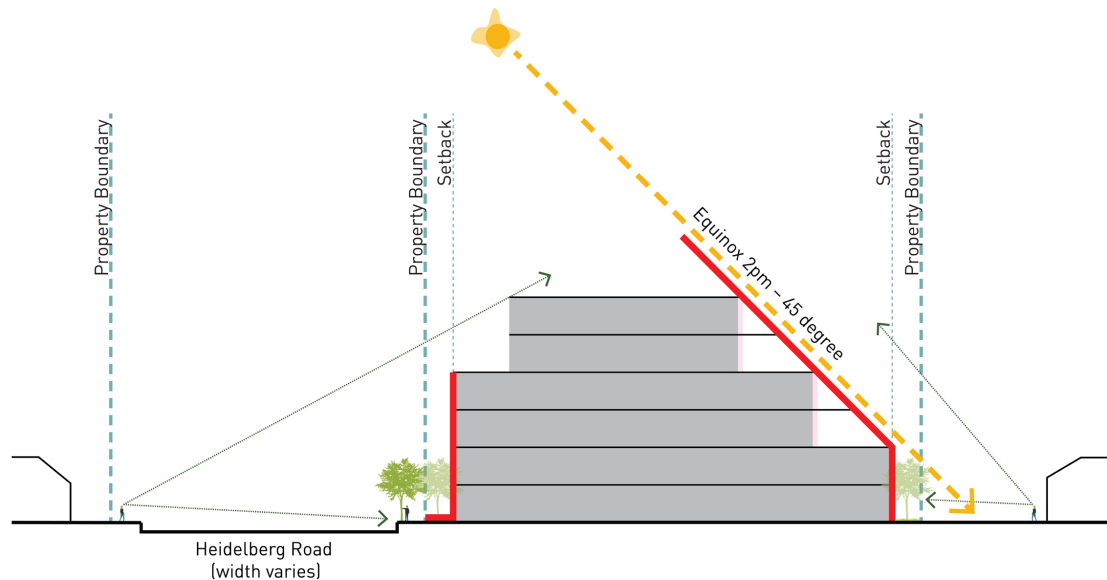
Development should respond to existing secluded private open spaces by setting back at upper levels to create a sense of separation, minimise overshadowing and reduce building bulk.

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

Development should provide minimum ground floor setbacks to the rear boundary as follows:

- Precinct 1: a minimum of 3 metres towards parkland;
- Precinct 3A: a minimum of 4.5 metres;
- 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.

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 residential land outside of this overlay.

Development should not overshadow:

- the opposite footpath of a side street, measured as 3.0 metres from the relevant property boundary frontage, between 10 am and 2 pm at 22nd September; and
- any opposite kerb outstands, seating and/or planting areas (as applicable), between 10am and 2pm at 22 September.

### 2.2.6 Building separation requirements

Where development shares a common boundary within the overlay, upper level development should be setback a minimum of:

- 4.5m from the common side boundary, where a habitable window or balcony is proposed and/or exists;
- 3.0m from the common side boundary where a commercial or non-habitable window is proposed and/or exists.

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
- 6m from each other where a commercial or non-habitable window is proposed.

### 2.2.7 Building layout requirements

Internal layout of commercial and residential units should show how they can be adapted over time, including demonstrating how commercial and residential units can be combined or divided without major structural remedial works.

Ground floor levels in the Commercial 1 Zone should be designed with minimum floor to floor heights of 4 metres to accommodate commercial activity.

### 2.2.8 Façade design requirements

Development in the Commercial 1 Zone should achieve fine-grain commercial façade designs at ground floor.

Development towards streets other than Heidelberg Road should achieve active frontage design at ground level to create a pedestrian-oriented environment and passive surveillance towards the public realm.

Façades design should:

- create a suitable ratio of solid and void elements;
- create visual interest through the arrangement of fenestration, balconies and the application of architectural features such as external shading devices, window sills etc.;
- avoid overly busy facades that rely on a multitude of materials and colours;
- maintain existing openings and the inter-floor height of a heritage building and avoid new floor plates and walls cutting through historic openings;
- avoid highly reflective glazing in openings of heritage buildings;
- encourage the retention of solid built form behind retained heritage facades and avoid balconies behind existing openings;
- be simple and not compete with the more elaborate detailing of the heritage building(s) on the subject site or an adjoining site;
- avoid large expanses of glazing with a horizontal emphasis, except to ground floor shopfronts and former industrial buildings;
- ensure projections such as balconies, building services, architectural features (other than shading devices, mouldings etc.) do not intrude into a setback and not dominate the façade.

Building services and service cabinets should be located away from the primary street frontage and should be designed and located so they complement the street frontage and character and appearance of the building.

Development should avoid blank walls, including on side street frontages.

Blank 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 or finishes.

### 2.2.9 Front setback design requirements

Front setbacks 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 include:

- unobstructed access by avoiding steps, fences and narrow spaces between planting areas
- provision of canopy trees
- creating a subtle distinction towards the public realm, including but not limited to different paving material, pattern and/or placement of planting.

### 2.2.10 Access, parking and loading area requirements

Pedestrian access to buildings should be achieved via streets and avoid primary access from laneways.

Ensure pedestrian entrances are clearly visible, secure 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 ventilated.

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

Resident and staff bicycle parking should be located 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 quality pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.

Development should not provide new vehicular access from Heidelberg Road.

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

### **2.3 Precinct Design Requirements**

#### **2.3.1 Precinct 1**

##### **Design requirements**

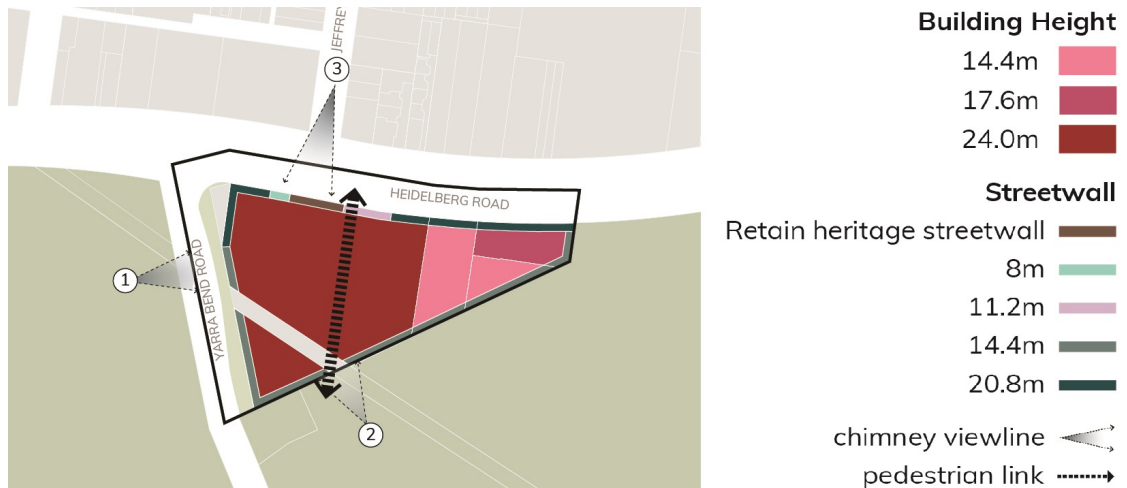
Development should:

- 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.
- create a sense of openness around the heritage factory building and chimney by gradually stepping down towards the factory and creating a strong separation from the chimney.
- achieve open view lines to the chimney from the parkland 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 connection between Heidelberg Road and the parkland to the south, located east of the building affected by Heritage Overlay 421, to create a physical and visual connection.
- provide for a communal space next to the building affected by Heritage Overlay 421.
- 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.

##### **Street setback requirements**

Development in Precinct 1 should be setback 3 metres to Heidelberg Road (except for heritage buildings) and 3 metres to Yarra Bend Road to provide better separation with Heidelberg Road and space for circulation and canopy landscaping.

Map 1: Precinct 1



### 2.3.2 Precinct 2

#### Design requirements

Development along Heidelberg Road should:

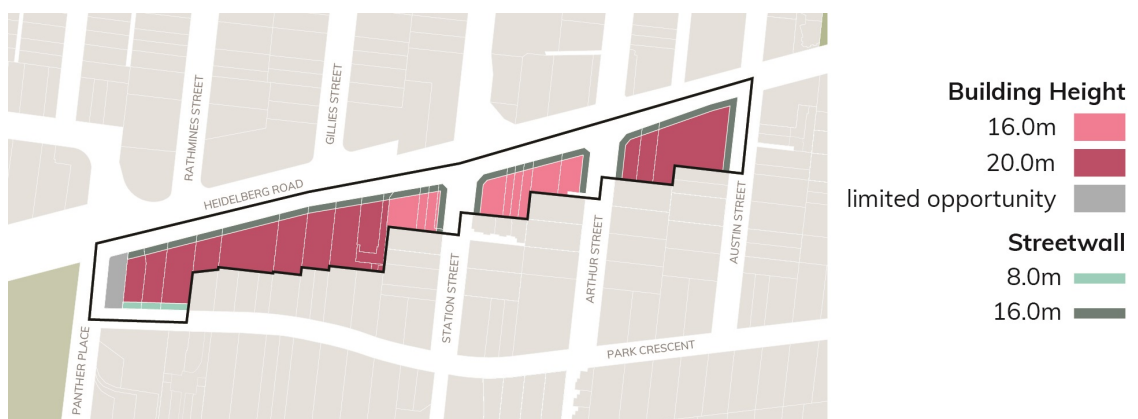
- achieve a commercial façade.
- should create a pedestrian-oriented environment at lower levels to improve pedestrian amenity, safety and the vibrancy of the area.

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

#### Street setback requirements

Development in Precinct 2 should be setback 3 metres to Heidelberg Road and 3 metres to Park Crescent to provide better separation with Heidelberg Road and space for circulation and canopy landscaping.

Map 2: Precinct 2



### 2.3.3 Precinct 3A

#### Design requirements

Development along Heidelberg Road and Chandler Highway should:

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

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

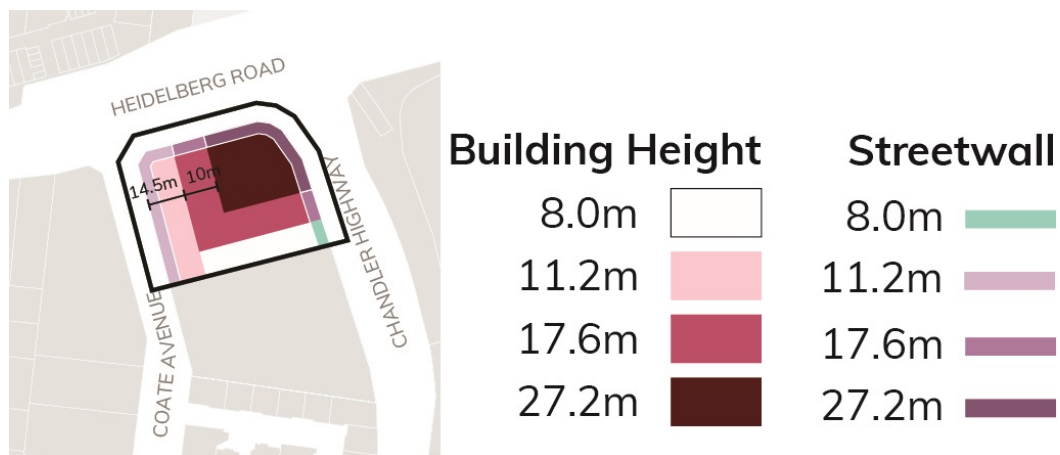
Development should achieve a sense of openness by providing strong separation of upper levels from Coate Avenue and residential properties to the rear.

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

## Street setback requirements

Development in Precinct 3A should be setback 3 metres to Heidelberg Road and Chandler Highway and 4.5 metres to Coate Avenue to provide better separation with Heidelberg Road and space for circulation and canopy landscaping.

Map 3A: Precinct 3A



## 2.3.4 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 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.

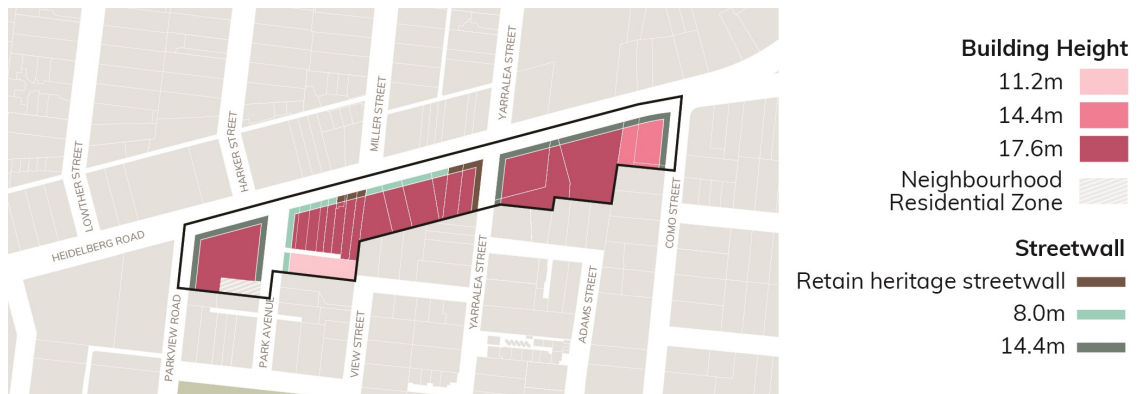
### Street setback requirements

Development in Precinct 3B should be setback 3 metres to Heidelberg Road between Parkview Road and Park Avenue 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: Precinct 3B

**3.0**22/10/2021  
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None specified.

**4.0**22/10/2021  
C272yara**Signs**

None specified.

**5.0**22/10/2021  
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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 must 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 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 for development proposals over 20 metres in height.
- 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 tram services), reduces car dependence and promotes sustainable transport modes, and evaluates the cumulative impacts of traffic and parking in the Precinct including an assessment of the ongoing functionality of laneway/s, where applicable.
- A landscaping plan.

**6.0**22/10/2021  
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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 requirements in schedule sub-section 2.2 and 2.3 are met.
- The contribution to the street environment and/or public realm.
- The impact of development on heritage street wall prominence in the vistas along the primary street frontage.
- The impact of development to the prominence of heritage buildings on street corners, including their three-dimensional form when viewed from the opposite side of the primary and secondary street.

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- Whether a strong sense of separation between upper levels and street walls is achieved when viewed from the opposite side of the street.
- 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.
- The shadowing impacts of the development on opposite footpaths and public spaces.
- Whether the development mitigates negative wind effects.
- The cumulative impact of development on traffic and parking in the nearby area, including on the functionality of laneways.
- Whether the development provides practicable and safe vehicular access, loading, unloading and car parking.
- Whether the development supports a pedestrian-oriented design outcome.

### **Expiry**

The requirements of this schedule cease to have effect after 22 April 2022.