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Proposed C273yara

SCHEDULE 18 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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

HEIDELBERG ROAD PRECINCTS

1.0

Design objectives

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- To ensure development contributes to the creation of identified preferred built form character, while responds to the existing surrounding low scale residential 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 public open space 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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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.
- construct or carry out works to a telecommunications facility.

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.

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' or listed in a 'mandatory' column of a table or map.

2.3 Street wall height and street setback 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 built form outcomes are achieved, to the satisfaction of the Responsible Authority:

- an appropriate transition, scaling down to the interface with a heritage building;
- avoid visually overwhelming the adjoining heritage building; and
- an appropriate transition, scaling down to the interface with low rise residential areas.

Infill development abutting 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.

Street setbacks (as identified in Clause 2.3 and Maps 1 to 3B in Clause 2.7 to 2.10) should be designed to create a sense of openness 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.

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

Front or street setbacks for Precincts 3A and Precinct 3B (between Yarralea Street and Como Street) should be designed to include canopy trees and soft landscaping to:

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- Blend in with the residential character of Precinct 3A
- Create a more pedestrian-friendly environment and avoid the dominance of car parking areas for Precinct 3B (between Yarralea Street and Como Street).

Development must be setback to provide:

- for space for circulation, canopy landscaping for all streets shown in Table 1 and Maps 1 to 3B; and
- better separation for the sections of Heidelberg Road shown in Table 1 and Maps 1 to 3B.

Balconies at the street wall levels may protrude into a street wall front setback along the sections of Heidelberg Road shown in Table 1 and Map 1 to 3B if the following requirements are met, to the satisfaction of the Responsible Authority:

- balconies:
 - do not restrict the ability to provide space for circulation, canopy trees and landscaping;
 - do not protrude greater than 2m into the setback;
 - do not present as a second street wall when viewed from the opposite side of the street and at oblique angles;
 - are not enclosed (excepting balustrades); and
- balustrades are designed to be visually permeable.

Table 1 Mandatory Street Setbacks

Precinct	Location	Mandatory minimum street setback
Precinct 1	Heidelberg Road (excluding heritage properties) and Yarra Bend Road	3m
Precinct 2	Heidelberg Road and Park Crescent	3m
Precinct 3A	Heidelberg Road and Chandler Highway	3m
	Coate Avenue	4.5m
Precinct 3B	Heidelberg Road between: <ul style="list-style-type: none">▪ Parkview Road and Park Avenue▪ Yarralea Street and Como Street	3m

2.4 Upper level front and side setback requirements

Upper levels of development are set back above the street wall as shown in Table 2:

Table 2 Upper level setbacks

Precinct	Location	Mandatory minimum upper level setback	Preferred minimum upper level setback
Precinct 1	Heidelberg Road and Yarra Bend Road	None specified	6m
Precinct 2	Heidelberg Road and Park Crescent	None specified	6m
	Other side streets	None specified	3m
Precinct 3A	Heidelberg Road and Chandler Highway	None specified	6m
	Coate Avenue	10 metres; and an additional minimum of 10 metres above the secondary step	None specified
Precinct 3B	Heidelberg Road between Parkview Road and Yarralea Street	6m	None specified
	Heidelberg Road between Yarralea Street and Como Street	None specified	6m
	Other side streets	None specified	3m

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.

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

Upper levels above 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.

2.5

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 Requirements in Clause 2.11;
- 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.

2.6

Interface and rear setback requirements

Development must provide minimum landscape setbacks between the rear interface and the boundary as shown in Table 3.

Development in Precinct 1 (as shown on Map 1) along Fairfield Park or in Precincts 2, 3A and 3B adjoining a residential property outside this overlay must not exceed a maximum rear interface height as shown in Table 3.

Table 3 Mandatory minimum rear landscape setbacks and mandatory maximum rear interface heights

Precinct	Mandatory minimum landscape setback	Mandatory maximum rear interface height
Precinct 1	3 metres (as shown on Map 1)	14.4m
Precinct 2	5 metres where a development site directly abuts a rear boundary (see Figure 2) of an adjacent residential lot.	8m
	3 metres where a development site directly abuts a side boundary (see Figure 2) of an adjacent residential lot.	
Precinct 3A	4.5 metres (as shown on Map 3)	8m

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Precinct	Mandatory minimum landscape setback	Mandatory maximum rear interface height
Precinct 3B	5 metres where a development site directly abuts a rear boundary (see Figure 2) of an adjacent residential lot.	8m
	3 metres where a development site directly abuts a (see Figure 2) side boundary of an adjacent residential lot.	

Upper levels above a rear interface must be contained within a 45 degree setback envelope that is measured from the top of the rear interface taken from the centre of the boundary (as shown in Figure 1: Indicative Cross Section).

Upper level setbacks above the rear interface should be contained within a maximum of two steps (including the setback above the interface 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.

Figure 1: Indicative Cross Section

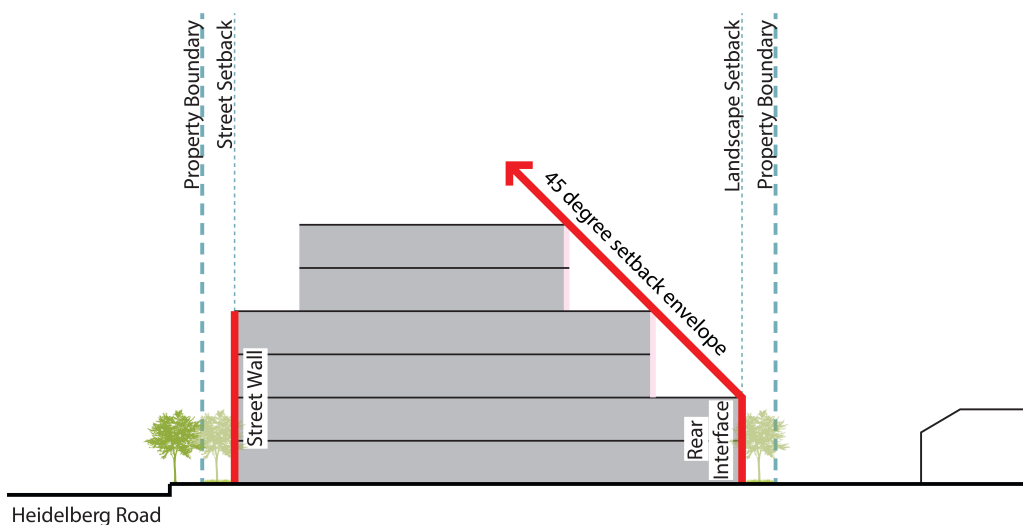
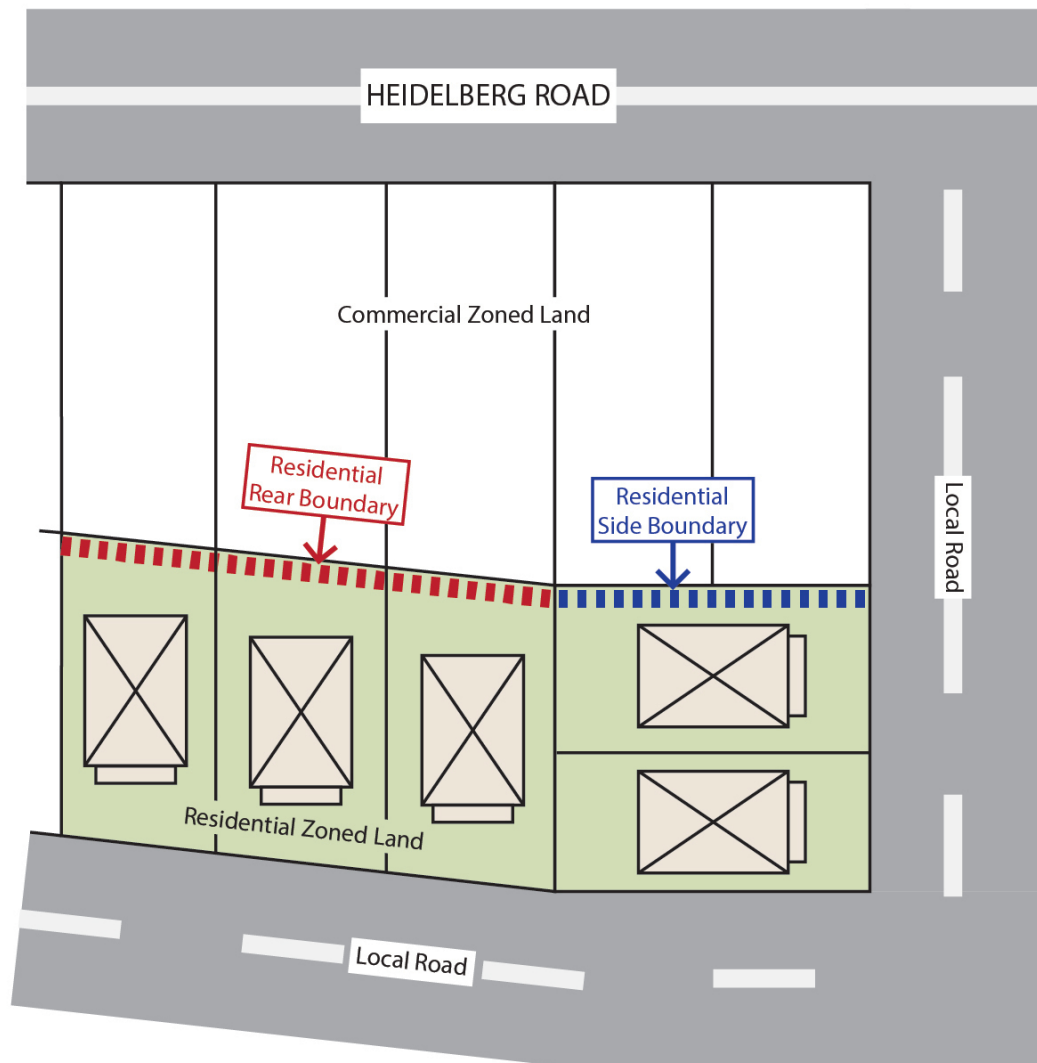


Figure 2: Residential rear and side boundaries diagram

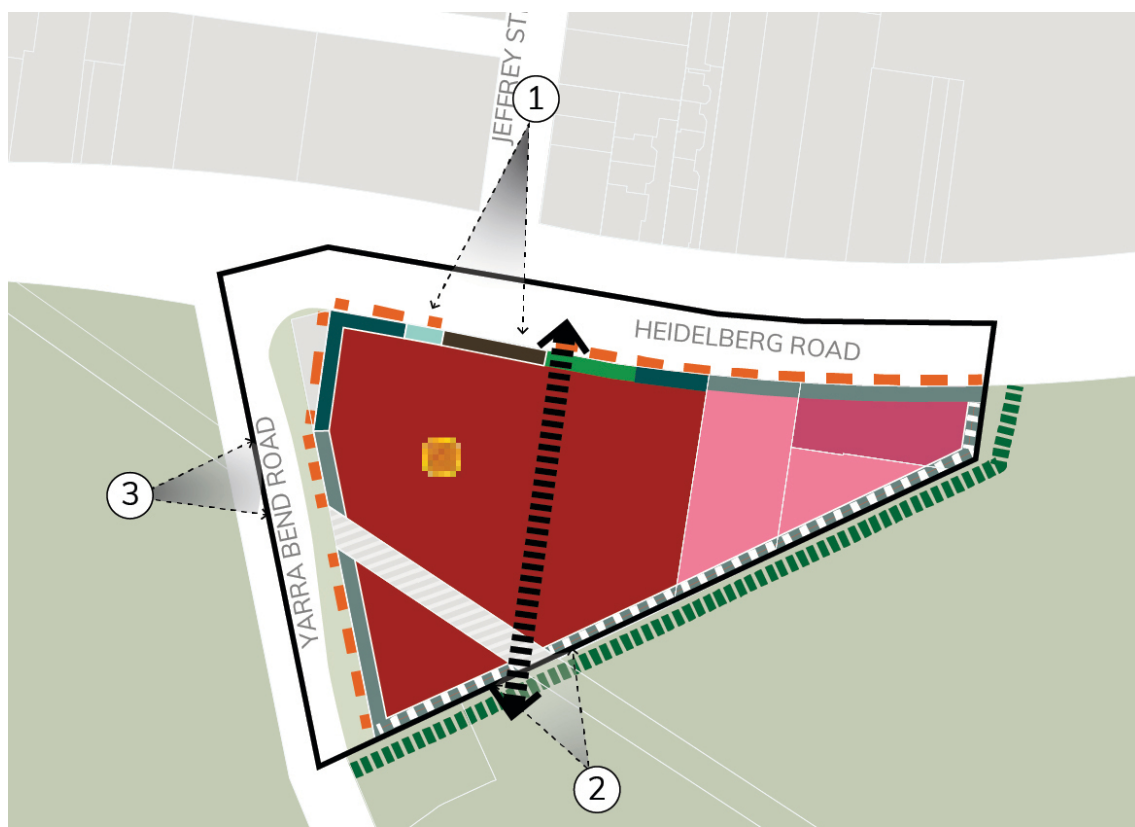


2.7 Precinct 1

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.

Map 1: Precinct 1



Preferred Maximum Building Height

- 14.4m
- 17.6m
- 24.0m

Preferred Maximum Street Wall Height

- Retain heritage streetwall
- 8.0m
- 11.2m
- 14.4m
- 20.8m

Mandatory Interface Requirements

- 3m minimum setback requirement
- 14.4m maximum rear interface height

Mandatory Setback Requirements

- Mandatory front setback

Precinct Specific Requirements

- chimney
- indicative chimney view line
- physical and visual connection

Crown Land

- Crown Land



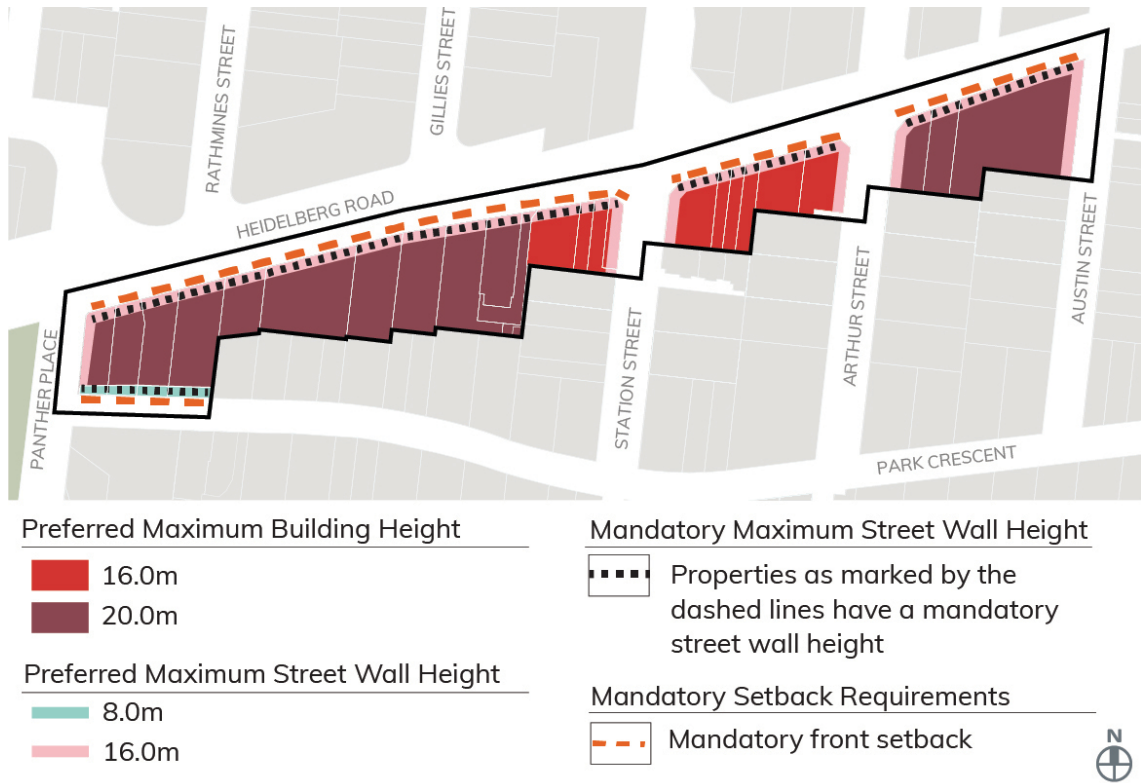
2.8

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.

Map 2: Precinct 2



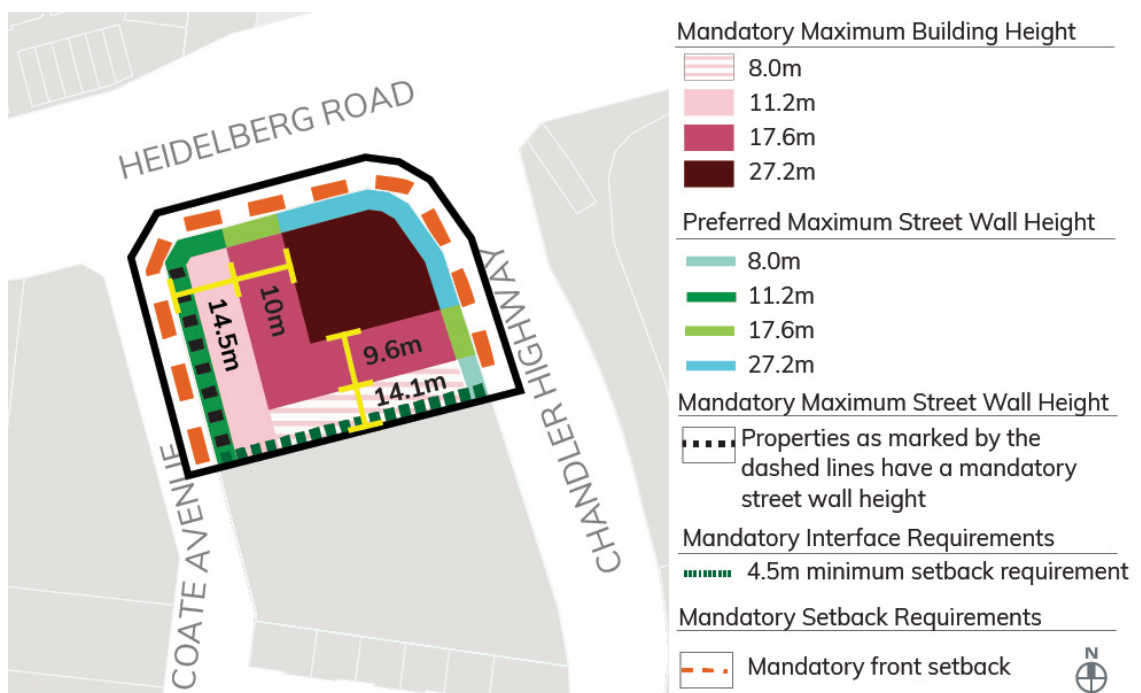
2.9

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.

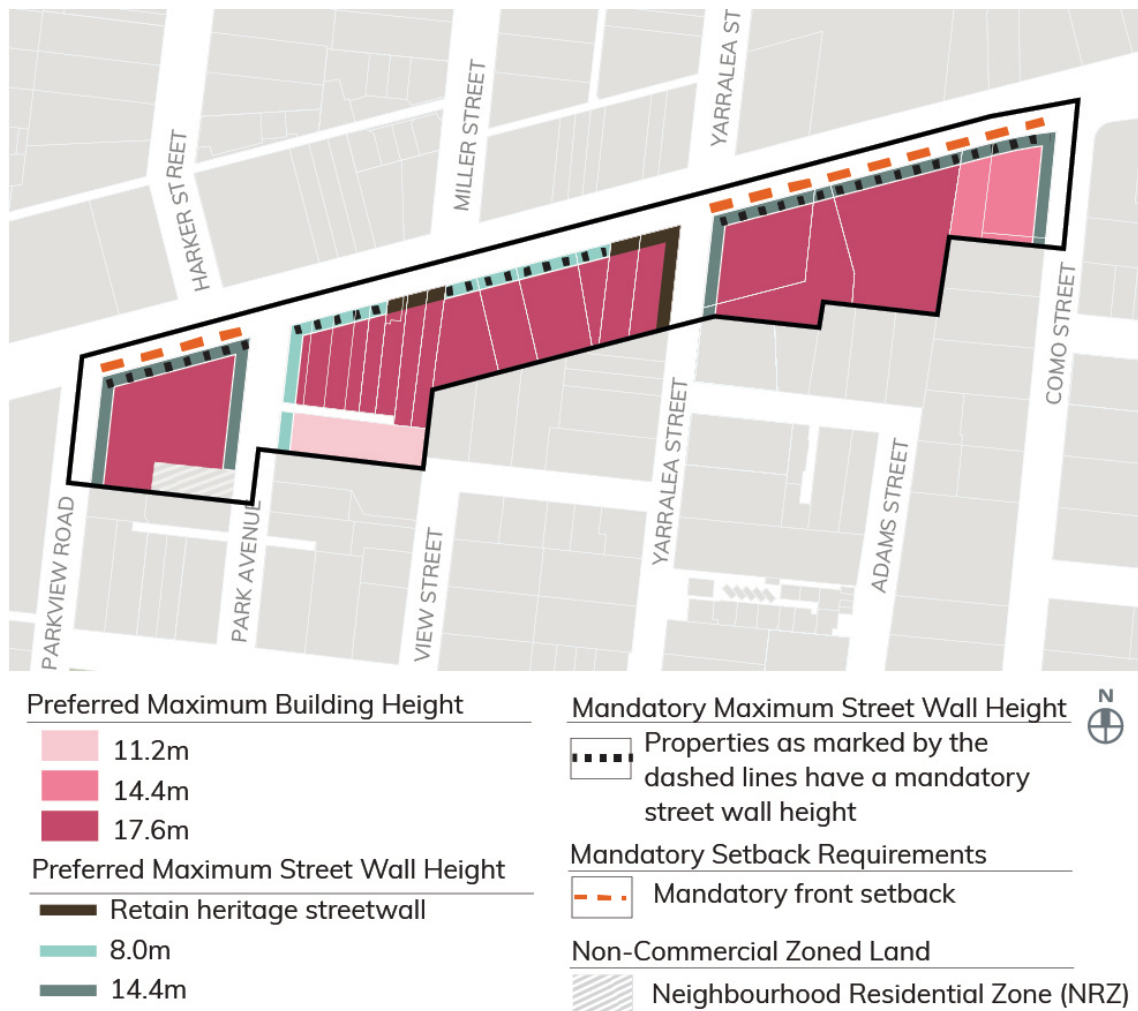
Map 3A: Precinct 3A



2.10

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.

Map 3B: Precinct 3B

2.11

Overshadowing requirements

Development should meet the objective of Clause 55.04-3 Overshadowing for adjoining land 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 10am and 2pm 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, except the car parks and associated access ways abutting the southern boundary of Precinct 1, as beyond that caused by a 14.4m wall set back 3m from the property boundary, measured between 10am and 2pm on 22 September.

2.12 Building separation, and amenity requirements

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

- 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
- 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.

2.13 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.

2.14 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;
- creating an appropriate ratio of solid and void elements;
- 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 except those identified in Clause 2.3 and do not visually dominate the façade and terraces above a podium.

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 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.

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.

Development in Precinct 1 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 Porta factory building and chimney by gradually stepping down towards the factory and creating a clear, physical separation from the chimney.
- achieve open view lines to the Porta 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.
- ensure new built form achieves sufficient separation towards the Porta chimney, allowing the appreciation of its heritage significance and landmark qualities when viewed from the indicative view lines 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.

Development along Heidelberg Road, Chandler Highway and Coate Avenue (Precincts 2, 3A and 3B), should achieve active frontages to create a pedestrian-oriented environment at lower levels to improve pedestrian amenity, safety and the vibrance of the area.

Development within Precinct 3A:

- along Heidelberg Road and Chandler Highway should achieve a fine grain, activated commercial building façade at the street wall levels.
- along Coate Avenue, should achieve a fine-grain, lower residential character to blend in with the character of the street.

2.15

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 points should be clearly identifiable from the street frontage.

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.

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, where applicable.

Vehicle access points should be spaced apart from neighbouring access points to avoid wide crossovers.

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.

Development in Precinct 1 should:

- locate car parking in basements, where possible.
- ensure building entrances are designed to be safe and are accessible from a public thoroughfare.

3.0 Subdivision

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None specified.

4.0 Signs

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None specified.

5.0 Application requirements

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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 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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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 clear sense of separation between upper levels and street walls is achieved when viewed from the opposite side of the street;
- 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 high quality design, 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 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 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.