- DDO6 pg.1-3
- DDO9 pg.4-6
- DDO11 pg.7-9
- DDO14 pg.10-13
- DDO15 pg.14-21
- DDO16 pg.22-40
- DDO19 pg.41-44
- DDO23 pg.45-52
- DDO25 pg.53-60
- DDO26 pg.61-70
- DDO27 pg.71-79
- DDO28 pg.80-88
- DDO51 pg.89-101
- DDO52 pg.102-111
- DDO53 pg.112-125

21/07/2022
C263yara

SCHEDULE 6 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO6**.

601-603 VICTORIA STREET, ABBOTSFORD

1.0 Design objectives

21/07/2022
C263yara

To ensure that development:

- Responds to the industrial nature of the area, including the Abbotsford Brewery, by resolving the potential impacts of industry, including noise, light, odour and 24 hour traffic movements, in the design and construction of buildings so as not to prejudice the ongoing operation of surrounding non-sensitive uses.
- Incorporates appropriate acoustic measures to attenuate audible noise levels within habitable indoor and outdoor areas of buildings containing residential or other noise sensitive uses so that they do not adversely affect the operations of industry.
- Makes a positive contribution to Victoria Street as an active pedestrian environment and retail and commercial strip through high quality architecture
- Improves physical and visual linkages between the surrounding area and the Yarra River.
- Does not adversely impact on local traffic conditions.
- Is of an appropriate height and scale for its strategic location and respects the predominant character of Victoria Street between Church and Burnley Streets.
- Does not dominate the skyline when viewed from the Yarra River corridor and Yarra Bend Park.
- Improves the pedestrian environment along all street frontages.
- Responds to the predominantly industrial built form character of the area.

2.0 Buildings and works

~~21/07/2022~~ ~~--/--/----~~
~~C263yara~~Proposed C334yara

A permit is required to construct a building or construct or carry out works, except for:

- an alteration 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 level is maintained as an entry or window with clear glazing.
- rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level.

Development of the site must include an open thoroughfare that:

- Provides access and direct viewlines for pedestrians between Grosvenor and Shamrock Streets.
- Has a minimum width of 10 metres.
- Be landscaped and substantially fronted by development.
- Can form part of a development contribution requirement of any subsequent subdivision application.

Buildings and works should be constructed in accordance with the requirements specified in Table 1 to this schedule.

Table 1

Maximum building height	Upper level setbacks	Built form outcomes
Victoria Street frontage: 11 metres (RL26)	Victoria Street frontage: development above 11 metres (RL 26) to be set back a minimum of 10 metres.	The scale of the building reinforces the strategic importance of Victoria Street. The dominant parapet height of surrounding development along the north side of Victoria Street is maintained and reinforced.
Flockhart Street frontage: 16.5 metres (RL26)	Flockhart Street frontage: development above 16.5 metres (RL 26) is to be set back a minimum 4 metres.	Development responds to the slope of the site and lower scale development to the north.
Grosvenor Street frontage: 13.5 metres (RL26)	Grosvenor Street frontage: development above 13.5 metres (RL 26) is to be set back a minimum 5.5 metres	The visual impact of upper levels is minimised when viewed from Victoria Street east and west of the site. Development responds to the lower scale (one to two storey) of buildings on the south side of Victoria Street and west side of Grosvenor Street.
Overall maximum height: 21 metres (RL 30.5) elsewhere on the site	Northern boundary of the site: development above 16.5 metres (RL 26) is to be set back a minimum 8.5 metres	Development responds to the medium scale (up to five storeys) of industrial buildings on the east side of Flockhart Street and to the north of the site.

Development that includes residential or other sensitive uses must:

- Include design and noise attenuation measures that achieve the noise levels (within any noise sensitive areas) that are calculated by applying the method in Schedule B of State Environment Protection Policy No. N-1 'Control of Noise from Commerce, Industry and Trade' (SEPP N-1) for calculation of noise limits.
- Locate, and if necessary screen, private open spaces, including balconies, to attenuate industrial noise to meet the requirements of SEPP N-1.
- Incorporate design measures that minimise the potential impact of non-routine odour emission.

At ground level, development must:

- Provide physical and visual connections between the land, or buildings on the land to the Yarra River corridor and Victoria Street.
- Use Grosvenor Street for pedestrian access and Flockhart Street for vehicle access.
- Provide visual interest for pedestrians and opportunities for passive surveillance through the location and design of building entries windows, and balconies and façade articulation.
- Minimise vehicle crossovers, blank walls and blind corners.

3.0 Subdivision

21/07/2022
C263yara

A permit is not required to subdivide land.

4.0 Signs

21/07/2022
C263yara

None specified.

5.0 Application requirements

21/07/2022
C263yara

An application must be accompanied by a site analysis and a design response explaining how the development achieves the Design objectives of this schedule and Built form outcomes in Table 1 to this schedule.

An application that includes residential or other sensitive uses must be accompanied by an acoustic assessment, prepared by a qualified acoustic consultant, to the satisfaction of the responsible authority, that demonstrates how the noise attenuation measures will achieve noise levels (within any noise sensitive areas) that are calculated by applying the method in Schedule B of SEPP N-1 for calculation of noise limits.. The acoustic assessment must include:

- The internal and external noise levels and the method of calculation used.
- Details of the design of walls, roof, windows, door, external glazing and the air- conditioning or ventilation system and how these will achieve the required noise levels.

6.0 Persons or body to be notified

In accordance with section 52(1)(c) of the Act, notice of an application under this schedule must be given to the owner and occupier of the Abbotsford Brewery site at 4-6 Southampton Crescent, Abbotsford.

7.0 Decision guidelines

21/07/2022
C263yara

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 responds to the industrial context of the area, in particular, the measures employed to ensure that non-residential uses will protect residential amenity from noise, light, and odours emitted from commercial uses on the site.
- How ground level commercial occupancy provides an active, physically and visually connected interface along the Victoria Street frontage.
- How the design, height and form of development responds to the built form character of Victoria Street and existing development in Flockhart Street and Grosvenor Street.
- How the design, height and visual bulk of building/s on the site address potential negative amenity impacts on surrounding development.
- How the proposal improves the street environment for pedestrians along street frontages.
- The effect on the local road network of the location of, and access to, parking facilities.
- The extent to which the Design objectives and the Built form outcomes in Table 1 to this schedule are met.

21/07/2022
C263yara

SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO9**.

DOONSIDE PRECINCT

1.0 Design objectives

21/07/2022
C263yara

To recognise this Precinct, being on the edge of an activity centre and abutting low rise residential development, as transitional in its location and function.

To ensure building design responds to the industrial character of the precinct but respects the character of the established residential areas to the south and east of the Precinct.

To respect the scale of development on the south side of Appleton Street.

To provide a pedestrian friendly environment along all street frontages.

To encourage improvements to the public domain, including the provision of public open space.

To ensure that new development does not adversely impact on local traffic conditions.

To ensure a high standard of architectural design.

To ensure that new development does not prejudice the ongoing operation of nearby commercial, industrial and warehouse businesses.

2.0 Buildings and works

~~21/07/2022~~ ~~--/--/----~~
~~C263yara~~Proposed C334yara A permit is required to construct a building or construct or carry out works, except for:

- an alteration to an existing building façade, provided:
  - the alteration does not include the installation of an external roller shutter;
  - in a MUZ, the alterations include and/or retain existing windows and pedestrian entry points and do not increase blank walls.
- rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level.

The following requirements apply:

Building heights and setbacks

Buildings on Doonside, Burnley and David Streets should be built to the property frontage.

The height of any development in the precinct should not exceed:

- 11 metres along street frontages.
- 15.5 metres with appropriate setbacks above 11 metres.

Development above 15.5 metres:

- Should demonstrate a high standard of architectural design.
- Should not overshadow adjoining streets, public spaces or private properties beyond that caused by a building of 11 metres when measured between the hours of 10.00am and 2.00pm at the Equinox.

This does not apply to:

- Any rooftop building, plant or equipment which is located and designed to minimise its visibility from any adjoining road to the satisfaction of the responsible authority.
- Any architectural feature which is located and designed to the satisfaction of the responsible authority.

Building design

Development should be designed to:

- have active and attractive frontages
- relate to and address all frontages
- be well articulated and modulated
- use materials and finishes which respect adjacent development and the transitional role of the Precinct
- incorporate appropriate acoustic measures to attenuate audible noise levels within habitable indoor and outdoor areas of buildings containing residential or other noise sensitive uses
- incorporate upper level setbacks to Appleton Street so as to respect the scale of development on the south side of the street.

Traffic

Vehicular access and traffic movements in Appleton Street should be minimised.

Permeability and public spaces

Through block connections for pedestrians should be provided wherever possible to link Appleton Street, Doonside Street and Victoria Gardens.

Public open space should have a street frontage.

Amenity

Development that includes residential or other sensitive uses should:

- Minimise the potential impacts of local business (including noise, light, odour and 24 hour traffic movements), in the design and construction of buildings.
- Include design and noise attenuation measures that achieve the noise levels (within any noise sensitive areas) that are calculated by applying the method in Schedule B of State Environment Protection Policy No. N-1 'Control of Noise from Commerce, Industry and Trade' (SEPP N-1) for calculation of noise limits.
- Locate, and if necessary screen, private open spaces, including balconies, to attenuate industrial noise to meet the requirements of SEPP N-1.
- Incorporate design measures that minimise the potential impact of non-routine odour emission.

Landscaping

Public and private open space and other public realm areas should be appropriately landscaped.

3.0 Subdivision

21/07/2022
C263yara

None specified.

4.0 Signs

21/07/2022
C263yara

None specified.

5.0 Application requirements

21/07/2022
C263yara

An application must be accompanied by a site analysis and a design response explaining how the development achieves the 'Design objectives' and 'Buildings and works' provisions of this schedule.

An application that includes residential or other sensitive uses must be accompanied by an acoustic assessment, prepared by a qualified acoustic consultant that demonstrates how the noise attenuation measures will achieve noise levels (within any noise sensitive area) in accordance with Part 2.0 Amenity.

6.0 Decision guidelines

21/07/2022
C263yara

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 effect of the development on the identified heritage places within the precinct.
- The impact of traffic generated by the proposal and whether it is likely to require additional traffic management control works in the neighbourhood.
- How ground level commercial occupancy addresses the Burnley Street frontage.
- How the design, height and form of development responds to the built form character of Victoria Gardens and existing development in Appleton Street.
- How the design, height and visual bulk of building/s on the site address potential negative amenity impacts on surrounding development.
- How the proposal improves the street environment for pedestrians along street frontages.
- The location of, and access to, parking facilities and their effect on the local road network.
- The effectiveness of new residential development and other noise sensitive uses in protecting their own amenity where potentially affected by existing commercial, industrial, and warehouse businesses.

21/07/2022
C263yara

SCHEDULE 11 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO11**.

GIPPS PRECINCT

1.0 Preferred Future Character

A built form business and commercial environment which builds on the existing fine grain industrial nature of the area that allows for innovation and interest.

A vibrant and safe street environment due to an increasing amount of street oriented development, particularly on Gipps and Langridge Street.

A consistent streetscape with active street-frontages and well articulated buildings with street facades built to a height of up to 3-4 storeys. Taller built form will be set back from property boundaries and spaced to create new interest and variety in building forms.

2.0 Design objectives

21/07/2022
C263yara

To recognise the Precinct as a vibrant commercial precinct with a narrow street network.

To provide a pedestrian friendly environment along all street frontages.

To ensure building design responds to the inherent industrial character of the Precinct.

To ensure building design will protect the amenity of existing pockets of residential development.

To encourage improvements to the public domain, including the provision of public open space.

To ensure that new development does not adversely impact on pedestrian, cycling and vehicular accessibility.

To ensure a high standard of architectural design.

3.0 Buildings and works

~~21/07/2022~~ --/--/----
~~C263yara~~Proposed C334yara

A permit is required to construct a building or construct or carry out works, except for:

- an alteration to an existing building façade, provided:
  - the alteration does not include the installation of an external roller shutter;
  - in a C2Z, at least 80 per cent of the building facade at ground level is maintained as an entry or window with clear glazing.
- rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level.

Exemption from notice and review

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

The following requirements apply:

Building heights and setbacks

Taller built form may be appropriate on larger sites able to provide adequate setbacks that respect the narrow streetscape character of the Precinct and avoid overshadowing of neighbouring properties.

Development above 4 storeys should:

- Demonstrate a high standard of architectural design
- Minimise overshadowing of adjoining streets, public spaces or private properties
- Be set back from along the northern side of the following streets:
  - Gipps Street
  - Langridge Street

Building design

Development should be designed to:

- have active and attractive frontages.
- address street activity in its interface design, avoiding recessed car parking at street level.
- be well articulated and modulated.
- use materials and finishes which complement adjacent development and enhance the appearance of the narrow street network.

Traffic and access

For any development:

- the number of vehicular access points to a site should be limited and where possible, consolidated and shared with adjoining sites.
- multiple garages in a continuous row along the street frontage will not be supported and recessed parking spaces at the ground level of buildings will be discouraged.
- the impact of traffic and parking generated by the proposal on the local road network must be considered.

Permeability and public spaces

Any new public open space should have a street frontage.

New development should explore opportunities to create pedestrian connections and through links where the property is accessible from at least two streets.

Amenity

The design and construction of buildings should minimise potential off-site impacts (including noise, light, odour and 24 hour traffic movements).

Landscaping

Landscaping should be considered as a means of providing attractive street frontages.

Public and private open space and other public realm areas should be appropriately landscaped.

4.0 Subdivision

21/07/2022
C263yara

None specified.

5.0 Signs

21/07/2022
C263yara

None specified.

6.0 Application requirements

21/07/2022
C263yara

An application must be accompanied by a detailed site analysis and design response explaining how the development achieves the ‘Design objectives’ and ‘Buildings and works’ provisions of this schedule.

An application must also be accompanied by a traffic impact assessment plan for the site which addresses the effects of traffic generated by the proposed development, vehicular access, traffic movements and parking.

7.0 Decision guidelines

21/07/2022
C263yara

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 impact of traffic generated by the proposal and whether it is likely to require additional traffic management control works in the neighbourhood.
- How the design, height and form of development responds to the preferred built form character of the Precinct.
- How the design, height and visual bulk of building/s on the site address potential negative amenity impacts on surrounding development.
- How the proposal improves the street environment for pedestrians along street frontages.
- The location of, and access to, parking facilities and their effect on the local road network.

21/07/2022
C263yara

SCHEDULE 14 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO14**.

462-482 SWAN STREET RICHMOND

1.0 Design objectives

21/07/2022
C263yara

To provide for high density, taller development that delivers significant public realm outcomes.

To reinforce the corner of Swan Street and Burnley Street as a vibrant commercial, retail and residential location.

To strengthen connectivity to Burnley Station and establish a highly walkable and cycle friendly public realm.

To ensure new development provides well-located accessible and safe car parking areas that do not visually dominate the streetscape.

To ensure that new development does not result in unreasonable overshadowing of the public realm including the adjoining streets, the Burnley Railway Station or neighbouring residential areas.

2.0 Buildings and works

~~21/07/2022~~ --/--/----
~~C263yara~~Proposed C334yara

Permit Requirements

A permit is required to construct a building or construct or carry out works, except for:

- an alteration 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 level is maintained as an entry or window with clear glazing.
- rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level.

A permit may be granted to construct a building or construct or carry out works which varies the specified height and/or setbacks specified in Clause 2.0, where the applicant demonstrates, to the satisfaction of the responsible authority, that all of the following would be satisfied:

- that the built form outcome as a result of the proposed variations satisfies the Design Objectives of this Schedule;
- that the proposal will achieve:
  - An exemplary built form outcome;
  - An exemplary public realm outcome;
  - Innovative environmentally sustainable development;
  - Minimal additional overshadowing (beyond that which would be generated by a proposal that complies with the specified setback requirements) of the public realm;
  - Minimal adverse amenity impacts to adjoining properties (beyond that which would be generated by a proposal that complies with the specified setback requirements).

Buildings and works should be constructed in accordance with the following requirements:

Building heights

- The building height should not exceed a maximum of 42 metres.
- The maximum height does not include building services which should be hidden from view from any adjoining public space or designed as architectural roof top features. Building services

include but are not limited to plant rooms, air conditioning, lift overruns and roof mounted equipment.

Buildings and works should be constructed in accordance with the following requirements:

Building setbacks

- Reinforce the street wall height along Swan Street and Burnley Street to create a consistent 3 storey built form.
- Upper levels should be setback from the podium at all site boundaries, except for façade articulation of up to 0.5 metres, as follows:
  - A minimum of 6 metres from Swan Street to provide upper level setbacks from the primary street frontage.
  - A 5 metres setback from the eastern boundary to provide upper level building separation between the subject site and any future redevelopment of the abutting property.
  - A minimum of 3 metres setbacks from the south (rail corridor) and west (Burnley Street).
- Provide building separation between built form elements at upper levels.
- Ensure that built form elements above the street wall are visually recessive and do not contribute to visual bulk.

Building design

- Provide active frontages at ground level and overlooking of the public realm, including station environs from upper levels.
- Ensure development is of a high architectural standard in terms of its form, scale, massing, articulation and materials and that these design elements respond to the site context.
- Ensure development is designed to ameliorate adverse wind conditions at street level, communal open spaces, balconies and adjoining properties.
- Ensure building services are screened from the public realm and communal open spaces.

Traffic and access

- Ensure convenient and adequate bicycle parking is provided at street level to cater for the general public.
- Integrate carparking into the building design and conceal from the public realm.
- Ensure vehicular access and egress and loading bay arrangements are designed to maximise pedestrian safety.

Public realm

- Provide improved connectivity between Swan Street, Burnley Street and Burnley Station.
- Improve the interface between the development and the east-west pedestrian link abutting the southern site boundary.
- Enhance the amenity and appearance of the public realm along the Swan Street and Burnley Street frontage and east-west pedestrian link, including elements such as improved footpath treatments, lighting, street trees and street furniture.
- Ensure new or improved pedestrian links promote a sense of safety for day and night-time conditions.
- Minimise overshadowing of adjoining streets, the public realm and existing residential areas.
- Ensure no unreasonable overshadowing impact to Burnley Station.

Amenity

- Provide acoustic treatments to address the impact of existing and potential noise from the rail corridor, the Burnley Street overpass and Swan Street.
- Provide awnings over footpaths to Swan Street and Burnley Street to provide weather protection.
- Ensure built form and internal building layout are designed to maximise solar access, access to daylight, ventilation and outlook.

~~**Permit Requirements**~~

~~A permit may be granted to construct a building or construct or carry out works which varies the specified height and/or setbacks specified in Clause 2.0, where the applicant demonstrates, to the satisfaction of the responsible authority, that all of the following would be satisfied:~~

- ~~that the built form outcome as a result of the proposed variations satisfies the Design Objectives of this Schedule;~~
- ~~that the proposal will achieve:~~
  - ~~An exemplary built form outcome;~~
  - ~~An exemplary public realm outcome;~~
  - ~~Innovative environmentally sustainable development;~~
  - ~~Minimal additional overshadowing (beyond that which would be generated by a proposal that complies with the specified setback requirements) of the public realm;~~
  - ~~Minimal adverse amenity impacts to adjoining properties (beyond that which would be generated by a proposal that complies with the specified setback requirements).~~

3.0 Subdivision

21/07/2022
C263yara

None specified.

4.0 Signs

21/07/2022
C263yara

None specified.

5.0 Application requirements

21/07/2022
C263yara

Buildings and works

An application for a permit to construct a building or construct or carry out works must be accompanied by the following information to the satisfaction of the Responsible Authority:

- Site context and existing conditions plan including, levels, any existing buildings, public realm and evaluation of opportunities and constraints.
- Detailed design drawings including elevation drawings to scale showing the colour and materials of all buildings and works.
- A report demonstrating that the development will achieve all of the Design Objectives included in this schedule.
- A landscape plan prepared by a suitably qualified landscape designer.
- An acoustic report prepared by a suitably qualified acoustic engineer, demonstrating how the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1, the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2, sleep disturbance criteria and any other relevant Australian Standards, as applicable, will be met and must prescribe the form of acoustic treatment taking into consideration the agent of change principle. Where necessary vibration isolation methods

must be prescribed to control structure borne sound to reduce vibration from Burnley Station, mechanical equipment, car lifts and transformers.

- A traffic, and car parking report providing the following details:
  - The appearance, layout and allocation of car parking - including visitor and flexi car parking.
  - Bicycle parking provision including number and location.
  - Vehicular ingress and egress to and from the site.
  - Location and arrangements for loading and unloading of heavy vehicles.
- A waste management plan prepared by a suitably qualified waste management expert.
- A 3D model of the development and its surrounds in conformity with the Department of Environment, Water, Land and Planning Infrastructure Advisory Note – 3D Digital Modelling. Where substantial modifications are made to the proposed building envelope, a revised 3D digital mode must be submitted to the Responsible Authority.

6.0 Decision guidelines

21/07/2022
C263yara

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:

- Any minor variations from the required setbacks resulting from façade articulation.
- How the proposal improves the pedestrian environment and other areas of the public realm.
- The effectiveness of new development in protecting the amenity of occupants from the off-site impacts of existing uses and activities.
- The views of relevant referral authorities.
- How a proposal to vary the specified heights and setbacks specified in this Schedule responds to the permit requirements outlined in Clause 2.0.

02/03/2018
C237

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

18/06/2020
C220yara

- 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 10 storeys) and provides a suitable transition to low scale residential areas.
- To protect the operation of the state significant Collingwood Arts Precinct from unreasonable loss of amenity through visual bulk, overshadowing of open space areas and vehicle access.
- To activate the street edge, provide passive surveillance opportunities, accommodate commercial activity at the lower levels of 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

~~18/12/2020~~ --/--/----
~~C289yara~~Proposed C334yara

2.1 Definitions

Building height means the vertical distance between the footpath at the centre of the frontage and the highest point of the building.

Heritage buildings means means any building subject to a heritage overlay, graded as either Contributory or Individually Significant.

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

Rear interface means the rear wall of any proposed building or structure at any level, whether on the property boundary or set back from the property boundary.

Street wall means the facade of a building at the street boundary.

Street wall height means the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge.

2.2 Requirements

A permit is required to construct a building or construct or carry out works, except for:

- an alteration 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 level is maintained as an entry or window with clear glazing.
- rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level.

A permit cannot be granted to vary a requirement expressed with the term ‘must’ or listed in a ‘Mandatory’ column of a table.

A permit must not be granted or amended (unless the amendment would not increase the extent of non-compliance) for buildings and works which exceed a mandatory maximum requirement or are less than a mandatory minimum requirement, with the exception of architectural features and service equipment/structures (including plant rooms, lift overruns, structures associated with green roof areas and other such equipment) provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment (other than solar panels).
- The equipment does not cause additional overshadowing.
- The equipment does not extend higher than 3.6 metres above the maximum building height.

Projections such as balconies and building services must not intrude into a setback.

2.3 Building height

Buildings should not exceed the preferred maximum building height and must not exceed the mandatory maximum building height specified in Table 1.

Table 1: Building heights

Sub precinct	Preferred maximum building height	Mandatory maximum building height
1A	24 metres	None specified
1B	28 metres	None specified
1C	None specified	28 metres
1D	24 metres	None specified
1E	21 metres	28 metres
1F	None specified	21 metres
1G	34 metres	None specified
1H	21 metres	None specified
2A	34 metres	None specified
2B	24 metres	31 metres
2C	21 metres	24 metres
2D	None specified	21 metres

A permit should only be granted to exceed the preferred maximum building height specified in Table 1 if the following criteria are met:

- The building elements permitted by the proposed variation satisfy the design objectives of Clause 1.0 and the provisions of Clause 21.12–1.
- The proposal will achieve each of the following:
- - Housing for diverse households types.
  - Universal access.
  - Communal 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 per cent or 5 Star Green Star Standard.
- Greater building separation than the minimum requirement in this schedule. No additional amenity impacts to residential zoned properties, beyond that which would be generated by a proposal that complies with the preferred maximum building height.

2.4 Overshadowing

New development must not overshadow the southern footpath of Johnston Street, measured as 3.0 metres from the property frontage on Johnston Street, between 10am and 2pm at 22 September

Development in Sub precincts 1E, 1F, 2A, 2C and 2D should avoid additional overshadowing of residential zoned properties to the south measured from 10am to 2pm at 22 September.

2.5 Street wall height

A new street wall should not exceed the preferred maximum street wall height and must not exceed the mandatory maximum street wall height specified in Table 2. This does not apply to a heritage building.

Buildings should achieve the street wall transition specified in Table 3.

Except where a heritage building (or part of a heritage building) is to be retained along the street frontage, new development should provide a minimum street wall height of 8 metres.

Table 2: Street wall heights

Sub precinct	Preferred maximum street wall height	Mandatory maximum street wall height
1A	None specified	11 metres
1B	11 metres fronting Sackville Street	11 metres fronting Johnston Street
1C	None specified	11 metres fronting Johnston Street
1D	11 metres	None specified
1E	None specified	11 metres
1F	None specified	11 metres
1G	11 metres fronting Sackville Street	11 metres fronting Johnston Street
1H	None specified	11 metres
2A	15 metres	18 metres
2B	15 metres	18 metres
2C	15 metres	18 metres
2D	15 metres	18 metres

Table 3: Street wall transition

Area	Street wall transition
East of the railway bridge	New development should provide a transitional street wall height (maximum one storey higher, but not less than 8 metres) on sites that are adjacent to Individually Significant heritage buildings for a minimum length of 6 metres from the heritage building

Area	Street wall transition
West of the railway bridge	The street-wall height should match the parapet height of a neighbouring heritage building, where present, for a minimum length of 6 metres from the heritage building. If the parapet height of the neighbouring heritage building is less than 8 metres, the street wall height of new development should be 8 metres for a minimum length of 6 metres from the heritage building.

2.6 Mid level setback above the street wall

Development should be set back from the street wall at least the preferred minimum mid level setback and must be set back from the street wall at least the mandatory minimum mid level setback specified in Table 4 and illustrated in Figures 1 & 2.

Table 4: Mid level setback above the street wall

Sub precinct	Preferred mid level setback	Mandatory mid level setback
1A	None specified	6 metres
1B	6 metres fronting Sackville Street	6 metres fronting Johnston Street
1C	None specified	6 metres fronting Johnston Street
1D	6 metres	None specified
1E	None specified	6 metres
1F	None specified	6 metres
1G	3 metres fronting Johnston Street with a transition to 6 metres to the west of the sub precinct 6 metres fronting Sackville Street	None specified
1H	None specified	6 metres
2A	6 metres	None specified
2B	6 metres	None specified
2C	6 metres	6 metres (293 and 323–325 Johnston Street)
2D	6 metres	None specified

2.7 Upper level setbacks

New development on sites fronting Johnston Street, Sackville Street or Stafford Street, should be setback from the front and rear property boundary, as specified in in Table 5 and illustrated in Figures 1 & 2.

In complying with the 45 degree envelope requirement, development should provide incremental setbacks of at least two storeys to avoid repetitive stepped form and ‘wedding cake’ outcomes.

A permit must not be granted for buildings and works which exceed the mandatory 45 degree envelope from rear property boundary in Sub precinct 2D.

Table 5: Upper level setback requirements

Sub precinct	Preferred front upper level setback	Preferred rear minimum setback (mandatory for 2D)
1A	45 degrees above 11 metres	45 degrees above 11 metres
1B	45 degrees above 11 metres	45 degrees above 11 metres
1C	45 degrees above 11 metres	45 degrees above 11 metres
1D	45 degrees above 11 metres	45 degrees above 11 metres
1E	45 degrees above 11 metres	45 degrees above 11 metres
1F	45 degrees above 11 metres	45 degrees above 11 metres
1G	45 degrees above 11 metres for Sackville Street	None specified
1H	45 degrees above 11 metres	45 degrees above 11 metres
2A	45 degrees above 18 metres	4.5 metres above 11 metres but 45 degrees above 11 metres for Stafford Street
2B	45 degrees above 18 metres	45 degrees above 11 metres
2C	45 degrees above 18 metres	45 degrees above 11 metres
2D	45 degrees above 18 metres	45 degrees above 9 metres(mandatory)

Figure 1: Building envelope requirement - Heritage building

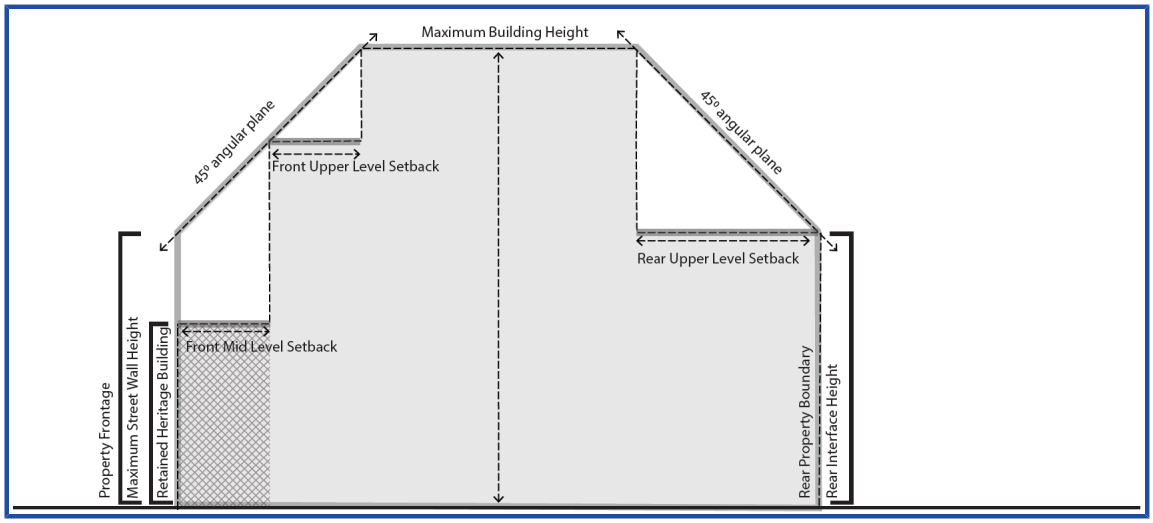
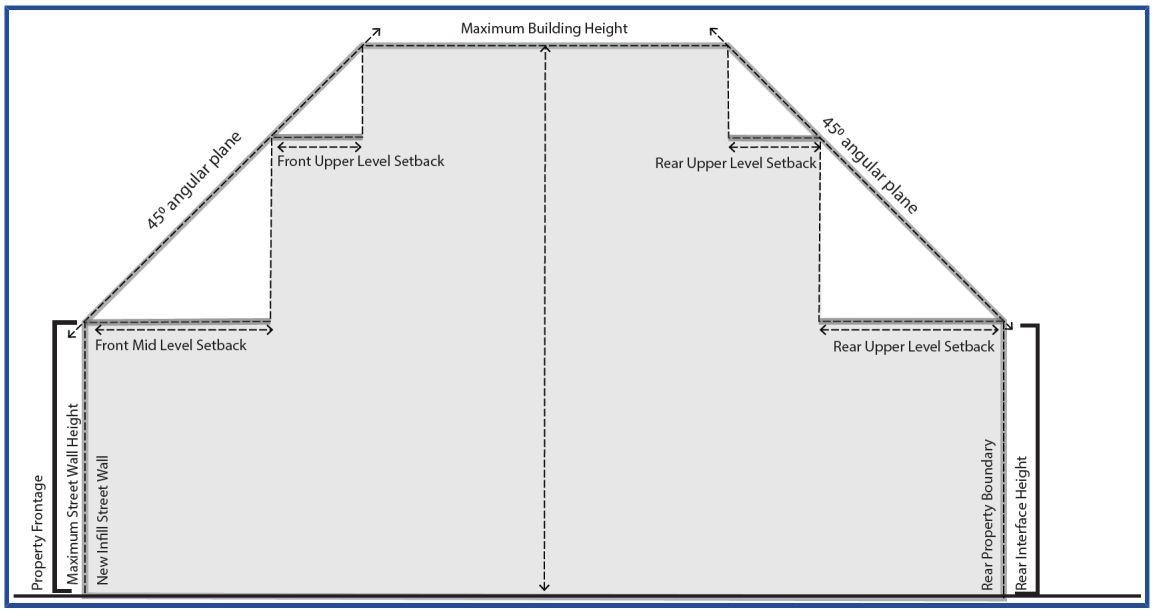


Figure 2 Building envelope requirement - Infill building



2.8 Corner site requirements

New development on a corner site with a frontage to Johnston Street or Sackville Street should:

- Continue the street wall height established at the Johnston Street or Sackville Street frontage along the side street, with a transition in height to the rear interface where required.
- Setback buildings above the street wall from the side street a minimum of 3 metres.

This requirement does not apply to new development on the corner of either:

- Hoddle Street and Johnston Street.
- A laneway.

2.9 Building separation requirements

Where development shares a common boundary or a laneway, buildings above the street wall should be set back as follows:

- Where a habitable room window is proposed:
  - 4.5 metres from the common boundary.
  - 4.5 metres from the centre line of the laneway.
- Where a non-habitable room window or commercial window is proposed:
- - 3 metres from the common boundary.
  - 3 metres from the centre line of the laneway where the laneway is less than 6 metres wide.

Development above 21 metres should provide an appropriate side setback to provide spacing between buildings in order to maintain views to the sky from Johnston and Sackville Streets and from residential properties adjacent to the development.

2.10 Street frontage requirement

New development should:

- Be built to the front property boundary on sites without a heritage building along Johnston Street and Sackville street.

- To the west of the railway bridge, maintain the visual prominence of heritage buildings.
- 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 for passive surveillance.
- Provide an active or visually interesting interface with the public realm, including areas of public open space and public transport stops.
- Locate service entries/access doors away from the primary street frontage, or where not possible, be sensitively designed to integrate into the facade of the building.
- To the east of the railway bridge, contribute to a new, well-designed, contemporary urban character that provides articulation in building facades, reinforcing a finer grain street pattern.

2.11 Commercial floor space requirement

Buildings should:

- Be designed to accommodate commercial activity at the lowest two levels
- Incorporate floor to floor heights suitable for commercial activity of at least 4 metres at the lowest two levels, where heritage elements are not a constraint.

2.12 Upper level design requirements

Facades above the street wall, including side walls, should:

- Employ a high standard of architectural design
- Be well-articulated.Be designed to be read as part of the overall building
- Not detract from the character of the streetscape when viewed directly or obliquely along either Johnston Street or Sackville Street.

Buildings above the facade of retained heritage buildings and on sites adjacent to a heritage building should:

- Ensure that heritage buildings remain the visually prominent feature within Johnston Street 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.

2.13 Vehicle access and car parking

New development should:

- 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 provide basement car parking.
- Avoid recessed parking spaces at the ground floor level of buildings and onsite parking spaces at the front of properties.

3.0 Subdivision

18/06/2020
C220yara

None specified.

4.0 Signs

21/07/2022
C263yara

None specified.

5.0 Application requirements

None specified.

6.0 Decision guidelines

21/07/2022
C263yara

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 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.
- The profile and impact of development on the vista along Johnston Street.
- How the proposal responds to the presence of heritage buildings either on, or in close proximity to the site and whether an increased upper level setback is required having regard to the heritage significance and contributory features of the site.
- The design response at the interface with existing low-scale residential properties and the potential amenity impacts to neighbouring 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.

Map 1: Johnston Street Sub-Precincts Plan



01/10/2020
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SCHEDULE 16 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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

QUEENS PARADE

1.0 Design objectives

01/10/2020
C231yarapt1yara

- To ensure development responds to the heritage character and streetscapes and varying development opportunities and supports:
  - the existing low-rise character in Precincts 1, 3B, 4 and 5A
  - a new mid rise character behind a consistent street wall in Precincts 2, 3A and 5B
  - higher rise development in Precinct 5C.
- To protect the integrity of historical streetscapes and clusters of heritage buildings of a similar scale and materiality.
- To ensure development respects the architectural form and qualities of heritage buildings and streetscapes and maintains the visual prominence of the St John the Baptist church belfry and spire, the former ANZ Bank building, the former United Kingdom Hotel and the former Clifton Motors Garage.
- To promote design excellence that ensures new development respects the wide, open boulevard character of Queens Parade including where existing historic trees are key elements in the streetscape, they remain the dominant visual feature.
- To ensure development responds to sensitive interfaces by ensuring the overall scale and form of new buildings provides a suitable transition to low scale residential areas and protects these properties from an unreasonable loss of amenity through visual bulk, overlooking and overshadowing.

2.0 Buildings and works

~~21/07/2022~~ --/--/----
~~C263yara~~Proposed C334yara

A permit is required to construct a building or construct or carry out works, except for:

- an alteration to an existing building façade, provided:
  - the alteration does not include the installation of an external roller shutter;
  - in a C1Z and C2Z, at least 80 per cent of the building facade at ground level is maintained as an entry or window with clear glazing; and
  - in a MUZ, the alterations include and/or retain existing windows and pedestrian entry points and do not increase blank walls.
- rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level.

2.1 Definitions

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

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

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

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

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

Street wall height means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge or in the case of a heritage building if it is set back from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

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

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

2.2 General Requirements

The following requirements apply to an application to construct a building or carry out works and must be read in conjunction with the relevant precinct design requirements.

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

Architectural features may exceed the preferred or mandatory height.

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

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

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

2.3 Street wall height requirements

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

2.4 Upper level requirements

- Upper level development should:

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

2.5 Corner site requirements

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

2.6 Ground floor design requirements

- Facades at ground level should be designed with floor to floor ceiling heights suitable to accommodate commercial activity in the Commercial 1 Zone, Mixed Use Zone and the Commercial 2 Zone.
- Building services and service cabinets should be located away from the street frontage of heritage facades. They should be designed and located so they complement the street frontage and character and appearance of the heritage building.
- Windows of commercial premises, habitable rooms, and principal pedestrian entrances should be orientated towards the public realm and contribute to the safety of the adjoining public realm.

2.7 Vehicular access, car parking, and loading area requirements

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

2.8 Interface to residential properties in NRZ or GRZ requirements

- Development should respond to the low scale form of existing development through an appropriate transition in building height and setbacks to ensure reasonable standards of amenity.
- In Precincts 3 and 4, where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September. If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

2.9 Precinct design requirements

The following precinct specific design requirements apply in addition to the General Requirements outlined in Clauses 2.2-2.9.

2.9.1 Precinct 1 - Brunswick Street

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

Preferred character statement

Buildings and works should deliver:

- Properties fronting Brunswick Street and turning the corner to Queens Parade defined by fine grained low scaled heritage buildings with moderate low rise future infill behind the main heritage frontage, accessed by rear laneways.
- Visual prominence of the individually significant heritage building on the corner of Brunswick Street and Queens Parade retained.

Design requirements

Development in Precinct 1 should:

- Ensure low rise additions behind the front sections of the terraced houses of Brunswick Street and Queens Parade respect the prevailing streetscape character and subdivision grain which retain and conserve its heritage values.
- Ensure upper level elevations are high quality, visually recessive and enhance the appreciation of the heritage building at 460 Brunswick Street.

Map 1 to Schedule 16 to Clause 43.02 - Precinct 1

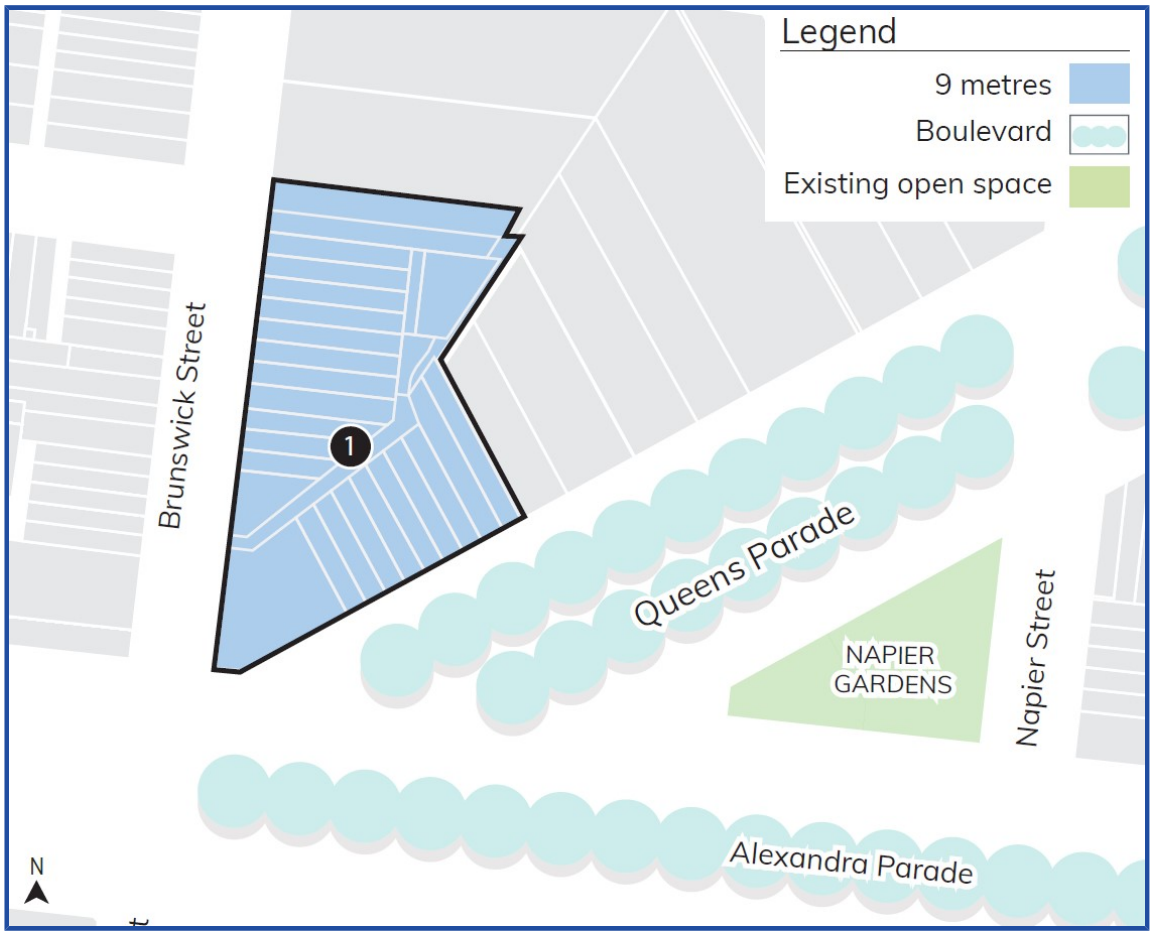


Table 1 – Street wall height, building height and setbacks for Precinct 1

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

2.9.2 Precinct 2 - Boulevard Precinct

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

Preferred character statement

Buildings and works should deliver:

- A preferred location for housing and employment growth with well designed mid-rise development that complements Queens Parade through a transition in scale to the Gas Works site.
- Development that complements the visual contribution of the double avenue of trees along the south western part of Queens Parade.
- Precinct 2A - Mid-rise infill behind a distinct moderne heritage frontage that addresses Queens Parade and its heritage context and responds to the sensitivity of the interface with abutting low scale fine grained residential uses to the north and west.
- Precincts 2B and 2C - A vibrant and attractive mid-rise business area that addresses Napier Street, Queens Parade and George Street with a mix of innovative new architecture and heritage buildings to accomodate a wide range of commercial development and employment opportunities.

Design requirements

Development in Precinct 2 should:

- Respect heritage values of the Queens Parade streetscape and deliver an appropriate interface to neighbouring properties that minimises visual bulk and mass.
- Orientate active frontages and provide passive surveillance to the surrounding streets.
- Ensure solar access is provided to Queens Parade and Napier Street Reserve at the equinox from 9am to 3pm.

Development in Precinct 2A should:

- Provide an interface to neighbouring residential properties that minimises visual bulk and mass and provides building separation along side and rear boundaries abutting existing properties.
- Maintain the prominence and significance of the art deco facade.
- Retain, enhance and incorporate the existing heritage facade into the redevelopment of the site and to create a consistent parapet height along the streetscape.
- Recognise the low scale, buildings and fine grain subdivision pattern of exisiting development to the north and west.
- Encourage pedestrian permeability within and through the precinct.
- Avoid a repetitive stepped form within the 45 degree angle profile.
- Ensure development above the street wall is designed as a series of separate development parts with building separation to enable views to the sky.

Development in Precincts 2B and 2C should:

- Provide and appropriate transition in scale from the heritage buildings in Precinct 2B to new built form in Precinct 2C and the higher development form of the Gas Works site.
- Create a new commercial frontage to George Street to form an active edge complementary to the proposed Gas Works redevelopment.

Map 2 to Schedule 16 to Clause 43.02 - Precinct 2

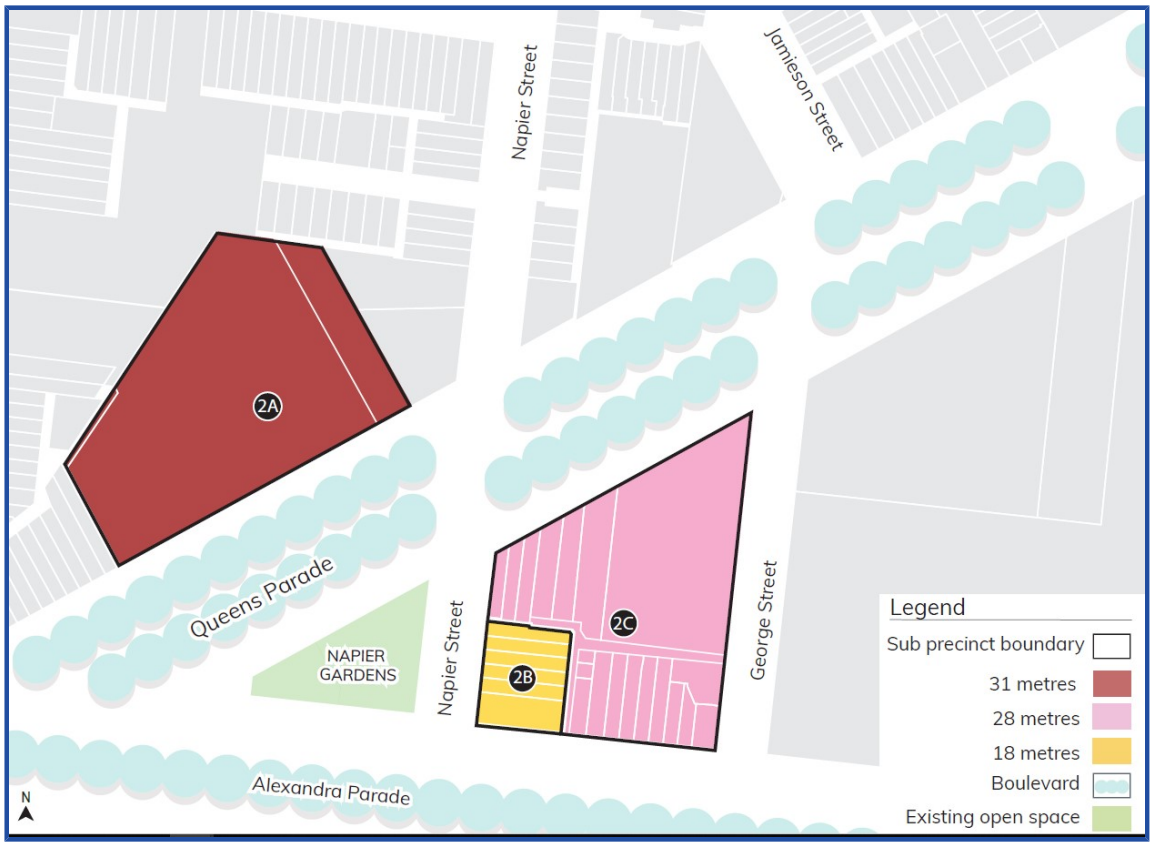


Table 2 - Street wall height, building height and setbacks for Precincts 2A, 2B and 2C

Built Form	Mandatory Requirement	Preferred Requirement
Precinct 2A		
Maximum building height	31 metres	None specified
Maximum street wall height	Retain height of existing heritage facade 10 metres where no heritage facade exists	None specified
Minimum & maximum setback to Queens Parade	None specified	0 metres to maximum 10 metres
Minimum upper level setback	None specified	Above existing heritage facade: ▪ 8 metre setback from 10 metres to 16 metres ▪ 10 metre setback from 16 metres Above new street wall (where no existing heritage facade): ▪ 5 metre setback from 10 metres to 16 metres ▪ 8 metre setback from 16 metres

Built Form	Mandatory Requirement	Preferred Requirement
Minimum setback(s) from rear boundaries - north and west adjacent to NRZ and GRZ	None specified	ResCode Standard B17 from rear boundary of adjoining properties to 10 metres Setback within 45 degree angle measured from 10 to 25 metres
Minimum setback(s) from side boundary - east adjacent to NRZ	None specified	0 metre setback to match party wall of existing adjoining development to 10 metres Setback within 45 degree angle measured from 10 to 25 metres
Minimum setback(s) from side boundary - east adjacent to MUZ	None specified	0 metre setback to match party wall of existing adjoining development, or 10 metre where no party wall exists 9 metre setback from the windows / balconies of adjoining apartments up to 16 metres 15 metre setback above 16 metres
Minimum setback(s) from side and rear boundaries west and north-west adjacent to MUZ	None specified	0 metre setback to match party wall of existing adjoining development, or 10 metre where no party wall exists Setback within 45 degree angle measured from 10 to 25 metres
Precinct 2B		
Maximum building height	None specified	18 metres
Maximum street wall height	Napier Street - retain existing parapet height	None specified
Minimum upper level setback	6 metres	None specified
Minimum rear setback	None specified	4.5 metres from centreline of laneway for height of the entire building
Precinct 2C		
Maximum building height	None specified	28 metres
Maximum street wall height	Napier Street - 10 metres	Queens Parade, George Street and Alexandra Parade - 18 metres
Minimum upper level setback	Napier Street - 6 metres	Elsewhere - 6 metres

Built Form	Mandatory Requirement	Preferred Requirement
Minimum side and rear setback	None specified	Rear setback: 4.5 metres from centreline of laneway for height of the entire building Side setbacks: For upper levels, where a habitable room window is proposed: ▪ 4.5 metres from the common boundary or from the centreline of the laneway For upper levels, where a non-habitable room window or commercial window is proposed: ▪ 3 metres from the common boundary or from the centreline of the laneway

2.9.3 Precinct 3 - St John's Precinct

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

Preferred character statement

Buildings and works should deliver:

- An attractive mixed use area comprising residential and commercial uses with active frontages to the street that retains the primacy of the St John's Church landmark and views to its belfry and spire.
- New development that articulates the higher profile of the corner of Queens Parade and Smith Street, relative to its immediate surroundings.
- Intact streetscape on Smith Street retained with new development set back from the facade and designed to compliment the Victorian era buildings and street wall.
- An effective transition provided to the residential areas to the south and east.

Design requirements

Development in Precinct 3 should:

- Reflect the fine grain character of heritage streetscapes and minimise the dominance of wide building frontages.
- Deliver high quality architectural detailing that respects the heritage qualities and rhythms of Queens Parade and Smith Street.
- Create a consistent street wall that maintains the prominence of the heritage street wall in the streetscape.
- Provide an interface with neighbouring residential properties on Hodgkinson Street that minimises visual bulk and mass and provides building separation along side and rear boundaries abutting existing properties.

Development in Precinct 3A must:

- Maintain views of the belfry and spire of St John's Church and maintain clear sky between the belfry and spire and new development when viewed from the pedestrian refuge on the south-west corner of the intersection with Queens Parade and Smith Street (as indicated on Map 3). A permit cannot be granted to vary this requirement.

Development in Precinct 3A should:

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

Development in Precinct 3B should:

- Reinforce the traditional street wall on Smith Street.
- Ensure that upper level development is visually recessive to complement the heritage streetscape.

Map 3 to Schedule 16 to Clause 43.02 - Precinct 3

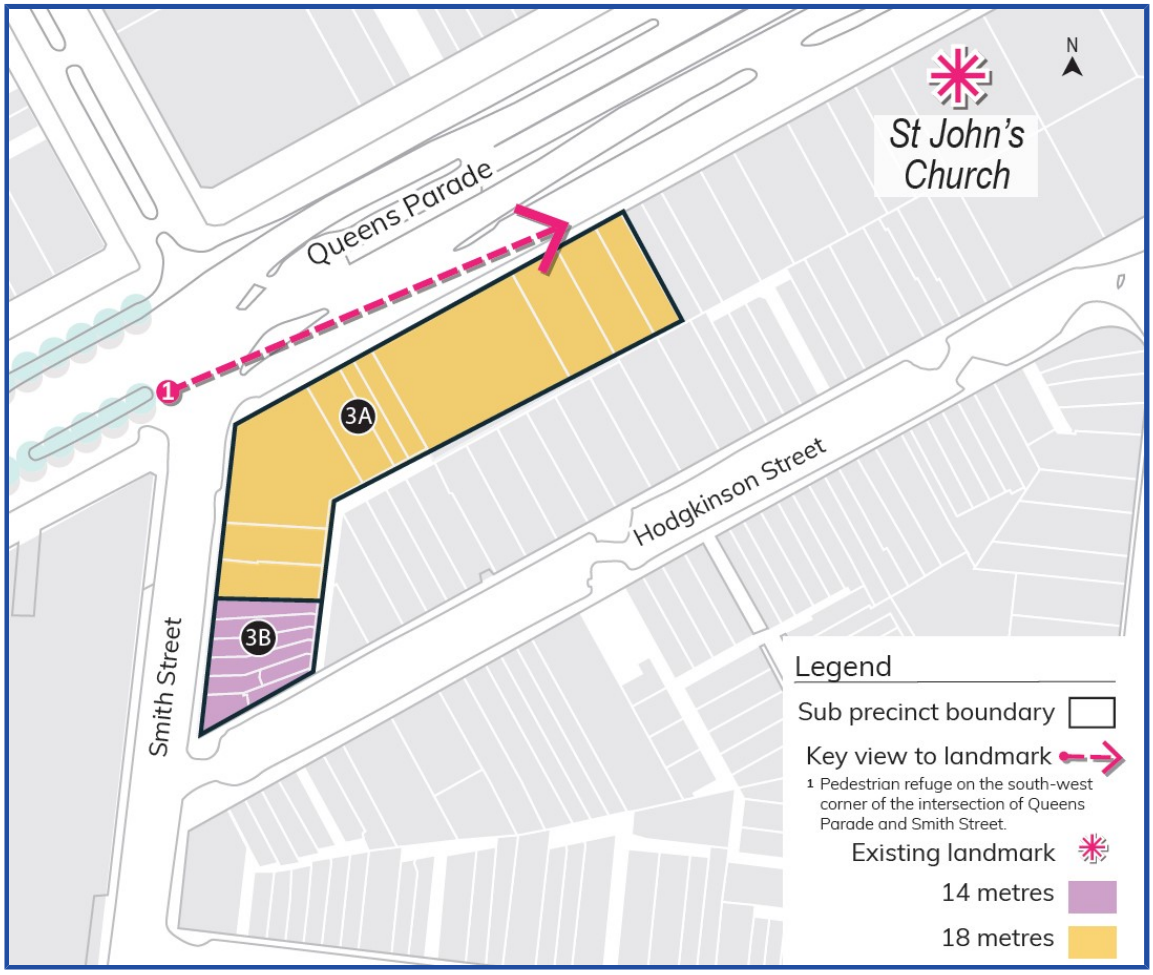


Table 3 - Street wall height, building height and setbacks for Precincts 3A and 3B

Built Form	Mandatory Requirement	Preferred Requirement
Precinct 3A		
Maximum building height	18 metres	None specified
Maximum street wall height	15-33 & 41 Queens Parade - 11 metres 35-37 Queens Parade - retain the height of the existing heritage facade 6 metres on either side of the corner of Smith Street and Queens Parade - 17 metres Elsewhere - 14 metres	None specified

Built Form	Mandatory Requirement	Preferred Requirement
Minimum upper level setback	6 metres	None specified
Maximum street wall setback	None specified	0 metres - built to front boundary at ground level
Minimum rear setback	None specified	Where there is a laneway: ▪ Height and setbacks as shown in Figure 1 Where there is no laneway: ▪ Height and setbacks as shown in Figure 2
Minimum side setback	None specified	If side boundary adjoins NRZ and abuts an existing boundary wall, 0 metre to a height of 8 metres and a setback with a 45 degree angle above a height of 8 metres. Elsewhere - 0 metres
Precinct 3B		
Maximum building height	14 metres	None specified
Maximum street wall height	Retain height of existing heritage facade	None specified
Minimum upper level setback	6 metres	None specified
Maximum street wall setback	None specified	0 metres - built to front boundary at ground level
Minimum rear setback	None specified	Where there is a laneway: ▪ Height and setbacks as shown in Figure 1 Where there is no laneway: ▪ Height and setbacks as shown in Figure 2

2.9.4 Precinct 4 - Activity Centre Precinct

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

Preferred character statement

Buildings and works should deliver:

- A unique and vibrant Victorian era shopping strip which forms the retail and activity focus of Queens Parade building on its distinctive heritage qualities.
- Development that complements the scale of heritage buildings and the patterns and rhythms of heritage features.

- Upper level infill that reinforces the prevailing street wall and subdivision grain of significant streetscapes and transitions to residential abuttals to the rear.
- Well designed building frontages and public realm that reinforces the pedestrian experience of this part of Queens Parade as and the central hub for the local community.
- Development that retains the prominence of the former ANZ Building.

Design requirements

Development in Precinct 4 must:

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

Development in Precinct 4 should:

- Respect the consistent scale, grain, rhythm and architectural quality of the highly intact heritage streetscapes and the heritage buildings in the precinct.
- Retain the visual prominence of heritage buildings, their street wall and heritage streetscape when viewed from the opposite side of Queens Parade.
- Facilitate the appropriate low rise infill of the sites located to the rear of commercial properties fronting Queens Parade.
- Ensure that any upper level development is set back from the heritage facade, is visually recessive and does not detract from the heritage streetscape.
- Retain the visual prominence and heritage fabric of the return facades of heritage buildings that front Queens Parade, Delbridge, Gold, Michael and Wellington Streets.
- Ensure that facades at ground floor incorporate verandahs which are consistent with the form and scale of adjoining verandahs.
- Retain chimneys visible from the public realm.
- Enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.
- Maintain service access from the laneways to facilitate commercial use of the properties fronting Queens Parade.
- Ensure shopfront widths are not reduced to the extent they become commercially unviable.

Map 4 to Schedule 16 to Clause 43.02 - Precinct 4

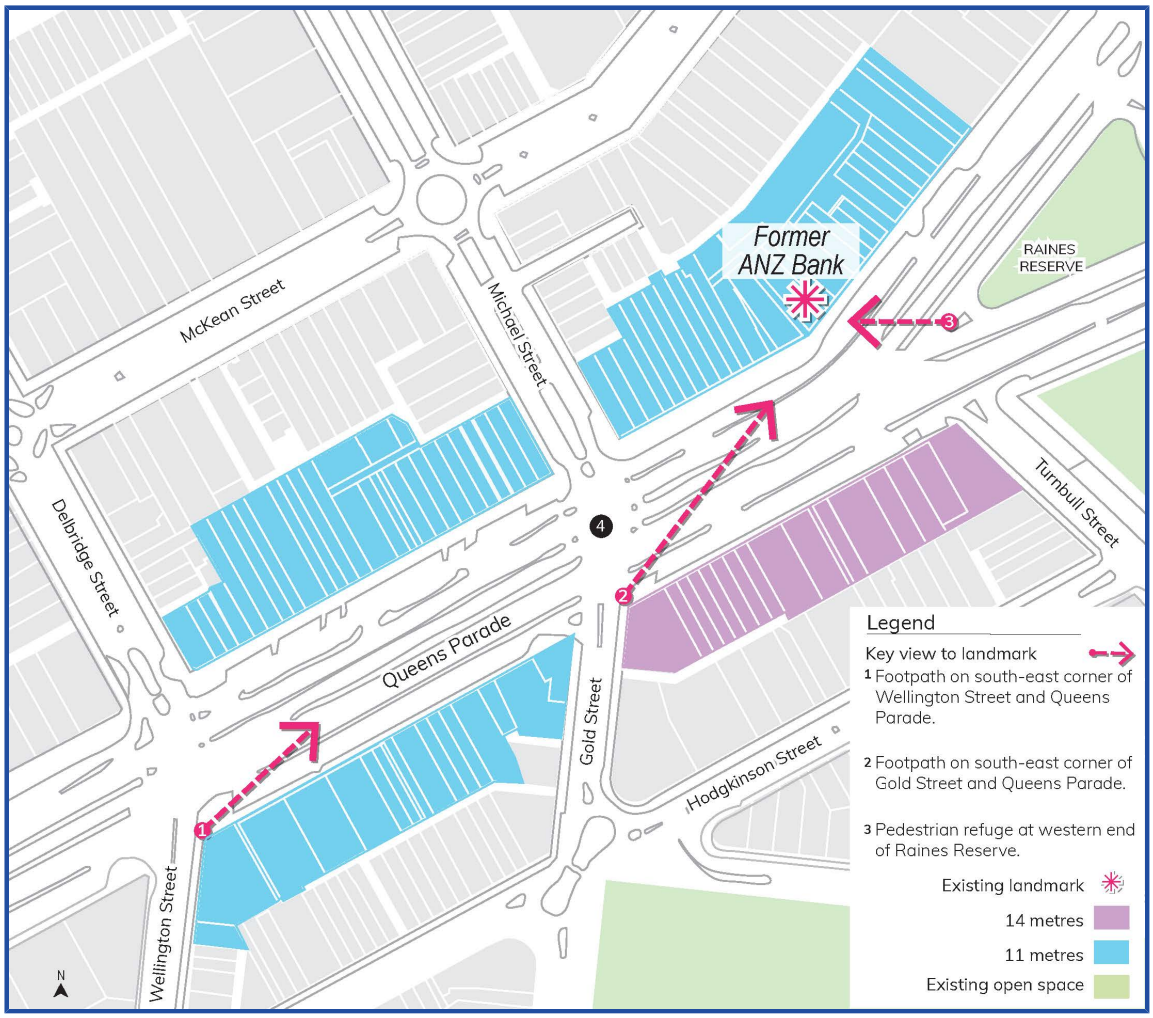


Table 4 – Street wall height, building height and setbacks for Precinct 4

Built Form	Mandatory Requirement	Preferred Requirement
Maximum building height	141-197 Queens Parade - 14 metres Elsewhere - 11 metres	None specified
Maximum and minimum street wall height on Queens Parade	For existing heritage facades: ▪ Retain height of the existing heritage facade Where no heritage facade exists and there is no adjacent heritage building(s): ▪ At least 8 metres in height and no higher than 11 metres in height. Where no heritage facade exists and there is an adjacent heritage building(s): ▪ At least 8 metres in height and no higher than 11 metres unless an adjacent heritage building has a parapet height of more than 11 metres, in which case no higher than the adjacent heritage parapet height.	None specified

Built Form	Mandatory Requirement	Preferred Requirement
Maximum and minimum street wall height in side streets	None specified	For existing heritage facades: ▪ No higher than the existing heritage facade. Where there is no heritage facade and there is no adjacent heritage building(s): ▪ At least 8 metres in height and no higher than 11 metres in height. Where no heritage facade exists and there is an adjacent heritage building(s): ▪ At least 8 metres in height and no higher than 11 metres unless there is an adjacent heritage building with a parapet height of more than 11 metres, in which case no higher than the adjacent heritage parapet height.
Minimum upper level setback on Queens Parade	8 metres	None specified
Minimum upper level setback in side streets	None specified	6 metres
Maximum and minimum street wall setback	0 metres - built to front boundary at ground level (except for 181, 189-191 and 193 Queens Parade)	181, 189-191 and 193 Queens Parade - Retain existing setback
Minimum setback to a NRZ interface	None specified	Where there is a laneway: ▪ Height and setbacks as shown in Figure 1 Where there is no laneway: ▪ Height and setbacks as shown in Figure 2
Minimum rear setback to a C1Z interface	None specified	3 metres above 11 metres

2.9.5 Precinct 5 – North Eastern Precinct

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

Preferred character statement

Buildings and works should deliver:

- An area of contemporary higher rise development in a preferred location for housing growth within the activity centre where the significant heritage fabric (the former UK Hotel and the former Clifton Motors Garage) remains the prominent precinct feature.

- Steps up in distinct increments from the significant heritage buildings (the former Clifton Motors and UK Hotel buildings) to the north-east.
- Separation between buildings to enable equitable development equity and amenity and to diminish the bulk of the built form while contributing to a safe and legible walking environment that offers visual interest and and encourages passive surveillance throughout the Precinct.

Design requirements

Development in Precinct 5 should:

- Retain the visual prominence of the former United Kingdom Hotel when viewed from key viewpoints (as indicated on Map 5) - Raines Reserve and the former Clifton Motors Garage when viewed from the opposite side of Queens Parade.
- Retain and incorporate the former Clifton Motors Garage (205-211 Queens Parade) in any redevelopment of the site and ensure that the three dimensional form remains prominent and the decorative vertical fin remains as a freestanding element when viewed from the public realm.
- Adopt a street wall height for new development adjacent to the former United Kingdom Hotel that respects the facade height of the former hotel.
- Ensure buildings in Precincts 5B and 5C read as a series of seperate development parts with building separation above the street wall.
- Establish a transitional and gradual stepping down of building heights from taller forms in Precinct 5C to existing heritage form in Precinct 5A.
- Ensure that adverse wind affects on the public realm are avoided.

Development in Precinct 5C should:

- Reinforce the scale of existing high-rise buildings in the precinct trending higher to the north-east.
- Ensure high quality development enhances the prominent corner of Queens Parade and Hoddle Street creating a strong address to each street frontage that encourages active pedestrian movement and accessibility through the Precinct.
- Ensure that the height and design of the street wall creates and reinforces a 'human scale' to diminish the perceived bulk of the buildings and provide visual interest at street level along Queens Parade and Hoddle Street.

Map 5 to Schedule 16 to Clause 43.02 - Precinct 5

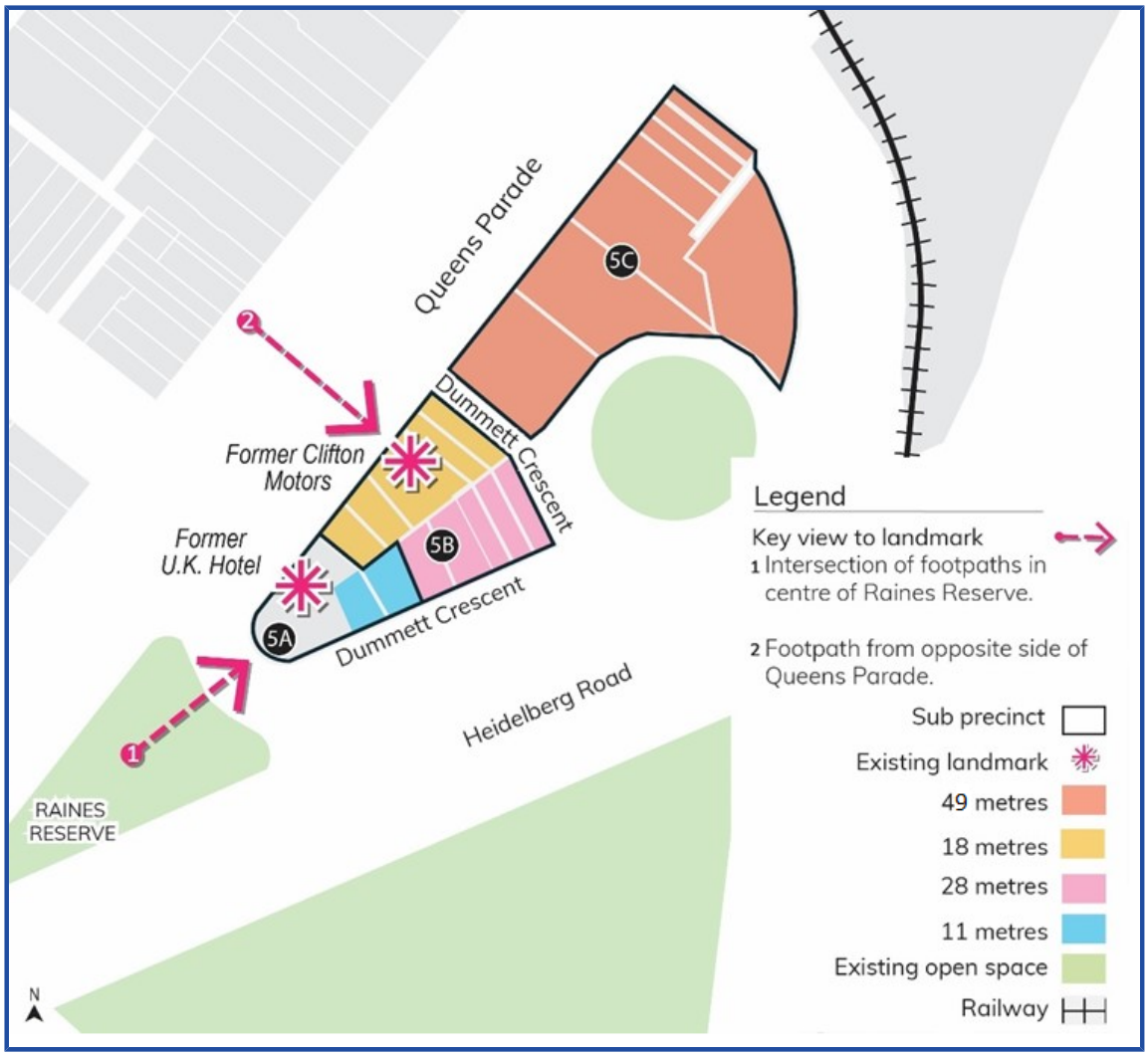


Table 5 – Street wall height, building height and setbacks for Precincts 5A, 5B and 5C

Built form	Mandatory requirement	Preferred requirement
Precinct 5A		
Maximum building height	11 metres	None specified
Maximum street wall height	No higher than the height of the exisiting eaves of the former UK Hotel	None specified
Minimum upper level setback	None specified	6 metres
Precinct 5B		
Maximum building height	201-215 Queens Parade - 18 metres	Elsewhere - 28 metres
Maximum street wall height	201-215 Queens Parade (including the frontage to north-east boundary to Dummett Crescent for distance of 8m) - no higher than the parapet height of the former Clifton Motor Garage and the eaves line of the former UK Hotel	4-10 Dummett Crescent (including the frontage to north-east boundary to Dummett Crescent) - 11 metres

Built form	Mandatory requirement	Preferred requirement
	Beyond a distance of 8m from the corner of Queens Parade, the street wall height along the north-east boundary of 215 Queens Parade - no higher than 11m	
Maximum street wall setback	0 metres - built to the boundary	None specified
Minimum upper level setback	201-215 Queens Parade - 8 metres from Queens Parade	Elsewhere - 6 metres
Minimum side and rear setbacks	None specified	For upper levels, where a habitable room window is proposed: ▪ 4.5 metres from the common boundary or from the centre line of the laneway. For upper levels, where a non-habitable room window or commercial window is proposed: ▪ 3 metres from the common boundary or from the centre line of the laneway.
Precinct 5C		
Maximum building height	None specified	49 metres
Maximum street wall height	None specified	18 metres
Minimum upper level setback	None specified	6 metres
Minimum side and rear setbacks	None specified	For upper levels, where a habitable room window is proposed: ▪ 4.5 metres from the common boundary or from the centre line of the laneway. For upper levels, where a non-habitable room window or commercial window is proposed: ▪ 3 metres from the common boundary or from the centre line of the laneway.

3.0 Subdivision

01/10/2020
C231yarapt1yara

None specified.

4.0 Signs

21/07/2022
C263yara

None specified.

5.0 Application Requirements

01/10/2020
C231yarapt1yara

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 demonstrated how the proposal achieves the Design Objectives, Preferred Character Statements and Design Requirements of this schedule.
- For development proposals for buildings over 20 metres in height, a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
- A Traffic and Parking Assessment Report which includes an assessment of the cumulative impacts of traffic and parking in the Precinct including an assessment of ongoing functionality of laneway/s.

6.0 Decision Guidelines

01/10/2020
C231yarapt1yara

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

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

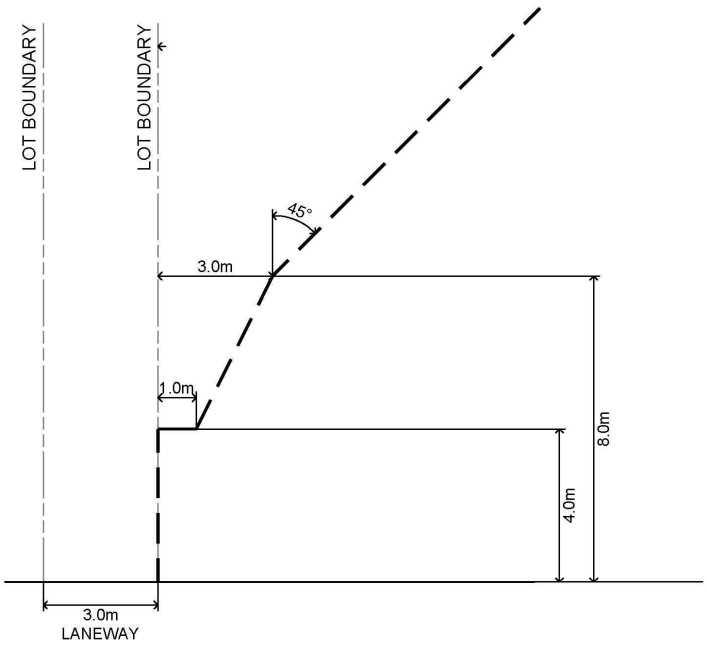
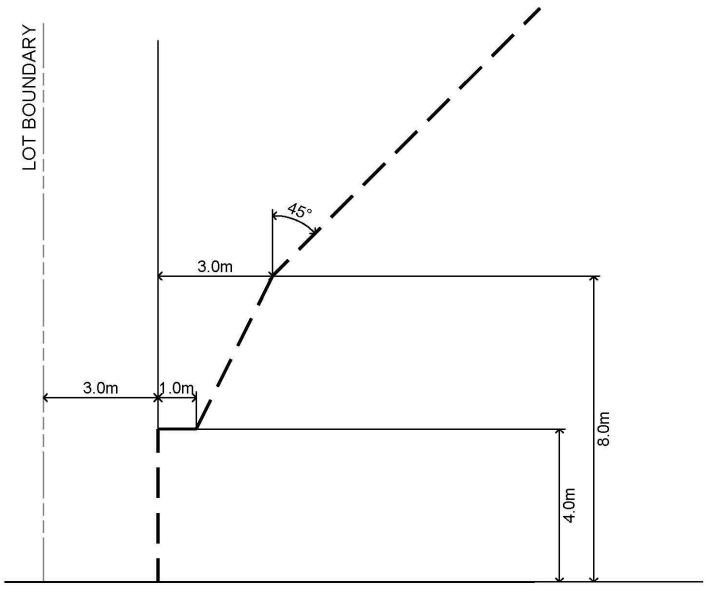


Figure 2 - Setback where there is no laneway to the side or rear



21/07/2022
C263yara

SCHEDULE 19 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO19**.

64 ALEXANDRA PARADE, CLIFTON HILL

1.0 Design objectives

21/07/2022
C263yara

To facilitate a future development that provides for a mix of commercial uses at street level with residential uses above.

To facilitate a mid-rise development that appropriately responds to the boulevard character of Alexandra Parade and provides a range of dwelling types to allow for a diversity of households.

To provide an appropriate built form response to the recognised heritage values of the site and to retain the visual prominence of at least the top one-third of the individually significant Shot Tower from primary views.

To ensure development appropriately considers the amenity impacts on neighbouring development and achieves a high standard of internal amenity within the development.

To encourage the development above the street wall to be designed as a series of separate development parts with building separation to enable views to the sky.

2.0 Buildings and works

~~21/07/2022~~ ~~--/--/----~~
~~C263yara~~Proposed C334yara

A permit is required to construct a building or construct or carry out works, except for:

- an alteration to an existing building façade, provided:
  - the alteration does not include the installation of an external roller shutter;
  - in a MUZ, the alterations include and/or retain existing windows and pedestrian entry points and do not increase blank walls.
- rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level.

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Height and setbacks

- Buildings on the site are a maximum 8 storeys and 25 metres.
- Future development on the site provides a consistent street wall height to the public realm along Alexandra Parade and Gold Street of a maximum of 3 storeys and 12 metres.
- The maximum height and massing of future development is positioned to the south-east corner of Alexandra Parade and Gold Street, responding to the limited sensitivity at these interfaces.
- Future building form delivers an appropriate interface arrangement and minimises visual bulk and mass when viewed from neighbouring properties.
- Upper levels of development are appropriately sited so as not to diminish the appreciation of, or impact primary views to at least the top one third of the height of the Shot Tower from the west on Alexandra Parade.
- Upper level development is designed to ensure buildings are expressed in the round and designed to provide detail on facades when viewed from all directions.

Building form and design

- Avoid stepped built form at upper levels of development.
- Avoid blank walls or large portions of blank walls where visible from the public realm.

- Deliver a high quality architectural response through building form, massing, materials and finishes.
- Activate the ground level of Alexandra Parade and Gold Street through design measures including glazing, active uses and pedestrian entries.
- Avoid a single mass form for development above the street wall. Provide passive surveillance to streets and footpaths.
- Locate car parking within the site and screen it from the public realm.
- Site and scale development so that it avoids encroachment upon views to the Shot Tower, as seen in the primary views described under Heritage in this Design and Development Overlay.
- Development does not diminish or detract from the boulevard character of Alexandra Parade.
- Development provides an appropriate transition to lower built form at the interface with adjoining low rise residential areas to the west and north of the site.

Heritage

- Incorporate reference to the former industrial history of the site and any specific identified heritage values, such as in the form of public artwork, architecture and heritage interpretation.
- Retain and sensitively incorporate the original Box Hair Curling Works factory, crossovers and internal courtyard into its design and layout, if practicable.
- Adaptively reuse the site's heritage building (Box Hair Curling Works factory), if practicable.
- Preserve identified primary views to the Shot Tower, particularly from the north west corner of the median strip and south west corner of Brunswick Street and Alexandra Parade by providing adequate setback and building separation to maintain clear sky between new development and the Shot Tower to retain the prominence of at least the top one-third of the height of the structure.
- Preserve identified primary views to at least the top one-third of the Shot Tower, particularly from the Eastern Freeway (west of the overpass) by providing clear sky in the backdrop of at least the top one-third of the height of the structure.

Vehicle access and traffic

- Vehicle entrances do not impact on high traffic flows on Alexandra Parade, by locating entrances to onsite parking on Gold Street.
- Vehicle access is located to limit impact on the pedestrian safety or street amenity and the amenity of adjoining residents.

Public realm

- Provide a good level of onsite amenity for future residents of the development though the layout and orientation of dwellings.
- The form and scale of proposed development is not to the detriment of existing adjacent uses, particularly adjoining low rise residences to the west and north of the site.
- Limit additional shadow cast to neighbouring residential properties to the west between 11am and 2pm at 22 September.
- Limit opportunities for overlooking to properties to the north and west.

Built Form Guidelines

- Provide streetscape improvements including sufficient footpath width along Alexandra Parade and Gold Street to enable the improved future use by retailers and pedestrians and enable sufficient activation of the street interfaces.
- Provide opportunities for additional tree planting where possible along Alexandra Parade and Gold Street.

- Provide a high quality response to the corner of Alexandra Parade and Gold Street to allow safe pedestrian movement.
- Provide well designed, horizontal awnings/verandas along Alexandra Parade and Gold Street.

Application Requirements

Unless with the written consent of the responsible authority, an application for development must provide:

- An arban context report.
- Perspectives showing the form, massing, profile, material finishes and detailed design of the proposed building(s).
- A traffic and transport impact assessment prepared by a suitably qualified traffic engineer.
- A green travel plan prepared by a suitably qualified person outlining site-specific initiatives and actions to encourage the use of more sustainable transport options.
- A heritage impact assessment prepared by a suitably qualified heritage consultant.
- For residential development, an acoustic report prepared by a suitably qualified acoustic engineer.
- For residential development, a housing diversity and adaptability report which provides the following information:
  - A demographic analysis of the types of people and households anticipated to live within the development based on the proposed dwelling design and bedroom mix.
  - The location of larger dwellings, with a preference for them to be clustered together and overlooking communal open space.
  - The landscaping design of communal open spaces for all household types ensuring they are easily accessible and visible from the larger apartments and incorporate child friendly materials and provide weather protection.
  - Provide for a range of dwelling types to cater for a variety of housing needs including the provision of up to 10 percent of dwellings as affordable housing (as defined at section 3AA of the Planning and Environment Act 1987).
- A waste management plan prepared by a suitably qualified waste management expert.
- An environmental assessment of the site prepared by a suitably qualified and experienced environmental professional must be submitted to and approved by and to the satisfaction of the responsible authority and make reference to the Department of Sustainability and Environment, General Practice Note - Potentially Contaminated Land, June 2005. The assessment must include:
  - A description of previous land uses and activities on the land.
  - An assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land, if required).
  - Details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land (if required).
  - Should the environmental assessment reveal that an environmental audit of the site is necessary, before a sensitive use commences or before the construction or carrying out of buildings or works in association with a sensitive use commences, the applicant must provide either:

- A certificate of environmental audit in accordance with Part IXD of the Environmental Protection Act 1970, or
- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of that land are suitable for the sensitive use.

3.0 Subdivision

21/07/2022
C263yara

None specified.

4.0 Signs

21/07/2022
C263yara

None specified.

5.0 Application requirements

21/07/2022
C263yara

None specified.

6.0 Decision guidelines

21/07/2022
C263yara

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 design, height, massing and scale of the development in relation to the site context.
- The effect of the development on the amenity of neighbouring properties and the public realm.
- How the proposal improves the street environment for pedestrians along street frontages.
- The response to identified heritage values of the site and broader precinct, including primary views to at least the top third of the height of the Shot Tower.
- The impact of traffic generated by the proposal.
- The recommendations of a contamination assessment and remediation strategy.

11/07/2024
C293yara

SCHEDULE 23 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO23**.

COLLINGWOOD SOUTH MIXED-USE PRECINCT

1.0 Design objectives

11/07/2024
C293yara

To support mixed-use form on infill sites with a prominent street-wall edge, incorporating upper level setbacks and high-quality design features to create a distinction between lower and upper levels.

To ensure the scale and form of development is low-rise to mid-rise which is responsive to the topography of the precinct and provides a suitable transition in height as the land slopes upwards, while minimising amenity impacts to existing residential properties, including visual bulk, overlooking and overshadowing.

To protect the industrial, residential and institutional built heritage of the precinct and maintaining the prominence of the corner heritage buildings on Wellington Street.

To ensure development respects individual and groups of heritage buildings through recessive upper levels and a transition in scale from taller form towards the interface with heritage buildings.

To promote and encourage pedestrian-oriented, high quality urban design outcomes through street edge activation and protect footpaths and public open spaces from loss of amenity through overshadowing.

2.0 Buildings and works

~~11/07/2024~~ ~~../../....~~
~~C293yara~~Proposed C334yaraA~~-~~ permit is required to construct a building or construct or carry out works, except for:

~~Rear ground floor extensions no higher than 4 metres above natural ground level.~~

~~An alteration to an existing building facade provided:~~

- ~~The alteration does not include the installation of an external roller shutter.~~an alteration to an existing building façade, provided:
- ~~In a C1Z and MUZ, at least 80 percent of the building facade at ground floor level is maintained as an entry or window with clear glazing.~~
  - 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.
  - in a MUZ, the alterations include and/or retain existing windows and pedestrian entry points and do not increase blank walls.
- rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level.
- construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

~~Construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.~~

2.1 Definitions

Street wall means the facade of a building at the street boundary, or, if the existing heritage building is setback from the street boundary, the front of the existing building. Street wall height is measured at 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.

Laneway means a road reserve, public highway or right of way 9 metres or less in width.

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

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

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

Upper level setback means the minimum distance from development above the height of the street wall to the property boundary, including projections such as balconies, building services and architectural features.

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

2.2 General requirements

The following 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'.

2.3 Building height requirements

Development on sites shown as hatched on Map 1 must not exceed the mandatory maximum building height shown on Map 1.

Development should not exceed the preferred maximum building heights shown on Map 1.

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 Map 1 where the following requirements are met to the satisfaction of the responsible authority:

- The built form outcome as a result of the proposed variation satisfies:
  - The design objectives in Clause 1.0.
  - The overshadowing and solar access requirements in Clause 2.6.
- The proposal achieves the following:
  - Greater building separation than the minimum requirement in this schedule.
  - No additional overshadowing impacts to residentially zoned properties, 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, lift overruns, 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 overshadowing of secluded private open space to residential land, opposite footpaths, kerb outstands or planting areas in the public realm.
- The equipment/structures are no higher than 2.6 metres above the proposed building height.
- The equipment/structures occupy less than 50 per cent of the roof areas (solar panels and green roof excepted).

Map 1 - Building and Street Wall Heights



2.4 Street wall height and front setback requirements

Development must not exceed the mandatory maximum street wall heights as shown in Map 1.

Development should not exceed other street wall heights as shown in Map 1, unless the following requirements are met, to the satisfaction of the Responsible Authority:

- The built form outcome as a result of the proposed variation satisfies the Design Objectives at Clause 1.0 of this schedule.
- 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.

The street wall of infill development adjoining a heritage building should not be higher than the parapet height of the adjoining heritage building to the width of the property boundary or 6 metres, whichever is the lesser.

Development should have no front or side street setback, unless an immediately adjoining heritage building is set back from the street, in which case infill development should match the front setback of the adjoining heritage building from the same street, excluding laneway frontages.

Development at 54 and 56 Oxford Street must match the front setback of the heritage building at 58 Oxford Street.

The street wall for a corner building should continue the main frontage street wall height for a minimum of 8 metres along the side street, with a transition 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.

2.5 Upper level setback requirements

Upper levels above the street wall:

Heritage buildings:

- Must be setback by a minimum of 6 metres.
- Should be setback more than 6 metres to be placed behind the front two rooms and/or principal roof form, whichever is the greater, for properties at 50-52 Oxford Street, 57-63 Oxford Street, 13-15 Peel Street and 14-34 Cambridge Street, Collingwood.
- Should be setback more than 6 metres to be placed behind the heritage fabric of 58-62 Oxford Street, Collingwood, as identified in the relevant Statement of Significance.
- Should be setback the minimum upper level setback requirements where:
  - It facilitates the retention of a roof form and/or chimneys which 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 maintains 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.

Other buildings:

- Should be setback a minimum of 6 metres for sites in Area A as shown on Map 1.
- Should be setback a minimum of 3 metres for sites in Area B as shown on Map 1.

Heritage and other buildings:

- Should be visually recessive when viewed from the public realm to ensure development does not overwhelm the streetscape and minimises upper level bulk.
- Should 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.

2.6 Overshadowing and solar access requirements

Development must not overshadow any part of the southern side footpath from property boundary to kerb of Peel, Langridge and Derby Streets between 10am and 2pm on 22 September.

For streets that extend in a north-south direction (except for Little Oxford Street), development must not overshadow any part of the opposite side footpath from property boundary to kerb between 10am and 2pm on 22 September.

Development along Little Oxford Street should not overshadow parts of building that are above the ground floor between 10am and 2pm on 22 September.

Development should not increase the amount of overshadowing as caused by existing conditions, measured between 10am and 2pm on 22 September for the following areas of open space and/or public realm:

- Cambridge Street Reserve (including any future extension of the reserve).
- Oxford Street Reserve.
- The outdoor space of the Collingwood English Language School.
- Any kerb outstands, seating or planting areas on the opposite side of the street, as applicable.

2.7 Building separation and amenity requirements

Where development shares a common boundary within the overlay and/or adjoins a Commercial 1 Zone and/or Mixed Use Zone outside of the overlay, upper level development should:

- For buildings up to 27 metres, be setback a minimum of 4.5 metres 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.
- For buildings up to 27 metres, be setback a minimum of 3.0 metres from the common 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 buildings exceed 27 metres in height, the development above 27 metres be setback a minimum of 6 metres from the common boundary, whether or not windows are proposed on the subject site.

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

2.8 Other design requirements

Development at the rear of the properties at 10-22 Derby Street must be designed to address Langridge Street.

The rear interface of a development abutting a laneway should not exceed a preferred height of 11 metres.

Development should provide for landscaping that provides a positive contribution to the public realm, such as canopy trees where possible, green walls or planter boxes.

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

- Achieving active, fine grain design to create a pedestrian-oriented environment and passive surveillance towards the public realm.
- Creating an appropriate ratio of solid and void elements that resemble the industrial past of the area.
- Creating visual interest through the arrangement of fenestration, balconies and the application of architectural features including external shading devices and windowsills.
- Maintaining an appropriate level of design simplicity by avoiding overly busy facades that rely on a multitude of materials and colours.
- Avoiding large expanses of glazing with a horizontal emphasis.
- Not competing with the more elaborate detailing of the heritage building/s on the subject site or adjoining land.
- Avoiding highly reflective glazing in openings of heritage buildings.
- Maintaining existing openings and the inter-floor height of a heritage building and avoid new floor plates and walls cutting through historic openings.

- Encouraging the retention of solid built form behind retained heritage facades and discourage balconies behind openings to prevent facadism.
- Ensuring projections such as balconies, building services, architectural features (other than shading devices, mouldings etc) do not intrude into a setback and not visually dominate the facade.

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 building structures, layouts and non-residential unit sizes so as to allow for a variety of uses over time.
- Discourage floor to ceiling glass with limited entries for large expanses of the ground floor.
- Allow unobstructed views through openings into the ground floor of buildings.
- Include fine grain design that engages the pedestrian and provides detail, articulation, depth, materiality and rhythm that contributes to a high-quality street interface and where appropriate integrates seating perches into street facades.
- On sites abutting narrow footpaths of less than 1.8 metres, provide for front 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 possible, they should be sensitively designed to integrate into the facade of the building and complement the street frontage and character.
- Respond to the topography of the east-west oriented streets through transition and 'stepping' of the ground floor to appropriately address the street.

The design of upper levels of development should:

- Be well-designed and articulated and where appropriate utilise design techniques such as architectural rebates of sufficient depth and/or a range of parapet heights to break up the building mass across wide frontages.
- 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 discourage blank walls visible to the public realm, including on side street frontages.

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 services, mouldings etc.), balconies and balustrades should not protrude into a street wall and upper level setback, 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.

2.9 Access, parking and loading bay 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.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

Vehicle access should be achieved from laneways or side streets (in that order of preference). Vehicle access from Wellington Street and Langridge Street should be minimised.

At the intersection of laneways and footpaths, development to non-heritage buildings should provide a minimum of 1 x 1 metre splay to facilitate pedestrian sightlines.

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

Discourage separate entries for car parking entries and loading bays.

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 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.

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

3.0 Subdivision

11/07/2024
C293yara

None specified.

4.0 Signs

11/07/2024
C293yara

None specified.

5.0 Application requirements

11/07/2024
C293yara

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 the proposed development 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.
- 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 tram services and bicycle lanes).
  - Reduces car dependence and promotes sustainable transport modes.
  - Which includes an assessment of the impacts of traffic and parking in the Precinct including an assessment of the ongoing functionality of laneway/s, where applicable.

6.0 Decision guidelines

11/07/2024
C293yara

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 Built Form Requirements in Clause 2.0 are met.
- Whether the Heritage Building Design Requirements in Clause 2.0 are met (where the land is affected by a Heritage Overlay or immediately adjacent to a Heritage Overlay).
- Whether the proposal has considered the development rights/potential of neighbouring properties in terms of achieving good internal amenity for future proposals through building separation and design.
- Whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site though a suitable transition in scale of street-wall, upper level setbacks and building height.
- How the proposal responds in terms of scale and transition to the sloping topography of the area.
- The design response at the interface with existing low-scale residential properties, including the overshadowing of secluded private open space.
- 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.
- How any proposed buildings and works will impact on solar access to footpaths and public open spaces.
- The wind effects created by the development.

10/02/2022
C191yara

SCHEDULE 25 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO25**.

SWAN STREET ACTIVITY CENTRE - PRECINCT 1 RICHMOND STATION

1.0 Design objectives

10/02/2022
C191yara

- To create an entry to the activity centre, anchored by Richmond Station, that is defined by high quality, contemporary buildings that wrap around the corner from Hoddle Street into Swan Street.
- To provide taller street walls on Swan Street, west of Wellington Street to define the entry to the Activity Centre.
- To maintain the prominence of the Precinct Hotel on the corner of Cremorne Street and Swan Street within the streetscape.
- To improve the pedestrian environment and amenity of the streetscape along Swan Street and the streets leading to Cremorne through activated ground floor frontages and improvements to the public realm.
- To support a new mid rise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas.

2.0 Buildings and works

~~06/06/2022 --/--/----~~
~~C302yara~~Proposed C334yara~~A permit is required to construct a building or construct or carry out works.~~

2.1 Definitions

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 is measured at 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.

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, public highway or right of way 9 metres or less wide.

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

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

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

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

2.2 Requirements

A permit is required to construct a building or construct or carry out works, except for:

- an alteration 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 level is maintained as an entry or window with clear glazing.
- rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level.

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum street wall height requirements shown in the Height and Interface Map 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in the Height and Interface Map 1 of this schedule.

2.3 Design requirements

The following design requirements apply to an application to construct a building or construct or carry out works.

Design quality requirements

Development should achieve urban design and architectural excellence.

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Development should provide for street activation at ground levels.

Development should be designed to avoid repetitive stepped form at upper levels.

Upper level development should be designed to ensure buildings provide detail on all facades when viewed from all directions.

Frontages at ground floor should incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

Development should maintain the prominence of the heritage street wall and respect the architectural form and qualities of heritage buildings and the heritage streetscape within land affected by HO524.

Upper level development on land within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape; and
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Building height requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Map 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule; and
- the proposal achieves each of the following:
  - greater building separation than the minimum requirement in this schedule;
  - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
  - no additional overshadowing and overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and

- where the proposal includes dwellings, it also achieves each of the following:
  - accessibility provision objective that exceeds the minimum standards in Clauses 55.07-7 and 58.05-1 as relevant;
  - communal open space provision that exceeds the minimum standards in Clause 55.07-2 and Clause 58.03-2;
  - private open space provision that exceeds the minimum standards in Clauses 55.07-9 and 58.05-3; and
- where the proposal is on land within a Heritage Overlay, it also achieves the following:
  - Upper level development above the preferred building height on land within a Heritage Overlay should have increased setbacks to minimise its visibility above the heritage building and from the heritage streetscape.

Architectural features may exceed the preferred or mandatory height.

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

- Less than 50 per cent of the roof area is occupied by the equipment /structures (other than solar panels);
- The equipment/structures does not cause additional overshadowing of adjoining properties; and
- The equipment/structures does not extend higher than 3.6 metres above the maximum building height.

Street wall and setback requirements

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule.
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule.
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as balconies, building services and architectural features must not intrude into a setback.

On corner sites where two different street wall heights are nominated, buildings should ‘turn the corner’ and apply the Swan Street wall height. If the Swan Street wall is higher it should transition to the lower nominated street wall height on the side street.

Building separation requirements

Where development shares a common boundary and no interface treatment is shown in Map 1, upper level development should:

- For buildings up to 28 metres, be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed.

- For buildings up to 28 metres, be setback a minimum of 3.0m from the common boundary, where a commercial or non-habitable window is proposed.
- For buildings taller than 28 metres, be setback a minimum of 6 metres above 28 metres.

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

Overshadowing requirements

A permit should not be granted to construct a building or construct or carry out works that would overshadow part of the opposite footpath of Cremorne Street (measured from the property boundary to the existing kerb of Cremorne Street between 10 am and 2 pm at 22nd September), unless the overshadowing would not unreasonably prejudice the amenity of the public space.

Vehicle and pedestrian access requirements

Development should provide vehicular access from rear lanes or from side streets in the preferred locations in the Access and Movement Map 2 of this schedule.

Development with redundant vehicle access points to Swan Street should reinstate the kerb, linemarked parking bays, and relocate any parking signs.

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.

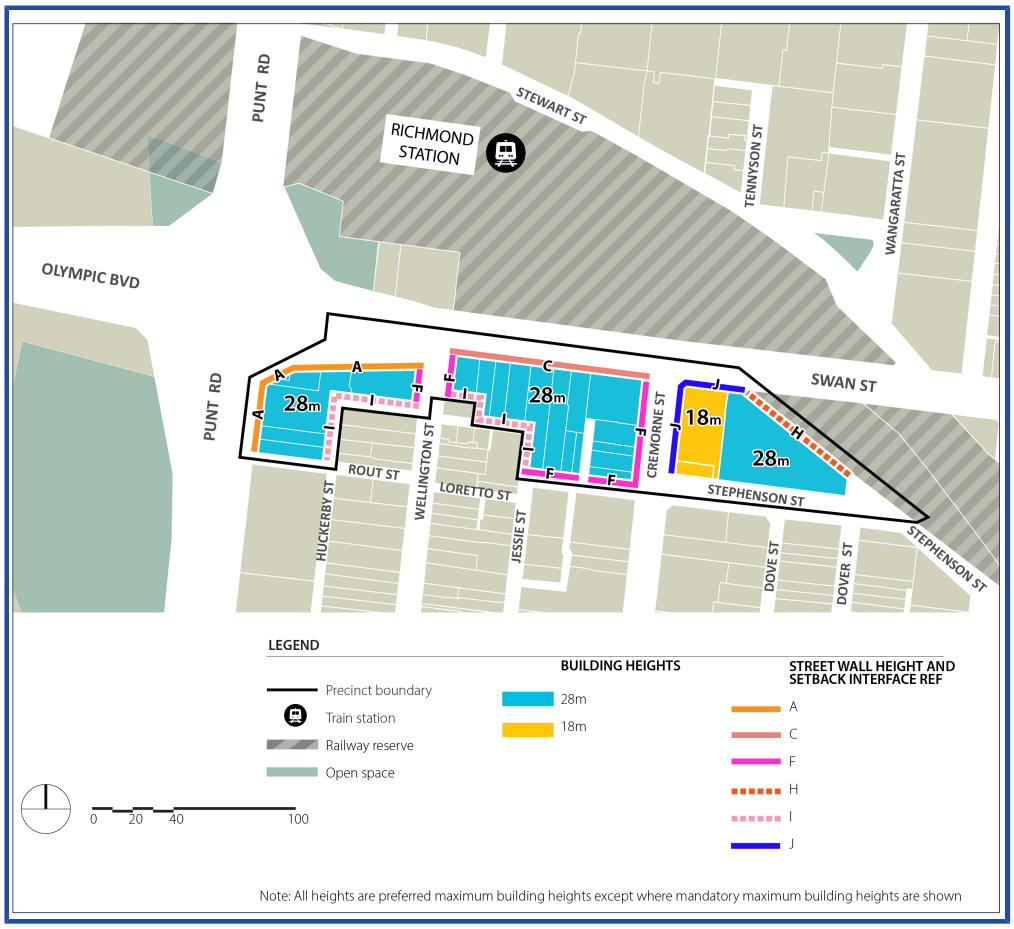
Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone shown on the Access and Movement Map 2 of this schedule. Where pedestrian access can only be provided from a laneway at the rear of buildings the pedestrian entrance should be setback from the rear laneway and well-lit to enable safe access.

Table 1 – Street Wall Heights and Setbacks for Precinct 1 Richmond Station

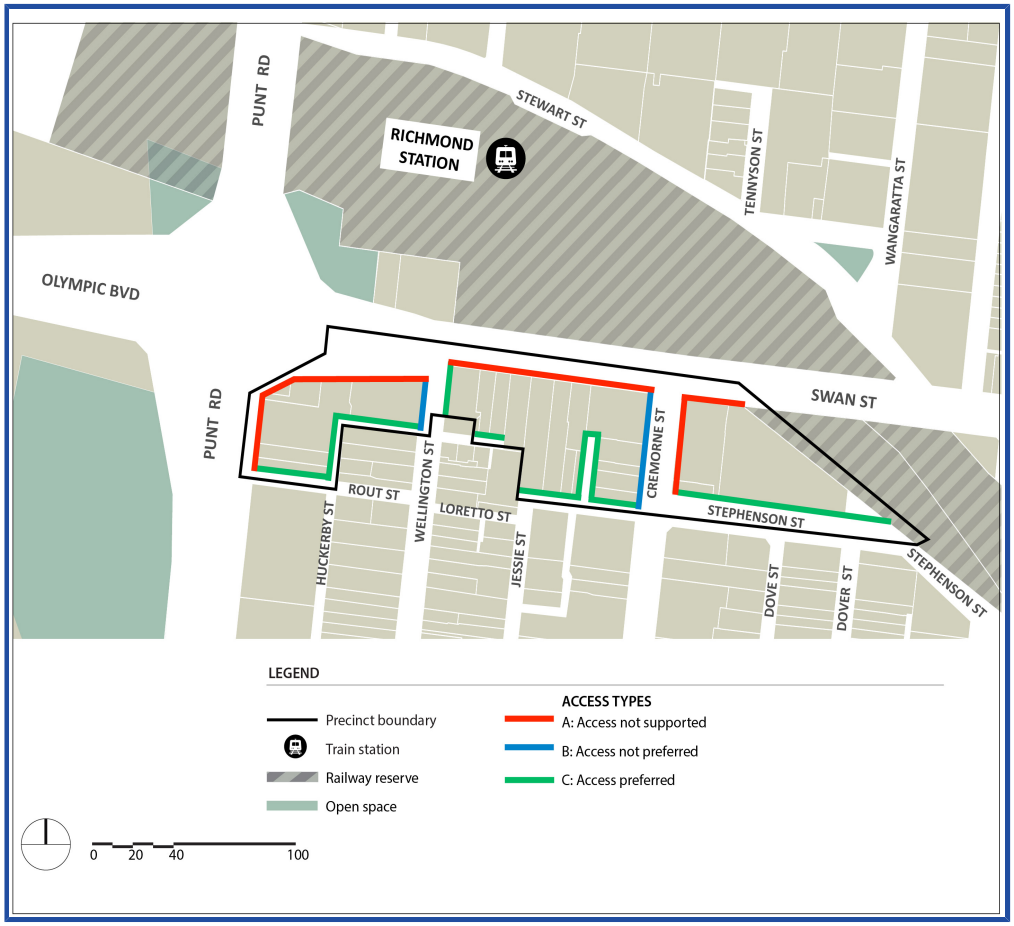
Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
A	Street wall height		21m maximum.
	Street wall setback		0m.
	Upper level setback		6m minimum.
C	Street wall height		11m maximum. 8m minimum. Match the parapet height of the taller adjoining heritage building, for a minimum length of 6m from the heritage building.
	Street wall setback	0m.	
	Upper level setback	Minimum 6m for heritage buildings.	Minimum 6m elsewhere.
F	Street wall height		11m maximum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on Map 2.
	Upper level setback		0m.

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11m maximum if boundary abuts a laneway.
	Side and rear setback		Development should be setback in accordance with Figure 1 and Figure 2. Development should minimise repetitive stepped form.
	Boundary wall setback		At 40 Swan Street only, development not built on a common boundary should provide a minimum setback of 4.5 metres to the common boundary.
J	Street wall height		11m maximum. 8m minimum. Match the parapet height of the taller adjoining heritage building, for a minimum length of 6m from the heritage building.
	Street wall setback	0m.	
	Upper level setback	Minimum 10m from Swan Street setback. Minimum 8.5m from Cremorne Street setback.	

Map 1 To Schedule 25 to Clause 43.02: Height and Interface Plan – Precinct 1 Richmond Station



Map 2 to Schedule 25 to Clause 43.02: Access and Movement Plan – Precinct 1 Richmond Station



3.0 Subdivision

10/02/2022
C191yara

None specified.

4.0 Signs

10/02/2022
C191yara

None specified.

5.0 Application requirements

10/02/2022
C191yara

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 desktop wind effects assessment for the proposed development when the building height is 15m or higher from natural ground level.

6.0 Decision guidelines

10/02/2022
C191yara

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 Design Requirements in Clause 2.3 are met.
- Whether design excellence is achieved (in terms of building siting, scale, massing, articulation and materials).
- The design of the streetscape interface and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- The shadowing impacts of the development on footpaths and public spaces.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Swan Street and from local streets.
- The prominence of the heritage street wall in the vistas along Swan Street and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.
- The impact of development on the operation of the tram routes along Swan Street.

Figure 1 to Schedule 25 to Clause 43.02 – Interface with an existing laneway

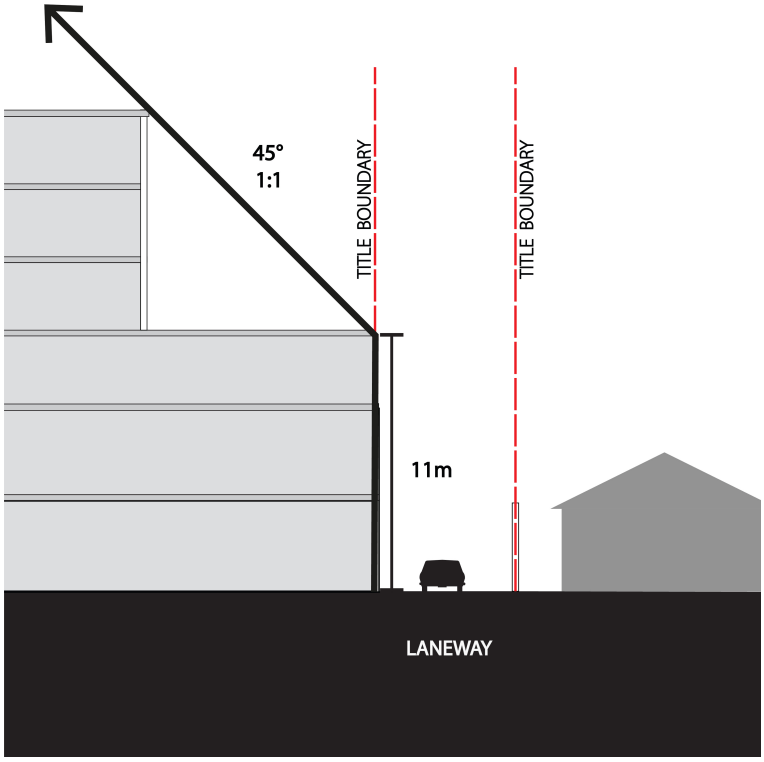
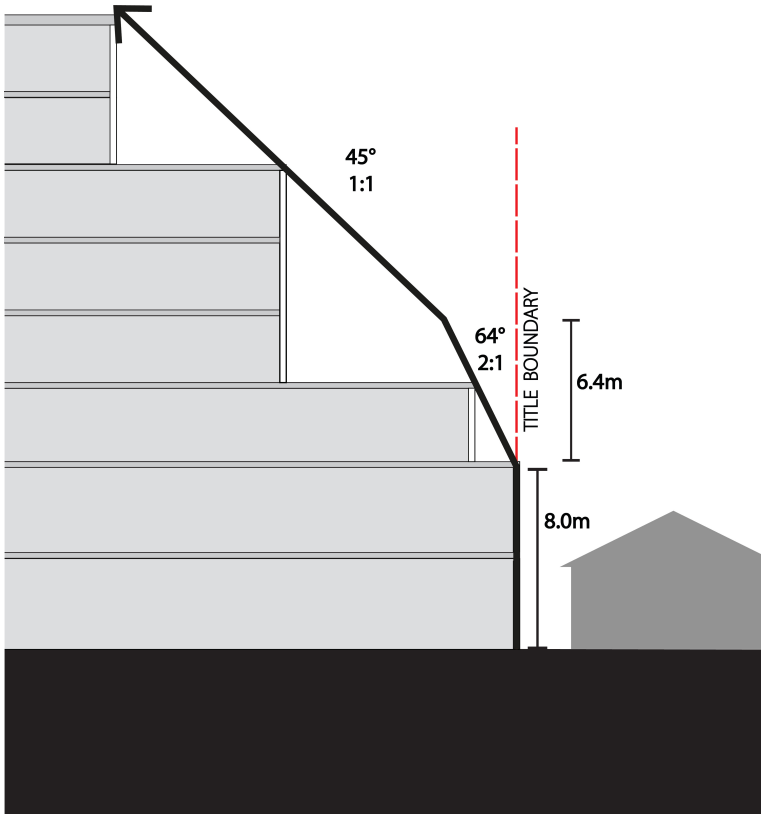


Figure 2 to Schedule 25 to Clause 43.02 – Interface direct abuttal



10/02/2022
C191yara

SCHEDULE 26 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO26**.

SWAN STREET ACTIVITY CENTRE - PRECINCT 2 SWAN STREET RETAIL CENTRE

1.0 Design objectives

10/02/2022
C191yara

- To ensure development maintains the prominence of the heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscapes.
- To ensure development, on the south side of Swan Street, maintains the Dimmeys Tower as the prominent landmark in the streetscape when viewed from the northern footpath of Swan Street east of the rail bridge and west of Church Street.
- To support a new mid-rise scale built form character with lower built form at the interfaces with streets and the adjoining low-rise residential areas that supports the fine grain, compact retail and entertainment focus of the precinct.
- To ensure development enhances the pedestrian experience through improved activation at ground floor and promoting a sense of enclosure and continuity in built form along Swan Street, Church Street, side streets and laneways.
- To ensure taller development on the south side of Swan Street, close to the railway line, is designed and spaced to contribute to a varied skyline and provides street walls that create a stronger sense of enclosure to the streets.

2.0 Buildings and works

~~06/06/2022~~ ~~C302yara~~Proposed C334yara ~~A permit is required to construct a building or construct or carry out works.~~

~~2.1~~ 2.1 Definitions

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 is measured at 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.

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, public highway or right of way 9 metres or less wide.

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

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

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

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

2.2 Requirements

A permit is required to construct a building or construct or carry out works, except for:

- an alteration 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 level is maintained as an entry or window with clear glazing; and
  - in a MUZ, the alterations include and/or retain existing windows and pedestrian entry points and do not increase blank walls.
- rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level.

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Height and Interface Map 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in the Height and Interface Map 1 of this schedule.

2.3 Design requirements

The following design requirements apply to an application to construct a building or construct or carry out works.

Design quality requirements

Development should achieve urban design and architectural excellence.

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Development should provide for street activation at ground levels.

Development should be designed to avoid repetitive stepped form at upper levels.

Upper level development should be designed to ensure buildings provide detail on all facades when viewed from all directions.

Frontages at ground floor should incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

Development adjoining Milton Place should be designed to address the potential future public park adjoining East Richmond Railway Station.

Upper level development on land within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape; and
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Building height requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Map 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule, the relevant design requirements specified in this schedule; and
- the proposal achieves each of the following:
  - greater building separation than the minimum requirement in this schedule;

  - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;
  - no additional overshadowing and overlooking to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and

- where the proposal includes dwellings, it also achieves each of the following:
  - accessibility provision objective that exceeds the minimum standards in Clauses 55.07-7 and 58.05-1 as relevant;
  - communal open space provision that exceeds the minimum standards in Clauses 55.07-2 and 58.03-2; and
  - private open space provision that exceeds the minimum standards in Clauses 55.07-9 and 58.05-3.

Architectural features may exceed the preferred or mandatory height.

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

- Less than 50 per cent of the roof area is occupied by the equipment (other than solar panels);
- The equipment does not cause additional overshadowing of adjoining properties; and
- The equipment does not extend higher than 3.6 metres above the maximum building height.

Street wall and setback requirements

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule;
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule; and
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as balconies, building services and architectural features must not intrude into a setback.

On corner sites where two different street wall heights are nominated, buildings should ‘turn the corner’ and apply the Swan Street wall height. If the Swan Street wall is higher it should transition to the lower nominated street wall height on the side street.

Building separation requirements

Where development shares a common boundary and no interface treatment is shown in Map 1, upper level development should:

- For buildings up to 28 metres, be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed.
- For buildings up to 28 metres, be setback a minimum of 3.0m from the common boundary, where a commercial or non-habitable window is proposed.
- For buildings taller than 28 metres, be setback a minimum of 6 metres above 28 metres.

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

Development along the rail corridor must avoid a continuous wall of taller development when viewed from local streets south of the rail corridor.

Overshadowing requirements

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10 am and 2 pm at 22nd September:

- any part of the southern footpath of Swan Street, measured from the property boundary to the existing kerb.

A permit should not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10 am and 2 pm at 22nd September, unless the overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority:

- any part of the opposite footpath of Church Street, measured from the property boundary to the existing kerb.
- any part of the opposite footpath of Lennox Street, Stanley Street, Clifton Street, and Docker Street, measured from the property boundary to the existing kerb.
- any part of the potential future open space adjacent to the East Richmond Station, measured as beyond 7.0m from the eastern kerb of Milton Place and beyond 10.0m from the southern kerb of Milton Place.

Vehicle and pedestrian access requirements

Development should provide vehicular access from rear lanes or from side streets in the preferred locations in the Access and Movement Map 2 of this schedule except in locations identified as "Left in - Left Out Access Permitted" in the Access and Movement Map 2 of this schedule.

Development identified as "Left in - Left Out Access Permitted" in the Access and Movement Map 2 should limit the width of vehicle crossovers and incorporate 'Left in' and 'Left out' only vehicle access.

Development with redundant vehicle access points to Swan Street and Church Street should reinstate the kerb, linemarked parking bays, and relocate any parking signs.

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.

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone shown on the Access and Movement Map 2 of this schedule. Where pedestrian access can only be provided from a laneway at the rear of buildings the pedestrian entrance should be setback from the rear laneway and well-lit to enable safe access.

Development at 108-120 Swan Street and 2 Kipling Street, as shown in Map 2, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 6m in total.

Development of 94-98 Swan Street, as shown in Map 2, should include a rear setback, at ground floor, to allow for building services and car park access. The setback and laneway should be a minimum width of 3m in total.

Development should facilitate the creation of a shared zone where properties abut a future shared zone as shown on Map 2.

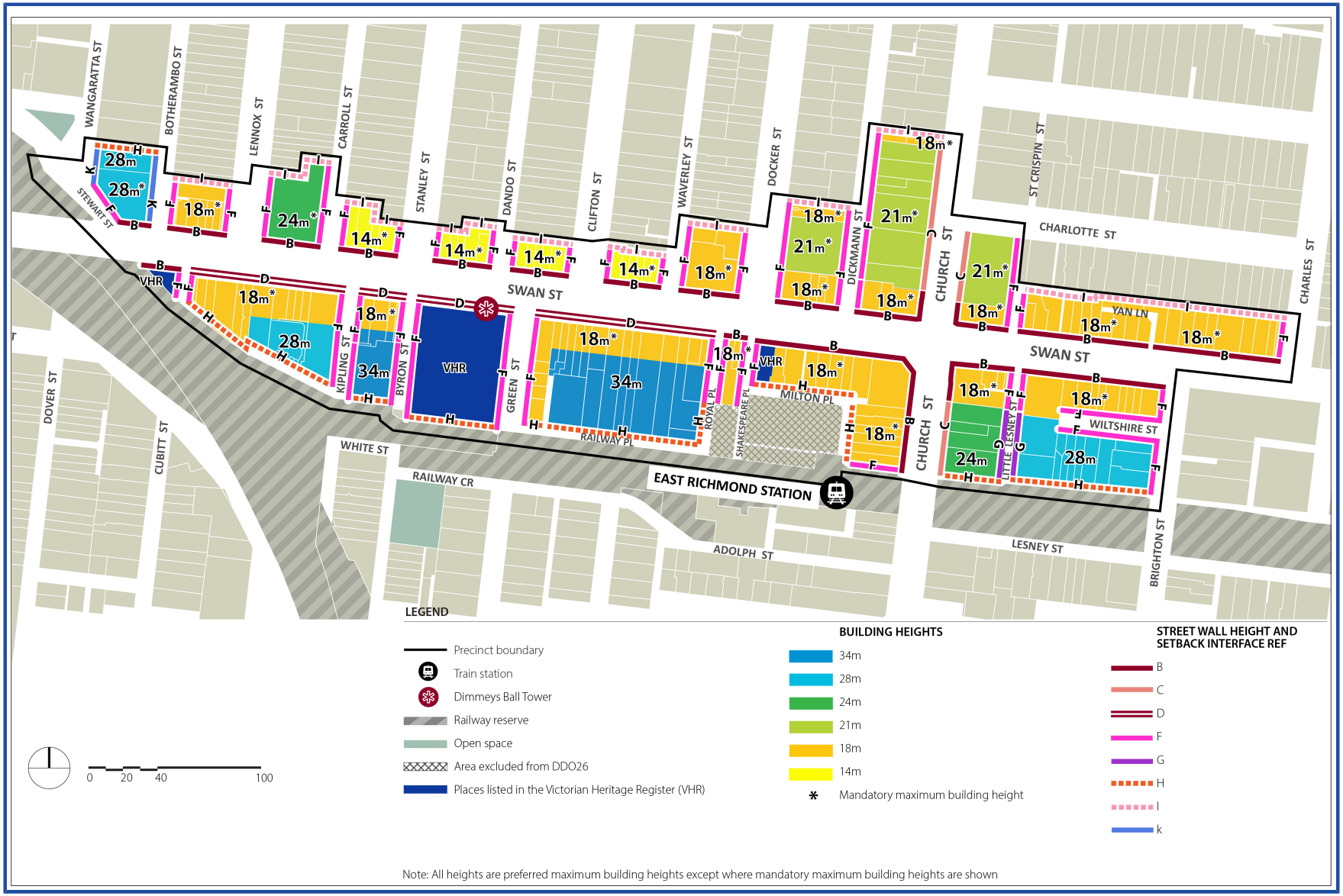
Development should improve the pedestrian environment and amenity of streets and laneways that provide a pedestrian connection to Swan Street, Church Street, East Richmond Train Station, and entrances to buildings.

Table 1 – Street Wall Heights and Setbacks for Precinct 2

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
B	Street wall height	11m maximum. 8m minimum.	Match the parapet height of the adjoining heritage building, for a minimum length of 6m from the heritage building.
	Street wall setback	0m.	
	Upper level setback	6m minimum setback.	
C	Street wall height		11m maximum. 8m minimum. Match the parapet height of the taller adjoining heritage building, for a minimum length of 6m from the heritage building.
	Street wall setback	0m.	
	Upper level setback	6m minimum for heritage buildings.	Minimum 6m elsewhere.
D	Street wall height	11m maximum. 8m minimum.	Match the parapet height of the taller adjoining heritage building, for a minimum length of 6m from the heritage building.
	Street wall setback	0m.	
	Upper level setback	10m minimum for development up to 21m. 20m minimum for any height above 21m.	
F	Street wall height		11m maximum.
	Street wall setback		0m.
	Upper level setback		6m minimum for land affected by HO335 or heritage buildings. 3m minimum elsewhere.
G	Street wall height		14m maximum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Map 2.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11m maximum if boundary abuts a laneway.
	Side and rear setback		Development should be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.
K	Street wall height		11m maximum.

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
	Street wall setback		0m.
	Upper level setback		3m minimum.

Map 1 to Schedule 26 to Clause 43.02: Height and Interface Plan – Precinct 2 Swan Street Retail Centre



Map 2 to Schedule 26 to Clause 43.02: Access and Movement Plan – Precinct 2 Swan Street Retail Centre



3.0 Subdivision

10/02/2022
C191yara

None specified.

4.0 Signs

10/02/2022
C191yara

None specified.

5.0 Application requirements

10/02/2022
C191yara

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 desktop wind effects assessment for the proposed development when the building height is 15m or higher from natural ground level.

6.0 Decision guidelines

10/02/2022
C191yara

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 Design Requirements in Clause 2.3 are met.
- Whether design excellence is achieved (in terms of building siting, scale, massing, articulation and materials).
- The design of the streetscape interface and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- The shadowing impacts of the development on footpaths and public spaces.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Swan Street and from local streets.
- The prominence of the heritage street wall in the vistas along Swan Street, Church Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.
- The impact of development on view lines to the Dimmeys Clock Tower.
- The impact of development on the operation of the tram routes along Swan Street and Church Street.

Figure 1 to Schedule 26 to Clause 43.02 – Interface with an existing laneway

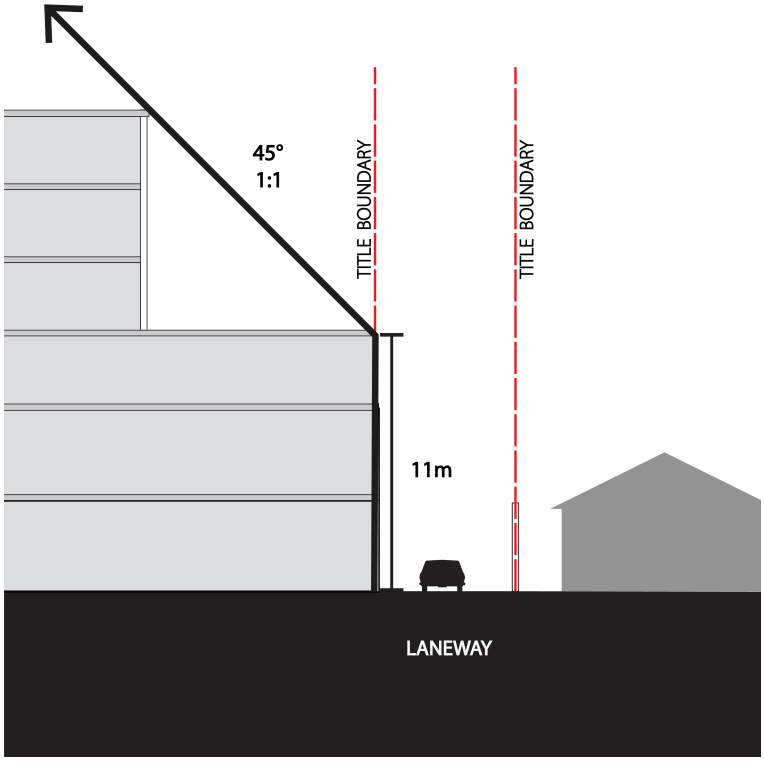
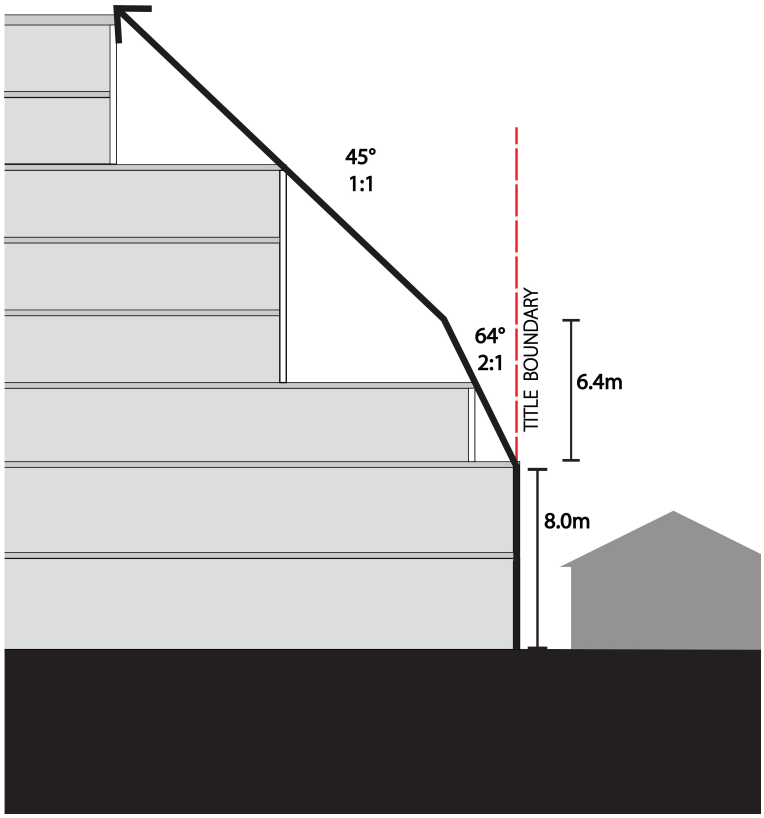


Figure 2 to Schedule 26 to Clause 43.02 – Interface direct abuttal



10/02/2022
C191yara

SCHEDULE 27 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO27**.

SWAN STREET ACTIVITY CENTRE - PRECINCT 3 SWAN STREET EAST

1.0 Design objectives

10/02/2022
C191yara

- To support a new mid rise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas that maintains an active, high quality and pedestrian friendly environment.
- To support taller development on the south side of Swan Street that has regard to the north side of Swan Street and gradually scales up to Burnley Street, denoting the importance of the station.
- To create a safe and attractive pedestrian environment that protects solar access, enhances ground floor activation along Swan Street and side streets and limits vehicle access from Swan Street to new development.
- To reinforce a consistent built form edge to Swan Street while supporting physical and visual permeability through breaks in built form on the south side of Swan Street.
- To ensure that, along the north side of Swan Street, the heritage buildings remain visually prominent in the streetscape.

2.0 Buildings and works

~~06/06/2022~~ ~~--/--/----~~
~~C302yara~~Proposed C334yara~~A permit is required to construct a building or construct or carry out works.~~

2.1 Definitions

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 is measured at 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.

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, public highway or right of way 9 metres or less wide.

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

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

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

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

2.2 Requirements

A permit is required to construct a building or construct or carry out works, except for:

- an alteration 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 level is maintained as an entry or window with clear glazing.
- rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level.

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Height and Interface Map 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in the Height and Interface Map 1 of this schedule.

2.3 Design Requirements

The following design requirements apply to an application to construct a building or construct or carry out works.

Design quality requirements

Development should achieve urban design and architectural excellence, demonstrating improved streetscape outcomes.

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Development should provide for street activation at ground levels.

Development should be designed to avoid repetitive stepped form at upper levels.

Upper level development should be designed to ensure buildings provide detail on all facades when viewed from all directions.

Frontages at ground floor should incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

Upper level development on land within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape; and
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Building height requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Map 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule, the relevant precinct design requirements specified in this schedule; and
- the proposal will achieve each of the following:
  - greater building separation than the minimum requirement in this schedule;
  - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;

  - no additional overshadowing and overlooking to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and

- where the proposal includes dwellings, it also achieves each of the following:
  - accessibility provision objective that exceeds the minimum standards in Clauses 55.07-7 and 58.05-1 as relevant;
  - Communal open space provision that exceeds the minimum standards in Clauses 55.07-2 and 58.03-2; and
  - private open space provision that exceeds the minimum standards in Clauses 55.07-9 and 58.05-3.

Architectural features may exceed the preferred or mandatory height.

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

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

Street wall and setback requirements

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcomes that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule.
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule.
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as balconies, building services and architectural features must not intrude into a setback.

On corner sites where two different street wall heights are nominated, buildings should ‘turn the corner’ and apply the Swan Street wall height. If the Swan Street wall is higher it should transition to the lower nominated street wall height on the side street.

Development should create a sense of enclosure to Swan Street through the height and setback of its street wall.

Building seperation requirements

Where development shares a common boundary and no interface treatment is shown in Map 1, upper level development should:

- For buildings up to 28 metres, be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed.
- For buildings up to 28 metres, be setback a minimum of 3.0m from the common boundary, where a commercial or non-habitable window is proposed.
- For buildings taller than 28 metres, be setback a minimum of 6 metres above 28 metres.

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

Development of properties in the locations shown as "Upper Level Building Breaks" on Map 1 should incorporate side setbacks greater than the setback distances required for upper level development on common boundaries set out above.

Development of properties in the locations shown as "Upper Level Building Breaks" on Map 1 should enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street and along Lord Street and Edinburgh Street.

Overshadowing requirements

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10 am and 2 pm at 22nd September:

- any part of the southern footpath of Swan Street, measured from the property boundary to the existing kerb.

A permit should not be granted to construct a building or construct or carry out works that would overshadow part of the opposite footpath of Burnley Street, Mary Street and Coppin Street (measured from the property boundary to the existing kerb between 10 am and 2 pm at 22nd September) unless the overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority.

Vehicle and pedestrian access requirements

Development should provide vehicular access from rear lanes or from side streets in the preferred locations in the Access and Movement Map 2 of this schedule except in locations identified as "Left in - Left Out Access Permitted" in the Access and Movement Map 2 of this schedule.

Development identified as "Left in - Left Out Access Permitted" in the Access and Movement Map 2 should limit the width of vehicle crossovers and incorporate 'Left in' and 'Left out' only vehicle access.

Development with redundant vehicle access points to Swan Street and Burnley Street should reinstate the kerb, linemarked parking bays, and relocate any parking signs.

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.

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone shown on the Access and Movement Map 2 of this schedule. Where pedestrian access can only be provided from a laneway at the rear of buildings the pedestrian entrance should be setback from the rear laneway and well-lit to enable safe access.

Development should be designed to enhance, activate, and provide passive surveillance to the pedestrian connection between Glass Street and Swan Street as shown on Map 2.

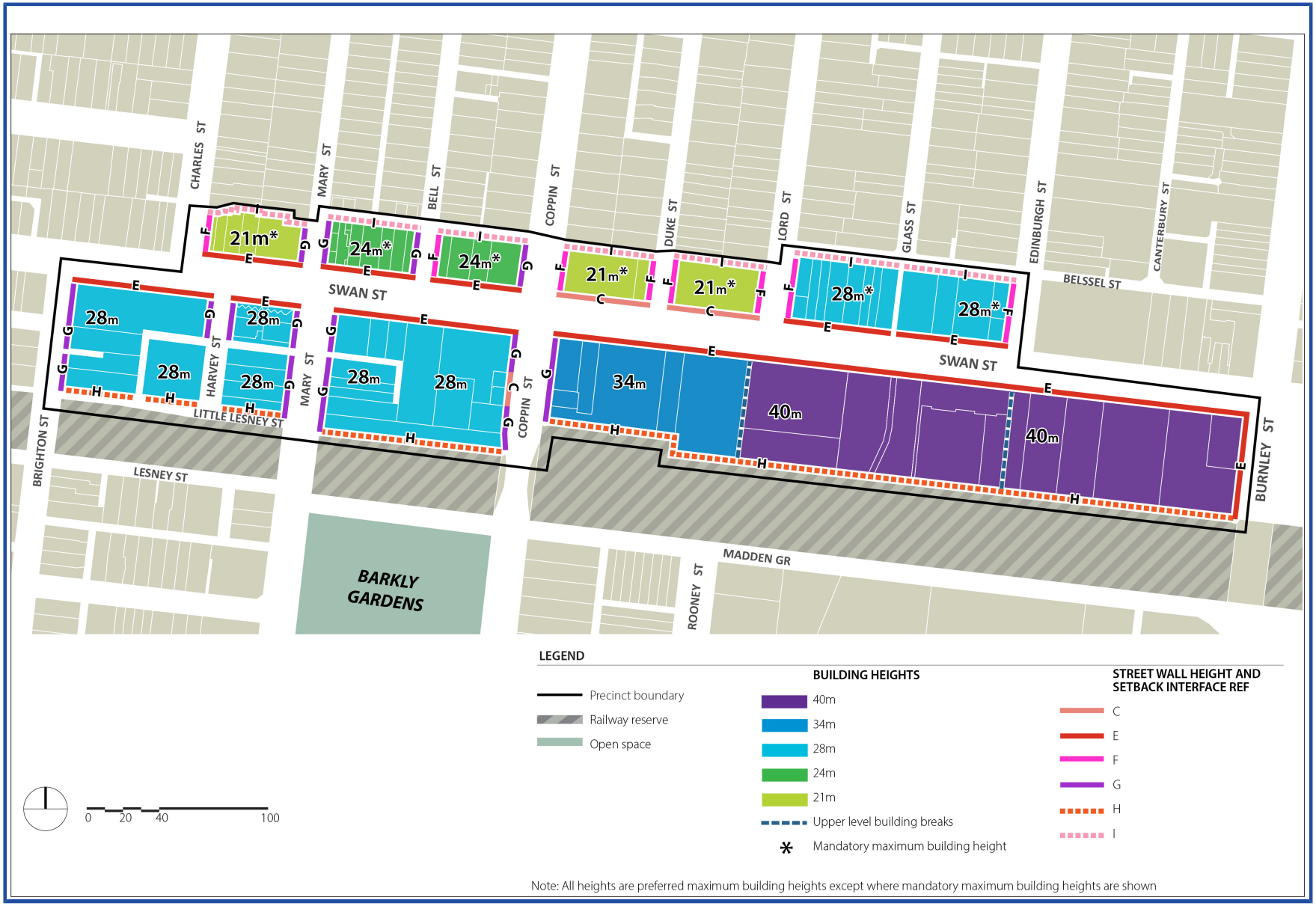
Development should include north-south access in the locations shown on the Access and Movement Map 2 to allow for building services and car park access.

Table 1 – Street Wall Heights and Setbacks for Precinct 3

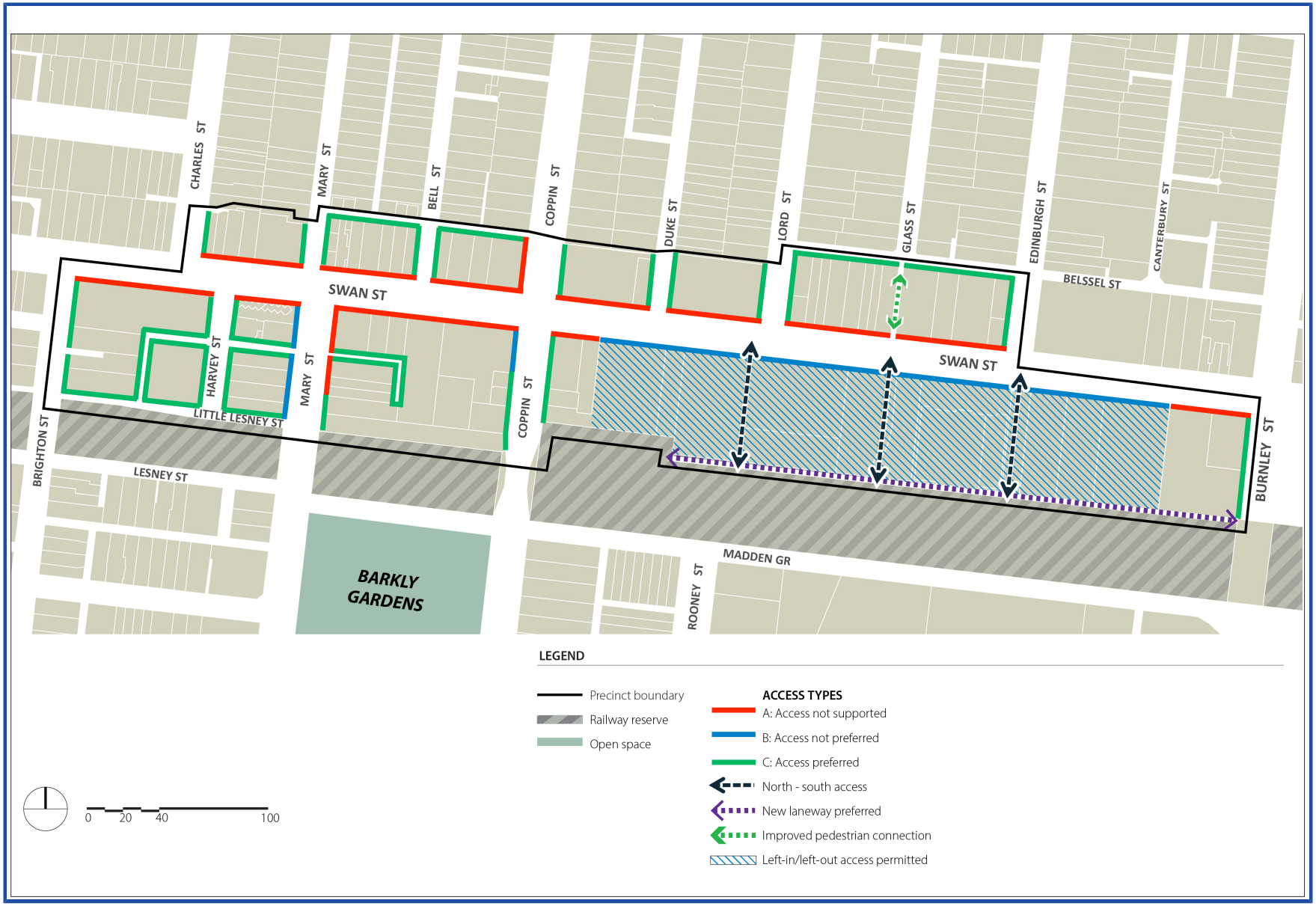
Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
C	Street wall height		11m maximum. 8m minimum. Match the parapet height of the taller adjoining heritage building, for a minimum length of 6m from the heritage building.
	Street wall setback	0m.	

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
	Upper level setback	Minimum 6m for heritage buildings.	Minimum 6m elsewhere.
E	Street wall height		14m maximum. Match the parapet height of the taller adjoining heritage building, for a minimum length of 6m from the heritage building.
	Street wall setback		0m.
	Upper level setback	Minimum 6m for heritage buildings.	6m minimum.
F	Street wall height		11m maximum.
	Street wall setback		0m.
	Upper level setback		6m minimum for heritage buildings. 3m minimum elsewhere.
G	Street wall height		14m maximum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Map 2.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11m maximum if boundary abuts a laneway.
	Side and rear setback		Development should be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.

Map 1 to Schedule 27 to Clause 43.02: Height and Interface Plan – Precinct 3 Swan Street East



Map 2 to Schedule 27 to Clause 43.02: Access and Movement Plan – Precinct 3 Swan Street East



3.0 Subdivision

10/02/2022
C191yara

None specified.

4.0 Signs

10/02/2022
C191yara

None specified.

5.0 Application requirements

10/02/2022
C191yara

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 desktop wind effects assessment for the proposed development when the building height is 15m or higher from natural ground level.

6.0 Decision guidelines

10/02/2022
C191yara

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 Design Requirements in Clause 2.3 are met.
- Whether design excellence is achieved (in terms of building siting, scale, massing, articulation and materials).
- The design of the streetscape interface and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- The shadowing impacts of the development on footpaths and public spaces.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Swan Street and from local streets.
- The prominence of the heritage street wall in the vistas along Swan Street, Burnley Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.
- The impact of development on the operation of the tram routes along Swan Street.

Figure 1 to Schedule 27 to Clause 43.02 – Interface with an existing laneway

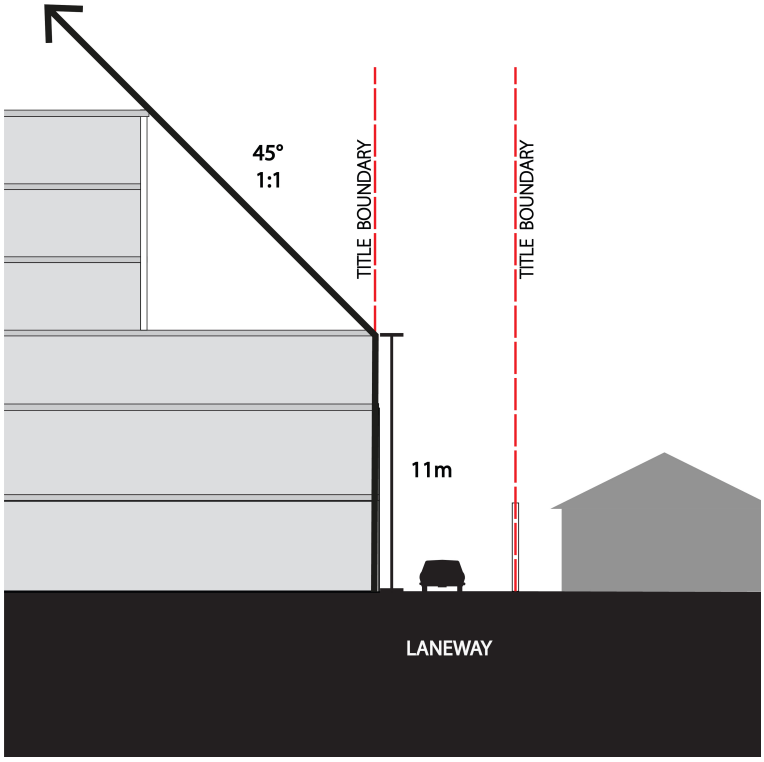
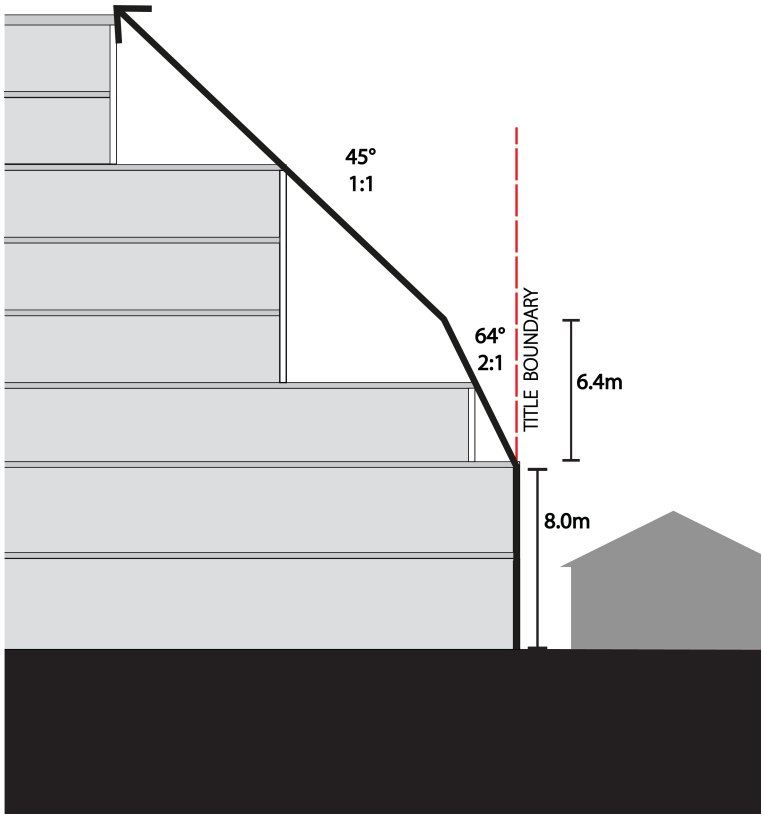


Figure 2 to Schedule 27 to Clause 43.02 – Interface direct abuttal



10/02/2022
C191yara

SCHEDULE 28 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO28**.

SWAN STREET ACTIVITY CENTRE - PRECINCT 4 BURNLEY STATION

1.0 Design objectives

10/02/2022
C191yara

- To ensure development respects the scale, rhythm, and architectural detail of the streetscape and the heritage buildings in the Burnley Street Heritage Precinct.
- To support a new mid rise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas that maintains an active, high quality and pedestrian friendly environment.
- To reinforce the corners of Swan Street and Burnley Street as a vibrant commercial, retail and residential location.
- To provide for taller development on the south side of Swan Street that delivers significant public realm outcomes and ensure development on both side of Swan Street maintains the amenity of Ryan's Reserve.
- To support high quality new buildings adjoining Burnley Station with mixed uses that activate and improve pedestrian connections to the station.

2.0 Buildings and works

~~06/06/2022~~ ~~--/--/----~~
~~C302yara~~Proposed C334yara~~A permit is required to construct a building or construct or carry out works.~~

2.1 Definitions

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 is measured at 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.

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, public highway or right of way 9 metres or less wide.

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

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

Shared zone means a road or network of roads where pedestrians, cyclists, and vehicles share the roadway.

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

2.2 Requirements

A permit is required to construct a building or construct or carry out works, except for:

- an alteration 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 level is maintained as an entry or window with clear glazing.
- rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level.

A permit cannot be granted to vary a requirement expressed with the term 'must' or listed in a 'Mandatory' column of a table.

A permit cannot be granted to construct a building or construct or carry out works, which:

- exceeds the mandatory maximum building height and street wall height requirements shown in the Height and Interface Map 1 of this schedule.
- reduces the mandatory minimum street wall height and upper level setback requirements shown in the Height and Interface Map 1 of this schedule.

2.3 Design requirements

The following design requirements apply to an application to construct a building or construct or carry out works.

Design quality requirements

Development should achieve urban design and architectural excellence.

Development should be well spaced and sited to avoid visual bulk and provide equitable access to an outlook and good daylight.

Development should provide for street activation at ground levels.

Development should be designed to avoid repetitive stepped form at upper levels.

Upper level development should be designed to ensure buildings provide detail on all facades when viewed from all directions.

Frontages at ground floor should incorporate verandahs, consistent with the form and scale of adjoining verandahs, into the façade design.

Protect the amenity of existing residential properties in terms of visual bulk, overshadowing of private open space, overlooking and vehicle access.

Development should maintain the prominence of the heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscape within land affected by HO474.

Upper level development on land within a Heritage Overlay or on land immediately adjoining a heritage building should:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape; and
- avoid large expanses of glazing with a horizontal emphasis in the upper levels of development.

Building height requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in the Height and Interface Map 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- the built form outcome that results from the proposes variation satisfies the design objectives in Clause 1.0 of this schedule, and the relevant design requirements specified in this schedule; and
- the proposal achieves each of the following:
  - greater building separation than the minimum requirement in this schedule;
  - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%;

  - no additional overshadowing and overlooking of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height; and

- where the proposal includes dwellings, it also achieves each of the following:
  - accessibility provision objective that exceeds the minimum standards in Clauses 55.07-7 and 58.05-1 as relevant;
  - communal open space provision that exceeds the minimum standards in Clauses 55.07-2 and 58.03-2; and
  - private open space provision that exceeds the minimum standards in Clauses 55.07-9 and 58.05-3.

Architectural features may exceed the preferred or mandatory height.

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

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

Street wall and setback requirements

Development along Swan Street must achieve a prominent street wall and provide an appropriate transition in the street wall height to the Burnley Street and Bendigo Street heritage precincts.

A permit should not be granted to construct a building or construct or carry out works, which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule.
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule.
- The street wall at ground floor level is designed to allow floor to floor ceiling heights suitable to accommodate commercial activity.

Projections such as balconies, building services and architectural features must not intrude into a setback.

On corner sites where two different street wall heights are nominated, buildings should ‘turn the corner’ and apply the Swan Street wall height. If the Swan Street wall is higher it should transition to the lower nominated street wall height on the side street.

Building seperation requirements

Where development shares a common boundary and no interface treatment is shown in Map 1, upper level development should:

- For buildings up to 28 metres, be setback a minimum of 4.5m from the common boundary, where a habitable window or balcony is proposed.
- For buildings up to 28 metres, be setback a minimum of 3.0m from the common boundary, where a commercial or non-habitable window is proposed.
- For buildings taller than 28 metres, be setback a minimum of 6 metres above 28 metres.

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

Development of properties in the locations shown as "Upper Level Building Breaks" on Map 1 should incorporate side setbacks greater than the setback distances required for upper level development on common boundaries set out above.

Development of properties in the locations shown as "Upper Level Building Breaks" on Map 1 should enable clear views to the sky between buildings along Swan Street when viewed from the opposite side of Swan Street and along Cutter Street and Bendigo Street.

Overshadowing requirements

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces between 10 am and 2 pm at 22nd September.

- any part of the southern footpath of Swan Street, measured from the property boundary to the existing kerb.

A permit should not be granted to construct a building or construct or carry out works that would overshadow part of the opposite footpath of Burnley Street or Stawell Street (measured from the property boundary to the existing the kerb between 10 am and 2 pm at 22nd September), unless the overshadowing would not unreasonably prejudice the amenity of the public space, to the satisfaction of the responsible authority.

Development should maintain solar access to Ryan's Reserve as follows:

- Beyond 16m of the eastern boundary of the reserve from 10 am onwards on 22 September.
- At the western boundary of the reserve until 2 pm on 22 September.

Vehicle and pedestrian access requirements

Development should provide vehicular access from rear lanes or from side streets in the preferred locations in the Access and Movement Map 2 of this schedule except in locations identified as "Left in - Left Out Access Permitted".

Development identified as "Left in - Left Out Access Permitted" in the Access and Movement Map 2 must limit the width of vehicle crossovers and incorporate 'Left in' and 'Left out' only vehicle access.

Development with redundant vehicle access points to Swan Street and Burnley Street should reinstate the kerb, linemarked parking bays, and relocate any parking signs.

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.

Pedestrian access to buildings, including upper level apartments, should be from a street or a shared zone shown on the Access and Movement Map 2 of this schedule. Where pedestrian access can only be provided from a laneway at the rear of buildings the pedestrian entrance should be setback from the rear laneway and well-lit to enable safe access.

Development of 500 to 506 Swan Street, as shown in Map 2, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 6m in total.

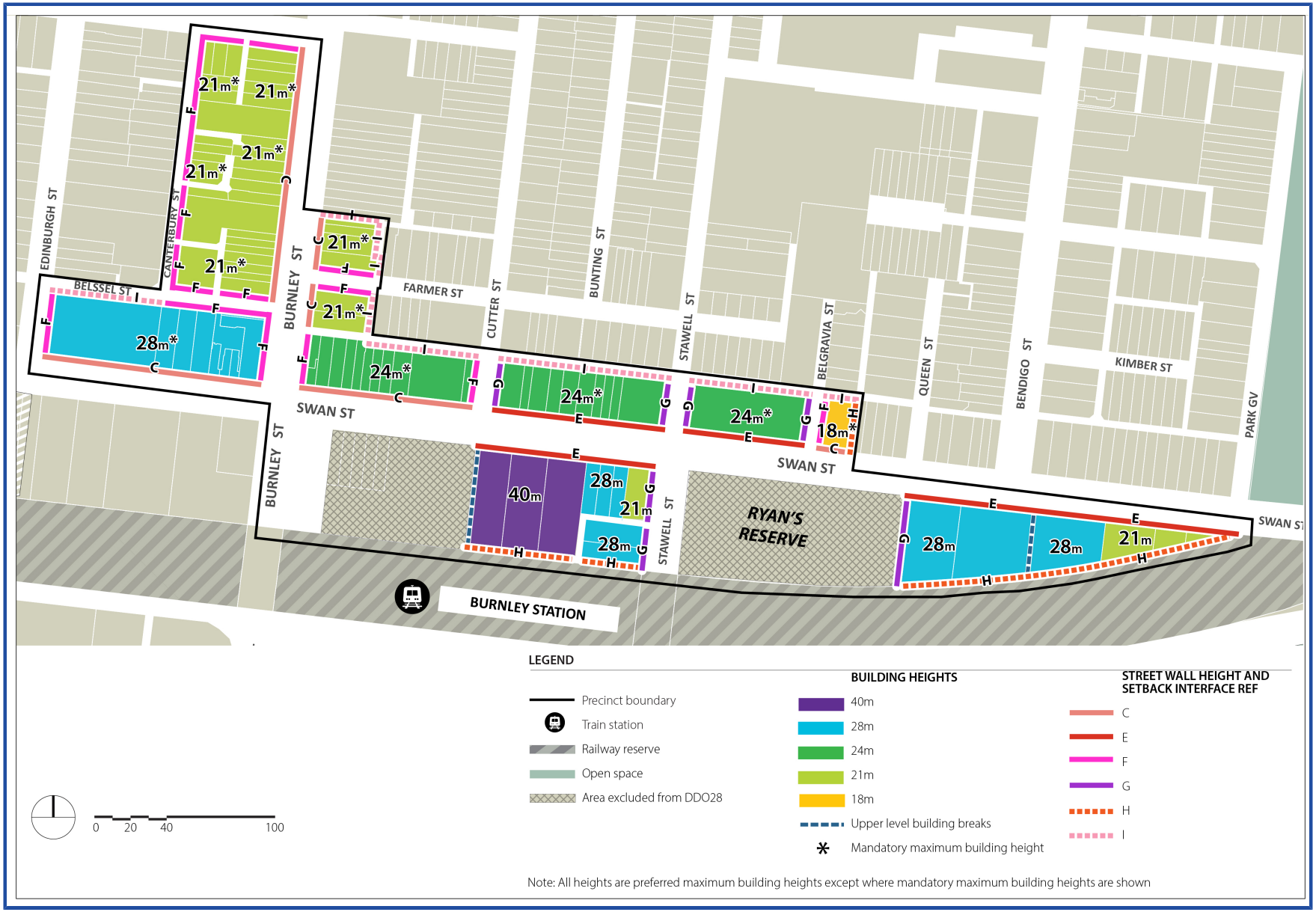
Development of 130 to 136 Stawell Street, as shown in Map 2, should include a rear setback, at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback and laneway should be a minimum width of 3m in total.

Table 1 – Street Wall Heights and Setbacks for Precinct 4

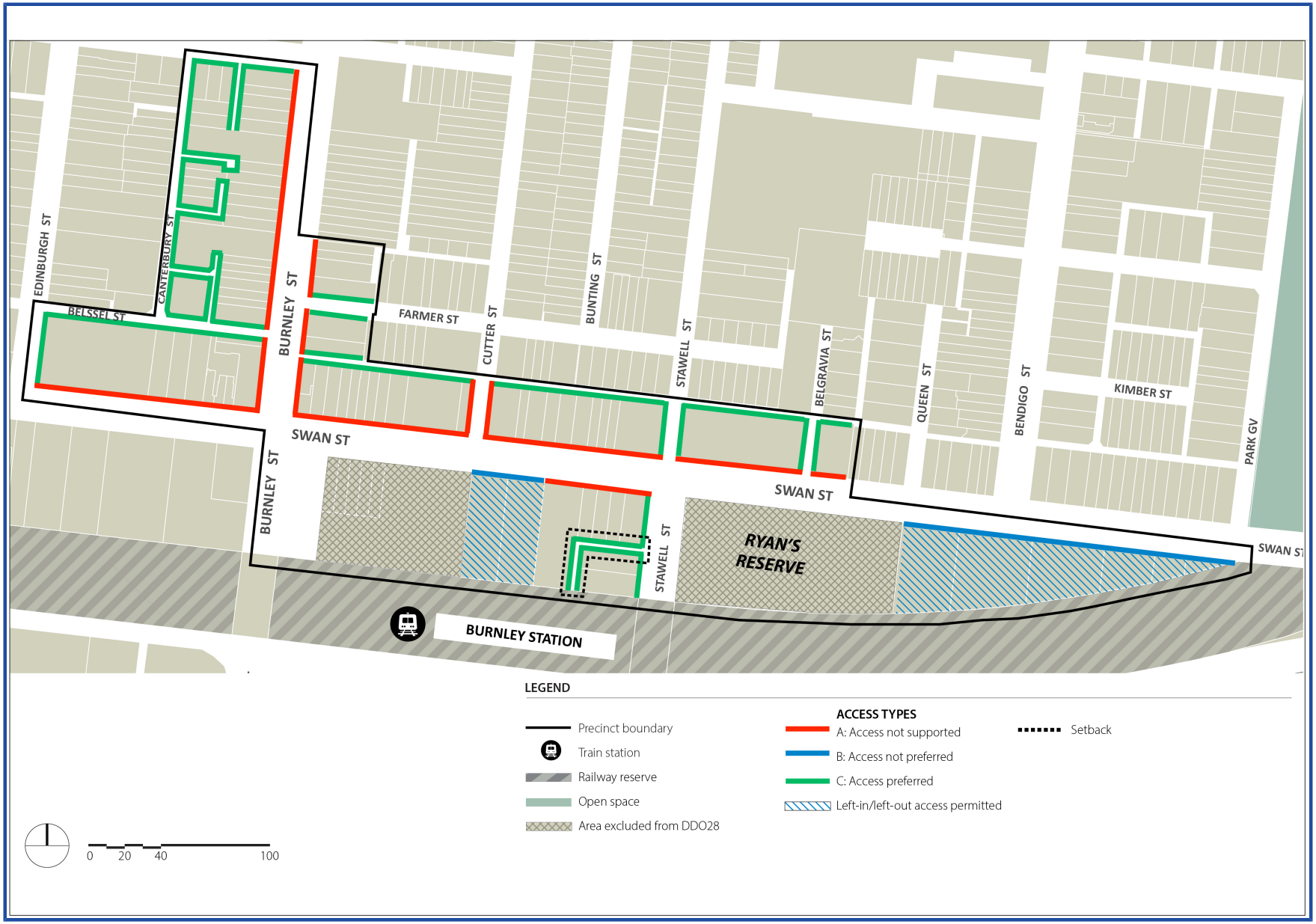
Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
C	Street wall height		11m maximum.

Interface Ref	Design Element	Mandatory Requirements	Preferred Requirements
			8m minimum. Match the parapet height of the taller adjoining heritage building, for a minimum length of 6m from the heritage building.
	Street wall setback	0m.	
	Upper level setback	10m minimum from Swan Street setback for land affected by HO286 (365 Swan Street). Minimum 6m for other heritage buildings.	Minimum 6m elsewhere.
E	Street wall height		14m maximum.
	Street wall setback		0m.
	Upper level setback		6m minimum.
F	Street wall height		11m maximum.
	Street wall setback		0m.
	Upper level setback		6m minimum for heritage buildings. 3m minimum elsewhere.
G	Street wall height		14m maximum.
	Street wall setback		0m.
	Upper level setback		3m minimum.
H	Street wall height		N/A.
	Street wall setback		0m minimum unless setback is identified on the Map 2.
	Upper level setback		0m.
I	Side and rear wall height		8m maximum on a common boundary with a property in a residential zone. 11m maximum if boundary abuts a laneway.
	Side and rear setback		Development should be setback in accordance with Figure 1 and Figure 2. Development should minimise stepped form.

Map 1 to Schedule 28 to Clause 43.02: Height and Interface Plan – Precinct 4 Burnley Station



Map 2 to Schedule 28 to Clause 43.02: Access and Movement Plan– Precinct 4 Burnley Station



3.0 Subdivision

10/02/2022
C191yara

None specified.

4.0 Signs

10/02/2022
C191yara

None specified.

5.0 Application requirements

10/02/2022
C191yara

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 desktop wind effects assessment for the proposed development when the building height is 15m or higher from natural ground level.

6.0 Decision guidelines

10/02/2022
C191yara

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 Design Requirements in Clause 2.3 are met.
- Whether design excellence is achieved (in terms of building siting, scale, massing, articulation and materials).
- The design of the streetscape interface and its contribution to an active street environment.
- Whether the proposal contributes to and improves the pedestrian connectivity and amenity of the public realm.
- The shadowing impacts of the development on footpaths and public spaces.
- The wind effects created by the development.
- The separation between buildings at upper levels when viewed from the opposite side of Swan Street and from local streets.
- The prominence of the heritage street wall in the vistas along Swan Street, Burnley Street, and local streets.
- Whether heritage buildings on street corners retain their prominence when viewed on both streets.
- Whether heritage buildings retain their three-dimensional form as viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not overwhelm the heritage buildings.
- The impact of development on the operation of the tram routes along Swan Street.

Figure 1 to Schedule 28 to Clause 43.02 – Interface with an existing laneway

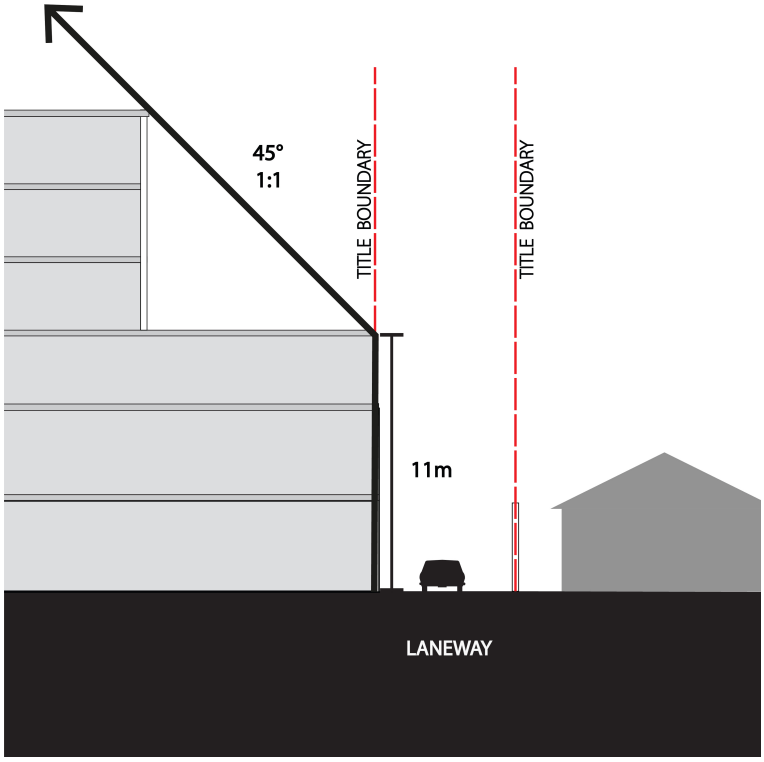
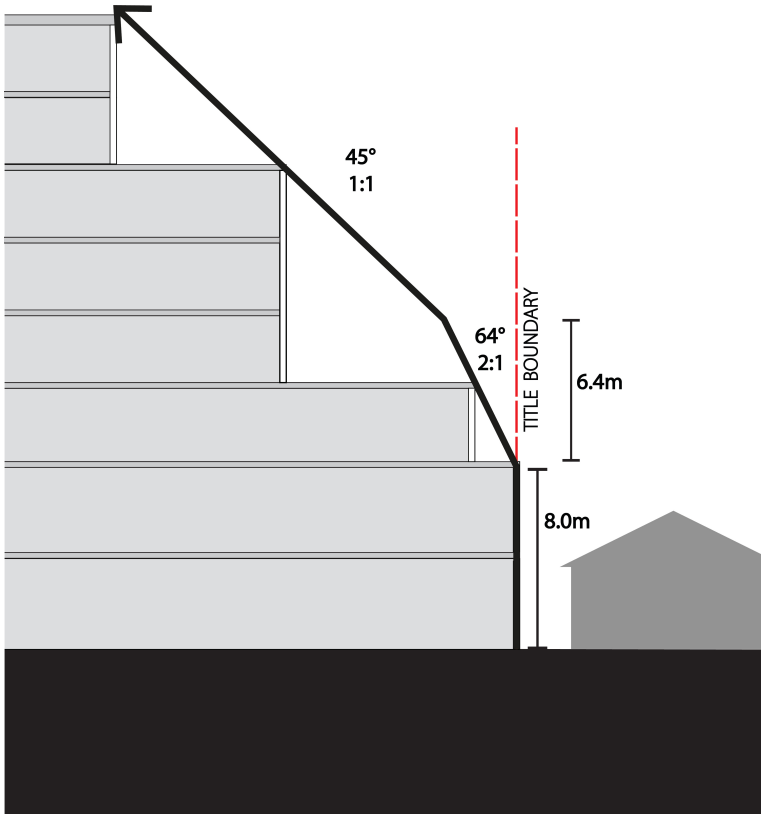


Figure 2 to Schedule 28 to Clause 43.02 – Interface direct abuttal



25/09/2025
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SCHEDULE 51 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO51**

CREMORNE ENTERPRISE PRECINCT – CREMORNE WEST

1.0 Design objectives

25/09/2025
C317yara

To create a thriving enterprise precinct which delivers high quality, innovative and environmentally sustainable development to support commercial and employment opportunities.

To support mid-rise built form with taller built form on Cremorne Street and the northern portion of Stephenson Street, transitioning to a lower built form on narrow streets and interfaces with adjoining low rise residential areas.

To reinforce the fine grain industrial character of the precinct through a mix of well-designed new buildings and protection and adaptation of heritage and character buildings.

To ensure development enhances the public realm and contributes to a network of pedestrian orientated streets through street activation, human scale development, sunlight access to Cremorne Street and Balmain Street and open spaces, comfortable wind conditions, and street setbacks at ground level.

To ensure development responds to interfaces with residential precincts to minimise amenity impacts such as visual bulk, overlooking and overshadowing through appropriate scaling and transition of built form.

2.0 Buildings and works

~~25/09/2025~~ ~~--/--/----~~
~~C317yara~~Proposed C334yara

A permit is required to construct a building or construct or carry out works, except for:

- Rear ~~ground floor extensions~~alterations, extensions or outbuildings no higher than 4 metres above natural ground level.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- Construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1 Definitions

Additional shadow means any shadow cast beyond any shadow cast by existing buildings or works, but not a shadow cast by incidental elements such as canopies, kiosks, artworks, screens or trees.

Boundary wall means the wall of a building at the property boundary at the side and rear that is not a street.

Character buildings means buildings that contribute to Cremorne's visual character but are not protected under the Heritage Overlay and may include pubs, factories, warehouses and offices. Character buildings:

- Are architecturally distinct.
- Demonstrate a link to the industrial and commercial history of the area.
- Have a three dimensional form of the building visible from the public domain.
- Contain interesting detailing and provide visual interest at the street level; and/or
- Have large window openings with potential for a positive interface with the public domain.

Green roof means a vegetative landscape grown in a substrate installed on top of a roof surface for the purpose of growing vegetation. Green roofs are almost all vegetation with no trafficable areas and access for garden maintenance purposes only.

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

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 or near the street boundary, or, if the existing heritage building is setback 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 setback 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.

2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

2.3 Building height requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height as shown in Plan 1 and Table 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- The building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule.
- The development achieves design excellence through each of the following:
  - Greater building separation than the minimum requirement in this schedule.
  - Provide safe and generous ground level setbacks and publicly accessible spaces to enhance the public realm and accommodate building entrances, spaces for outdoor dining, landscaping or street level bicycle parking.
  - No additional overshadowing of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height.
  - Where a site contains a character building it should be retained and incorporated within the design of a future building.

Architectural features may exceed the preferred height.

Service equipment and/or structures including balustrades, 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 preferred height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by equipment or structures (other than solar panels and green roofs).
- The equipment and/or structures do not cause additional overshadowing on 22 September of secluded private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm.
- The equipment or structures do not extend higher than 3.6 metres above the maximum building height.

2.4 Street wall height and setback requirements

A permit should not be granted to construct a building or construct or carry out works which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following requirements are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule.
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street walls should:

- Be designed to reinforce a pedestrian scale along streets and laneways.
- Include architectural detailing such as high quality tactile materials and depth and articulation to provide visual interest to pedestrians.

The street wall height of development adjoining a heritage building should not exceed the street wall height of the adjoining heritage building for a minimum length of 6 metres, unless specified elsewhere this schedule.

Development should:

- Provide chamfered building corners at intersections to create additional public space at points of pedestrian congestion, where appropriate.
- Expand the public realm through inset building entrances and integrated seating with foot clearance, where appropriate.

Where the Heritage Overlay does not apply, development should provide ground level setbacks to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bicycle parking or landscaping.

Where an adjacent site has provided a ground level setback, development should provide a similar setback to achieve consistency along a street frontage.

2.5 Upper level setback requirements

Development should:

- Provide upper level setbacks above the street wall to reduce the visual impact of buildings experienced from the street.
- Ensure upper levels do not overwhelm narrow streets, laneways and right of ways.
- Incorporate architectural expression at upper levels distinct from but complementary to the street wall.
- Contain upper level setbacks above the street wall within a maximum of two steps to minimise repetitive stepping of the built form.
- Be setback from heritage buildings to ensure their visual prominence is maintained when viewed directly or obliquely along the street.
- Be setback to ensure architectural features of heritage buildings are visible.

2.6 Cremorne West precinct heights, setbacks and interface plan

Plan 1 - Building height, setback and interface plan (Cremorne West Precinct)

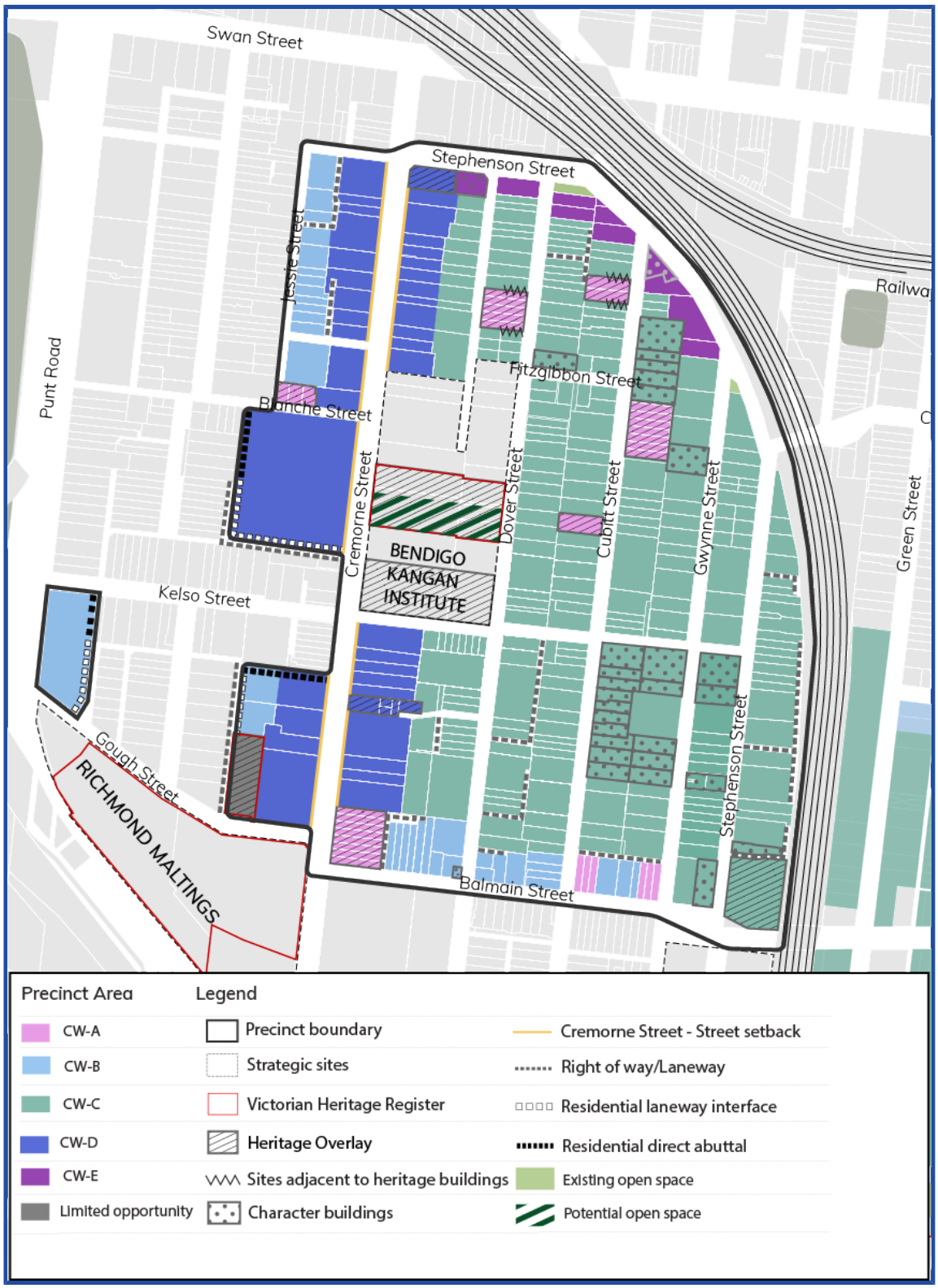


Table 1 - Building height and setback requirements (Cremorne West Precinct)

Built Form	Preferred Requirement	Mandatory Requirement
Area CW-A		
Maximum building height	12m	None specified

Built Form	Preferred Requirement	Mandatory Requirement
Minimum and maximum street wall setback	Retain existing heritage building setbacks	None specified
Maximum street wall height	137-157 Cremorne Street, 16-18 Cubitt Street, 58-60 Cubitt Street and 30-38 Dover Street – Retain existing street wall height Elsewhere - None specified.	None specified
Minimum upper level setback (measured from the property boundary)	137-157 Cremorne Street - Retain heritage fabric to 14m 16-18 Cubitt Street - Retain heritage fabric to 12m 21-33 Cubitt Street – Retain heritage fabric to 10m 58-60 Cubitt Street - Retain heritage fabric to 14m 30-38 Dover Street - Retain heritage fabric to 16m Elsewhere - None specified.	None specified
Maximum boundary wall height	None specified	None specified
Area CW-B		
Maximum building height	20m	None specified
Minimum and maximum street wall setback	None specified	None specified
Maximum street wall height	12m	None specified
Minimum upper level setback	Balmain Street and Jessie Street - 5m Elsewhere - 3m	None specified
Maximum boundary wall height	20m	None specified
Area CW-C		
Maximum building height	28m	None specified
Maximum and minimum street wall setback	12 and 20 Cubitt Street - Match the front setback of heritage buildings for a minimum of 6 metres measured from the common property boundary Elsewhere - None specified	None specified
Maximum street wall height	12m	None specified
Minimum upper level setback	105-115 Dover Street and 117-129 Dover Street - 11m	None specified

Built Form	Preferred Requirement	Mandatory Requirement
	112 Stephenson Street and 49-51 Balmain Street - 15m from Balmain Street Elsewhere - 3m	
Minimum side setback	28 Dover Street and 44 Dover Street - 2.5 metres from side boundaries above 12m for a depth of 16m to protect views to chimneys at 30-38 Dover Street 20 Cubitt Street and 12 Cubitt Street - 2.5 metres from side boundaries above 12m for a depth of 12m to protect views to double gables at 16-18 Cubitt Street Elsewhere - None specified	None specified
Maximum boundary wall height	20m	None specified
Area CW-D		
Maximum building height	32m	None specified
Minimum street wall setback	Western side of Cremorne Street - 3m whole building setback Eastern side of Cremorne Street except for 9-11 and 119 Cremorne Street - 1.5m ground floor setback 9-11 Cremorne Street - 0m 119 Cremorne Street - 0m	None specified
Maximum street wall height	9-11 Cremorne Street - Retain heritage street wall 119 Cremorne Street - Retain existing heritage street wall Elsewhere - 16m	None specified
Minimum upper level setback (measured from the property boundary)	119 Cremorne Street – 12m with the two uppermost levels setback a further 3m to retain the entire heritage building including all chimneys and roof form Elsewhere - 5m	None specified
Maximum boundary wall height	24m	None specified
Area CW-E		
Maximum building height	36m	None specified
Maximum and minimum street wall setback	None specified	None specified

Built Form	Preferred Requirement	Mandatory Requirement
Maximum street wall height	16m	None specified
Minimum upper level setback	3m	None specified
Maximum boundary wall height	24m	None specified

2.7 Building separation requirements

Development above the street wall should be appropriately spaced and sited to minimise visual bulk and provide an outlook, good daylight, sunlight penetration and views to the sky.

Development above the boundary wall height for sites with a frontage of less than 20 metres should be setback as shown in Table 2 and may be built to the boundary, limited to one side of the site.

For sites with a frontage of 20 metres or more, upper level development on common side and rear boundaries should be setback above the boundary wall height as shown in Table 2.

Where a site adjoins an existing blank boundary wall, development may be constructed on the boundary to the height of that existing wall.

Where development is proposed on the boundary above the boundary wall height, it should:

- Be well articulated if visible from the street.
- Not be constructed along the entire length of the boundary.
- Not result in a continuous wall of buildings when viewed from the street.

Development with multiple buildings on a site should be setback at upper levels above the boundary wall height as shown in Table 2.

Where the common boundary is a right of way or laneway as shown on Plan 1, the setback is to be measured from the centre of the laneway.

Table 2 - Building separation distances

Overall building height	Minimum setback from common property boundary or laneway centreline	Minimum separation between buildings where there are multiple buildings on a site
1-3 levels above boundary wall height	3m	6m
4 or more levels above boundary wall height	4.5m	9m

2.8 Overshadowing requirements

A permit should not be granted to construct a building or construct or carry out works which casts any additional overshadowing of the following spaces between 10am and 2pm on 22 September for a minimum of 3 hours:

- Any part of the opposite footpath of Cremorne Street, measured from the property boundary to the existing kerb (including any kerb outstands, seating or planting).

A permit should not be granted to construct a building or construct or carry out works which casts any additional overshadowing of the following spaces between 10am and 2pm on 22 September:

- Southern footpath and front gardens of the properties on the south side of Balmain Street between Cremorne Street and Gwynne Street.
- The northern and southern portions of the Balmain Street Plaza (defined as the area within the bollards).

Development should ensure there is no additional overshadowing of existing public spaces between 10am and 2pm on 22 September as identified on Plan 1.

Where new public open space is identified on Plan 1, adjoining development should consider whether building height and massing minimises additional overshadowing to any potential public open space.

2.9 Interface to properties in Neighbourhood Residential Zone or General Residential Zone Requirements

Development should protect the amenity of residentially zoned properties in terms of visual bulk, overshadowing of private open space and overlooking.

Development with an interface to a residential zone should not exceed the maximum building height and setback requirements set out in Plan 1, Table 3, Figures 1 and 2.

Development should provide a maximum of two steps in building form to minimise excessively stepped building design outcomes.

Table 3 - Residential interface heights, ground and upper level setbacks

Interface	Maximum interface wall height	Minimum interface wall setback	Minimum upper level setback
Direct Abuttal	8m	3m from property boundary	Upper level setback of 45 degrees above the interface wall height, for up to a minimum distance of 12m from the interface wall.
Laneway Interface	8m	0m from property boundary	Upper level setback of 45 degrees above the interface wall height, for up to a minimum distance of 12m from the interface wall.

Figure 1 - Residential interface (Direct abuttal)

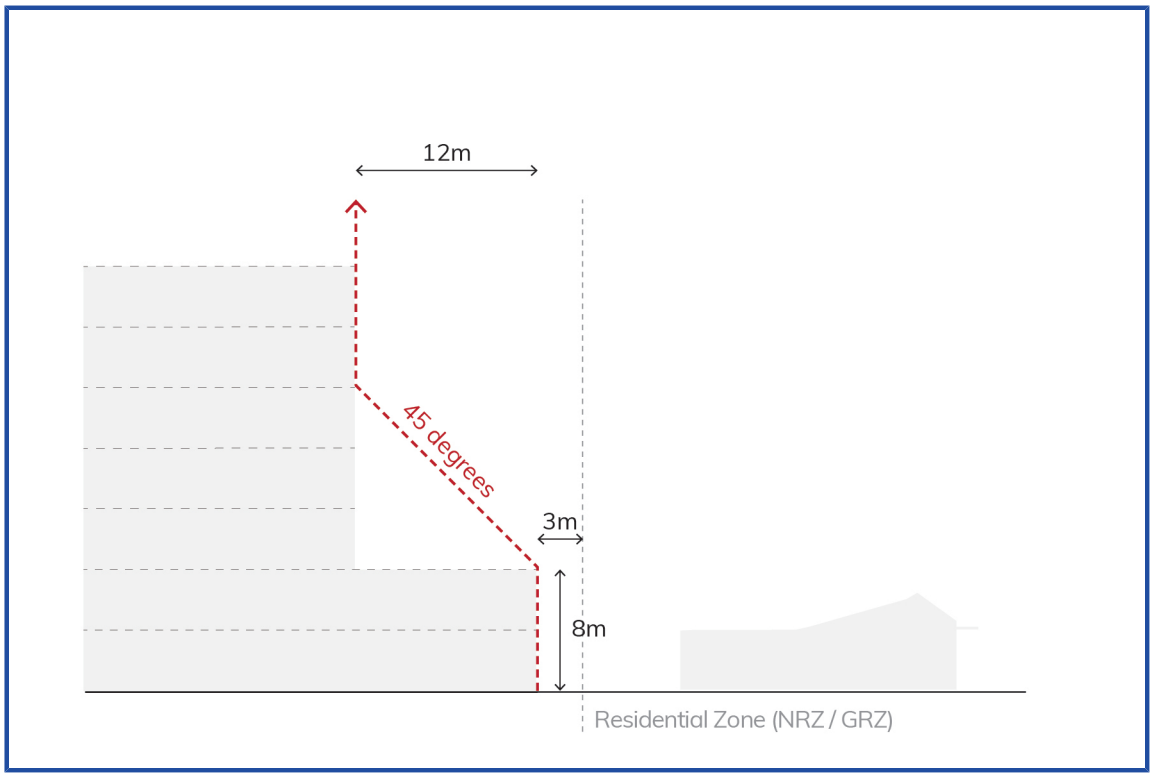
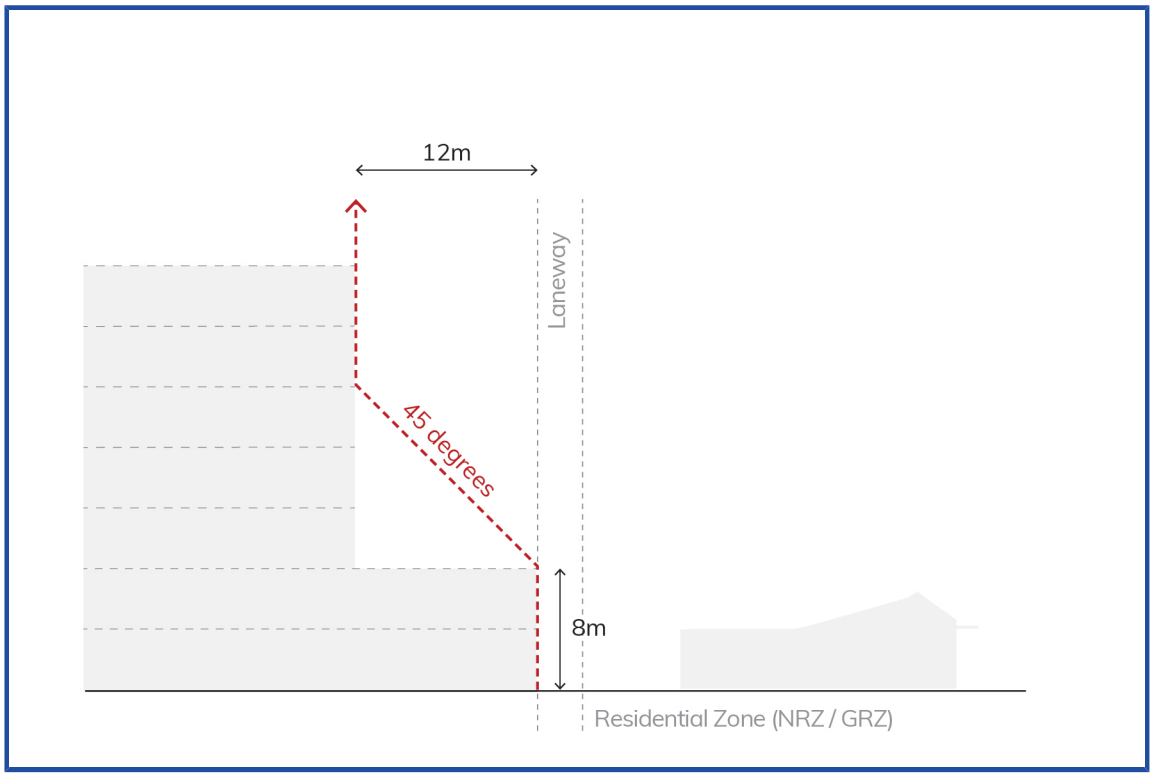


Figure 2 - Residential interface (Laneway interface)



2.10 Character buildings requirements

Development should facilitate adaptive reuse of character buildings as set out in this schedule and identified on Plan 1:

- 17 Balmain Street
- 1 Cubitt Street
- 11-19 Cubitt Street

- 64 Cubitt Street
- 79, 81, 83, 85, 87, 89, 91, 93 and 95 Cubitt Street
- 47 Dover Street
- 65 and 67 Dover Street
- 10-12 Gwynne Street
- 54 Gwynne Street
- 64, 66 and 68 Gwynne Street
- 42 Kelso Street
- 48 Kelso Street
- 2-4 Stephenson Street
- 79 Stephenson Street
- 84 Stephenson Street
- 112 Stephenson Street

Development should retain a character building (or a substantial part), when visible from the street.

Development should incorporate materials that complement the existing character building.

2.11 Building design and requirements

Development should:

- Achieve urban design and architectural excellence.
- Reinforce the industrial character of the precinct through robust and durable materials which reference industrial typologies.
- Discourage facade treatment which creates unacceptable glare to the public realm and neighbouring properties.
- Be designed as separate forms on a wide street frontage with smaller vertical sections or distinct elements to provide breaks and modulation in the street.
- Provide a high level of design detail at the ground floor and lower levels.
- Provide well-designed entrance spaces to create a transition between the public and private realm and encourage activity to occur at the street interface.
- Activate the street at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.
- Be sensitively designed to ensure visual bulk of upper levels adjacent to heritage buildings is minimised.
- Apply high quality materials which complement the materiality of an adjacent heritage or character building.
- Incorporate well designed building edges and facades which are visible from the elevated railway line or Yarra River (Birrarung).
- Discourage continuous walls of buildings when viewed from the street by providing visual breaks, articulated massing and/or separation between building forms at street level and upper levels.
- Discourage blank walls visible from the public realm. Where a solid external wall is unavoidable, walls should be detailed and include articulation to provide visual interest.
- Be designed as a series of smaller building forms on larger sites which contribute positively to their context and historic urban grain form.

Development should provide comfortable wind conditions in the public realm and communal open space.

Building services should not be visible on primary building facades, occupy less than 40 percent of the ground floor area of the site, and be integrated into the building design.

Services should occupy a minimal proportion of any facade including the primary facade, if it is not possible to locate them elsewhere.

Development should locate sub-stations underground, where possible, and access should be provided from right of ways, laneways or located off the primary street.

Development should ensure floor to ceiling heights are appropriate to support a range of uses over time.

Development should enable subdivision of floorplates into smaller tenancies over time.

Car parking should be designed to enable adaptation to other uses over time, especially parking on the ground level and above.

Development should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where it does not impact on the significance of a heritage place.

Development should maximise access to daylight through windows, lightwells, shallow floorplates, adequate floor to ceiling heights and building separation.

Development should achieve high quality internal amenity within the development.

Development should provide access to balconies, terraces and courtyards to enhance amenity for building occupants.

Development should provide opportunities for greening, especially at the lower levels of the building.

Development should minimise the impact of development on solar access to adjacent solar panels, where possible.

2.12 Views to landmarks requirements

A permit should not be granted to construct a building or construct or carry out works which encroaches views to the Nylex Sign, when viewed from centre of the eastern footpath of the Morell Bridge.

Development should provide adequate setbacks and building separation to maintain clear sky between the identified architectural elements of the landmark and the development.

2.13 Vehicle access and laneways requirements

Vehicle access should be achieved from a right of way, laneway or side street (in that order of preference).

Where access is required from a street, right of way or laneway of 6 metres or less, include a setback at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1 metres (including the existing laneway). Between ground level and first floor, a headroom clearance of 4 metres minimum should be achieved.

Where a property extends the full length of the laneway or street, development should provide additional ground floor setbacks to increase the width of existing laneways and streets to a minimum of 6.1 metres for the whole frontage of the site to the laneway.

Car parking should be located within a basement or concealed from the public realm (in that order of preference).

Separate entries for car parking and loading bays is discouraged.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to retain the continuity of the public realm by:

- Ensuring a high standard of pedestrian amenity.
- Limiting potential conflict between vehicle movements and pedestrian activity.
- Avoiding wide crossover points.
- Ensuring adequate spacing between crossovers.

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

At the intersection of laneways and footpaths, development (except for heritage buildings) should provide a minimum 1 x 1 metre splay to facilitate pedestrian sightlines.

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

2.14 Pedestrian and bicycle design requirements

Development should ensure pedestrian entrances are clearly visible, secure and have an identifiable sense of address.

Development should provide well-designed bicycle infrastructure and end-of-trip facilities.

Visitor and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

2.15 Exemption from notice and review

An application to construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

3.0 Subdivision

25/09/2025
C317yara

None specified.

4.0 Signs

25/09/2025
C317yara

None specified.

5.0 Application requirements

25/09/2025
C317yara

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:

- Site analysis and urban design context report which demonstrates how the development achieves the design objectives and requirements of this schedule.
- A wind study analysis for development greater than 15 metres in building height to assess the wind impact on:
  - The safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
  - The safety and effects on cyclists travelling along bicycle routes adjacent to the development.
- Where a character building is proposed to be retained (in full or part):

- A retention and refurbishment plan, detailing the building fabric to be retained and/or refurbished.

- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that:
  - Demonstrates how the development minimises impact on the level of service, safety and amenity of the arterial road network (including tram services).
  - Demonstrates how the development reduces car dependence and promotes sustainable transport modes.
  - Includes an assessment of the impacts of traffic and parking in the precinct including an assessment of the ongoing functionality of a laneway/s or right of way/s, where applicable.

6.0 Decision guidelines

25/09/2025
C317yara

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 development achieves adaptable and practicable floor plan layouts for different uses.
- Whether development provides a high quality public realm interface which activates the street edge and demonstrates a well-designed street interface.
- Whether the design of the development reflects the industrial character of the precinct.
- Whether development supports adaptive re-use of character buildings.
- Whether development is designed to sensitively respond to local and state significant heritage places.
- Whether the design considers glare impacts on the safety of pedestrians and vehicles.
- Whether heritage buildings retain their prominence when viewed from the public realm, including from the opposite side of the street.
- Whether the street wall height and building height respond to the width and character of the street.
- Whether an awning, verandah or overhang impacts street tree planting in the public realm.
- Whether development achieves design excellence including but not limited to building siting, scale, massing, articulation and materials.

Expiry

The requirements of this schedule cease to have effect after 29 January 2027.

25/09/2025
C317yara

SCHEDULE 52 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO52**.

CREMORNE ENTERPRISE PRECINCT – RAILWAY PRECINCT

1.0 Design objectives

25/09/2025
C317yara

To ensure the employment precinct delivers high quality, innovative and environmentally sustainable development fronting green links and walking and cycling connections on Green, Chestnut and Balmain Streets.

To support mid-rise built form which transitions downwards in scale to a lower built form to the north at the interface with the adjoining low rise residential area.

To reinforce the fine grain industrial character of the precinct through a mix of well-designed new buildings which focusses on the cluster of heritage buildings at the Green and Balmain Streets intersection.

To ensure development enhances the public realm and contributes to a network of pedestrian orientated streets through street activation, human scale development, sunlight access to Balmain Street and open spaces, comfortable wind conditions, and street setbacks at ground level.

To ensure development sensitively responds to the Green Street residential precinct interfaces through a suitable transition downwards in scale and form and minimises amenity impacts through visual bulk, overlooking and overshadowing.

2.0 Buildings and works

~~25/09/2025~~ ~~--/--/----~~
~~C317yara~~Proposed C334yara

A permit is required to construct a building or construct or carry out works, except for:

- Rear ~~ground floor extensions~~alterations, extensions or outbuildings no higher than 4 metres above natural ground level.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- Construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

~~Construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.~~

2.1 Definitions

Additional shadow means any shadow cast beyond any shadow cast by existing buildings or works, but not a shadow cast by incidental elements such as canopies, kiosks, artworks, screens or trees.

Boundary wall means the wall of a building at the property boundary at the side and rear that is not a street.

Green roof means a vegetative landscape grown in a substrate installed on top of a roof surface for the purpose of growing vegetation. Green roofs are almost all vegetation with no trafficable areas and access for garden maintenance purposes only.

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

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 or near 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 setback 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.

2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

2.3 Building height requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height as shown in Plan 1 and Table 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- The building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule.
- The development achieves design excellence through each of the following:
  - Greater building separation than the minimum requirement in this schedule.
  - Provide safe and generous ground level setbacks and publicly accessible spaces to enhance the public realm and accommodate building entrances, spaces for outdoor dining, landscaping or street level bicycle parking.
  - No additional overshadowing of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height.

Architectural features may exceed the preferred height.

Service equipment and/or structures including balustrades, 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 preferred height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by equipment or structures (other than solar panels and green roofs).
- The equipment or structures do not cause additional overshadowing on 22 September of secluded private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm.
- The equipment or structures do not extend higher than 3.6 metres above the maximum building height.

2.4 Street wall height and setback requirements

A permit should not be granted to construct a building or construct or carry out works which exceed the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule.
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street walls should:

- Be designed to reinforce a pedestrian scale along streets and laneways.
- Include architectural detailing such as high quality tactile materials and depth and articulation to provide visual interest to pedestrians.

The street wall height of development adjoining a heritage building should not exceed the street wall height of the adjoining heritage building for a minimum length of 6 metres, unless specified elsewhere this schedule.

Development should:

- Provide chamfered building corners at intersections to create additional public space at points of pedestrian congestion, where appropriate.
- Expand the public realm through inset building entrances and integrated seating with foot clearance, where appropriate.

Where the Heritage Overlay does not apply, development should provide ground level setbacks to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bicycle parking or landscaping.

Where an adjacent site has provided a ground level setback, development should provide a similar setback to achieve consistency along a street frontage.

2.5 Upper level setback requirements

Development should:

- Provide upper level setbacks above the street wall to reduce the visual impact of buildings experienced from the street.
- Incorporate architectural expression at upper levels distinct from but complementary to the street wall.
- Contain upper level setbacks above the street wall within a maximum of two steps to minimise repetitive stepping of the built form.
- Be setback from heritage buildings to ensure their visual prominence is maintained when viewed directly or obliquely along the street.
- Be setback to ensure architectural features of heritage buildings are visible.

2.6 Railway precinct heights, setback, and interface plan

Plan 1 - Building height, setback and interface plan (Railway Precinct)

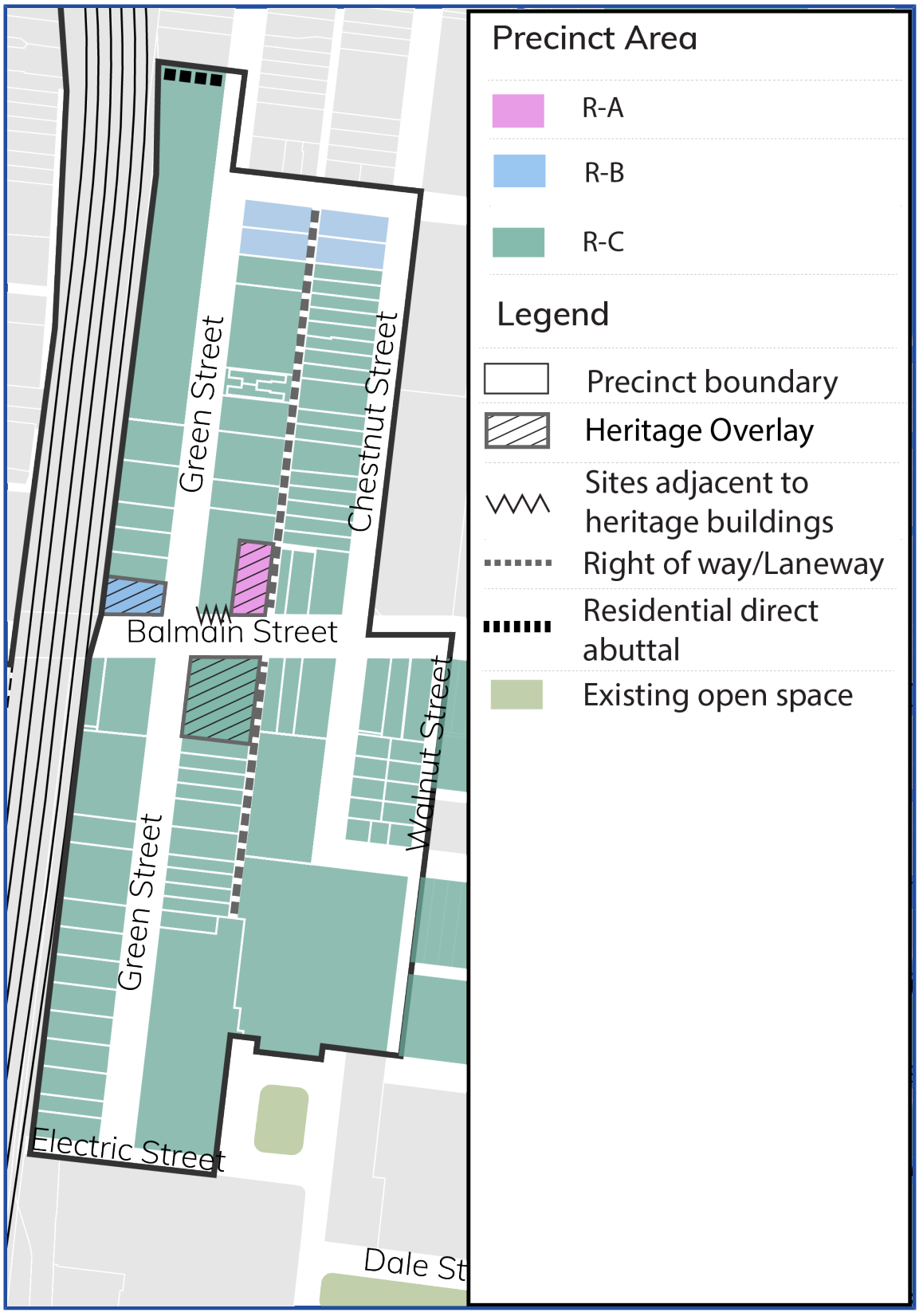


Table 1 - Building height and setback requirements (Railway Precinct)

Built Form	Preferred Requirement	Mandatory Requirement
Area R-A		

Built Form	Preferred Requirement	Mandatory Requirement
Maximum building height	12m	None specified
Maximum and minimum street wall setback	Retain existing front setback	None specified
Maximum street wall height	Retain heritage facade	None specified
Minimum upper level setback	10m measured from front property boundary	None specified
Maximum boundary wall height	None specified	None specified
Area R-B		
Maximum building height	20m	None specified
Maximum and minimum street wall setback	69 Balmain Street - Retain existing street setback Elsewhere - None specified	None specified
Maximum street wall height	69 Balmain Street - Retain heritage street wall. Infill development match the parapet wall height of heritage building. Elsewhere - 12m	None specified
Minimum upper level setback	69 Balmain Street - 10m from Balmain and Green Street frontage for the heritage building and 3m for infill development on Balmain Street Elsewhere - 3m	None specified
Maximum boundary wall height	20m	None specified
Area R-C		
Maximum building height	28m	None specified
Maximum and minimum street wall setback	80-82 Balmain Street - Retain existing heritage setback Elsewhere - None specified	None specified
Maximum street wall height	80-82 Balmain Street - Retain heritage street wall Elsewhere - 12m	None specified
Minimum upper level setback	80-82 Balmain Street - Green Street frontage – 7m; Balmain Street frontage – 5m Elsewhere - 3m	None specified
Maximum boundary wall height	20m	None specified

2.7 Building separation requirements

Development above the street wall should be appropriately spaced and sited to minimise visual bulk and provide an outlook, good daylight, sunlight penetration and views to the sky.

Development above the boundary wall height for a site with a frontage of less than 20 metres should be setback as shown in Table 2 and may be built to the boundary, limited to one side of the site.

For sites with a frontage of 20m or more, upper level development on common side and rear boundaries should be setback above the boundary wall height as shown in Table 2.

Where a site adjoins an existing blank boundary wall, development may be constructed on the boundary to the height of that existing wall.

Where development is proposed on the boundary above the boundary wall height, it should:

- Be well articulated if visible from the street.
- Not constructed along the entire length of the boundary.
- Not result in a continuous wall of buildings when viewed from the street.

Development with multiple buildings on a site should be setback at upper levels above the boundary wall height as shown in Table 2.

Where the common boundary is a right of way or laneway as shown on Plan 1, the setback is to be measured from the centre of the laneway.

Table 2 - Building separation distance requirements

Overall building height	Minimum setback from common property boundary or laneway centreline	Minimum separation between buildings where there are multiple buildings on a site
1-3 levels above boundary wall height	3m	6m
4 or more levels above boundary wall height	4.5m	9m

2.8 Overshadowing requirements

A permit should not be granted to construct a building or construct or carry out works which casts any additional overshadowing of the following spaces between 10am and 2pm on 22 September:

- Southern footpath of Balmain Street, east of the railway underpass, measured from the property boundary to the existing kerb (including any kerb outstands, seating or planting).

Development should ensure there is no additional overshadowing of existing public spaces between 10am and 2pm on 22 September as identified on Plan 1.

2.9 Interface to properties in Neighbourhood Residential Zone or General Residential Zone requirements

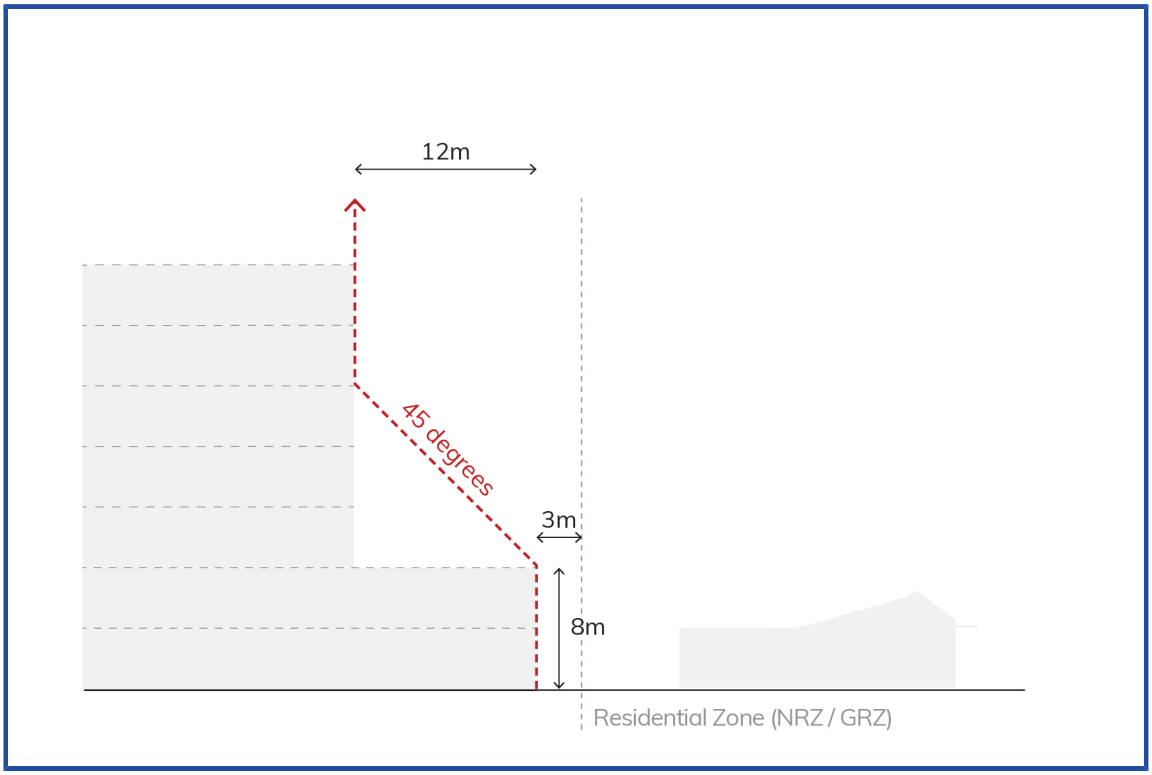
Development should protect the amenity of residentially zoned properties including visual bulk, overshadowing of private open space and overlooking.

Development with an interface to a residential zone should not exceed the maximum building height and setback requirements set out in Plan 1, Table 3 and Figure 1.

Development should provide a maximum of two steps in building form to minimise excessively stepped building design outcomes.

Interface	Maximum interface wall height	Minimum interface wall Setback	Minimum upper level setback
Direct abuttal	3m	3m from property boundary	Upper level setback of 45 degrees above the interface wall height, for up to a minimum distance of 12m from the interface wall.

Figure 1 - Residential interface (Direct abuttal)



2.10 Building design requirements

Development should:

- Achieve urban design and architectural excellence.
- Reinforce the industrial character of the precinct through robust and durable materials which reference industrial typologies.
- Discourage facade treatment which create unacceptable glare to the public realm and neighbouring properties.
- Be designed as separate forms on a wide street frontage with smaller vertical sections or distinct elements to provide breaks and modulation in the street.
- Provide a high level of design detail at the ground floor and lower levels.
- Provide well-designed entrance spaces to create a transition between the public and private realm and encourage activity to occur at the street interface.
- Activate the street at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.
- Be sensitively designed to ensure visual bulk of upper levels adjacent to heritage buildings is minimised.
- Apply high quality materials which complement the materiality of an adjacent heritage building.

- Incorporate well designed building edges and facades which are visible from the elevated railway line.
- Discourage continuous walls of buildings when viewed from the street by providing visual breaks, articulated massing and/or separation between building forms at street level and upper levels.
- Discourage blank walls visible from the public realm. Where a solid external wall is unavoidable, walls should be detailed and include articulation to provide visual interest.
- Be designed as a series of smaller building forms on larger sites which contribute positively to their context and historic urban grain form.

Development should provide comfortable wind conditions in the public realm and communal open space.

Building services should not be visible on primary building facades, occupy less than 40 percent of the ground floor area of the site, and be integrated into the building design.

Services should occupy a minimal proportion of any facade including the primary facade, if it is not possible to locate them elsewhere.

Development should locate sub-stations underground, where possible, and access should be provided from right of ways, laneways or located off the primary street.

Development should ensure floor to ceiling heights are appropriate to support a range of uses over time.

Development should enable subdivision of floorplates into smaller tenancies over time.

Car parking should be designed to enable adaptation to other uses over time, especially parking on the ground level and above.

Development should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where it does not impact the significance of a heritage place.

Development should maximise access to daylight through windows, lightwells, shallow floorplates, adequate floor to ceiling heights and building separation.

Development should achieve high quality internal amenity within the development.

Development should provide access to balconies, terraces and courtyards to enhance amenity for building occupants.

Development should provide opportunities for greening, especially at the lower levels of the building.

Development should minimise the impact of development on solar access to adjacent solar panels, where possible.

2.10 Vehicle access and laneways requirements

Vehicle access should be achieved from right of ways, laneways or side streets (in that order of preference).

Where access is required from a street or laneway of 6 metres or less, include a setback at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1 metres (including the existing laneway). Between ground level and first floor, a headroom clearance of 4 metres minimum should be achieved.

Where a property extends the full length of the laneway or street, development should provide additional ground floor setbacks to increase the width of existing laneways and streets to a minimum of 6.1 metres for the whole frontage of the site to the right of way/laneway.

Car parking should be located within a basement or concealed from the public realm (in that order of preference).

Separate entries for car parking entries and loading bays is discouraged.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to retain the continuity of the public realm by:

- Ensuring a high standard of pedestrian amenity.
- Limiting potential conflict between vehicle movements and pedestrian activity.
- Avoiding wide crossover points.
- Ensuring adequate spacing between crossovers.

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

At the intersection of laneways and footpaths, development (except for heritage buildings) should provide a minimum 1 x 1 metre splay to facilitate pedestrian sightlines.

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.

2.11 Pedestrian and bicycle design requirements

Development should ensure pedestrian entrances are clearly visible, secure and have an identifiable sense of address.

Development should provide well-designed bicycle infrastructure and end-of-trip facilities.

Visitor and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

2.12 Exemption from notice and review

An application to construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

3.0 Subdivision

25/09/2025
C317yara

None specified.

4.0 Signs

25/09/2025
C317yara

None specified.

5.0 Application requirements

25/09/2025
C317yara

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:

- 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 for the proposed developments greater than 15m in height to assess the wind impact on:

  - The safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
  - 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 and safety and amenity of the arterial road network (including tram services).
  - Demonstrates how the development reduces car dependence and promotes sustainable transport modes.
  - Includes an assessment of the impacts of traffic and parking in the Precinct including an assessment of the ongoing functionality of laneway/s, where applicable.

6.0 Decision guidelines

25/09/2025
C317yara

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 development achieves adaptable and practicable floor plan layouts for different uses.
- Whether development provides a high quality public realm interface which activates the street edge and demonstrates a well-designed street interface.
- Whether the design of the development reflects the industrial character of the precinct.
- Whether development is designed to sensitively respond to local and state significant heritage places.
- Whether the design considers glare impacts on the safety of pedestrians and vehicles.
- Whether heritage buildings retain their prominence as viewed from the public realm, including from the opposite side of the street.
- Whether the street wall height and building height respond to the width and character of the street.
- Whether an awning, verandah or overhang impacts street tree planting in the public realm.
- Whether development achieves design excellence including but not limited to building siting, scale, massing, articulation and materials.

Expiry

The requirements of this schedule cease to have effect after 29 January 2027.

25/09/2025
C317yara

SCHEDULE 53 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO53**.

CREMORNE ENTERPRISE PRECINCT – CHURCH STREET PRECINCT

1.0 Design objectives

25/09/2025
C317yara

To create a thriving commercial and retail precinct which delivers high quality, innovative and environmentally sustainable development to support commercial and employment opportunities.

To support mid-rise built form with taller built form on Church Street and transitioning down in scale to a lower built form on narrow east-west side streets and adjoining low rise residential interface areas.

To reinforce the high street character and vibrancy of Church Street and fine grain industrial character of side streets through a mix of well designed new buildings and protection and adaptation of heritage and character buildings.

To ensure development enhances the public realm and contributes to a network of pedestrian orientated streets through street activation, human scale development, sunlight access to Church and Balmain Streets and open spaces, comfortable wind conditions, and street setbacks at ground level.

To ensure development responds to interfaces with residential precincts to minimise amenity impacts such as visual bulk, overlooking and overshadowing through appropriate scaling and transition in built form.

2.0 Buildings and works

~~25/09/2025~~ ~~--/--/----~~
~~C317yara~~Proposed C334yara

A permit is required to construct a building or construct or carry out works, except for:

- Rear ~~ground floor extensions~~alterations, extensions or outbuildings no higher than 4 metres above natural ground level.
- An alteration to an existing building façade provided.
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- Construction of an awning to an existing building that projects over a road, if it is authorised by the relevant public land manager.

2.1 Definitions

Additional shadow means any shadow cast beyond any shadow cast by existing buildings or works, but not a shadow cast by incidental elements such as canopies, kiosks, artworks, screens or trees.

Boundary wall means the wall of a building at the property boundary at the side and rear that is not a street.

Character buildings means buildings that contribute to Cremorne's visual character but are not protected under the Heritage Overlay and may include pubs, factories, warehouses and offices. Character buildings are:

- Are architecturally distinct.
- Demonstrate a link to the industrial and commercial history of the area.
- Have a three dimensional form of the building visible from the public domain.

- Contain interesting detailing and provide visual interest at the street level; and/or
- Have large window openings with potential for a positive interface with the public domain.

Green roof means a vegetative landscape grown in a substrate installed on top of a roof surface for the purpose of growing vegetation. Green roofs are almost all vegetation with no trafficable areas and access for garden maintenance purposes only.

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

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 or near 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 setback 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.

2.2 General design requirements

The following requirements apply to an application to construct a building or construct or carry out works.

2.3 Building height requirements

A permit should only be granted to construct a building or construct or carry out works, which exceeds the preferred building height shown in Plan 1 and Table 1 of this schedule where all the following requirements are met to the satisfaction of the responsible authority:

- The building elements permitted by the proposed variation satisfies the general design objectives in Clause 1.0 of this schedule and the relevant design requirements specified in this schedule.
- The development achieves design excellence through each of the following:
  - Greater building separation than the minimum requirement in this schedule.
  - Provide safe and generous ground level setbacks and publicly accessible spaces to enhance the public realm and accommodate building entrances, spaces for outdoor dining. landscaping or street level bicycle parking.
  - No additional overshadowing of residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height.
  - Where a site contains a character building it should be retained and incorporated within the design of a future building.

Architectural features may exceed the preferred height.

Service equipment and/or structures including balustrades, 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 preferred height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by equipment or structures (other than solar panels and green roofs).

- The equipment and/or structures do not cause additional overshadowing on 22 September of secluded private open space to residential land, opposite footpaths, kerb outstands, or planting areas in the public realm.
- The equipment or structures do not extend higher than 3.6 metres above the maximum building height.

2.4 Street wall height and setback requirements

A permit should not be granted to construct a building or construct or carry out works which exceeds the relevant preferred maximum street wall height and/or reduces the relevant preferred minimum setback requirements specified in this schedule unless the following are met, to the satisfaction of the responsible authority:

- The built form outcome that results from the proposed variation satisfies the design objectives in Clause 1.0 of this schedule.
- The built form outcome that results from the proposed variation satisfies the relevant design requirements specified in this schedule.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies, terraces and balustrades should not protrude into a setback.

Street walls should:

- Be designed to reinforce a pedestrian scale along streets and laneways.
- Include architectural detailing such as high quality tactile materials and depth and articulation to provide visual interest to pedestrians.

The street wall height of development adjoining a heritage building should not exceed the street wall height of the adjoining heritage building for a minimum length of 6 metres, unless specified elsewhere this schedule.

Development should:

- Provide chamfered building corners at intersections to create additional public space at points of pedestrian congestion, where appropriate.
- Expand the public realm through inset building entrances and integrated seating, where appropriate.

Where the Heritage Overlay does not apply, development should provide ground level setbacks to enhance the public realm and accommodate building entrances, spaces for outdoor dining, street level bicycle parking or landscaping.

Where an adjacent site has provided a ground level setback, development should provide a similar setback to achieve consistency along a street frontage.

2.5 Upper level setback requirements

Development should:

- Provide upper level setbacks above the street wall to reduce the visual impact of buildings experienced from the street.
- Incorporate architectural expression at upper levels distinct from but complementary to the street wall.
- Contain upper level setbacks above the street wall within a maximum of two steps to minimise repetitive stepping of the built form.
- Be setback from heritage buildings to ensure their visual prominence is maintained when viewed directly or obliquely along the street.
- Be setback to ensure architectural features of heritage buildings are visible.

2.6 Church Street precinct heights, setbacks and interface plan

Plan 1 - Building height, setback and interface plan (Church Street Precinct)

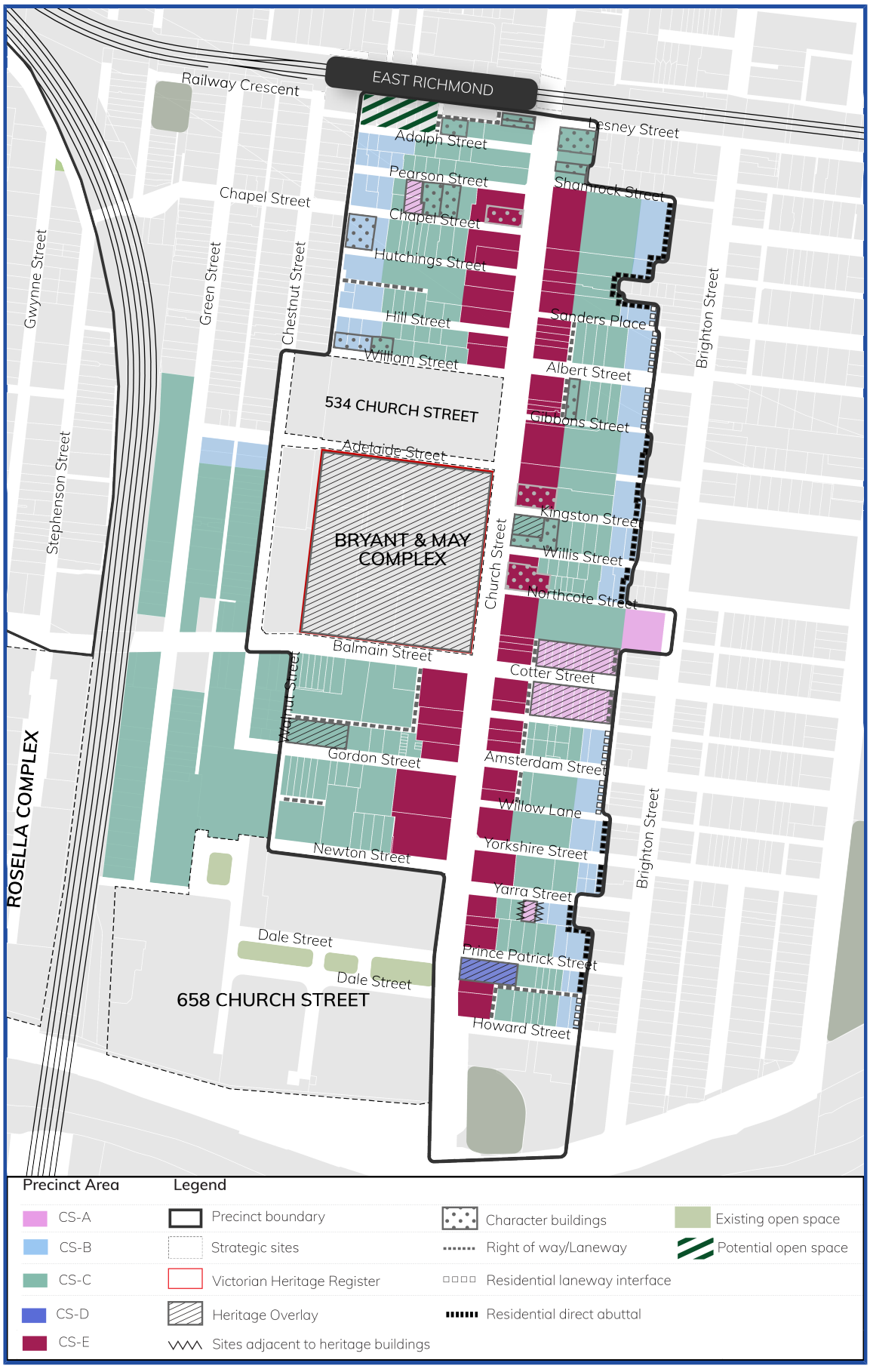


Table 1 - Building height and setback requirements (Church Street Precinct)

Built Form	Built Form Preferred Requirement	Mandatory Requirement
Area CS-A		
Maximum building height	12m	None specified
Maximum and minimum street wall setback	6 Yarra Street - Retain existing setback 11 Chapel Street and 10 Pearson Street - Retain existing setbacks for heritage buildings, along with the eastern and southern façade and original roof form. Infill buildings to match setbacks of heritage buildings 3 to 13, 17 to 19 and 4 to 18 Cotter Street – For heritage buildings - retain existing heritage setbacks For non-heritage buildings - match the adjacent heritage building setbacks	None specified
Maximum street wall height	6 Yarra Street - Retain heritage façade 11 Chapel Street and 10 Pearson Street - Retain heritage façades. Infill development to match the parapet height of the heritage buildings 3 to 13, 17 to 19 and 4 to 18 Cotter Street – For heritage buildings - retain heritage street wall For non-heritage buildings – match adjacent heritage building	None specified
Minimum upper level setback	6 Yarra Street – 7m 11 Chapel Street and 10 Pearson Street - 10m to the Chapel Street frontage and 9m to the Pearson Street frontage 3 to 13, 17 to 19 and 4 to 18 Cotter Street - Upper levels setback behind the front two rooms. Non-heritage buildings – None specified	None specified

Built Form	Built Form Preferred Requirement	Mandatory Requirement
Maximum boundary wall height	None specified	None specified
Area CS-B		
Maximum building height	20m	None specified
Maximum and minimum street wall setback	8 Yarra Street - Match front setback of the adjacent heritage building at 6 Yarra Street for a minimum distance of 6m Elsewhere - None specified	None specified
Maximum street wall height	12m	None specified
Minimum upper level setback	3m	None specified
Maximum boundary wall height	20m	None specified
Area CS-C		
Maximum building height	28m	None specified
Maximum and minimum street wall setback	533-537 Church Street - Retain existing heritage setback 2-4 Yarra Street and 8 Yarra Street - Match front setback of adjacent heritage building at 6 Yarra Street for a minimum of 6m Elsewhere - None specified	None specified
Maximum street wall height	533-537 Church Street - Retain heritage street wall. Infill development on the site to match the height of heritage street wall Elsewhere - 12m	None specified
Minimum upper level setback	533-537 Church Street - Above heritage building – 7m on the Church Street frontage and 5m at the Kingston Street frontage to retain heritage buildings and stepped parapet visible on Kingston Street; Infill development on the site – 3m Elsewhere - 3m	None specified.
Minimum side setback	8 Yarra Street - 2.5m from the western side boundary for a length of 6m measured from the northern property boundary to ensure views to the side stone work are retained Elsewhere - None specified	None specified

Built Form	Built Form Preferred Requirement	Mandatory Requirement
Maximum boundary wall height	20m	None specified
Area CS-D		
Maximum building height	32m	None specified
Maximum and minimum street wall setback	Retain the existing heritage street setback Infill development on the site – 0m	None specified
Maximum street wall height	Retain heritage façade Infill development on the site to match the heritage parapet	None specified
Minimum upper level setback	Heritage Building - 12m from the Church Street frontage and 16m from the Prince Patrick Street frontage Infill development - 3m	None specified.
Maximum boundary wall height	18m	None specified
Area CS-E		
Maximum building Height	40m	None specified
Maximum and minimum street wall setback	None specified	None specified
Maximum street wall height	16m	None specified
Minimum upper level setback	5m	None specified
Maximum boundary wall height	24m	None specified

2.7 Building separation requirements

Development above the street wall should be appropriately spaced and sited to minimise visual bulk and provide an outlook, good daylight, sunlight penetration and views to the sky.

Development above the boundary wall height for sites with a frontage of less than 20 metres should be setback as shown in Table 2 and may be built to the boundary, limited to one side of the site.

For sites with a frontage of 20 metres or more, upper level development on common side and rear boundaries should be setback above the boundary wall height as shown in Table 2.

Where a site adjoins an existing blank boundary wall, development may be constructed on the boundary to the height of that existing wall.

Where development is proposed on the boundary above the boundary wall height, it should:

- Be well articulated if visible from the street.
- Not be constructed along the entire length of the boundary.
- Not result in a continuous wall of buildings when viewed from the street.

Development with multiple buildings on a site should be setback at upper levels above the boundary wall height as shown in Table 2.

Where the common boundary is a right of way or laneway as shown on Plan 1, the setback is measured from the centre of the laneway.

Table 2 - Building separation distance

Overall height of the building	Minimum setback from common property boundary or laneway centreline	Minimum separation between buildings where there are multiple buildings on a site
1-3 levels above boundary wall height	3m	6m
4 or more levels above boundary wall height	4.5m	9m

2.8 Overshadowing requirements

A permit should not be granted to construct a building or construct or carry out works which casts any additional overshadowing of the following space between 10am and 2pm on 22 September for a minimum of 3 hours:

- Opposite footpath on Church Street, measured from the property boundary to the existing kerb (including any kerb outstands, seating or planting).

A permit should not be granted to construct a building or construct or carry out works which casts any additional overshadowing of the following space between 10am and 2pm on 22 September:

- Southern footpath of Balmain Street east of the railway underpass, measured from the property boundary to the existing kerb (including any kerb outstands, seating or planting).

Development should ensure there is no additional overshadowing of existing public spaces between 10am and 2pm on 22 September as identified on Plan 1.

Where new public open space is identified on Plan 1, adjoining development should consider whether building height and massing minimises additional overshadowing to any potential public open space

2.9 Interface to properties in Neighbourhood Residential Zone or General Residential Zone requirements

Development should protect the amenity of residentially zoned properties including visual bulk, overshadowing of private open space and overlooking.

Development with an interface to a residential zone should not exceed the maximum building height and setback requirements set out in Plan 1, Table 3 and Figures 1 and 2.

Development should provide a maximum of two steps in building form to minimise excessively stepped building design outcomes.

Table 3: Residential interface heights, ground and upper level setbacks

Interface	Maximum interface wall height	Minimum interface wall Setback	Minimum upper level setback
Direct Abuttal	8m	3m from property boundary	Upper level setback of 45 degrees above the interface wall height, for

Interface	Maximum interface wall height	Minimum interface wall Setback	Minimum upper level setback
			up to a minimum distance of 12m from the interface wall.
Laneway Interface	8m	0m from property boundary	Upper level setback of 45 degrees above the interface wall height, for up to a minimum distance of 12m from the interface wall.

Figure 1 - Residential interface (Direct abuttal)

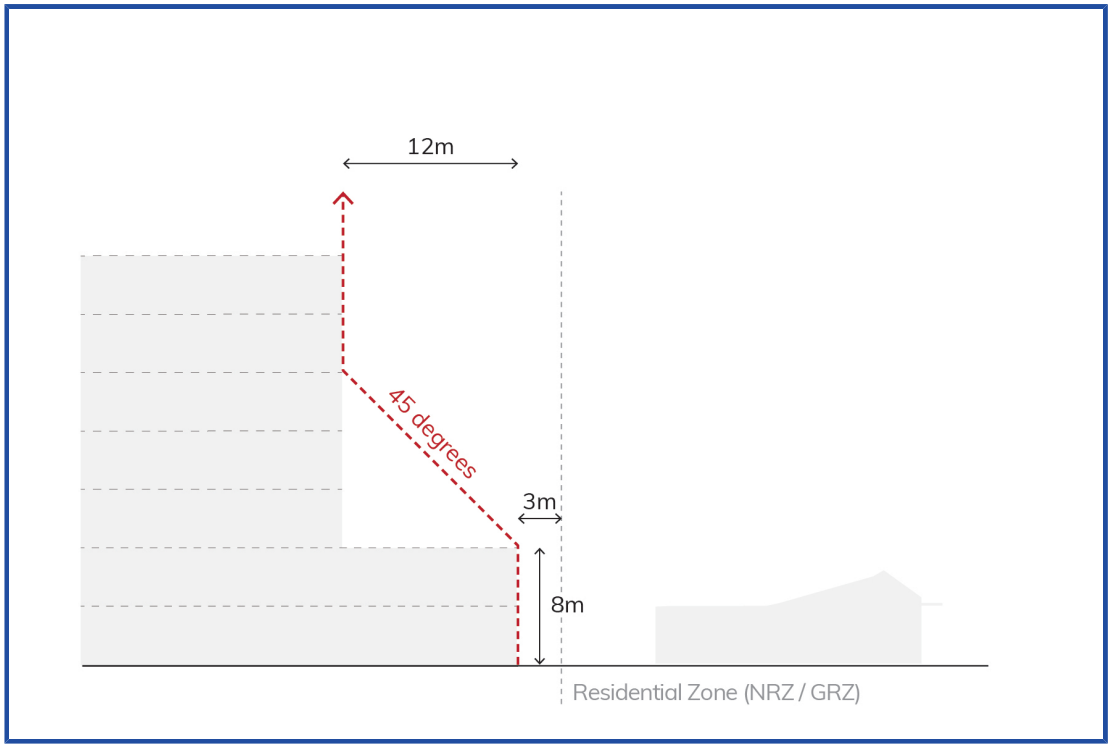
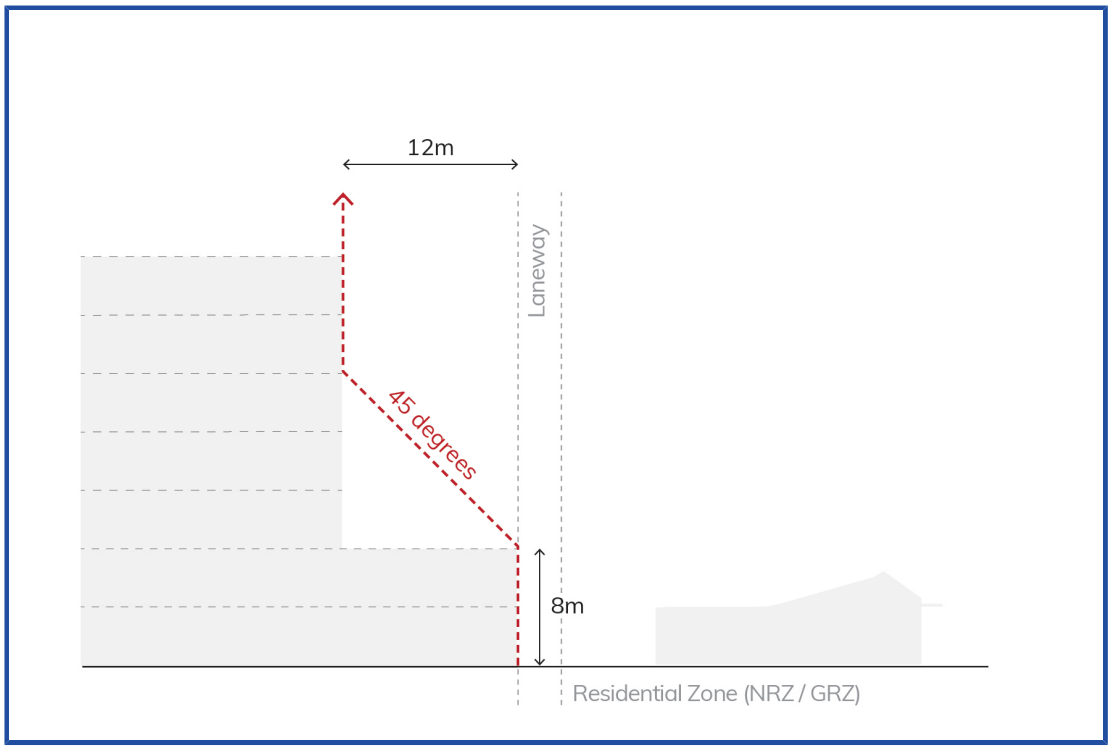


Figure 2 - Residential interface (Laneway interface)



2.10 Character buildings requirements

Development should facilitate the adaptive reuse of character buildings within Cremorne set out in this schedule and identified on Plans 1:

- 13 and 15-17 Adolph Street
- 1 Albert Street
- 2 Chapel Street
- 13 and 15 Chapel Street
- 447 Church Street
- 455 Church Street
- 472 Church Street
- 474 Church Street
- 492 Church Street
- 527 Church Street
- 539 Church Street
- 543-545 Church Street
- 9 William Street
- 13-15 William Street

Development should retain all or a substantial part of a character building, as viewed from the street.

Development should incorporate materials that complement the existing character building in the new design.

2.11 Building design and quality requirements

Development should:

- Achieve urban design and architectural excellence.
- Reinforce the industrial character of the precinct through robust and durable materials which reference to industrial typologies.
- Discourage facade treatment which creates unacceptable glare to the public realm and neighbouring properties.
- Be designed as separate forms on a wide street frontage with smaller vertical sections or distinct elements to provide breaks and modulation in the street.
- Provide a high level of design detail at the ground floor and lower levels.
- Provide well-designed entrance spaces to create a transition between the public and private realm and encourage activity to occur at the street interface.
- Activate the street at ground level to create a pedestrian-oriented environment and enhance passive surveillance of the public realm.
- Be sensitively designed to ensure visual bulk of upper levels adjacent to heritage buildings is minimised.
- Apply high quality materials which complement to the materiality of an adjacent heritage or character building.
- Incorporate well designed building edges and facades which are visible from the elevated railway line or Yarra River (Birrarung).
- Discourage continuous walls of buildings when viewed from the street by providing visual breaks, articulated massing and/or separation between building forms at street level and upper levels.
- Discourage blank walls visible from the public realm. Where a solid external wall is unavoidable, walls should be detailed and include articulation to provide visual interest.
- Be designed as a series of smaller building forms on larger sites which contribute positively to their context and historic urban grain form.

Development should provide comfortable wind conditions in the public realm and communal open space.

Frontages along Church Street at ground floor should incorporate awnings or verandahs.

Building services should not be visible on primary building facades, occupy less than 40 percent of the ground floor area of the site, and be integrated into the building design.

Services should occupy a minimal proportion of any facade including the primary facade, if it is not possible to locate them elsewhere.

Development should locate sub-stations underground or above ground level (in that order of preference), where possible, and access should be provided from right of ways, laneways or located off the primary street.

Development should ensure floor to ceiling heights are appropriate to support a range of uses over time.

Development should enable subdivision of floorplates into smaller tenancies over time.

Car parking should be designed to enable adaptation to other uses over time, especially parking on the ground level and above.

Development should incorporate floor to floor heights suitable for commercial activity of at least 4 metres at ground level, where it does not impact the significance of a heritage place.

Development should maximise access to daylight through windows, lightwells, shallow floorplates, adequate floor to ceiling heights and building separation.

Development should achieve high quality internal amenity within the development.

Development should provide access to balconies, terraces and courtyards to enhance amenity for building occupants.

Development should provide opportunities for greening, especially at the lower levels of the building.

Development should minimise the impact of development on solar access to adjacent solar panels, where possible.

2.12 Vehicle access and laneways requirements

Vehicle access should be achieved from a right of way, laneway or side street (in that order of preference).

Where access is required from a street, right of way or laneway of 6 metres or less, include a setback at ground floor, to facilitate the ongoing function of the laneway and allow for building services and car park access. The setback in the laneway should provide a minimum width between walls of 6.1 metres (including the existing laneway). Between ground level and first floor, a headroom clearance of 4 metres minimum should be achieved.

Where a property extends the full length of the laneway or street, development should provide additional ground floor setbacks to increase the width of existing laneways and streets to a minimum of 6.1 metres for the whole frontage of the site to the laneway.

Car parking should be located within a basement or concealed from the public realm (in that order of preference).

Separate entries for car parking entries and loading bays is discouraged.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to retain the continuity of the public realm by:

- Ensuring a high standard of pedestrian amenity.
- Limiting potential conflict between vehicle movements and pedestrian activity.
- Avoiding wide crossover points.
- Ensuring adequate spacing between crossovers.

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

At the intersection of right of way/laneways and footpaths, development (except for heritage buildings) should provide a minimum 1 x 1 metre splay to facilitate pedestrian sightlines.

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

2.13 Pedestrian and bicycle design requirements

Development should ensure pedestrian entrances are clearly visible, secure and have an identifiable sense of address.

Development should provide well-designed bicycle infrastructure and end-of-trip facilities.

Visitor and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

2.14 Exemption from notice and review

An application to construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

3.0 Subdivision

25/09/2025
C317yara

None specified.

4.0 Signs

25/09/2025
C317yara

None specified.

5.0 Application requirements

25/09/2025
C317yara

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:

- Site analysis and urban design context report which demonstrates how the development achieves the design objectives and requirements of this schedule.
- A wind study analysis for development greater than 15 metres in building height to assess the wind impact on:
  - The safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
  - The safety and effects on cyclists travelling along bicycle routes adjacent to the development.
- Where a character building is proposed to be retained (in full or part):
  - A retention and refurbishment plan, detailing the building fabric to be retained and/or refurbished.
- A Traffic Engineering Report prepared by a suitably qualified traffic engineer that:
  - Demonstrates how the development minimises impact on the level of service, safety and amenity of the arterial road network (including the operation of tram services).
  - Demonstrates how the development reduces car dependence and promotes sustainable transport modes.
  - Includes an assessment of the impacts of traffic and parking in the precinct including an assessment of the ongoing functionality of a laneway or right of way, where applicable.

6.0 Decision guidelines

25/09/2025
C317yara

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 development achieves adaptable and practicable floor plan layouts for different uses.
- Whether development provides a high quality public realm interface which activates the street edge and demonstrates a well-designed street interface.
- Whether the design of the development reflects the industrial character of the precinct.
- Whether development supports adaptive re-use of character buildings.
- Whether development is designed to sensitively respond to local and state significant heritage places.
- Whether the design considers glare impacts on the safety of pedestrians and vehicles.
- Whether heritage buildings retain their prominence when viewed from the public realm, including from the opposite side of the street.
- Whether the street wall height and building height respond to the width and character of the street.

- Whether an awning, verandah or overhang impacts street tree planting in the public realm.
- Whether development achieves design excellence including but not limited to building siting, scale, massing, articulation and materials.

Expiry

The requirements of this schedule cease to have effect after 29 January 2027.