

31/08/2017
C245**SCHEDULE 10 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT
OVERLAY**Shown on the planning scheme map as **DDO10**.**GENERAL DEVELOPMENT AREA- BUILT FORM****1.0**23/11/2016
C270**Design objectives**

- To ensure development achieves a high quality of pedestrian amenity in the public realm in relation to human scale and microclimate conditions such as acceptable levels of sunlight access and wind.
- To ensure that development respects and responds to the built form outcomes sought for the Central City.
- To encourage a level of development that maintains and contributes to the valued public realm attributes of the Central City.
- To ensure that new buildings provide equitable development rights for adjoining sites and allow reasonable access to privacy, sunlight, daylight and outlook for habitable rooms.
- To provide a high level of internal amenity for building occupants.
- To ensure the design of public spaces and buildings is of a high quality.
- To encourage intensive developments in the Central City to adopt a podium and tower format.

2.031/08/2017
C245**Buildings and works****2.1**13/07/2017
C311**Definitions**

For the purpose of this schedule:

- **street** means a road reserve of a public highway more than 9 metres wide.
- **main street** means a road reserve of a public highway more than 20 metres wide.
- **laneway** means a road reserve of a public highway 9 metres or less wide.
- **street wall** means any part of the building constructed within 0.3 metres of a lot boundary fronting the street.
- **street wall height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the street wall, with the exception of non-habitable architectural features not more than 3.0 metres in height and building services setback at least 3.0 metres behind the street wall.
- **total building height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of non-habitable architectural features not more than 3.0 metres in height and building services setback at least 3.0 metres behind the façade.
- **tower** means a building that exceeds the street wall, excluding an addition.
- **addition** means a building that exceeds the street wall and which is less than 40 metres in height.
- **floorplate** means the area of each floor above the street wall defined by the setback from street frontages and setbacks from side and rear boundaries.

- **Setback** is the shortest horizontal distance from a building façade, including projections such as balconies, building services and architectural features greater than 300mm, to the boundary.
- **separation** is the shortest horizontal distance from a building façade, including projections such as balconies, building services and architectural features greater than 300mm to another building on the same site.
- **unsafe wind conditions** means the hourly maximum 3 second gust which exceeds 20 metres/second from any wind direction considering at least 16 wind directions with the corresponding probability of exceedance percentage.
- **comfortable wind conditions** means a mean wind speed from any wind direction with probability of exceedance less than 20% of the time, equal to or less than:
 - 3 metres/second for sitting areas
 - 4 metres/second for standing areas
 - 5 metres/second for walking areas.
- **mean wind speed** means the maximum of:
 - Hourly mean wind speed, or
 - Gust equivalent mean speed (3 second gust wind speed divided by 1.85).
- **additional shadow** means any shadow cast outside any existing shadow from buildings or works, but not a shadow cast by incidental elements such as canopies, kiosks, artworks, screens or trees.

2.2

23/11/2016
C270

Buildings and works for which no permit is required

A permit is not required for:

- Buildings and works at ground level, including external works to provide access for persons with disabilities that comply with all legislative requirements.
- Buildings and works to install or modify plant and service fixtures to an existing building.
- Buildings and works to an existing building(s) which do not alter the height or setback of any part of an existing building or result in any additional habitable or occupiable floor area.
- Buildings and works which would cast a shadow across the Yarra River Corridor between 11.00 am and 2.00 pm on 22 June caused by unenclosed structures associated with the construction of gangways, mooring poles and pontoons which are constructed by or on behalf of Melbourne Parks and Waterways or Parks Victoria under the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Act 1988*, the *Port of Melbourne Authority Act 1958*, the *Parks Victoria Act 1998*, or the *Crown Land (Reserves) Act 1978*.

2.3

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Requirements

Built form

Buildings and works:

- must meet the Design Objectives specified in this schedule;
- must satisfy the Built Form Outcomes specified for each relevant Design Element in Table 3 to this schedule; and
- should meet the Preferred Requirement specified for each relevant Design Element in Table 3 to this Schedule.

An application to vary the Preferred Requirement for any Design Element specified in Table 3 to this schedule must document how the development will achieve the relevant Design Objectives and Built Form Outcomes.

An application which does not meet the Preferred Requirement, must be considered under the Modified Requirement for each relevant Design Element.

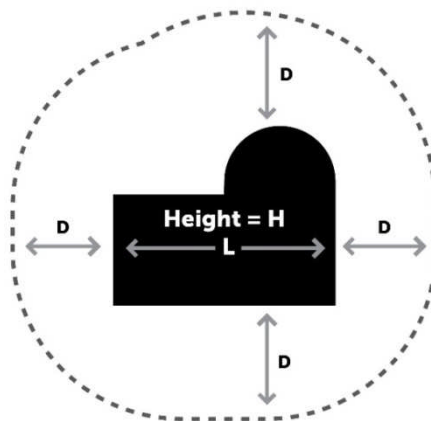
A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) for buildings and works that do not meet the Modified Requirement for any relevant Design Element specified in Table 3 to this schedule.

Wind effects

A permit must not be granted for buildings and works with a total building height in excess of 40 metres that would cause unsafe wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half the total height of the building, whichever is greater as shown in Figure 1.

A permit should not be granted for buildings and works with a total building height in excess of 40 metres that do not achieve comfortable wind conditions in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half the total height of the building, whichever is greater as shown in Figure 1.

Figure 1



Assessment distance D = greater of:
 L/2 (Half longest width of building)
 OR
 H/2 (Half overall height of building)

Overshadowing

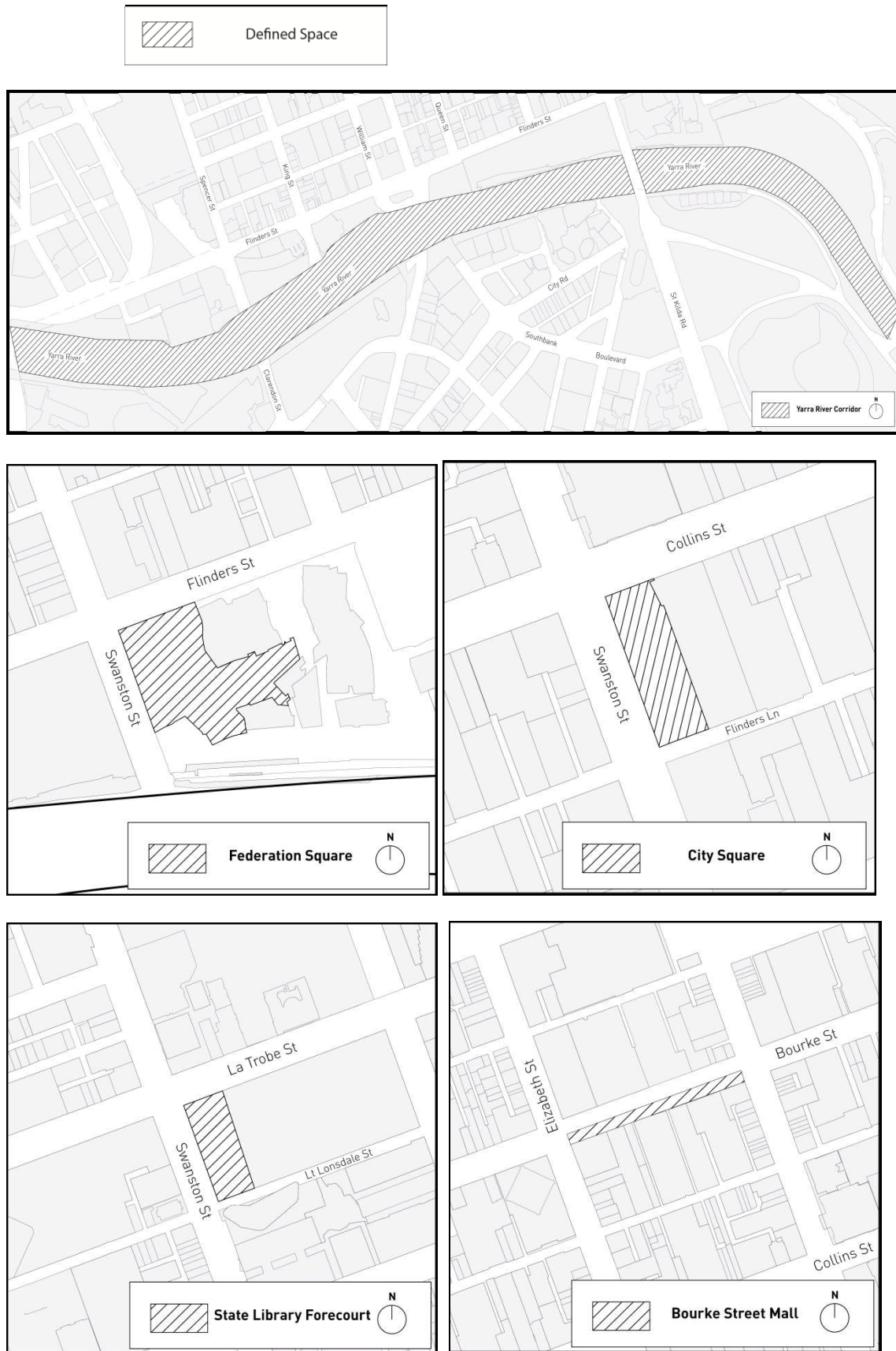
With the exception of minor works or minor changes to existing buildings within that defined space, a permit must not be granted for buildings and works which would cast any additional shadow across a space listed within Table 1 to this schedule and shown in Figure 2 of this schedule during the hours and dates specified as follows:

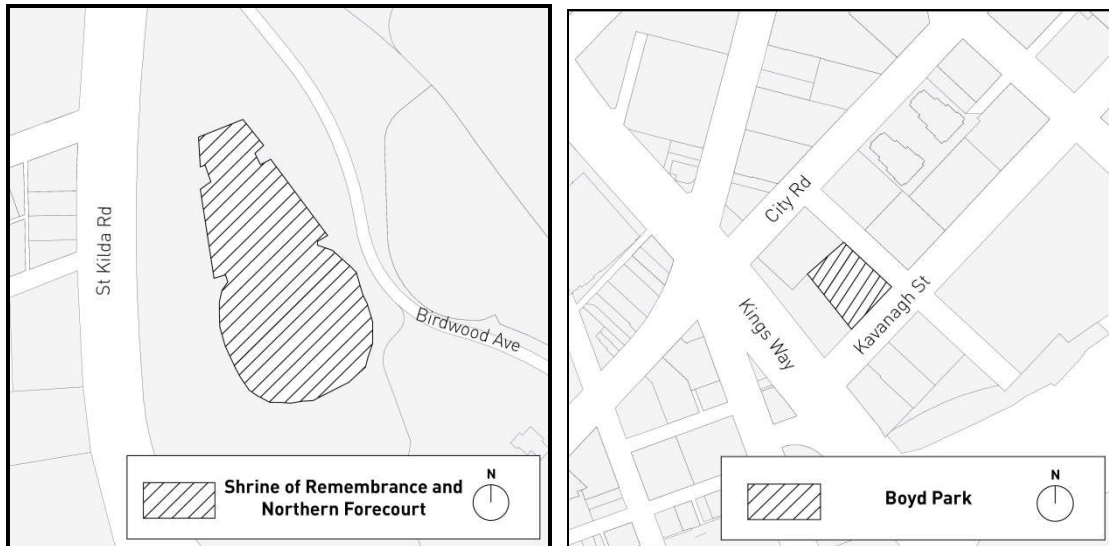
Table 1 to Schedule 10

Space	Hours between	Date(s)
The Yarra River corridor, including 15 metres from the edge of the north bank of the river to the south bank of the river	11.00am and 2.00pm	22 June

Federation Square	11.00am and 3.00pm	22 April to 22 September
City Square		
State Library Forecourt		
Shrine of Remembrance and its northern forecourt		
Bourke Street Mall south of tram tracks	12.00pm and 2.00pm	22 April and 22 September
Boyd Park		

Figure 2





A permit must not be granted for buildings and works which would cast any additional shadow across a space listed within Table 2 to this schedule during the hours and date(s) specified, unless the overshadowing will not unreasonably prejudice the amenity of the space:

Table 2 to Schedule 10

Space	Hours between	Date(s)
Parliament Gardens	11.00am and 3.00pm	22 April to 22 September
Treasury Gardens		
Gordon Reserve		
Parliament Steps and Forecourt		
Old Treasury Steps		
Flinders Street Railway Station Steps		
Batman Park	11.00am and 2.00pm	22 April to 22 September
Birrarung Marr		
Sturt Street Reserve		
Grant Street Reserve and the Australian Centre for Contemporary Art Forecourt, south side of Grant Street between Sturt Street and Wells Street		
Dodds Street between Southbank Boulevard and Grant Street		
Swanston Street between south bank of the Yarra River and Latrobe Street	12.00pm and 2.00pm	22 April to 22 September
Elizabeth Street between Flinders Street and Flinders Lane		
Hardware Lane and McKillop Street		
The southern footpath of Bourke Street between Spring Street and Exhibition Street		
The southern building line of Little Bourke Street between Spring and Swanston Streets and Cohen	12.00pm and 2.00pm	22 April and 22 September

Space	Hours between	Date(s)
Place/Chinatown Plaza Liverpool Street and Crossley Street Market Street between Collins Street and Flinders Lane		
Flagstaff Gardens and proposed new public open space within Queen Victoria Market	11.00am and 2.00pm	22 June
Any public space, public parks and gardens, public squares, open spaces associated with a place of worship and privately owned public spaces accessible to the public	11.00am and 2.00pm	22 September

Table 3 to Schedule 10

Design Element	Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
Street wall height	Up to 20 metres	<p>The street wall height must be no greater than:</p> <ul style="list-style-type: none"> 40 metres; or 80 metres where it: <ul style="list-style-type: none"> defines a street corner where at least one street is a main street and the 80 metre high street wall should not extend more than 25 metres along each street frontage, and/or fronts a public space including any road reserve wider than 80 metres. 	<p>Street wall height is scaled to ensure:</p> <ul style="list-style-type: none"> a human scale. an appropriate level of street enclosure having regard to the width of the street with lower street wall heights to narrower streets. consistency with the prevalent parapet height of adjoining buildings. height that respects the scale of adjoining heritage places. adequate opportunity for daylight, sunlight and skyviews in the street. definition of main street corners and/or public space where there are no significant impacts on the amenity of public spaces. maintenance of the prevailing street wall height and vertical rhythm on the street.
Building setback(s) above street wall	Above the street wall, towers and additions should be setback 10 metres from the title boundary.	Above the street wall, towers must be setback a minimum of 5 metres from the title boundary.	<p>Towers and additions are setback to ensure:</p> <ul style="list-style-type: none"> large buildings do not visually dominate the street or public space. the prevalent street wall scale is maintained. overshadowing and wind impacts are mitigated. The tower or addition includes a distinctly different form or

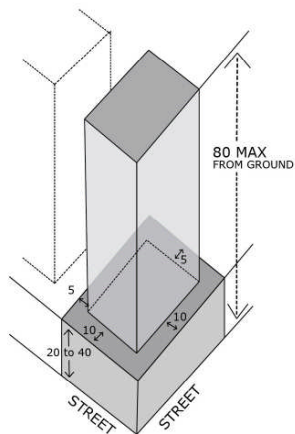
Design Element	Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
architectural expression.			
Building setbacks from side boundaries and rear boundaries (or from the centre line of an adjoining laneway) and tower separation within a site	Above the street wall or 40 metres (where there is no street wall), towers and additions should be setback a minimum of 5 metres or 6% of the total building height whichever is greater.	<p>Towers and additions up to 80 metres in height:</p> <p>Above the street wall or 40 metres (where there is no street wall), towers and additions must be setback a minimum of 5 metres.</p> <p>Towers and additions of no more than 80 metres in height may be constructed up to one side or rear boundary, excluding a laneway, if an existing, approved, proposed or potential building on an adjoining site is built to that boundary and if a minimum setback of 5 metres is met to all other side and rear boundaries and the centre line of any adjoining laneway. Buildings of no more than 80 metres in height, may be constructed to a second side or rear boundary if an adjoining site cannot, by legal restriction benefitting the application site, be developed above the street wall height.</p> <p>Towers exceeding 80 metres in total height:</p> <p>Above the street wall or 40 metres (where there is no street wall), towers and additions must be setback a minimum of 5 metres and must meet the design element requirements for tower floorplate.</p> <p>Tower separation within a site:</p> <p>Towers must be separated by a minimum of 10 metres.</p>	<p>Towers and additions are designed and spaced to ensure:</p> <ul style="list-style-type: none"> ▪ sun penetration and mitigation of wind impacts at street level. ▪ provision of reasonable sunlight, daylight, privacy and outlook from habitable rooms, for both existing and potential developments on adjoining sites. ▪ floorplate layout or architectural treatment limits direct overlooking between habitable rooms. ▪ buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them. ▪ buildings do not visually dominate heritage places and streetscapes, nor significant view lines..
Tower floorplate	The tower floorplate is determined by the preferred requirement for building setbacks from side and rear boundaries and tower separation within a site, and the modified requirement for building setback(s) above the street	<p>The tower floorplates above the street wall for a tower above 80 metres in height may be adjusted in terms of location and/or shape but must not:</p> <ul style="list-style-type: none"> ▪ Result in an increase in the floorplate area; ▪ be situated less than 5 metres from a side or rear boundary (or from the centre line of an adjoining laneway); ▪ be less than 5 metres to a street boundary; 	<p>The adjusted floorplate is designed and spaced to:</p> <ul style="list-style-type: none"> ▪ reduce impact on existing and potential neighbours in terms of privacy, outlook, daylight and sunlight access. ▪ minimise visual bulk. ▪ reduce impact on public spaces, including overshadowing and wind effects and reduced visual dominance. ▪ buildings do not visually dominate heritage places

Design Element	Preferred Requirement (Figure 3)	Modified Requirement (Figure 3)	Built Form Outcomes
wall		<ul style="list-style-type: none"> be less than 10 metres to an adjoining tower on the site. 	<ul style="list-style-type: none"> and streetscapes, nor significant view lines. buildings do not appear as a continuous wall at street level or from nearby vantage points and maintain open sky views between them.

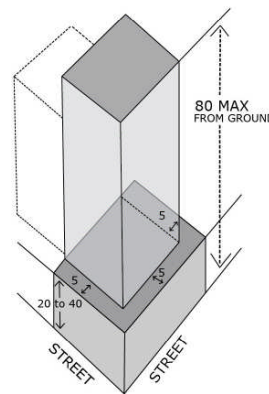
Figure 3 to Table 3

TOWERS UP TO 80 METRES IN TOTAL HEIGHT

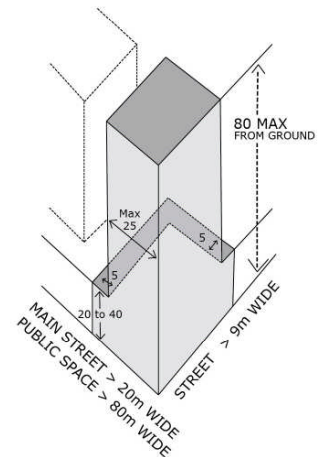
Preferred Requirement:
 Street setbacks = 10m minimum
 Side & rear setbacks = 5m minimum



Modified Requirement:
 Building to one boundary
 Street setbacks = 5m minimum



Modified Requirement:
 Building to corner or public space



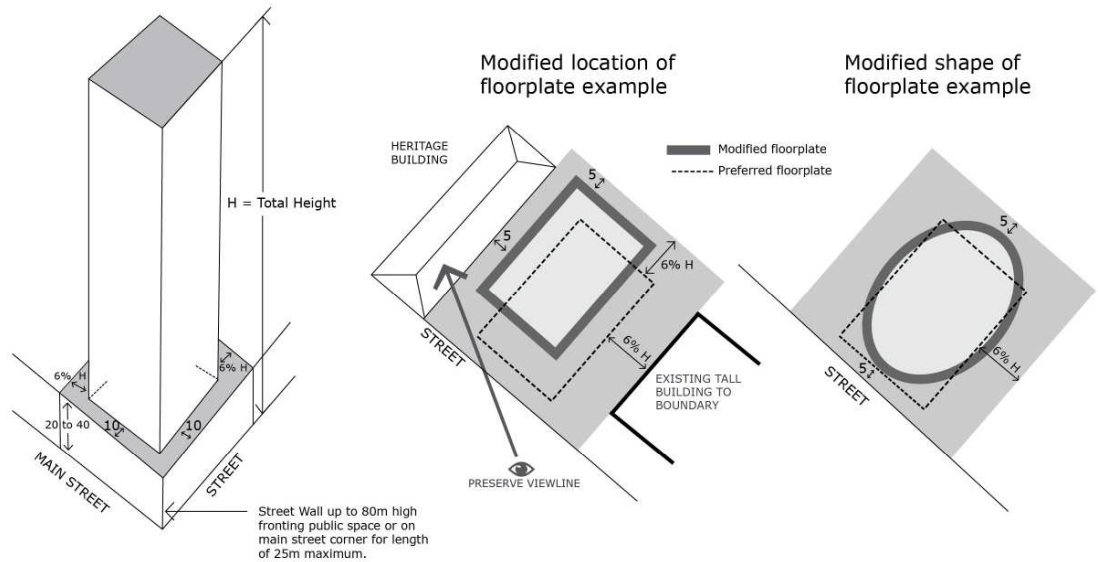
TOWERS GREATER THAN 80 METRES IN TOTAL HEIGHT

Preferred Requirement:

Street setbacks = 10m minimum
Side & rear setbacks = 6% total height minimum

Modified Requirement:

No increase in floorplate area
Street setback = 5m minimum
Side or rear setback = 5m minimum



2.4

23/11/2016
C270

Exemption from notice and appeal

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.

2.5

13/07/2017
C311

Application Requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of the application, the responsible authority may waive or reduce the requirement.

Urban context report

An application for permit must be accompanied by a written and illustrated urban context report.

The urban context report must:

- explain the key planning, design and contextual considerations and influence on the proposed buildings and works.
- describe the existing urban context of the area in which the proposed buildings and works are to be located.
- explain how the proposed buildings and works relate to and respond to their urban context including:
 - built form character of adjacent and nearby buildings.
 - equitable outcomes for potential development on adjoining sites.
 - heritage character of adjacent and nearby heritage places.
- identify the key opportunities and constraints supporting the design response.
- explain the effect of the proposed buildings and works, including on:

- microclimate, including sunlight, daylight and wind impacts on streets and other public spaces.
- vistas.
- Explain how the proposed buildings and works respond to each of the Design Objectives and the Built Form Outcomes in Table 3 of this schedule, as appropriate.

Wind analysis report

An application for a permit for a building with a total building height in excess of 40 metres must be accompanied by a wind analysis report prepared by a suitably qualified person. The wind analysis report must:

- explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all façades, or half the total height of the building, whichever is greater.
- at a minimum, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing.
- identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- not rely on street trees or any other element such as screens, within public areas for wind mitigation.

3D digital model of buildings and works

An application for a permit must be accompanied by a 3D digital model of the proposed buildings and works in a format to the satisfaction of the responsible authority. The model may be used for assessing overshadowing and visual impacts caused by the proposal and for general archive, research and public information purposes.

3.0

23/11/2016
C270

Subdivision

A permit is not required to subdivide land.

4.0

23/11/2016
C270

Advertising signs

None specified.

5.0

13/07/2017
C311

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Design Objectives.
- The Built Form Outcomes of Table 3 to this schedule.
- Whether the development respects the built form scale and urban structure of the precinct where it is located.
- Whether the development provides a high quality architectural response.
- Whether the cumulative effect of the proposed development in association with adjoining existing and potential development supports a high quality of pedestrian amenity in the public realm, in relation to human scale and microclimate conditions including overshadowing and wind impacts.
- Whether the development provides a high level of amenity for building occupants.

- Whether the proposed street wall height responds appropriately to the prevalent parapet height of adjoining buildings, respects the scale of adjoining heritage places and provides a human scale.
- Whether the proposed tower setbacks are sufficient to allow for equitable access to privacy, sunlight, daylight and outlook from habitable rooms for both existing and potential development of adjoining sites.
- An appropriate mechanism to restrict development on an adjoining site where the proposed development relies on that site.
- Securing the floor area ratio across a site where a site is developed in part to ensure:
 - that an agreement be entered into to acknowledge that the remaining site cannot be later developed;
 - that when a heritage building being retained, that an agreement be entered into to conserve the heritage building in perpetuity;
 - that the proposed building is sited so that adequate setbacks are maintained in the event that the land is subdivided or separate land holdings are administratively effected to create a future development site.
- The location of the site and whether it has an interface with the Westgate Freeway and /or is an island site.
- The effect of the proposed buildings and works on solar access to existing and proposed open spaces and public places.
- The potential for increased ground-level wind gust speeds and the effect on pedestrian comfort and the amenity of public places, with allowance to exceed uncomfortable conditions only if the wind effects of the proposed development do not exceed the existing wind condition(s).

6.0

23/11/2016
C270

Reference documents

- Central City Built Form Review Overshadowing Technical Report, Department of Environment, Land, Water and Planning, April 2016

7.0

23/11/2016
C270

Transitional arrangements

The requirements of this schedule do not apply to:

- an application (including an application to amend the permit) made before the commencement of Amendment C262 to this planning scheme. For such applications, the requirements of this scheme, as they were in force immediately before the commencement of Amendment C262, continue to apply.
- an application (including an application to amend the permit) made after the commencement of Amendment C262 but before the commencement of Amendment C270 to this planning scheme. For such applications, the requirements of this schedule, as they were in force immediately before the commencement of Amendment C270, continue to apply.

15/10/2015
C196**SCHEDULE 61 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO61**.

CITY NORTH**1.0**15/10/2015
C196**Design objectives**

- To encourage City North to develop as a central city precinct characterised by university, research and medical buildings.
- To establish a mid-rise scale of buildings (6 to 15 storeys) that is distinct from the tall built form in the Hoddle Grid area to the south, which steps down at the interface to the lower scale surrounding established neighbourhoods in North and West Melbourne.
- To support increased density and diversity of uses along the Victoria Street, Flemington Road, Elizabeth Street and Swanston Street tram corridors and around the proposed Grattan and CBD North Metro Rail stations.
- To establish built form that creates a strong sense of street definition by adopting a building height at the street edge determined by a 1:1 (building height to street width) ratio.
- To ensure development responds appropriately with suitable building scale, heights and setbacks to the existing character, context, and interfaces with established residential areas, and immediate amenity.
- To ensure that new buildings respect the rich heritage fabric of the area and that new buildings that adjoin the heritage buildings respect their height, scale, character and proportions.
- To develop a fine grain urban form by encouraging buildings with a wide street to be broken into smaller vertical sections,
- To develop the Haymarket area as a central city gateway precinct and public transport interchange.
- To ensure university, research and medical buildings are actively integrated with the surrounding public realm.
- To design buildings to provide passive surveillance and activation of ground floors addressing the streets.
- To ensure development allows good levels of daylight and sunlight to penetrate to the streets and to lower storeys of buildings by providing adequate separation between buildings.
- To deliver a scale of development that provides a high level of pedestrian amenity having regard to sunlight, sky views and wind conditions.
- To improve the walkability of the precinct by encouraging new laneways and pedestrian connections.
- To encourage the ground floor of buildings to be designed so that they can be converted to a range of alternative active uses over time.

2.015/10/2015
C196**Buildings and Works**

A permit is not required for public works or minor alterations or the installation of service fixtures to existing buildings.

All buildings and works requiring a permit should

- be constructed in accordance with the preferred maximum street edge height, preferred maximum building height and preferred upper level setback requirements for the specific areas as identified in Part 1.0 and Table 1 of this Schedule
- meet the Design objectives and Design Requirements as set out in Table 2 of this Schedule.

An application to exceed the preferred maximum building height should demonstrate achievement of the relevant the Design objectives and Built Form Outcomes as identified in Part 1.0 and Table 1 of this Schedule.

The street wall height is measured at the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building at the street edge, with the exception of architectural features and building services.

3.0

15/10/2015
C196

Subdivision

A permit is not required to subdivide land.

4.0

15/10/2015
C196

Application requirements

An application for permit, other than an application for minor buildings or works as determined by the responsible authority, must be accompanied by a comprehensive site analysis and urban context report documenting the key planning influences on the development. The urban context report must identify the development opportunities and constraints, and demonstrate how the development, addresses:

- State Planning Policy Framework and the Local Planning Policy Framework, zone and overlay objectives.
- The objectives, design requirements and outcomes of this Schedule.
- Built form and character of adjacent and nearby buildings.
- Heritage character of adjacent and nearby heritage places.
- Microclimate including sunlight, daylight and wind effects on streets and public spaces.
- Energy efficiency and waste management.
- Ground floor and lower level street frontages, including visual impacts and pedestrian safety.
- Public infrastructure, including reticulated services, traffic and car parking impact.

5.0

15/10/2015
C196

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether the proposal achieves the design objectives in Part 1.0 of this Schedule
- Whether the proposal achieves the built form outcomes contained in Table 1.
- Whether the proposal achieves the design requirements contained in Table 2.
- Whether the development maintains and enhances the character and amenity of the streetscape.
- The wind effect at ground level as demonstrated by wind effects studies as necessary.

6.0

15/10/2015
C196

Exemption from notice and appeal

An application to construct a building or carry out works on land located within the Capital

City Zone (CCZ5) 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

7.0

Reference documents

15/10/2015
C196

City North Structure Plan 2012

Table 1 – Preferred Built Form Outcomes for Specific Areas

DDO Area	Building Height	Street edge height and upper level setback	Built Form Outcome
1	24 metres	<p>Buildings fronting O’Connell, Cobden and Princess Street:</p> <p>20 metre street edge height.</p> <p>Any part of the building above the 20 metre setback 4 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> Respects the heritage character of the Queen Victoria Market Buildings; Avoids overshadowing the Queen Victoria Market buildings; Delivers an even transition in scale from the lower built form in Peel Street and adjacent areas in North Melbourne.
2	24 metres	<p>Buildings fronting Harcourt Street:</p> <p>14 metre street edge height.</p> <p>Any part of the building at the street edge of Harcourt Street above 14 metres setback from the street behind a 45 degree line.</p> <p>Buildings adjacent to DDO32:</p> <p>14 metre building height at the property boundary.</p> <p>For sites adjacent to DDO32, any part of the building above 14 metres setback from the street behind a 45 degree line in accordance with Figures 1.</p> <p>Buildings facing all other streets:</p> <p>24 metre street edge height</p> <p>Any part of the building above 24 metres setback from the street behind a 45 degree line.</p>	<p>Development that:</p> <ul style="list-style-type: none"> Delivers an appropriate transition in scale of development from the lower scale built form in Courtney Street to the higher scale built form in Flemington Road. Limits amenity impacts of excessive building bulk, overlooking and overshadowing on existing buildings in DDO 32
3	40 metres	<p>Building facing all streets:</p> <p>40 metre street edge height</p> <p>Any part of the building above 40 metres setback 6 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> Creates strong definition to the streetscape. Does not dominate buildings in Area 2. Has a scale that reinforces Flemington Road as a civic spine and facilitates the

DDO Area	Building Height	Street edge height and upper level setback	Built Form Outcome
			enhancement of its landscape character
4.1	40 metres	<p>Buildings fronting Grattan, Pelham, Queensberry, Bouverie, Leicester, Barry, Berkeley and Lincoln Square North and South streets:</p> <p>24 metre street edge height.</p> <p>Any part of the building above 24 metres setback 6 metres from the street.</p> <p>Buildings fronting O'Connell Street:</p> <p>20 metre street edge height.</p> <p>Any part of the building above 20 metres setback 6 metres from the street.</p> <p>Buildings fronting Swanston Street:</p> <p>32 metre street edge height.</p> <p>Any part of the building above 32 metres should be setback 6 metres from the street.</p> <p>Buildings facing all other streets:</p> <p>40 metre street edge height</p> <p>Any part of the building above 40 metres setback 6 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> Reinforces Elizabeth Street as a civic spine and facilitates the enhancement of its landscape character. Creates stronger definition to the streetscape. Complements the existing character established by the university, research and medical buildings. Ensures sunlight reaches the lower floors of new developments. Facilitates an integrated built form on both sides of the Swanston Street. Delivers a scale of development that provides street definition and a high level of pedestrian amenity, having regard to access to sunlight, sky views and a pedestrian friendly scale. Provides a street edge height that integrates new development with lower scale heritage buildings.
4.2	32 metres	<p>Buildings facing all streets;</p> <p>24 metre street edge height</p> <p>Any part of the building above 24 metres setback 6 metres from the street.</p>	<p>Development that:</p> <ul style="list-style-type: none"> Delivers a scale of development that provides a high level of pedestrian amenity, including access to sunlight at ground floor (to Berkeley Street), sky views and a pedestrian friendly scale. Respects the scale of existing heritage buildings.
5	60 metres	<p>Buildings fronting Pelham and Berkely Street:</p> <p>24 metre street edge height.</p> <p>Any part of the building above 24 metres should be setback 6 metres from the street.</p> <p>Buildings facing O'Connell Street:</p> <p>20 metre street edge height.</p> <p>Any part of the building above</p>	<p>Development that:</p> <ul style="list-style-type: none"> Supports the gateway role of the Haymarket. Has a scale of development that is complementary to the proposed medium level built form of its surrounds. Has a consistent streetscape built form that integrates Elisabeth Street with Flemington Road.

DDO Area	Building Height	Street edge height and upper level setback	Built Form Outcome
		<p>20 metres setback 6 metres from the street.</p> <p>Buildings facing Blackwood Street:</p> <p>40 metre street edge height</p> <p>Any part of the building above 40 metres setback 10 metres from the street.</p>	<ul style="list-style-type: none"> Does not overshadow the proposed civic space within the Haymarket. Delivers a scale of development that provides an appropriate transition to the lower scale built form in Berkeley and Pelham Street. Provides a high level of pedestrian amenity, including access to sunlight to ground floor and sky views.
1-5		On the street edge of laneway frontages, any part of the building above 10.5 metres should be setback 4 metres.	Development that ensures laneways have appropriate access to daylight and sunlight.

Table 2-Design Requirements for all DDO Areas

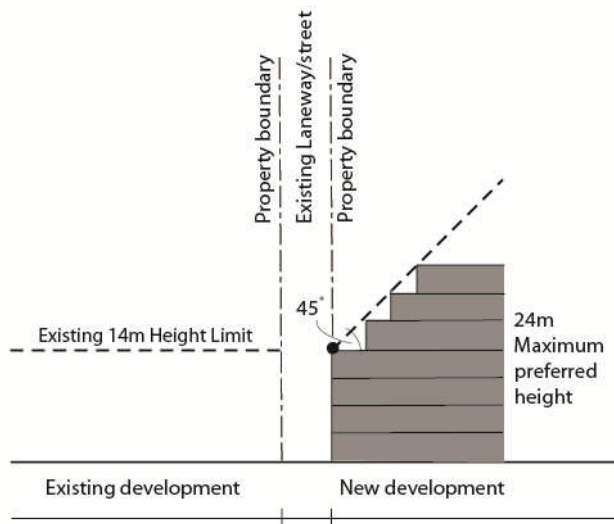
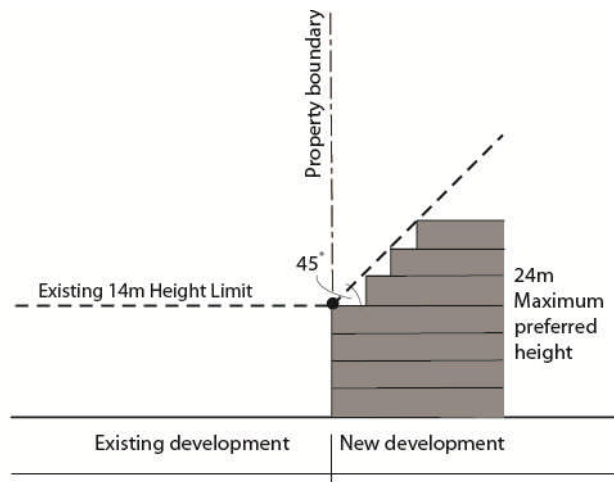
Design Objective	Design Requirement
Building Heights, Scale and Setbacks	
<p>To ensure that the height of new buildings reinforces the built form character of specific areas as defined in Table 1 in this Schedule.</p> <p>To ensure appropriate building scale, height and setbacks at interfaces with established residential areas having regard to existing character, context and amenity.</p> <p>To ensure appropriate building scale on the side and rear boundaries of new buildings and works that respects the scale of existing adjoining buildings.</p> <p>To avoid to exposed blank walls</p> <p>To assist in limiting visual impact and adverse amenity on adjacent development sites.</p> <p>To promote articulated rooflines with architectural interest and variation.</p> <p>To establish a generally consistent built form to the street edge that creates a strong sense of definition and place.</p> <p>To ensure that the scale of built form provides an urban environment that is comfortable for pedestrians.</p> <p>To ensure equitable and good access to sunlight / daylight for occupants of buildings and in public places.</p> <p>To ensure that new development is adaptable over the long term to a range of alternate uses.</p>	<p>Deliver a scale of development at the street edge in accordance with Table 1 in this Schedule.</p> <p>Buildings should be constructed to the street boundary of the site.</p> <p>Upper levels above the maximum street wall heights should be visually recessive and more diminutive than the building's base.</p> <p>On corner sites where two different street edge heights are nominated, buildings should "turn the corner" and apply the higher street edge and transition to the lower nominated street edge height.</p> <p>Buildings should have a minimum ground floor to floor height of 4 metres at ground floor and a minimum floor to floor height of 3.2 metres in levels above the ground floor.</p>
To ensure that new buildings and works adjoining individually significant heritage buildings or buildings within a heritage precinct respects the character, form,	<p>The design of new buildings should respect the character, height, scale, rhythm and proportions of the heritage buildings.</p> <p>New buildings should step down in height</p>

Design Objective	Design Requirement
massing and scale of the heritage buildings.	<p>to adjoining lower scale heritage buildings.</p> <p>New buildings should consider retaining the traditional heritage street wall (as opposed to defining a new higher street wall) where appropriate.</p>
Building Facades and Street Frontages	
<p>To ensure that buildings are well designed and enhance the amenity of City North.</p> <p>To deliver a fine grain built form with architectural variety and interest.</p> <p>To encourage high quality facade and architectural detailing.</p>	<p>Addressing the Street</p> <p>The articulation of building facades should express a fine grain. Expressing the vertical elements is encouraged to minimise the dominance of wide building frontages.</p> <p>Multiple doors/entrances to buildings and windows should be provided off the street to improve activation of the street.</p> <p>The facades of buildings should maintain the continuity, and traditional characteristic vertical rhythm of streetscapes.</p> <p>All visible sides of a building should be fully designed and appropriately articulated and provide visual interest.</p> <p>Blank building walls that are visible from streets and public spaces should be avoided.</p> <p>Buildings on corner sites should address both street frontages.</p> <p>Service areas</p> <p>Service areas (plant, exhaust, intake vents and other technical equipment and other utility requirements) should be treated as an integral part of the overall building design and visually screened from public areas.</p> <p>Buildings should be designed to integrate attachments (including antennae) without disrupting the appearance of the building.</p> <p>Building Projections</p> <p>Building projections outside the property boundary should accord with Council's Road Encroachment Guidelines.</p>
Active and Safe Street Frontages	
<p>To create safe streets.</p> <p>To ensure all streets are pedestrian oriented and contribute to pedestrian safety.</p> <p>To ensure development presents welcoming, engaging and active edges to streets and other public spaces at ground floor and the street frontages of lower storeys.</p> <p>To ensure development contributes to passive surveillance of the public domain.</p>	<p>Ground floor frontages should contribute to city safety by providing lighting and activity.</p> <p>At least the first five levels of a building should provide windows and balconies, fronting the street or lane.</p> <p>Access to car parking and service areas should minimise impact on street frontages and pedestrian movement.</p> <p>Carparking should not be located at ground floor and should not occupy more than 20% of the length of the street frontage above ground floor.</p> <p>Facades at ground level should not have</p>

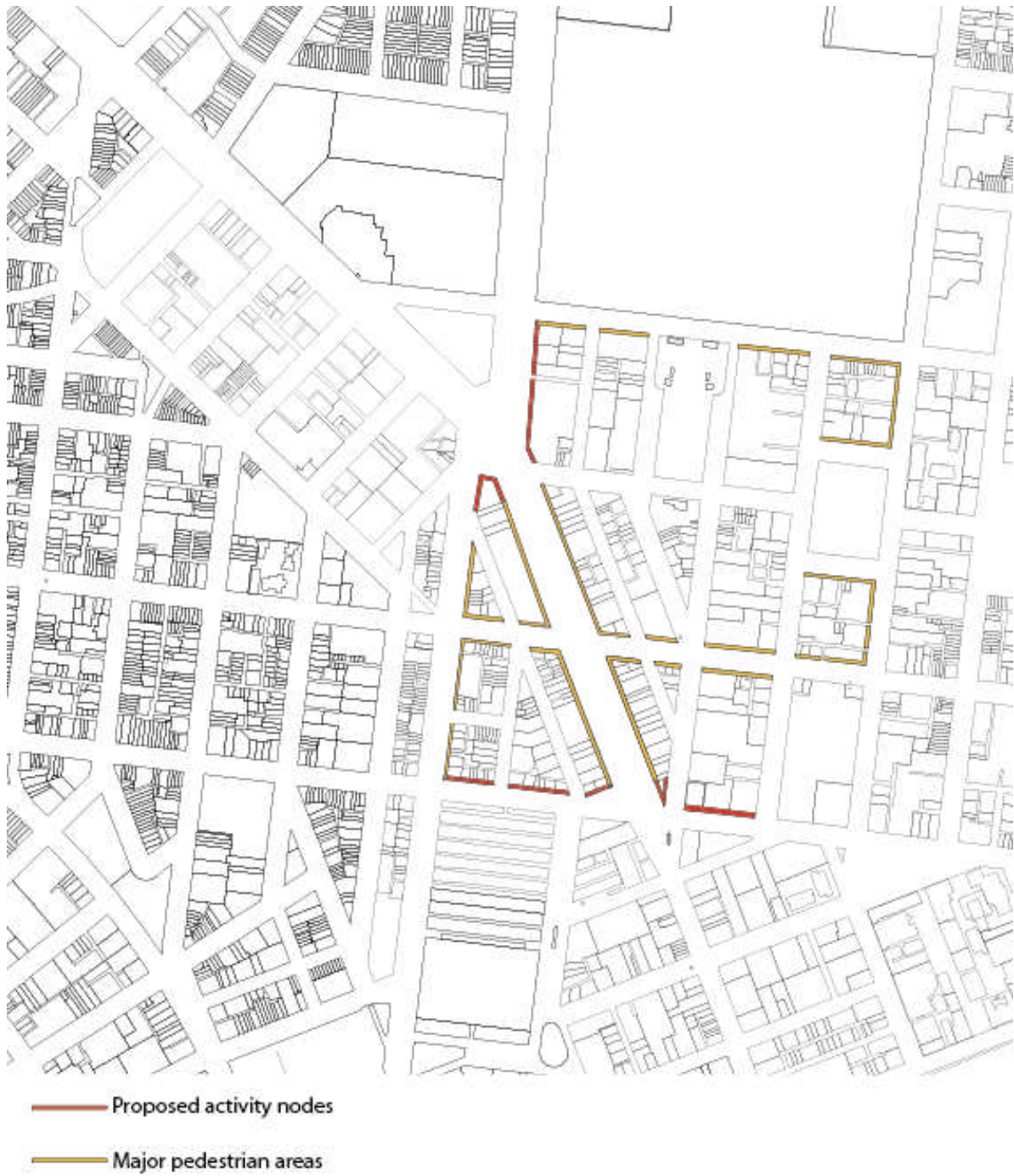
Design Objective	Design Requirement
	alcoves and spaces that cannot be observed by pedestrians.
To provide continuity of ground floor shops and food and drink premises in proposed activity nodes.	<p>Buildings with ground-level street frontages along Royal Parade at the Haymarket area and Victoria Street as shown on Map 1 should contribute to the appearance and support the proposed retail function of the area to the satisfaction of the responsible authority, by providing:</p> <ul style="list-style-type: none"> At least 5 metres or 80% of the street frontage (whichever is the greater) as an entry or display window to a shop and/or a food and drink premises. Clear glazing (security grilles should be transparent)
To ensure ground floor frontages to major pedestrian area add interest and vitality.	<p>Buildings with ground-level street frontages to Elizabeth Street, Peel Street, Grattan Street, Swanston Street and Queensberry Streets as shown on Map 1 should present an attractive pedestrian oriented frontage to the satisfaction of the responsible authority, by providing:</p> <ul style="list-style-type: none"> At least 5 metres or 80 % of the street frontages (whichever is the greater) as: <ul style="list-style-type: none"> an entry or display window to a shop and/or a food and drink premises; or as any other uses, customer service areas and activities, which provide pedestrian interest or interaction. Clear glazing (security grilles must be transparent).
Provision of Public Places	
To encourage the provision of well-designed and publicly accessible spaces	The opportunity for the inclusion of public spaces should be promoted.
Sunlight to Public Places	
<p>To ensure that new buildings allow daylight and sunlight penetration to public spaces, and open space throughout the year.</p> <p>To protect sunlight to public spaces.</p> <p>To ensure that overshadowing of public spaces by new buildings or works does not result in significant loss of sunlight.</p>	<p>Buildings and works should not cast a shadow between 11.00 am and 2.00 pm on 22 March and 22 September over public space, public parks and gardens, public squares, major pedestrian routes including streets and lanes, and privately owned plazas open to the public. A permit may only be granted if the overshadowing will not prejudice the amenity of those areas.</p> <p>Maximise the extent of the northerly aspect of public open spaces.</p> <p>Ensures sunlight reaches the lower floors of new developments.</p>
Pedestrian Links	
<p>To encourage the creation of new lanes and connections, particularly in locations where block lengths exceed 100m.</p> <p>To ensure new laneways are aligned to respect the street pattern;</p>	<p>Pedestrian through block connections should be provided where the average length of a street block exceeds 100 metres. For street blocks exceeding 200metres in length at least two connections should be provided.</p>

Design Objective	Design Requirement
<p>To ensure new laneways integrate with the pattern of development of adjacent areas,</p> <p>To accommodate vehicular and service access to developments.</p>	<p>Connections should be located towards the centre of the street block, no more than 70 metres from the next intersection or pedestrian connection.</p> <p>Where a development site is suitably located for a pedestrian connection but does not exceed the full depth of the block, the development should include a connection which would be completed when a connection is provided through the adjoining site.</p> <p>Where a development site has the potential to achieve a through block connection by extending an existing or proposed connection on an adjoining site, the new development should provide for the completion of the through block connection.</p> <p>Development should provide pedestrian connections that are aligned with other lanes or pedestrian connections in adjacent blocks (or not offset by more than 30 metres) so as to provide direct routes through City North.</p> <p>Bluestone lanes, kerbs and guttering within heritage precincts must be retained, and should also be retained outside heritage precincts.</p> <p>Laneway design and character</p> <p>Developments should provide pedestrian connections which are:</p> <ul style="list-style-type: none"> ▪ Safe, direct, attractive and which provide a line of sight from one end of the connection to another. ▪ Publicly accessible. ▪ At least 3-6 metres wide. ▪ Open to the sky or if enclosed at 7.6 metres. ▪ Flanked by active frontages. <p>Existing lanes should not be covered.</p> <p>The pedestrian amenity of lanes which are primarily used for servicing and car parking, should be improved through the use of materials, lighting and designated areas for pedestrians and vehicles.</p> <p>Buildings and works adjoining lanes</p> <p>The design and management of access and loading areas along lanes should not impede pedestrian movement.</p> <p>New development should respond to the fine grain pattern, vertical articulation and division of building frontages where this forms part of the lane way character.</p> <p>New development along lanes should provide highly articulated and well detailed facades that create visual interest,</p>

Design Objective	Design Requirement
	particularly at the lower levels.
Weather Protection	
<p>To promote pedestrian amenity.</p> <p>To ensure built form does not increase the level of wind at ground level and that buildings are designed to minimise any adverse effect on pedestrian comfort.</p>	<p>The design of the building should minimise the potential for ground-level wind and any adverse effect on pedestrian comfort as follows:</p> <ul style="list-style-type: none"> ▪ In the proposed activity nodes shown on Map 1 the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5° wind direction sector should not exceed 10 ms⁻¹. This speed is generally acceptable for stationary, long term exposure (>15 minutes); for instance, outdoor restaurants/cafes, theatres ▪ Along major pedestrian areas shown on Map 1 the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5° wind direction sector should not exceed 13 ms⁻¹. This speed is generally acceptable for stationary, short term exposure (<15 minutes); for instance, window shopping, standing or sitting in plazas; ▪ Along all other streets the peak gust speed during the hourly average with a probability of exceedence of 0.1% in any 22.5° wind direction sector should not exceed 16 ms⁻¹ (which results in half the wind pressure of a 23ms⁻¹ gust) which is generally acceptable for walking in urban and suburban areas. <p>Landscaping within the public realm should not be relied on to mitigate wind.</p>
<p>To protect pedestrians from the elements by providing shelter from the rain and sun, without causing detriment to building or streetscape integrity.</p>	<p>Buildings should include protection from the weather in the form of canopies, verandas and awnings.</p> <p>The design, height, scale and detail of canopies, verandas and awnings:</p> <ul style="list-style-type: none"> ▪ should be compatible with nearby buildings, streetscape and precinct character; ▪ may be partly or fully transparent to allow light penetration to the footpath and views back up the building façade; ▪ should be setback to accommodate existing street trees; and ▪ should be located so that verandah support posts are at least 2 metres from tree pits. <p>Protection need not be provided where it would interfere with the integrity or character of heritage buildings, heritage precincts or streetscapes and lanes.</p>

Figure 1**Provisions for Area 2 (Land adjoining DDO32)**

Map 1 – Street Frontages



05/07/2018
C325**SCHEDULE 63 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT
OVERLAY**Shown on the planning scheme map as **DDO63**.**MACAULAY URBAN RENEWAL AREA, KENSINGTON AND NORTH
MELBOURNE****1.0****Design objectives**23/10/2017
C190(Part 1)

- To create a compact, high density, predominantly mid-rise, 6 – 12 storey walkable neighbourhood that steps down at the interface with the low scale surrounding established residential neighbourhoods.
- To provide for higher development that delivers identified demonstrable benefits on large sites that do not interface with the low scale surrounding established residential neighbourhoods.
- To create urban streetscapes that are defined by a generally consistent plane of building facades that enclose streets but allow daylight and sunlight to penetrate to the streets and to lower building levels.
- To ensure that built form elements above the street wall are visually recessive and do not contribute to visual bulk.
- To encourage the ground floor of buildings to be designed so that they can be used for a variety of uses over time.

2.0**Buildings and works**05/07/2018
C325

A permit is not required for buildings and works that do not alter the height or setback of an existing building.

An application must be accompanied by a site analysis and urban context report which demonstrates how the proposed building or works achieve each of the Design Objectives and Built Form outcomes of this schedule, and any local planning policy requirements and the following:

- Design objectives and built form outcomes contained in this schedule.
- Detailed elevation and section drawings at a minimum of 1:50 scale at all street interfaces for at least the lower levels.
- Any local planning policy requirements.

The specified building height does not apply to service equipment including plant rooms, lift overruns, solar collectors and other architectural features and equipment provided the following criteria are met:

- The equipment is located in a position on the roof so as to minimise overshadowing of neighbouring properties and public spaces.
- The equipment is designed to the satisfaction of the responsible authority.

Building Heights

Development should not exceed the Preferred maximum height in Table 1.

All developments that exceed the **Preferred maximum height in Table 1** must demonstrate each of the following:

- A demonstrable benefit to the broader community that include among others:
- Exceptional quality of design.
- A positive contribution to the quality of the public realm.
- High quality pedestrian links where needed.
- Good solar access to the public realm.

A permit cannot be granted to exceed the **Absolute maximum height in Table 1** except in Area 5 where the following applies:

Area 5:

The absolute maximum building height does not apply to Area 5.

Any redevelopment of this area above the preferred height should include a master plan that reintegrates the whole area with the surrounding urban fabric, including:

- improved interfaces with surrounding streets through innovative urban design treatments, visually recessive built form closer to the road frontages, and
- improved pedestrian and cycling connections to and from the site.

Table 1: Building heights

Area	Preferred maximum height	Absolute maximum height
A1	10.5m (3 storeys)	14m (4 storeys)
A2	14m (4 storeys)	20m (6 storeys)
A3, A4	20m (6 storeys)	26m (8 storeys)
A5	26m (8 storeys)	N/A
A6	20m (6 storeys)	26m (8 storeys)
A7	28m (9 storeys)	36.4m (12 storeys)
A8	30m (9 storeys)	39m (12 storeys)

Table 2: Built form outcomes

Area	Built Form Outcomes
A1	<p>Deliver a scale of development that complements the established low-scale residential area.</p> <p>Protect the amenity of existing residential areas by avoiding overlooking and overshadowing of private open space and minimising the visual impact of upper levels.</p>
A2	<p>Set back higher building form along Melrose Street to deliver scale of development that responds appropriately to the existing context.</p>
A3	<p>Deliver a scale of development that provides street definition and a pedestrian friendly scale.</p> <p>Deliver a scale of development that provides appropriate access to sunlight and daylight.</p> <p>Protect the amenity of existing residential development by avoiding overlooking and overshadowing of private open space and minimising the visual impact of upper levels.</p>
A4, A5	<p>Deliver a scale of development that provides street definition and a pedestrian friendly scale.</p> <p>Deliver a scale of development that provides appropriate access to sunlight and daylight.</p> <p>Deliver a scale of development at the interface with established low-scale residential development that provides an appropriate transition in height and minimises the visual impact of upper levels.</p> <p>Solar access is maintained to ground floors on western side of Thompson Street and southern side of Scarborough Place.</p> <p>Deliver the reintegration of Office of Housing estates into the surrounding urban fabric.</p>
A6, A7	<p>Deliver a scale of development that provides street definition and a pedestrian friendly scale.</p>

Area	Built Form Outcomes
	<p>Deliver a scale of development that provides appropriate access to sunlight and daylight.</p> <p>Provide limited opportunities for taller buildings that deliver significant public realm outcomes.</p>
A8	<p>Deliver a scale of development that provides street definition and a pedestrian friendly scale.</p> <p>Deliver a scale of development that provides appropriate access to sunlight and daylight.</p> <p>Deliver a scale of development at the interface with established low-scale residential development that provides an appropriate transition in height and minimises the visual impact of upper levels.</p>
All areas	<p>Ensure laneways have appropriate levels of access to daylight and sunlight.</p> <p>Deliver developments that maximise surveillance of public and communal areas and nearby creek environs.</p> <p>Deliver a scale of development setbacks from the Moonee Ponds Creek environs which respond appropriately to creek/public space conditions and provision of public thoroughfares in the public and private domain adjacent to the creek, as appropriate.</p> <p>Where development respond to flood risk by providing ramp structures or other measures flood mitigation measure, high quality urban design outcomes must be provided at the building and public interfaces.</p>

Street wall and setbacks

A permit cannot be granted to increase the Street Wall Height in Table 3.

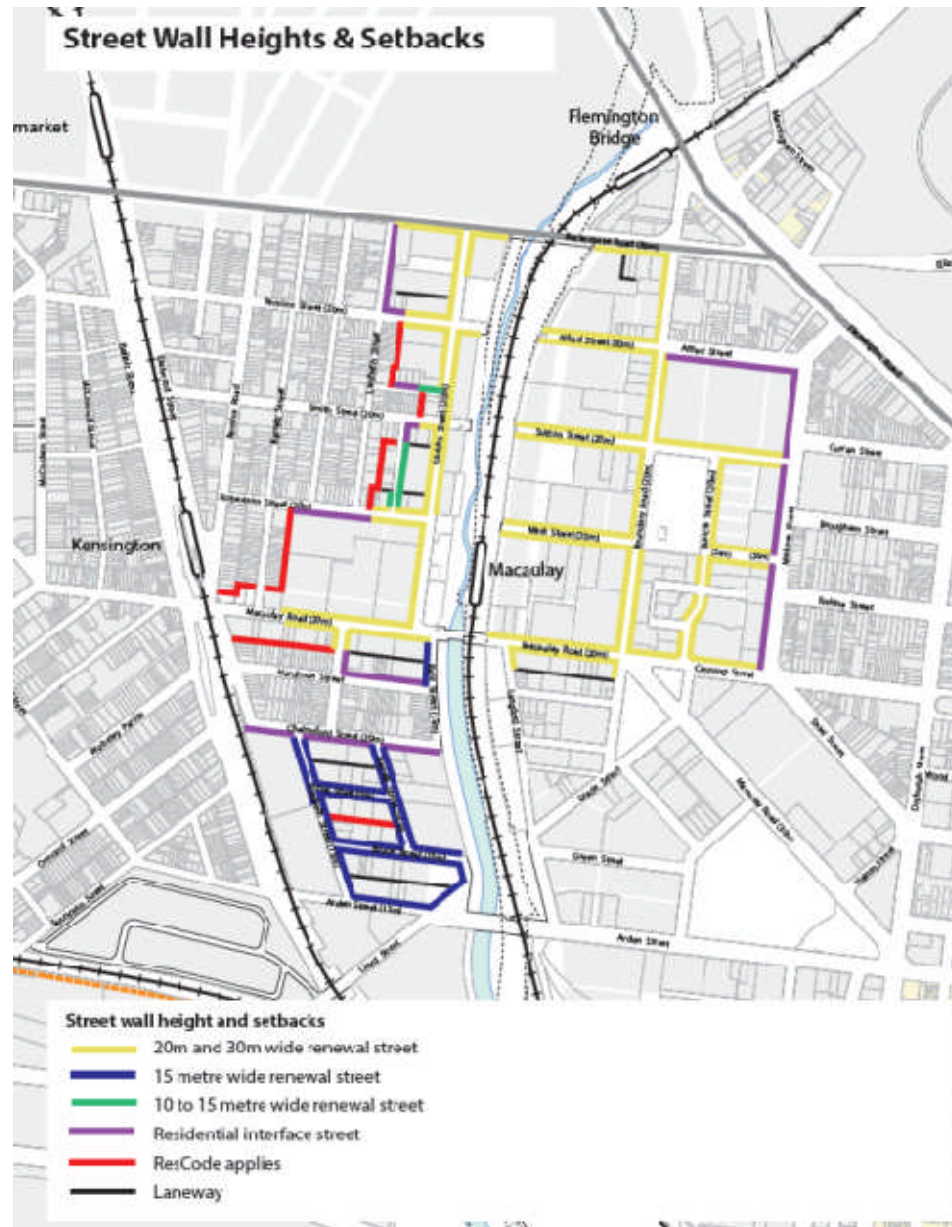
Development should be setback from all streets identified in Map 1 in accordance with Table 3. This applies even if the site does not have frontage to the identified street.

Buildings should be built to street edge at ground level to provide a clearly delineated and fronted public realm.

Buildings should be setback from existing low scale residential development in accordance with Table 3.

Table 3: Street wall height and setbacks

Interface type shown on Map 1	Street wall height Setback of buildings above street wall
20 and 30 metre wide renewal street	Development at the frontage must not exceed a height of 6 storeys. Development should be set back 1 metre for every metre of height above 20 metres.
15 metre wide renewal street	Development at the frontage must not exceed a height of 4 storeys. Development should be set back 1 metre for every metre of height above 15 metres.
10 to 15 metre wide renewal street	Development at the frontage must not exceed a height of 3 storeys. Development should be set back 1 metre for every metre of height above the street wall.
Residential interface street	Development at the frontage must not exceed a height of 3 storeys. Development above the street wall should be setback at least 10 metres and be visually recessive.
Laneway	Development along the laneway must not exceed a height of 3 storeys. Development above the street wall should be setback 4 metres. In addition, development on the northern side of an east-west laneway should be set back 1 metre for every metre of height above the preferred maximum height.
Shiel Street	Development at the frontage must not exceed a height of 3 storeys. Development above the street wall should be set back at least 2 metres for every 1 metre of height.
Interface type shown on Plan	Set back from boundary with low scale residential development
ResCode Applies	A new building not on or within 200mm of a boundary should be set back from the boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.



Map 1 – Street wall height and setbacks

Active Street Frontages

A building in a Commercial Zone, with ground-level frontage should provide:

- At least 5 metres or 80 per cent of the street frontage (whichever is the greater) as an entry or display window to a shop and/or a food and drink premises, or as other uses, customer service areas and activities, which provide pedestrian interest and interaction.
- Clear glazing (security grilles must be transparent).

A building with ground-level frontage to a street identified on Map 2 should present an attractive pedestrian oriented frontage with commercial uses where practical.

Buildings with ground-level frontage to all other streets, should provide an active and physically connected street interface, for example by providing multiple entrances off the street.

Weather protection and facade treatment

A building with a road frontage to a street identified on Map 2, should provide a veranda for weather protection over the footpath unless this would cause detriment to the integrity of a heritage building or streetscape.

The articulation of a building facade should express a fine grain variety and modulation that assists in reducing the visual dominance of buildings, particularly a wide street frontage. Expressing the vertical elements is encouraged to further minimise the dominance of wide building frontages.



Map 2 – Frontages to primary streets

Connectivity and laneways

Development must provide for a high quality pedestrian link generally along the eastern side of CityLink to provide direct pedestrian connection to Macaulay and Flemington Bridge Stations for land between Macaulay Road and Racecourse Road.

Development should provide for a fine-grained system of laneways and pedestrian connections that are:

- Safe, direct and attractive;
- Publicly accessible;
- Aligned with other lanes or pedestrian connections to provide direct through routes.

Development along new and existing laneways and pedestrian connections must comply with the laneway controls in Table 3.

Heritage

When new developments adjoin heritage buildings located in a Heritage Overlay, the design of new buildings should have regard to the height, scale, rhythm of and proportions of the heritage buildings.

Reference documents

Arden-Macaulay Structure Plan 2012

3.0 Subdivision

23/10/2017
C190(Part 1)

None specified.

4.0 Advertising signs

23/10/2017
C190(Part 1)

None specified.

5.0 Decision guidelines

23/10/2017
C190(Part 1)

None specified.

Expiry

The requirements of this overlay cease to apply after 30 September 2019.