

05/11/2015  
C195(Part 1)

## **SCHEDULE 23 TO THE DESIGN AND DEVELOPMENT OVERLAY**

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

### **MALING ROAD BUILT FORM DESIGN GUIDELINES**

#### **1.0**

##### **Design objectives**

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To preserve and maintain the historic streetscape of Maling Road.

To maintain long range vistas of Malone Hotel Tower (208 Canterbury Road).

To maintain the varied building heights and low rise scale of Maling Road.

To ensure new buildings and additions in the centre respect and enrich the historic streetscape of Maling Road.

To respect the character and amenity of surrounding residential areas.

To improve the safety and amenity of public spaces including pedestrian walkways, Theatre Place and public car parks.

#### **2.0**

##### **Permit requirements**

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##### **Mandatory requirements**

A permit cannot be granted for development that exceeds the **mandatory** requirements specified in this Schedule.

The overall vertical height is measured from the natural ground level to the roof or parapet at any point, whichever is the greater.

#### **3.0**

##### **Buildings and works**

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##### **Mandatory controls**

Buildings must not exceed the mandatory building heights detailed in Map 1 of this schedule other than:

- To accommodate roof top services that are hidden from view from any adjoining public space or designed as architectural roof top features. Roof top services includes but is not limited to plant rooms, air conditioning, lift overruns, roof top gardens, decks and communal outdoor spaces and their ancillary facilities.
- Where the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum overall building height may be exceeded by one (1) metre.
- Where an existing building on the subject land already exceeds the mandatory maximum height allowed under this Schedule. In this event, a permit can be granted to construct a building or carry out works to the same height as the existing building.  
Note: building height excludes roof top plant equipment or similar services.

The street wall height of 'non-contributory' buildings in Map 1 must not exceed a height of 8.5 metres, and must be no more than two storeys.

## **Discretionary controls**

### **Setbacks and street wall heights**

- Buildings in a commercial zone must have a zero street setback.
- Upper level additions to ‘significant’ and ‘contributory’ heritage places shown on Map 1 of this schedule should be set back a minimum of 5 metres behind the street wall. A greater setback may be required for upper level additions to single storey ‘significant’ or ‘contributory’ heritage buildings to protect heritage values.
- The secondary street facade of ‘significant’ and ‘contributory’ heritage places shown on Map 1 of this schedule should reflect the street wall height of the existing heritage building, and read as no more than two storeys at the street edge.
- The street wall of new developments on ‘non-contributory’ properties in Map 1 of this schedule should reflect the street wall height of any abutting ‘significant’ or ‘contributory’ heritage buildings.

### **Building facades**

- The primary facade of ‘significant’ or ‘contributory’ heritage buildings must be retained and restored as part of any buildings and works, wherever possible.
- New pedestrian access should not result in significant impacts on heritage facades of ‘significant’ or ‘contributory’ heritage buildings.
- Services, such as air conditioning units and plant equipment should not be located on the facade of buildings or external balconies facing the street. All services should be screened from view and integrated in the design of buildings.

### **Interface with public spaces**

- Properties with a frontage to a laneway, public car park or pedestrian walkway should, where possible:
  - Provide a zero setback to create a clearly defined street edge.
  - Incorporate active frontages, such as pedestrian access, outdoor seating, shopfronts and/or windows at ground level.
  - Incorporate windows and balconies on upper levels.
  - Incorporate lighting into the design of buildings and create clearly visible entrances.
  - Screen service areas from public view.

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- The facade of new developments should:
  - Present as no more than two storeys to the street.
  - Demonstrate high quality architectural design that complements the heritage properties in the Maling Road streetscape.
  - Provide frequent pedestrian access and glazing at street level to activate the street and facilitate interaction between the internal ground floor uses and the street.
  - Incorporate vertical and horizontal architectural elements that reinforce the rhythm and fine grain character of the historic Maling Road streetscape.
  - Avoid large sections of blank, unarticulated walls along primary and secondary street frontages.
  - Incorporate weather protection above all footpaths. Awning heights should be continuous and match the awning heights of abutting ‘significant’ or ‘contributory’ heritage building.

- Development over a height of 8.5 metres should be setback a minimum of 5 metres behind the street wall.
- New development that abuts a 'sensitive residential interface' shown on Map 1 of this schedule should:
  - Be setback from the side or rear boundary a minimum of 3 metres from a 'sensitive residential interface' up to a height of 8 metres. Over a height of 8 metres the side or rear setback should be in accordance with Clause 55.04-1 Standard B17 of the Boroondara Planning Scheme. The setback should be landscaped with plants that will provide visual screening of the building for surrounding residential areas.
  - Be articulated to reduce visual bulk and its dominance when viewed from Maling Road and Scott Street. Sheer, blank, unarticulated walls will be not supported.
  - Ensure the length of any side elevation responds to the siting and length of side walls of historic residences in the surrounding area.
  - Ensure the third floor is a recessive element. Use of lightweight materials and finishes are encourages for development over a height of 8.5 metres.
- New development should be designed to minimise amenity impacts on adjoining residences and demonstrate how overlooking and overshadowing impacts have been addressed in accordance with the objectives and standards of Clause 55.04 of the Boroondara Planning Scheme.

#### **4.0 Subdivision**

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A planning permit is not required for subdivision.

#### **5.0 Application requirements**

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- An application to develop land should include, as appropriate, the following information to the satisfaction of the responsible authority:
  - An urban design context report that demonstrates how the proposal addresses the objectives and design guidelines in this Design and Development Overlay.
  - Three dimensional drawings or photomontages taken from eye level, at various locations in and surrounding the centre that shows the proposed development in context with its surrounds. The image should demonstrate how vistas to the Canterbury Mansion building are maintained, and show views as you approach the centre from Maling Road and Scott Street.

#### **6.0 Decision guidelines**

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






- Whether the proposed development has a positive impact on the Maling Road heritage streetscape.
- Whether the development maintains long and short range views to landmark buildings in the centre.
- The visual and amenity impacts of the proposed development on the surrounding residential areas.
- Whether the proposed development improves natural surveillance of key pedestrian links, public car parks and other public spaces.
- Whether the proposed development has a positive visual impact on the south/west entry to the shopping centre.



**Legend**

-  Maling Road Boundary
-  Mandatory streetwall height 8.5 metres
-  5 metre upper level setback
-  Encourage articulated building facades
-  Retain existing heritage streetscape and building facades
-  Significant heritage property
-  Contributory heritage property
-  Non-contributory property
-  Malone Hotel (Landmark building)

**Mandatory**

-  Mandatory height limit 8.5 metres
-  Mandatory height limit 10.5 metres
-  Mandatory height limit 11 metres
-  Encourage active frontages and natural surveillance
-  Sensitive residential interface applies

**Map 1: Maling Road Built Form Map**