

16/08/2018
C157

SCHEDULE 8 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO8**.

BENTLEIGH ACTIVITY CENTRE

1.0

Design objectives

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- To preserve and enhance the low scale character of the Centre Road shopping strip.
- To preserve and enhance the heritage and low scale residential areas in Bentleigh.
- To encourage well designed mixed-use development, that supports the housing and economic needs of the Bentleigh activity centre.
- To ensure an appropriate design response to sensitive interfaces, such as heritage or low-scale residential sites and open space.

2.0

Buildings and works

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A permit is not required to construct a building or construct or carry out works for the purpose of:

- The installation of an automatic teller machine.
- An alteration to an existing building façade in a Commercial 1 Zone or Mixed Use Zone but only if:
 - The alteration does not include the installation of an external roller shutter; and
 - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road in a Commercial 1 Zone or Mixed Use Zone, but only if it is authorised by the relevant public land manager.
- A single dwelling on a lot
- Extension of a single dwelling on a lot or buildings and works ancillary to a single dwelling on a lot.

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

Building Height

A building must not exceed the maximum mandatory building height and the number of storeys specified in Column 3 of Table 1 to this schedule. This requirement cannot be varied with a permit.

The maximum building height does not apply to:

- Alterations to or extension of a lawfully existing building but only if all of the following requirements are met:
 - The existing building has a building height of more than that specified in Column 3 of the Table to this schedule.
 - The maximum building height of the existing building is not exceeded.
 - The footprint of the upper storey, existing at the approval date, is not increased by more than 10 per cent.
- Architectural features, masts, building services or enclosed stairwells that do not exceed any required height limit by more than 4 metres. The combined floor

areas of these features should not exceed 10 per cent of the gross floor area of the top storey of the building.

Table 1 – Building height requirements

Column 1 Precinct Number	Column 2 Precinct Name	Column 3 Maximum building height
1	Heritage Character (residential)	9m, comprising up to 2 storeys
2	Minimal Change	9m, comprising up to 2 storeys
3	Garden Townhouse	11m, comprising up to 3 storeys
4	Garden Apartment	n/a
5 (a)	Shoptop (standard)	11m, comprising up to 3 storeys
5 (b)	Shoptop (standard)	14m, comprising up to 4 storeys
5 (c)	Shoptop (standard)	17m, comprising up to 5 storeys
6	Strategic Site	19m, comprising up to 5 storeys

The Precinct Numbers referred to in Column 1 of Table 1 are the areas shown on Map 1 forming part of this Schedule.

In Table 1, references to storeys do not include a basement.

Setbacks

Buildings and works including lift overruns should:

- Achieve the setback requirements described below; and
- Be setback no less than the setbacks in Table 2 and illustrated in Table 3 to this schedule.

Setbacks – All areas

Building setbacks should provide an appropriate response to sensitive interfaces shown on Map 1 to this schedule.

Setbacks - Precinct 2

In Precinct 2 on Map 1 to this schedule, building setbacks should ensure that development minimises the impact of double storey development on adjoining properties.

Setbacks - Precinct 3 and 4

In Precinct 3 and 4 shown on Map 1 to this schedule, building setbacks should:

- Contribute to a low scale (two-storey) streetscape character, with upper floors recessed.
- Minimise the visual impact of development from adjoining residential sites to the side and rear.
- Avoid boundary to boundary development, to minimise impacts on adjoining properties and the residential streetscape character (walls-on-boundary may be provided on one side of the development only).
- Provide adequate separation between buildings to achieve a high level of internal amenity for existing and future occupants and to minimise impacts on existing lower scale residential sites.
- Provide a well-landscaped garden setting including substantial front and rear setbacks that accommodate deep planted canopy trees.

Setbacks - Precinct 5

In Precinct 5 shown on Map 1 to this schedule, building setbacks should:

- Contribute to a street wall that reinforces traditional parapet heights and reduces visual prominence of upper floors.
- Provide a suitable transition to sensitive interfaces.
- Provide separation that assists to mitigate building bulk and overlooking without reliance on tall privacy screens.
- Support the function of designated active and service laneways. Rear setbacks should result in widened accessways of 6 metres width.
- Respond to the role, function and character of side streets, where the site is on a corner.
- Provide boundary to boundary development (side boundary to commercial sites), to maintain a consistent attached built form character.
- Where a side setback is proposed, provide adequate separation between buildings to achieve a high level of internal amenity for occupants of dwellings and to ensure equitable development outcomes.

Setbacks - Precinct 6

For applications in Precinct 6 on Map 1 to this schedule, building setbacks should:

- Reduce the visual impact of taller buildings by providing a consistent street wall height with upper floors recessed.
- Ensure that development does not prejudice the delivery of future public open space in designated locations.
- Support the function of designated active and service laneways and public plazas and facilitate new laneways and pedestrian connections between buildings.

Column 1 Precinct No.	Column 2 Precinct Name	Column 3 Street setback	Column 4 Side and rear setbacks
1	Heritage Character (residential)	n/a	n/a
2	Minimal Change	n/a	Rear Setback <ul style="list-style-type: none"> • 5m at ground floor • A further 4m at the second storey.
3 & 4	Garden Townhouse And Garden Apartment	Primary frontage: <ul style="list-style-type: none"> • 7m, to a height of two storeys • A further 4m at the third storey. • A further 3m at the fourth storey. Secondary frontage (corner sites): <ul style="list-style-type: none"> • 3m to a height of two storeys • A further 2m at the third storey. 	Side Setback In accordance with Clause 55.04-1 of this planning scheme except for: <ul style="list-style-type: none"> • Minimum side setback of 6m for secluded private open space at upper floors. Rear Setback <ul style="list-style-type: none"> • 5m, to a height of two storeys • A further 6m at the third storey. • A further 3m at the fourth storey.
5	Shoptop (standard)	Primary Street Frontage Setback: <ul style="list-style-type: none"> • 0m to a height of 2 storeys (9m including parapet/balustrade) • Upper level setbacks — 5m Secondary Street Frontage Setback (where the site is on a corner): Where the secondary frontage is a main road: <ul style="list-style-type: none"> • 0m to a height of 2 storeys (9m including parapet/balustrade) • Upper level setbacks — 5m Where the secondary frontage is a local street: <ul style="list-style-type: none"> • 0m to a height of 2 storeys (9m including 	Commercial Interface Where the site abuts a commercial/mixed use site: <ul style="list-style-type: none"> • Any side-facing balconies should be setback a minimum of 6m from the side boundary. Where the site abuts a laneway: <ul style="list-style-type: none"> • 3m setback from the laneway to a height of two storeys, to provide an overall laneway width of 6m. • Upper level setbacks — a further 3m Residential Interface Side Setback where the site abuts a residential site: <ul style="list-style-type: none"> • 0m to a height of two storeys (9m) • Upper level setback – 3m Rear Setback where the site directly abuts a residential site:

Column 1 Precinct No.	Column 2 Precinct Name	Column 3 Street setback	Column 4 Side and rear setbacks
		<ul style="list-style-type: none"> parapet/balustrade) • Upper level setbacks — 3m 	<ul style="list-style-type: none"> • 6m to a height of two storeys (9m). • A further 5m at the third storey. • A further 6m at the fourth and fifth storeys. <p>Rear setback where the site abuts a laneway:</p> <ul style="list-style-type: none"> • 3m setback from the laneway to a height of two storeys, to provide an overall laneway width of 6m. • A further 5m at the third storey. • A further 6m at fourth and fifth storeys.
6	Strategic Site	<ul style="list-style-type: none"> • 0m to a height of 2 storeys (9m) • Upper level setbacks — 5m. 	<p>Where a site abuts a commercial/mixed use site:</p> <ul style="list-style-type: none"> • 3m setback to a height of three storeys (13m), to provide a laneway connection between buildings (overall width 6m) • Upper level setbacks — a further 3m <p>Where a site abuts a sensitive interface shown in Map 1:</p> <ul style="list-style-type: none"> • 6m setback to a height of two storeys (9m), • a further 5m at the third storey • a further 3m at fourth storey • All subsequent levels set back 20m from the property boundary

Building Design

All areas

- Buildings should incorporate high quality materials, textures and colours that respond to the residential or commercial characteristics of the streetscape, as appropriate.
- Buildings should be designed to address front, oblique and side views.
- Where appropriate, buildings should provide wide entries that are clearly visible, legible and welcoming.
- Building services including domestic services, utilities and waste management facilities should be well-placed, concealed and integrated into building design.
- Buildings should minimise overshadowing impacts on existing and future open spaces, commercial footpath-trading areas and existing residential sites.

Building Design - Precinct 1 - 4

- In Precinct 1 shown on Map 1 to this schedule, buildings should make a positive contribution to heritage and character streetscapes.
- In Precinct 3 shown in Map 1 to this schedule, buildings should:
 - Ensure that each ground floor dwelling with a street frontage has an entry facing the street.
 - Contribute to a medium density town house character that maintains a low-scale residential form and garden setting.
- In Precincts 3 and 4, roof design should:
 - Positively respond to and enhance the residential streetscape.
 - Incorporate contemporary architectural interpretations of traditional roof forms to assist with streetscape integration.

Building Design - Precinct 5 and 6

In Precincts 5 & 6 shown in Map 1 to this Schedule:

- Use a podium and tower form with detailing emphasised at ground floor to achieve a human scale with an attractive and active street level experience.
- Provide active edges at ground floor, with weather protection (awnings), openings and architectural detailing providing activity and interest.
- Incorporate consolidated upper setbacks to avoid a visible tiered form.
- Where the street proportions and character are strongly defined, respond to those key features (such as setbacks, parapets, cornices, awnings or colonnade heights).
- Use vertical and horizontal architectural elements and spacings that match the development pattern of the street.
- Boundary walls and side facing interfaces should be treated and articulated to provide interest from oblique views assuming that development will not occur on adjoining sites for some time.
- Where near to sensitive interfaces, provide a transition in scale from larger buildings to adjacent areas of smaller scale.
- Make a positive contribution both at street level and when viewed from a distance.
- Create new active frontages to new plazas and active laneways, and conceal services in these locations.
- In precinct 6, buildings should support a range of employment, residential and community spaces.

Garden setting and landscaping (Precincts 1-4 shown in Map 1)

- Buildings should provide an open and landscaped garden setting with substantial front and rear setbacks, deep planted canopy trees and permeable surfaces.
- Buildings should minimise basement footprints within the front and rear setbacks to provide for deep planting.
- Buildings should provide a minimum of 1 advanced canopy tree per 8 metres of boundary at the front and rear; and 1 tree per ground floor dwelling in total (total includes advanced canopy trees). If the result is not a whole number, round up to the nearest whole number.

Outlook, overlooking and passive surveillance

- Ensure active living areas (balconies, courtyards, terraces, lounges, kitchens, dining, etc.) maximise views, outlook, natural daylight and ventilation while managing overlooking and visual privacy for residents.
- Ensure that the location of active living areas is designed to maximise outlook and minimise overlooking without reliance of privacy screening.
- Encourage interaction and passive surveillance of the street, with windows, balustrades, fencing and landscaping that provide a level of permeability.
- Avoid balconies and upper level living areas facing side boundaries.

Access and parking - Residential

- In Precincts 1-4 shown in Map 1 to this Schedule:
 - Ensure that accessways and car parking structures are visually recessive and do not compromise landscaping opportunities.
 - Minimise the number and width of vehicle crossings and driveways, and conceal or recess garage and basement entries.
 - Vehicle access from side streets or rear lanes is preferred. However, if required on the primary street frontage, driveways/access ramps should provide for a high level of landscaping and not dominate the front setback.

Access and parking - Commercial/Mixed Use

- In Precincts 6-8 shown in Map 1 to this Schedule:
 - Prioritise high quality streetscapes through considered parking and access design that minimises visual and physical impacts.
 - Focus on maintaining active land uses at street level by locating parking structures underground in basements or towards the rear of the building if above ground.
 - Provide vehicle access from side streets or rear laneways if available.
 - Minimise access and crossover widths as much as practical.
 - Ensure that bicycle parking is secure, convenient and readily accessible.
 - Separate resident and visitor entries from commercial entries, service areas, vehicle accessways and loading zones.

Site consolidation (Precincts 3-6 shown in Map 1)

- Sites should be consolidated where appropriate to deliver an efficient built form and to ensure the visual and amenity impact of larger developments can be managed within the site.
- Building design on consolidated sites should continue to respond to the rhythm and pattern of development on the street.

- New laneways should be created on larger consolidated sites where appropriate.

3.0 Subdivision

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None specified.

4.0 Advertising signs

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None specified.

5.0 Decision guidelines

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The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether development responds to the design objectives set out in Clause 1.0 to this schedule.
- The extent to which proposed buildings respect the preferred scale and form of development, particularly when viewed from the pedestrian network.
- Whether the design of buildings makes a positive contribution to the public realm.
- Whether the design and form of buildings supports the housing and economic needs of the Bentleigh Activity Centre.
- Whether proposed buildings on sites that are in the vicinity of a heritage place are respectful of that heritage place.
- Whether buildings are sensitively designed to avoid views into secluded private open spaces and habitable room windows of dwellings on adjacent land.
- The impact of overshadowing to the public realm.

Reference documents

Bentleigh Structure Plan 2018-2031 (February 2018)

Glen Eira City Council Quality Design Guidelines – Residential Areas (March 2018)

Glen Eira City Council Quality Design Guidelines – Commercial and Mixed Areas (March 2018)

Expiry

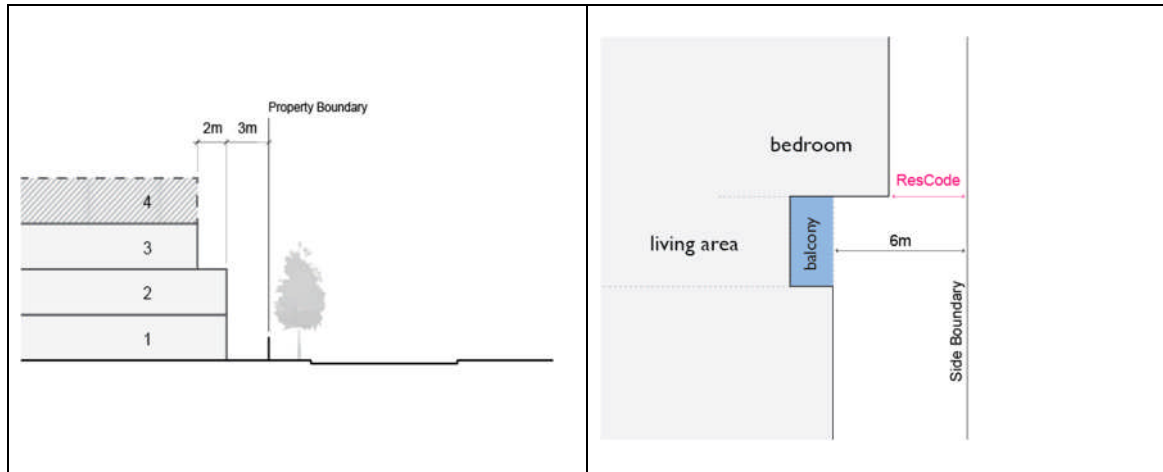
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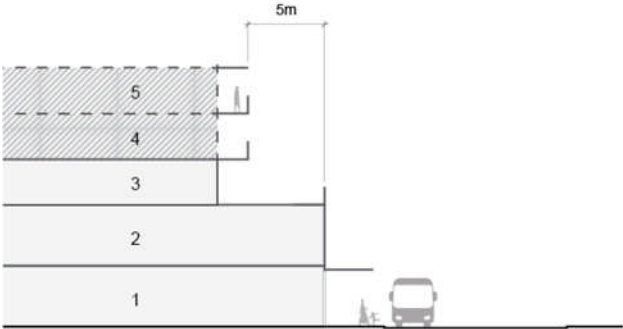
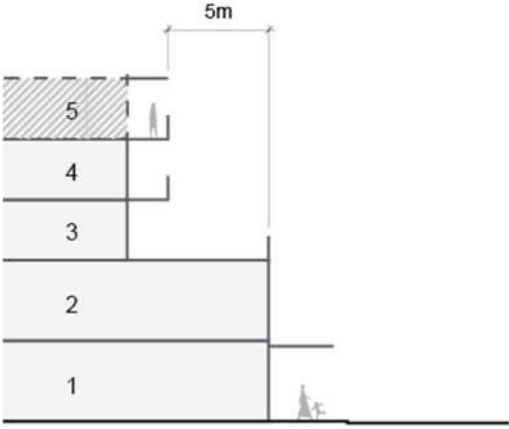
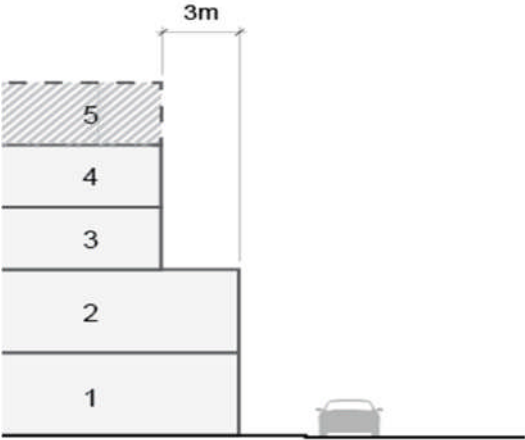
Map 1 - Precinct Plan



Table 3 Setback Diagrams

Precinct 2 Minimal Change	
Rear Setback	
Precinct 3 & 4 Setbacks Garden Townhouse and Garden Apartment	
Street Setback	Rear Setback
Secondary Street Frontage (corner site)	Side Setback

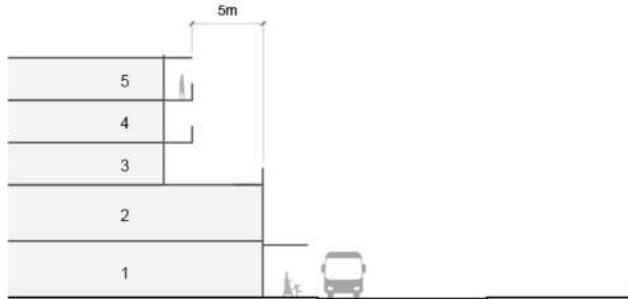


Precinct 5 Shoptop (Standard)	
Street Setback	
 <p>A cross-section diagram of a building with five levels, labeled 1 to 5 from bottom to top. Level 5 is shaded with diagonal hatching. A vertical dimension line indicates a 5m setback from the street level to the start of level 5. A bus is shown on the street in front of the building.</p>	
Secondary street frontage (corner sites)	
Main Street Frontage	Local Street Frontage
 <p>A cross-section diagram of a building with five levels, labeled 1 to 5 from bottom to top. Level 5 is shaded with diagonal hatching. A vertical dimension line indicates a 5m setback from the street level to the start of level 5.</p>	 <p>A cross-section diagram of a building with five levels, labeled 1 to 5 from bottom to top. Level 5 is shaded with diagonal hatching. A vertical dimension line indicates a 3m setback from the street level to the start of level 5. A car is shown on the street in front of the building.</p>

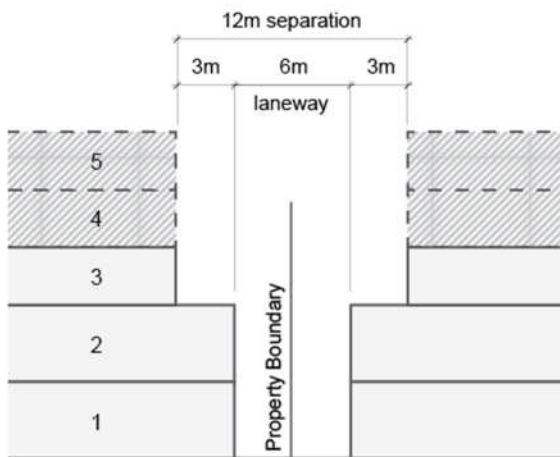
Side and Rear Setback (commercial interface)	
Where the site abuts a commercial/mixed use site	Where the site abuts a laneway
<p>Note: balconies facing side or rear to be setback minimum 6m from boundary</p>	
Side and Rear Setback (residential interface)	
Side Setback	Rear Setback

Precinct 6 Strategic Sites

Street Setback



Side and Rear Setback – Commercial Interface



Side and Rear Setbacks – Sensitive Interface

