

18/10/2018
C122

SCHEDULE 27 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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

ST KILDA ROAD SOUTH – WESTERN SIDE

The overlay applies to the western side of the St Kilda Road Neighbourhood, as shown in Map 1.

Map 1: Neighbourhood and Precinct context



Definitions

Street-wall is the front façade of a building where it is built on or within 5 metres of the street boundary. The height is to be measured from the pavement or ground level adjoining the site.

Green roof is a vegetated landscape built up from a series of layers that are installed on the roof surface as 'loose laid' sheets or modular blocks.

1.0

Design objectives

18/10/2018
C122

To strengthen the boulevard character of St Kilda Road by reinstating the street edge with buildings that address the street and create visual cohesion through greater consistency in street wall height, overall building scale within sections of the streetscape and the regular spacing of buildings.

To ensure the scale of buildings reinforce the topographic high point of St Kilda Hill and avoid higher scale intrusions within other sections of the streetscape.

To re-establish a fine grain of development through articulation of building form on larger sites and by ensuring that buildings contribute to an enhanced public realm through ground floor activation, passive surveillance and solar access to footpaths.

To ensure new development reinforces prominent corners along St Kilda Road at Carlisle Street and Inkerman Street by creating a strong sense of address to each street frontage.

To ensure that new development protects the amenity of, and achieves a transition down in scale to established residential areas, and does not compromise the heritage values of adjoining or nearby properties.

2.0

Buildings and works

18/10/2018
C122

2.1

Requirements

18/10/2018
C122

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

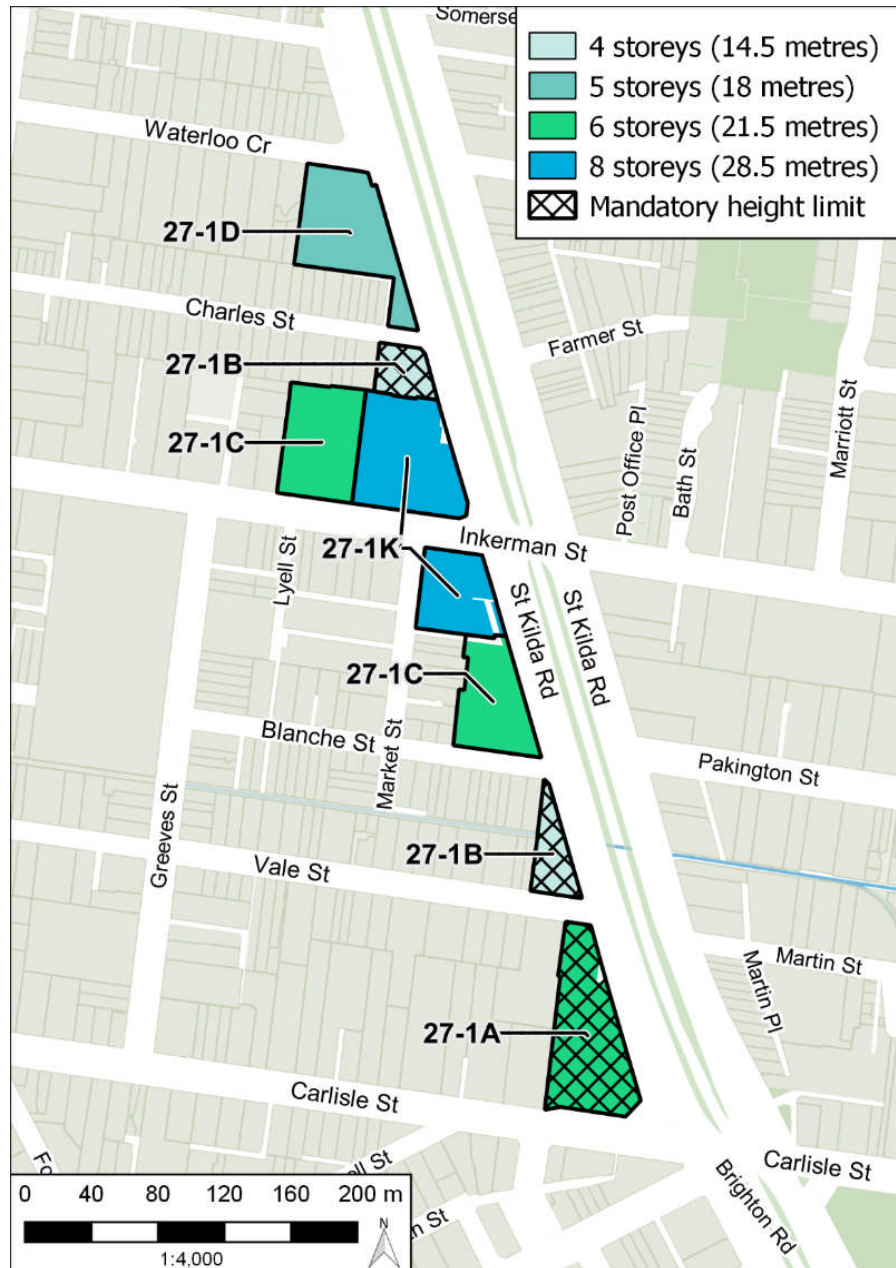
An application for buildings and works must achieve all of the relevant:

- Design Objectives contained within of this Schedule; and
- Built Form Outcomes contained within the Tables of this Schedule.

2.2 Building heights

18/10/2018
C122

Map 2: Maximum building heights



A permit cannot be granted to exceed a Built Form Requirement specified in Table 1. This does not apply to the following circumstances:

- Architectural features such as domes, towers, masts and building services, including enclosed stairwells that do not exceed the required height by more than 4 metres. The floor area of these features must not exceed 10% of the gross floor area of the top building level.
- Construction of a green roof or communal open space that does not exceed the mandated building height by more than 2 metres.
- Where land is subject to the Special Building Overlay, the overall building height and / or the height of the street wall may be increased by the minimum floor level determined by the relevant drainage authority.

Table 1: Mandatory maximum building heights

Area	Built Form Requirements	Built Form Outcomes
1A	21.5 metres (6 storeys)	<ul style="list-style-type: none"> ▪ Reinforce the prominent corner of Carlisle Street and St Kilda Road, through high quality development that addresses each street frontage. ▪ Avoid overshadowing of the southern footpath of Carlisle Street. ▪ Achieve greater consistency in overall building scale along St Kilda Road between Carlisle Street and Waterloo Crescent. ▪ Ensure the amenity of adjoining and nearby residential development is not unreasonably impacted in terms of visual bulk, access to daylight, outlook and overshadowing.
1B	14.5 metres (4 storeys)	<ul style="list-style-type: none"> ▪ Respect the established fine grain, low scale development in the immediately adjoining areas. ▪ Achieve a transition down in scale to established residential areas. ▪ Achieve greater consistency in the overall building scale along the western side of St Kilda Road, between Carlisle Street and Waterloo Crescent. ▪ Ensure the amenity of adjoining and nearby residential development is not unreasonably impacted in terms of visual bulk, access to daylight, outlook and overshadowing.

Development should not exceed the Built Form Requirements specified in Table 2.

One additional storey will be considered above any maximum discretionary height where that maximum discretionary height is up to seven storeys. Up to two additional storeys will be considered above the maximum discretionary height where the maximum discretionary height is eight storeys, or greater.

In addition to meeting the relevant Built Form Outcomes in Table 2, where a discretionary maximum height of up to seven storeys is specified, development must:

- not overwhelm adjoining properties in a residential zone in terms of building scale or bulk, access to daylight, outlook and overshadowing;
- achieve a greater overall consistency of scale within the streetscape and moderate the difference between mid-rise development and existing taller high rise structures;
- be designed to reduce the visual dominance of levels above the street wall; and
- respect the fine grain of adjoining sensitive residential interfaces.

In addition to meeting all of the relevant Built Form Outcomes in Table 2, where a discretionary maximum height of eight storeys or greater is specified, development must:

- moderate the height of buildings on adjoining sites, including the site on the opposite street or laneway for corner sites;
- transition down in height to adjacent areas that have a lower height limit, so as not to visually dominate, overwhelm or compromise the character of adjacent existing lower scale development areas;
- provide a visual distinction between upper and lower levels to create ‘human scale’ visual interest, activity for pedestrians at the street edge, ameliorate wind effects and provide access to sunlight and sky views;
- not overwhelm adjoining and / or adjacent residential dwellings in terms of building scale or bulk, access to daylight, outlook and overshadowing;

- be of a high architectural standard in terms of form, scale, massing, vertical articulation, use of materials and provide a positive address to all street frontages; and
- support high levels of pedestrian amenity through street definition, the retention of sky views and the minimisation of the impacts of overshadowing and wind tunnelling.

Table 2: Discretionary maximum building heights

Area	Built Form Requirements	Built Form Outcomes
1C	21.5 metres (6 storeys)	<ul style="list-style-type: none"> ▪ Achieve a transition down in scale to established residential areas. ▪ Ensure the amenity of adjoining and nearby residential development is not unreasonably impacted in terms of visual bulk, access to daylight, outlook and overshadowing. ▪ Achieve greater consistency in overall building scale along St Kilda Road between Carlisle Street and Waterloo Crescent. ▪ Reinforce the well-defined street edge emerging along both sides of Inkerman Street. ▪ Maintain solar access to the southern kerb-line of Inkerman Street.
1D	18 metres (5 storeys)	<ul style="list-style-type: none"> ▪ Respect the established fine grain, low scale development in the immediately adjoining areas. ▪ Achieve greater consistency in overall building scale along St Kilda Road between Carlisle Street and Waterloo Crescent. ▪ Ensure the amenity of adjoining and nearby residential development is not unreasonably impacted in terms of visual bulk, access to daylight, outlook and overshadowing.
1K	56.5 metres (8 storeys)	<ul style="list-style-type: none"> ▪ Avoid building heights which create intrusions in the streetscape and detract from the higher scale clusters at St Kilda Hill and St Kilda Junction. ▪ Maintain solar access to the southern kerb-line of Inkerman Street. ▪ Reinforce the well-defined street edge emerging along both sides of Inkerman Street. ▪ Ensure the amenity of adjoining and nearby residential development is not unreasonably impacted in terms of visual bulk, access to daylight, outlook and overshadowing.

2.3

Street wall heights

18/10/2018
C122

Development should not exceed the Built Form Requirements specified in Table 3.

Where a street wall is proposed, it should be:

- built to the side boundaries, unless otherwise specified; and
- create a visual distinction between the lower levels and the upper levels of a building through recessed development, well-articulated design and the use of varied materials and colours.

In addition to the built form outcomes contained within Table 3, all development along St Kilda Road must help reinstate a coherent edge to the western side of St Kilda Road through achieving a more consistent street-wall.

Table 3: Discretionary street wall heights

Area	Built Form Requirements	Built Form Outcomes
1A	11 metres (3 storeys)	<ul style="list-style-type: none"> ▪ Reinforce the prominent corner at St Kilda Road and Carlisle Street, through high quality development that addresses the street.
1B	11 metres (3 storeys)	<ul style="list-style-type: none"> ▪ Protect and respect the fine grain character of Charles Street.
1C	11 metres (3 storeys), fronting St Kilda Road 18 metres (5 storeys) fronting Inkerman Street	<ul style="list-style-type: none"> ▪ Reinforce the well-defined street edge emerging along both sides of Inkerman Street. ▪ Maintain solar access to the southern kerb-line of Inkerman Street.
1D	11 metres (3 storeys)	<ul style="list-style-type: none"> ▪ Protect and respect the fine grain character of Vale Street.
1K	17.5 metres (5 storeys) fronting Inkerman Street or St Kilda Road	<ul style="list-style-type: none"> ▪ Reinforce the well-defined street edge emerging along both sides of Inkerman Street. ▪ Reinforce the prominent corner at St Kilda Road and Inkerman Street, through high quality development that addresses the street. ▪ Maintain solar access to the southern kerb-line of Inkerman Street.

2.4

18/10/2018
C122

Upper level setbacks

Development should meet the Built Form Requirement specified in Table 4.

Table 4: Discretionary upper level setbacks

Area	Built Form Requirements	Built Form Outcomes
All	All buildings should be set back above the street wall by 5 metres from the front façade.	<ul style="list-style-type: none"> ▪ Reduce the visual dominance of levels above the street wall through upper levels which: <ul style="list-style-type: none"> • are visually recessive when viewed from the street; • respect the scale of adjoining heritage buildings; and • maintain open views to the sky. ▪ Create a visual distinction between the lower (street wall) levels and upper levels of a building through: <ul style="list-style-type: none"> • setbacks / recessed development; • well-articulated design; and • the use of varying materials and colour.

2.5

Front setbacks

18/10/2018
C122

Development should meet the Built Form Requirements specified in Table 5.

Table 5: Discretionary front setbacks

Area	Built Form Requirements	Built Form Outcomes
<p>1C and 1K</p>	<p>Zero setback from the street frontage along Inkerman Street.</p> <p>This may be increased where a greater setback would result in a well-designed, safe and publicly accessible space at ground level to enhance activation of the street.</p>	<ul style="list-style-type: none"> ▪ Reinforce the well-defined street edge emerging along both sides of Inkerman Street. ▪ Require the alignment of buildings to the street. ▪ Ensure any setback from the street frontage is safe and activated.
<p>All other areas</p>	<p>New development located on corners should be built to the front and side property boundary and provide a transition to the setbacks of adjoining properties in the side street.</p> <p>Where a corner site abuts a lane or other street at its rear, a transition to the adjoining properties in the side street is not required.</p> <p>Landscaped front setback to Waterloo Crescent, Charles Street, Blanche Street, Vale Street and Carlisle Street, generally consistent with adjoining properties, except on corner sites.</p> <p>Where front setbacks greater than 1 metre are provided, the setback area should:</p> <ul style="list-style-type: none"> ▪ include well-designed landscaping and planting; ▪ not include open / at-grade car parks; ▪ provide either low or no front fencing; and ▪ include clearly defined pedestrian access-ways that are visible from the street. 	<ul style="list-style-type: none"> ▪ Reinforce the landscape character of side streets. ▪ Ensure that development on corners transitions to the setbacks of adjoining properties. ▪ Reinforce prominent corners through a strong address to the intersections of St Kilda Road with Inkerman Street and Carlisle Street.

2.6

Building separation / side and rear setbacks

18/10/2018
C122

The following applies to developments with an an overall building height of 5 storeys or more:

- The entire building must be set back a minimum of 4.5 metres from any common side or rear boundary or at least 9 metres from any existing building with habitable room windows or balconies on the same or an adjoining site (whichever is the greater), if an adjoining site has an existing building with a habitable room window a balcony facing that boundary; or
- A building can be built with a zero setback blank wall to a common side boundary, where:
 - a building on the adjoining site has a blank boundary wall which has been constructed on or within 200 millimetres of the boundary; or
 - the adjoining site has not been developed above the street wall height, or, to or above the preferred height where no street wall height is specified;

- providing:
 - there are no existing habitable windows or balconies on the adjoining site within 4.5 metres of the proposed development;
 - the primary living areas of all proposed dwellings have a main window and balcony oriented to the front or rear of the site; and
 - the proposed development does not unreasonably compromise the ability of the adjoining sites to be developed.

A permit cannot be issued to vary this requirement.

Where an adjoining site has an existing habitable room window or a balcony facing the shared side or rear boundary, development should provide a positive address to this boundary and avoid blank walls.

2.7 Overshadowing

18/10/2018
C122

New development must not cast a shadow beyond the southern kerb-line of Carlisle Street between 10am and 3pm on 21 September. A permit cannot be issued to vary this requirement.

New development should not cast a shadow beyond the southern kerb-line of Inkerman Street between 10am and 3pm on 21 September.

2.8 Active frontages

18/10/2018
C122

Development should meet the Built Form Requirements specified in Table 6.

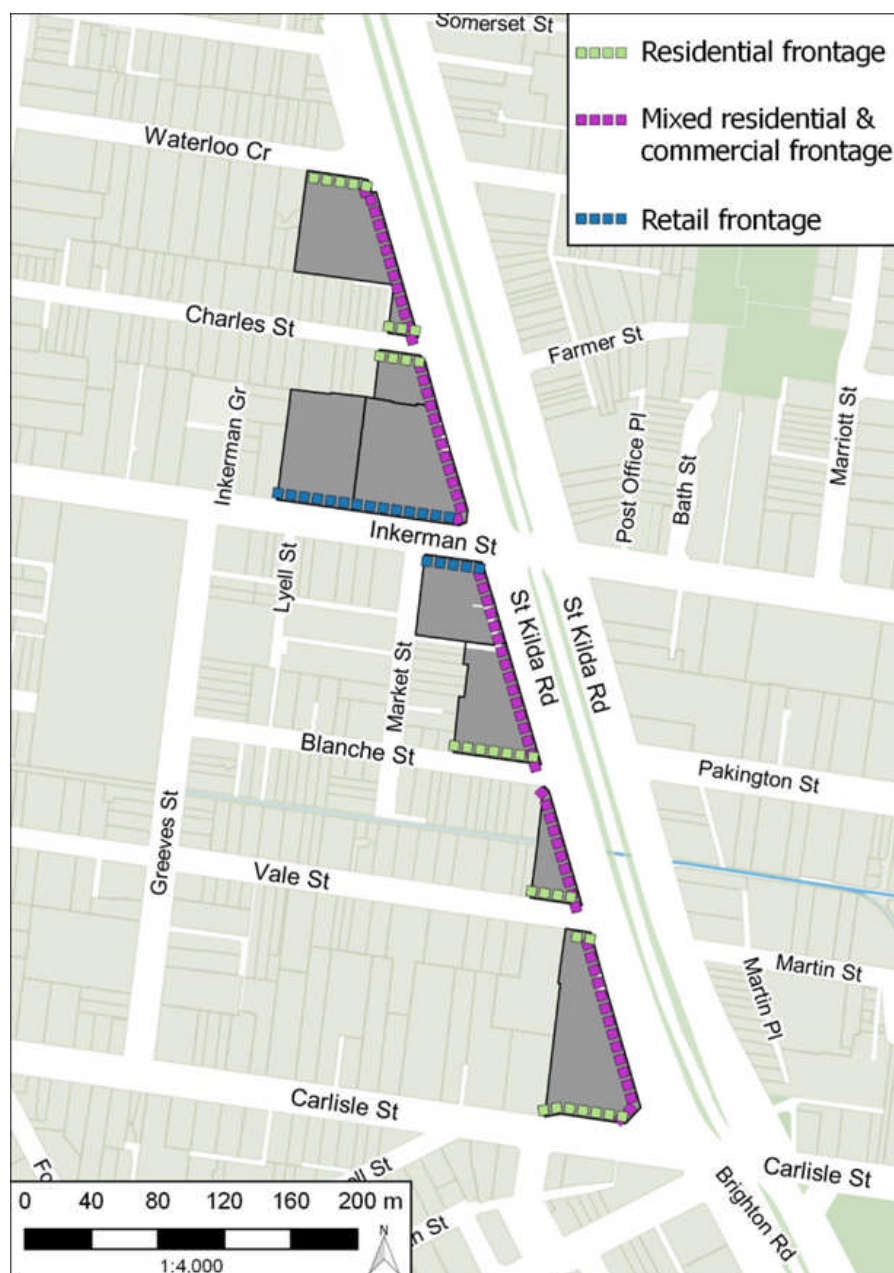
In addition to the Built Form Outcomes of Table 6, all development should:

- provide an active frontage to any adjoining street (not including laneways);
- provide pedestrian entrances which open directly to the street, have adequate weather protection, are clear glazed and designed as a key feature of the façade;
- be designed to avoid blank walls, large areas of reflective surfaces and high fences;
- incorporate lighting in the façade design to provide visual interest and to contribute to a sense of safety at night;
- include windows and balconies or terraces at upper levels which overlook the street and laneways to maximise passive surveillance of the public realm; and
- include lighting, entry doors and habitable room windows, to provide for passive surveillance, where they abut laneways.

Table 6: Active frontages

Type shown on Map 3	Built Form Requirements	Built Form Outcomes
Retail	<p>A clear glazed façade for at least 80% of the width of the street frontage (for each individual premises) and from footpath level to a height of 2 metres.</p> <p>Pedestrian entries should be every 10-15 metres.</p> <p>Ground floor levels should provide a minimum floor to floor height of 4 metres.</p> <p>Ground floor entries should be level with the footpath.</p>	<ul style="list-style-type: none"> ▪ Activate the public realm. ▪ Create a safe and high-quality interface between the public and private realm. ▪ Enhance the experience of St Kilda Road as a pedestrian movement corridor. ▪ Ensure new development in the Commercial 1 Zone along St Kilda Road achieves street level activation. ▪ Ensure a residential edge is established at ground level within the residential side streets of: Carlisle Street, Vale Street, Blanche Street, Charles Street and Waterloo Crescent. ▪ Support retail frontages to Inkerman Street.

Map 3: Active frontages



2.9 Architectural quality and design details

18/10/2018
C122

New development should use materials, colours and finishes that complement the appearance and character of the neighbourhood and street.

The design of upper levels of buildings should render them distinctly different to lower levels through variations in form, openings and the use of a variety of materials and colours.

All visible sides of a building should be fully designed and include variations in form, materials, openings and colour.

Corner sites should achieve a high quality design outcome and address both street frontages with either door openings or street level windows.

On sites with a frontage over 10 metres in width, building facades should be well-articulated through variations in form, materials, openings, colours and the inclusion of vertical design elements.

New development, particularly on larger sites, should express the scale and rhythm of the wider streetscape.

Balconies should be designed as an integral part of the street-wall or building façade.

Awnings or verandahs providing weather protection should be constructed to match the height and coverage of the footpath of awnings or verandahs on adjoining properties.

2.10 Residential amenity

18/10/2018
C122

New residential developments should be sited, oriented and configured to ensure that dwellings receive adequate solar access, natural light and natural ventilation.

Roof and vertical gardens should be provided in new or refurbished buildings.

New residential development within commercial and mixed use zones should incorporate acoustic attenuation measures.

2.11 Interfaces with residential zones

18/10/2018
C122

New development with frontages to Vale Street, Blanche Street, Market Street, Charles Street or Waterloo Crescent are required to respect the fine grain heritage character of these streets by providing an appropriate transition in scale and ensuring development on larger sites expresses the fine grain of the street on these frontages through scale and articulation.

Development adjoining properties in a residential zone should incorporate upper level setbacks to avoid amenity impacts from overshadowing of existing secluded private open space or habitable room windows, overlooking or visual bulk.

2.12 Vehicular access, car parking, and loading areas

18/10/2018
C122

The visibility of car parking areas and vehicle entrances from the public realm should be minimised.

Open and at-grade car parks should not be located in front of setback areas.

Vehicle crossovers should be:

- no more than 6 metres wide;
- provided only where a site does not already have one;
- provided from the rear or side of lots wherever possible; and
- integrated with the design of the building and be visually permeable so as to not dominate the façade and to allow passive surveillance.

Where car parks are located above ground, they should be at the rear of the site, and must be sleeved with habitable rooms presenting to the street.

Exhaust stacks or vents from underground car parks should be located away from main pedestrian areas and incorporated into the building design or adequately screened.

The height of car parking levels within a building should match the height of other uses in the same building to enable future adaptation for habitable uses.

2.13 Waste management and building services

18/10/2018
C122

New development should provide on-site bin and waste material storage areas which should be located at the rear of the site, be screened from public view and not impede pedestrian access.

New buildings should provide on-site loading facilities and service vehicle parking within, or at the rear of the buildings.

Rooftop building services such as lift over-runs and plant rooms should be integrated into the design of the building, screened from surrounding streets and adjoining properties, and attenuated to mitigate unreasonable noise impacts.

Developments should incorporate noise attenuation measures and suppression techniques to ensure noise does not unreasonably affect the amenity of public areas and nearby residences.

3.0 Subdivision

18/10/2018
C122

None specified.

4.0 Advertising signs

18/10/2018
C122

None specified.

5.0 Application requirements

18/10/2018
C122

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 site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and Requirements of this schedule.
- Development proposals for buildings over 5 storeys should be accompanied by a wind study analysis to demonstrate that pedestrian spaces will not be affected by additional wind.
- A Traffic and Parking Assessment Report which includes an assessment of the cumulative impacts of traffic and parking in the Precinct.
- Development proposals must be accompanied by a shadow analysis to demonstrate solar access will be maximised on southern footpaths, key spaces and adjoining properties between 10am and 3pm on 21 September.
- A Sustainable Design Assessment or a Sustainability Management Plan.

6.0 Decision guidelines

18/10/2018
C122

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 proposed buildings or works achieve the Design Objectives.
- Whether the proposed buildings or works are in accordance with the Built Form Requirements and Built Form Outcomes.