

20/12/2018
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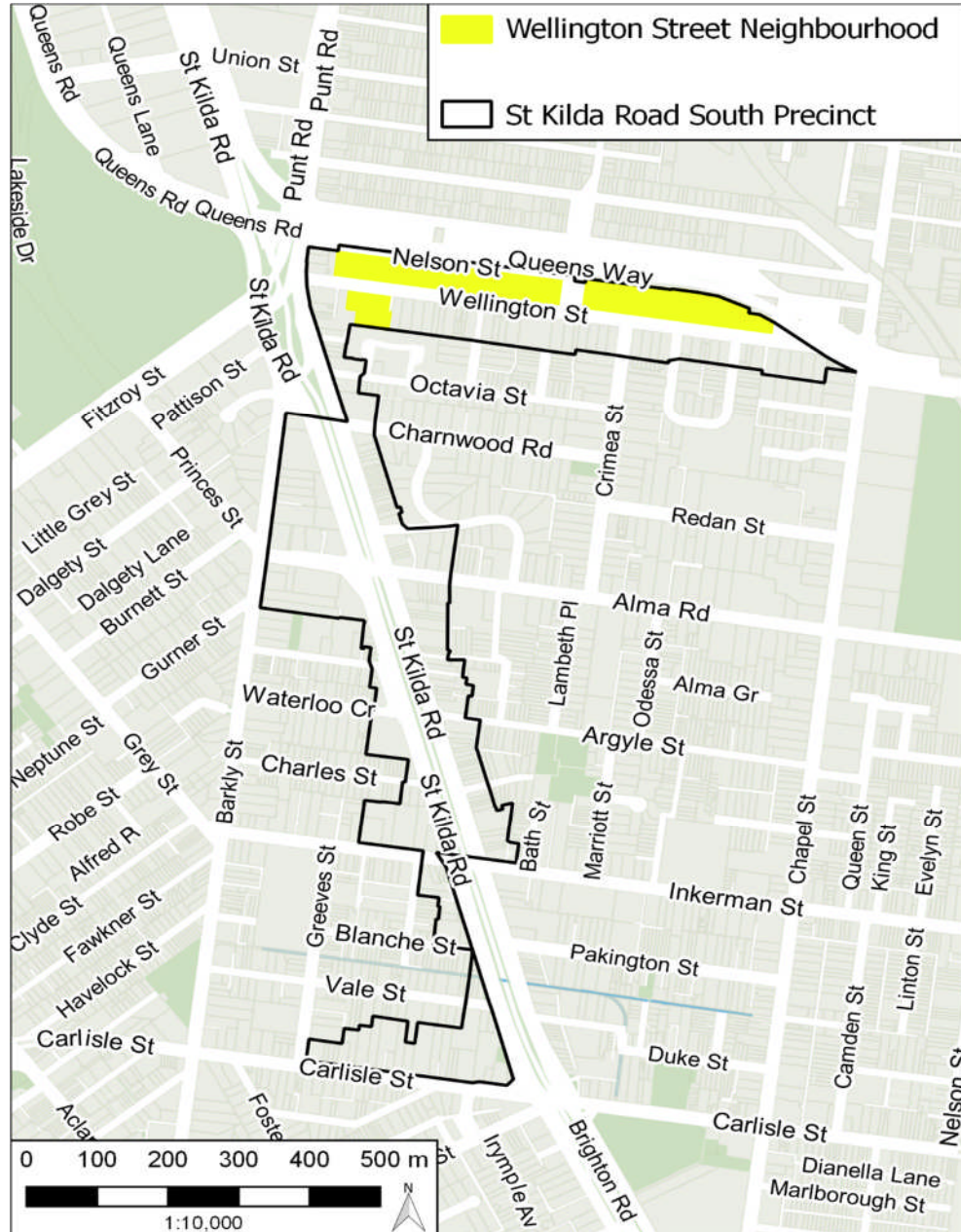
SCHEDULE 35 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO35**.

ST KILDA ROAD SOUTH – WELLINGTON STREET

The overlay applies to land fronting Wellington Street, Nelson Street, Upton Road and Queens Way, 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

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To support development that encourages a mixed residential and commercial character of Wellington Street.

To enhance the human scale and 'village feel' of Wellington Street, through consistency of the street wall height and overall building scale.

To ensure the built form responds to the lower scale of heritage sites and residential interfaces, while transitioning to a higher scale of development in the commercial area close to the St Kilda Junction.

To support development of emerging activity hubs, at the western end of the street and immediately east of Upton Road, by providing spaces for active ground level uses that contribute to a vibrant street-life such as cafes and shops.

To maintain solar access to the southern footpath of Wellington Street as the primary pedestrian link connecting Chapel Street, St Kilda Road and Albert Park.

2.0

Buildings and works

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2.1

Requirements

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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 section 1 of this Schedule; and
- Built Form Outcomes contained within the Tables in this Schedule.

Area	Built Form Requirements	Built Form Outcomes
3D	11 metres (3 storeys)	<ul style="list-style-type: none"> Reinforce the established 2-3 storey scale to achieve consistency within the wider context of the streetscape along the southern side of Wellington Street. Ensure new development respects the heritage values and lower two storey scale of the 'Tecoma Court' heritage shops/dwellings.

2.3

Street wall heights

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A permit cannot be granted to exceed any Built Form Requirement specified in Table 2. This does not apply to:

- increases to the height of a street wall by up to 1 metre:
 - to accommodate a balcony; or
 - on sites with a street frontage of greater than 8 metres and where the slope of the natural ground level is greater than 2.5 degrees;
- 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.

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

Table 2: Mandatory maximum street wall heights

Area	Built Form Requirements	Built Form Outcomes
3A / 3B	Wellington Street – 11 metres (3 storeys) Nelson Street – 18 metres (5 storeys)	<ul style="list-style-type: none"> Create a sense of cohesion in the streetscape through a consistent street-wall edge. Respect and respond to the lower scale and heritage values of residential buildings on the southern side of Wellington Street through a comparable street wall height and recessed upper levels. Reinforce the well-established street wall condition along Nelson Street.
3D	11 metres (3 storeys)	<ul style="list-style-type: none"> Reinforce the established streetscape character and scale of buildings to the east. Ensure new development respects the lower two storey scale of the 'Tecoma Court' heritage shops/dwellings.

Table 3: Discretionary maximum street wall height

Area	Built Form Requirements	Built Form Outcomes
3C	8 metres (2 storeys) street wall height	<ul style="list-style-type: none"> Create a sense of cohesion in the streetscape through a consistent street wall edge. Reflect the established character and have regard to adjoining development.

2.4

Upper level setbacks

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A permit cannot be granted to exceed any Built Form Requirement specified in Table 4.

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

Table 4: Mandatory upper level setbacks

Area	Built Form Requirements	Built Form Outcomes
3A / 3B / 3D	All buildings must be set back above the street wall by a minimum of 5 metres from the front façade. This can be reduced by up to 3 metres for buildings up to 6 storeys and by up to 2 metres for buildings above 6 storeys where the site is not included within, or adjoining land within a Heritage Overlay and all of the built form outcomes are met. A permit cannot be issued to further vary this requirement.	<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.

Table 5: Discretionary upper level setbacks

Area	Built Form Requirements	Built Form Outcomes
3C	All levels above 2 storeys should be recessed.	<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

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

Table 6: Discretionary front setbacks

Area	Built Form Requirements	Built Form Outcomes
3A and 3B	Zero setback from a street frontage. 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.	<ul style="list-style-type: none"> ▪ Buildings are aligned to the street. ▪ Ensure any setback from the street frontage is safe and activated.
3C and 3D	A landscaped front setback to Wellington Street generally consistent with adjoining properties.	<ul style="list-style-type: none"> ▪ Front setbacks have regard to the setbacks of adjoining properties to create a coherent streetscape. ▪ Front setbacks reflect the existing neighbourhood character.

Area	Built Form Requirements	Built Form Outcomes
All other areas	<p>New development located on corners should be built to the front and side property boundary and provide a transition to and respect 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>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"> ▪ Front setbacks reinforce the existing landscape character in Wellington Street. ▪ Development on corners address each street frontage. ▪ Development transitions to the setbacks of adjoining properties where appropriate.

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Building separation / side and rear setbacks

The following applies to developments with 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

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

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

2.8 Active frontages

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Development should meet the Built Form Requirements specified in Table 7.

In addition to the Built Form Outcomes of Table 7, 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, be 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 7: Active frontages

Type shown on Map 3	Built Form Requirements	Built Form Outcomes
Retail	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. Pedestrian entries should be every 10-15 metres. Ground floor levels should provide a minimum floor to floor height of 4 metres. Ground floor entries should be level with the footpath.	<ul style="list-style-type: none"> ▪ Active frontages support the emerging activity hubs at the western end of Wellington Street and east of Upton Street. ▪ Create a safe and high-quality interface between the public and private realm.
Commercial	At least 60% clear-glazing between a height of 1-2 metres above the footpath level. Pedestrian entries should be at least every 30 metres.	<ul style="list-style-type: none"> ▪ Encourage a mixed residential and commercial character.
Residential	A clear address to any adjoining street (except on laneways) and incorporate multiple entries and clear-glazing at street level to allow for surveillance whilst still providing privacy.	<ul style="list-style-type: none"> ▪ Enhance the human scale and 'village feel' of Wellington Street.

Map 3: Active frontages



2.9 Architectural quality and design details

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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 or 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

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

Roof and vertical gardens should be encouraged 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

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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

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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, must not dominate the façade and should be visually permeable 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

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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 (lift over-runs / 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

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None specified.

4.0 Advertising signs

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None specified.

5.0 Application requirements

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An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and urban context report, which demonstrates how the proposal achieves the Design Objectives and Requirements.
- 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 examination 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 at the Equinox.
- A Sustainable Design Assessment or a Sustainability Management Plan.

6.0

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 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.