

20/12/2018
C159port

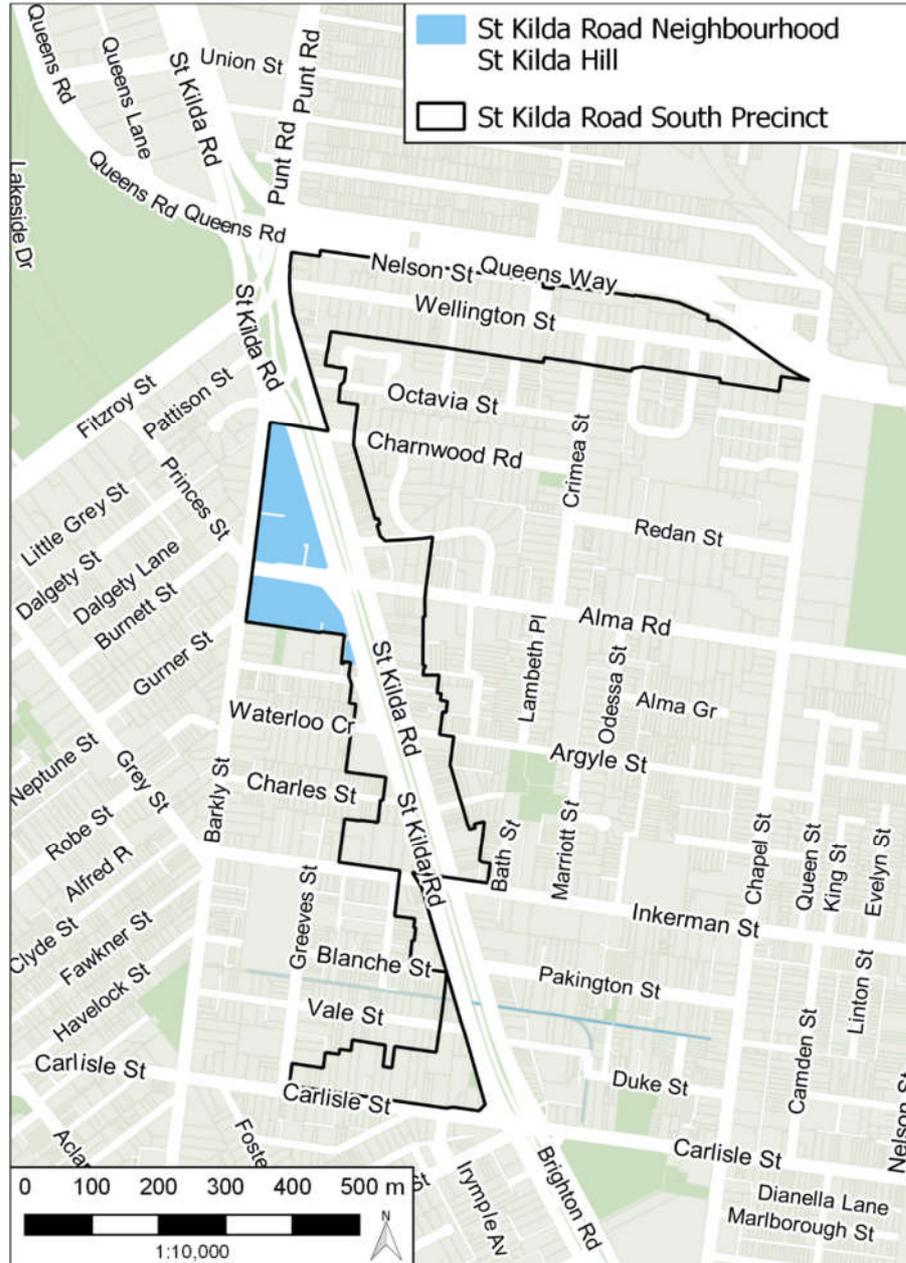
SCHEDULE 36 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO36**.

ST KILDA ROAD SOUTH – ST KILDA HILL

The overlay applies to the western side of the St Kilda Road Neighbourhood - St Kilda Hill, 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 provide for high quality development that enhances the prominent corner of Barkly Street and St Kilda Road through creating a strong address to each street frontage and emphasising the topographic high point of St Kilda Hill.

To ensure that the height and siting of new development maintains the visual prominence, protects established views to, and respects the setting of the St Kilda Presbyterian Church (including the spire, tower and south-eastern corner of front façade).

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

To strengthen the boulevard character of St Kilda Road by encouraging buildings that address the street edge.

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.

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:

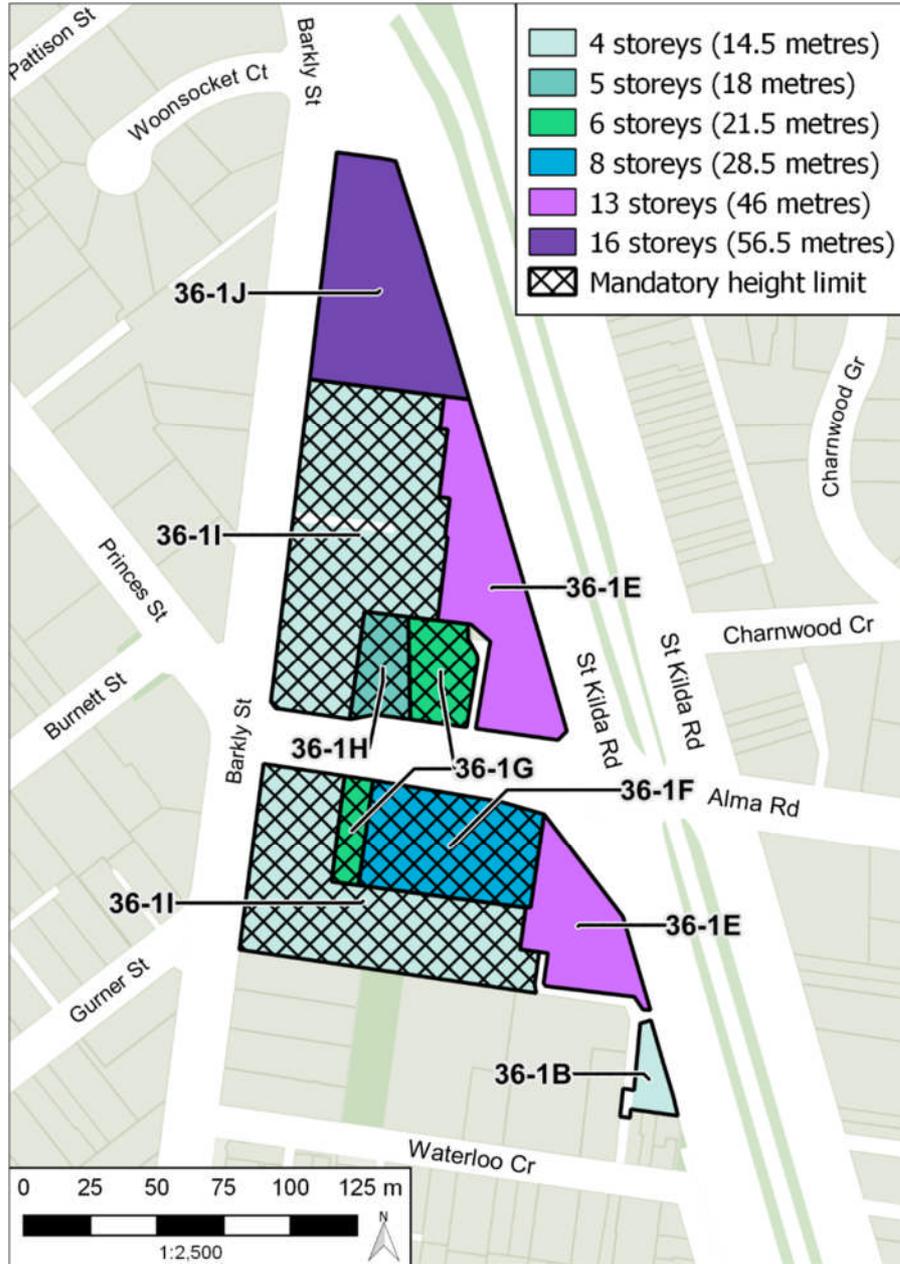
- Design Objectives contained within section 1 of this Schedule; and
- Built Form Outcomes contained within the Tables in this Schedule.

2.2

Building heights

20/12/2018
C159port

Map 2: Maximum building heights



A permit cannot be granted to exceed any 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.
- 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.
- Construction of a green roof or communal open space that does not exceed the mandated building height by more than 2 metres.

Table 1: Mandatory maximum building heights

Area	Built Form Requirements	Built Form Outcomes
1F	28.5 metres (8 storeys)	<ul style="list-style-type: none"> ▪ Ensure that the height of new development maintains the visual prominence, protects established views and respects the setting of the St Kilda Presbyterian Church (including the spire, tower and south-eastern corner of front façade). ▪ Create a transition in the height of development along Alma Road from lower rise adjoining and opposite the St Kilda Presbyterian Church to higher scale development at the corner of Alma Road and St Kilda Road. ▪ Moderate the height of existing tall buildings through a transition down in scale.
1G	21.5 metres (6 storeys)	
1H	18 metres (5 storeys)	
1I	14.5 metres (4 storeys)	<ul style="list-style-type: none"> ▪ Retain the low to mid-rise residential character (2 to 4 storeys) along Barkly Street. ▪ Respect and enhance the presence of heritage places along Barkly Street. ▪ Prevent the overshadowing of residential properties on the western side of Barkly Street. ▪ Ensure that the height of new development maintains the visual prominence and respects the setting of the St Kilda Presbyterian Church.

Development should not exceed the maximum building height 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 all of the relevant Built Form Outcomes in Table 2, areas 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, areas 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
1E	46 metres (13 storeys)	<ul style="list-style-type: none"> ▪ Moderate the height of existing tall buildings through a transition down in scale. ▪ Provide for high quality development that enhances the prominent corner of Alma Road and St Kilda Road and emphasises the topographic high point of St Kilda Hill. ▪ Prevent overshadowing beyond the eastern kerb-line of St Kilda Road.
1J	56.5 metres (16 storeys)	<ul style="list-style-type: none"> ▪ Provide for high quality high-rise development that enhances the prominent corner of Barkly Street and St Kilda Road. ▪ Prevent the overshadowing of residential properties on the western side of Barkly Street.

2.3

18/10/2018
C122

Street wall heights

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.

Table 3: Discretionary street wall height

Area	Built Form Requirements	Built Form Outcomes
1B	11 metres (3 storeys)	<ul style="list-style-type: none"> ▪ Protect and respect the fine grain character of the Waterloo Crescent neighbourhood. ▪ Reinststate a coherent edge to the western side of St Kilda Road through achieving a more consistent street-wall.

2.4

18/10/2018
C122

Front setbacks

Development must meet the Built Form Requirements specified in Table 4. A permit cannot be issued to vary these requirements.

Table 4: Mandatory front setbacks

Area	Built Form Requirements	Built Form Outcomes
Alma Road (northern side)	<p>Minimum of 4 metres between the eastern boundary of Area 1H and the western boundary of 6 Alma Road.</p> <p>Minimum of 2 metres in all other areas.</p>	<ul style="list-style-type: none"> ▪ Ensures that the setback of new development maintains the visual prominence and respects the setting of the St Kilda Presbyterian Church. ▪ Ensures that the setback of new development protects established views to the St Kilda Presbyterian Church (including the spire, tower and south-eastern corner of front façade) from the:
Barkly Street	Minimum of 3 metres on the Barkly Street frontage of 44-46 Barkly Street.	

Area	Built Form Requirements	Built Form Outcomes
		<ul style="list-style-type: none"> the footpath at the north-western corner of Alma Road and Barkly Street looking north. the eastern side of Barkly Street looking south from the northern property boundary of 38 Barkly Street, and the southern property boundary of 44-66 Barkly Street looking north.

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

Table 5: Discretionary front setbacks

Area	Built Form Requirements	Built Form Outcomes
Alma Road (southern side)	A landscaped front setback to the southern side of Alma Road, generally consistent with adjoining properties other than corner sites.	<ul style="list-style-type: none"> Reinforce a consistent landscape character along Alma Road.
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. 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"> Re-create a coherent edge to St Kilda Road. Reinforce the landscape character of side streets. Ensure development transitions to the setbacks of adjoining properties. Ensure any setback from the street is safe and activated.

2.5

18/10/2018
C122

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.

2.6 Overshadowing

18/10/2018
C122

New development should not cast a shadow between 10am and 3pm on 21 September beyond the eastern kerb-line of St Kilda Road and the southern kerb-line of Alma Road.

2.7 Active frontages

20/12/2018
C159port

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. ▪ Encourage a diverse range of retail and

Type shown on Map 3	Built Form Requirements	Built Form Outcomes
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.	complementary commercial uses at street level along St Kilda Road. <ul style="list-style-type: none"> Enhance the experience of St Kilda Road as a pedestrian movement corridor.
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"> Maintain residential frontages along Alma Road and Barkly Street.

Map 3: Active frontages



2.8 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.

2.9 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.

2.10 Interfaces with residential zones

18/10/2018
C122

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.

2.11 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.

2.12 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

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 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 at the Equinox.
- 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.