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Proposed C237glen

## **SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO9**.

### **CARNEGIE MAJOR ACTIVITY CENTRE**

#### **1.0 Design objectives**

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To support future development within the Carnegie Major Activity Centre that:

- retains the two-storey street wall in Koornang Road as the dominant streetscape feature.
- responds to the existing heritage fabric in Koornang Road and the heritage significance of the Rosstown Hotel.
- recognises the strategic sites in Shepparson Avenue and Kokaribb Road as identified in the Carnegie Major Activity Centre Structure Plan for more intensive development.
- directs the tallest development to the urban renewal precinct north of the railway line.

To promote building design that:

- supports employment generating land uses or can be easily converted to provide opportunities for employment.
- supports the housing, economic and place making role and function of the activity centre.

To minimise amenity impacts on existing dwellings including through overlooking, overshadowing and visual bulk.

To enhance the public realm through the development of well-designed buildings that prioritise pedestrian movement and retain sunlight to key public spaces as shown on Map 2 to this schedule.

#### **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 installation of an automatic teller machine.
- an alteration to an existing building façade provided:
  - the alteration does not include the installation of an external roller shutter.
  - 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 is authorised by the relevant public land manager.

##### **2.1 Building height requirements**

Building height requirements are set out in Table 1 and Map 2 to this schedule.

A permit cannot be granted to vary the mandatory maximum building height unless the existing building is non-compliant with the mandatory maximum building height.

A storey does not include a basement.

Building heights do not apply to architectural features, roof top services including plant rooms, air conditioning, lift overruns and roof mounted equipment.

~~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**

Location identified on Map 1	Preferred maximum building height	Mandatory maximum building height
Retail Precinct 1 (heritage)	None specified	20 metres up to 5 storeys
Retail Precinct 2 (non-heritage)	20 metres up to 5 storeys	None specified
Retail Precinct 3 (excluding HO157)	24 metres up to 6 storeys	None specified
Retail Precinct 4	31 metres up to 8 storeys	None specified
Urban Renewal Precinct 1	31 metres up to 8 storeys	None specified
Urban Renewal Precinct 2	46 metres up to 12 storeys	None specified

**2.2 Building height requirements for the land in HO157 (Rosstown Hotel)**

Building height requirements are set out in Map 1 and Table 2 to this schedule.

A permit cannot be granted to vary the mandatory maximum building height, in Table 2 to this schedule.

Building height excludes roof top services including plant rooms, air conditioning, lift overruns and roof mounted equipment.

**Table 2 - Building height requirements for the land in HO157 (Rosstown Hotel)**

Location	Mandatory requirement	Preferred requirement
Existing terracotta roof	No additions to, through or above the terracotta roof as shown in Map 1 to this schedule.	None specified.
Within 2 metres of the terracotta roof	No additions higher than the west facing parapet wall or the eaves soffit of the original terracotta roof as shown in Map 1 to this schedule.	None specified.
Between 2-5 metres from the terracotta roof	None specified	24 metres up to 6 storeys.

**Map 1 to Schedule 9 of Clause 43.02-Height and setback requirements for the land in HO157 (Rosstown Hotel)**



**2.3 Street wall and building setback requirements**

Street wall and building setback requirements are set out in Tables 3 and 4 to this schedule. Street wall includes architectural details such as parapets, railings and balustrades.

Buildings must:

- Be set back from the terracotta roof of the Rosstown Hotel heritage building as specified in Table 3 and Map 1 to this schedule.
- A permit cannot be granted to vary the mandatory street wall setback requirement specified in Table 3 to this schedule.

Buildings should:

- Not exceed the preferred maximum street wall height specified in Table 4 and Map 2 to this schedule.
- Be set back from property boundary as specified in Table 4 and as represented in the interface sections shown in Table 4 to this schedule.

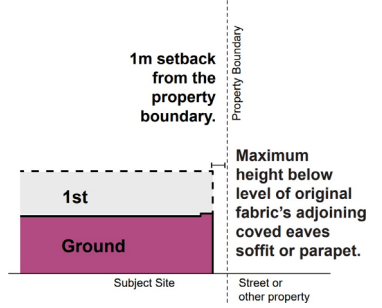
Buildings along Koornang Road should:

Build the street wall to the Koornang Road boundary.

Ensure the street wall is no higher or lower than the abutting neighbour on either side.

Avoid projections such as balconies and building services intruding into a setback specified in Tables 3 and 4 to this schedule.

**Table 3 - Street wall setback requirements for land within ~~the~~ HO157 (Rosstown Hotel)**

Applies to	Mandatory street wall setback	Interface Type	Preferred street wall setback
Development within 2 metres of the western and southern edge of the existing terracotta roof (shown in orange in Map 1 to this schedule).	1 metre from: <ul style="list-style-type: none"> <li>the Dandenong Road frontage; and</li> <li>the Koornang Road frontage</li> </ul> <p>for a length of 2 metres</p>	Type 1 <u>CB</u> 	None specified
Development beyond 2 metres of the western and southern edge of the existing terracotta roof (shown in blue on Map 1 to this schedule).	None specified	Type 1	Built to the boundary

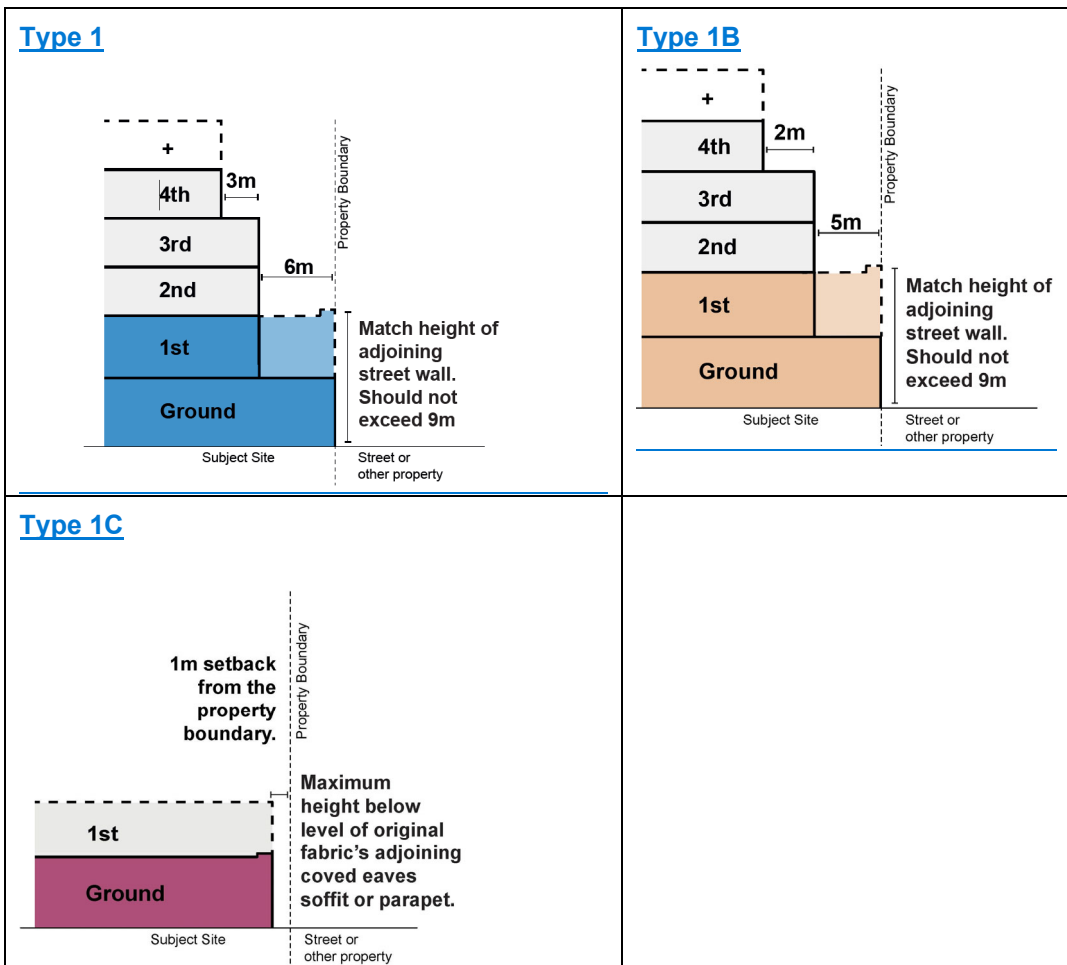
**Table 4 - Building setbacks and street wall heights**

Interface type identified on Map 2	Building Level	Mandatory minimum setback from property boundary	Preferred minimum setback from property boundary	Preferred street wall height
Type 1	Ground and first	0 metres	None specified	Match height of adjoining heritage street wall.  No taller than 9 metres.
	Second and third	<del>5-6</del> metres		
	Fourth and above	<del>7-9</del> metres		
<u>Type 1B</u>	<u>Ground and first</u>	<u>None specified</u>	<u>0 metres</u> <u>5 metres</u> <u>7 metres</u>	<u>9 metres</u>
Type 2	Ground and first	None specified	0 metres	9 metres
	Second and third		3 metres	
	Fourth and above		5 metres	
Type 3	Ground and first	None specified	0 metres	9 metres
	Second and above		45 degree angle	
Type 3B	Ground	None specified	5 metres	9 metres
	First		10 metres	

Attachment 2-Preferred Schedule to the DDO for consideration by Planning Panel

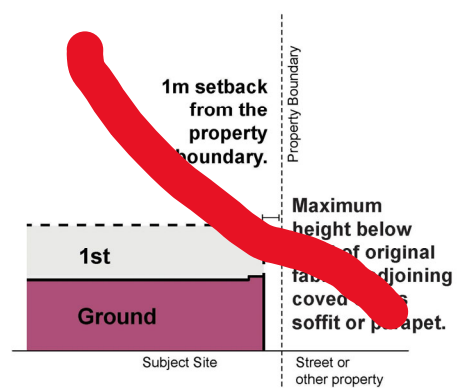
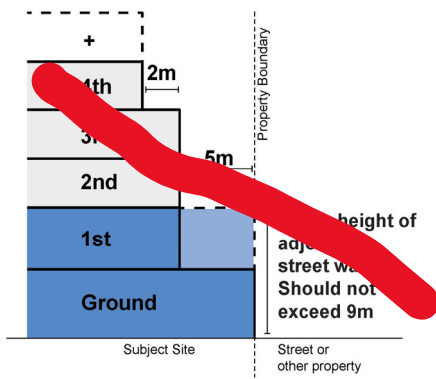
	Second and above		13 metres	
Type 4	Ground to second	None specified	0 metres	13 metres
	Third and above		5 metres	
Type 5	Ground to third	None specified	0 metres	17 metres
	Fourth and above		5 metres	
Type 6	Ground and first	None specified	0 metres	9 metres
	Second		3 metres	
	Third to fifth		6 metres	
	Sixth and above		45 degree angle	

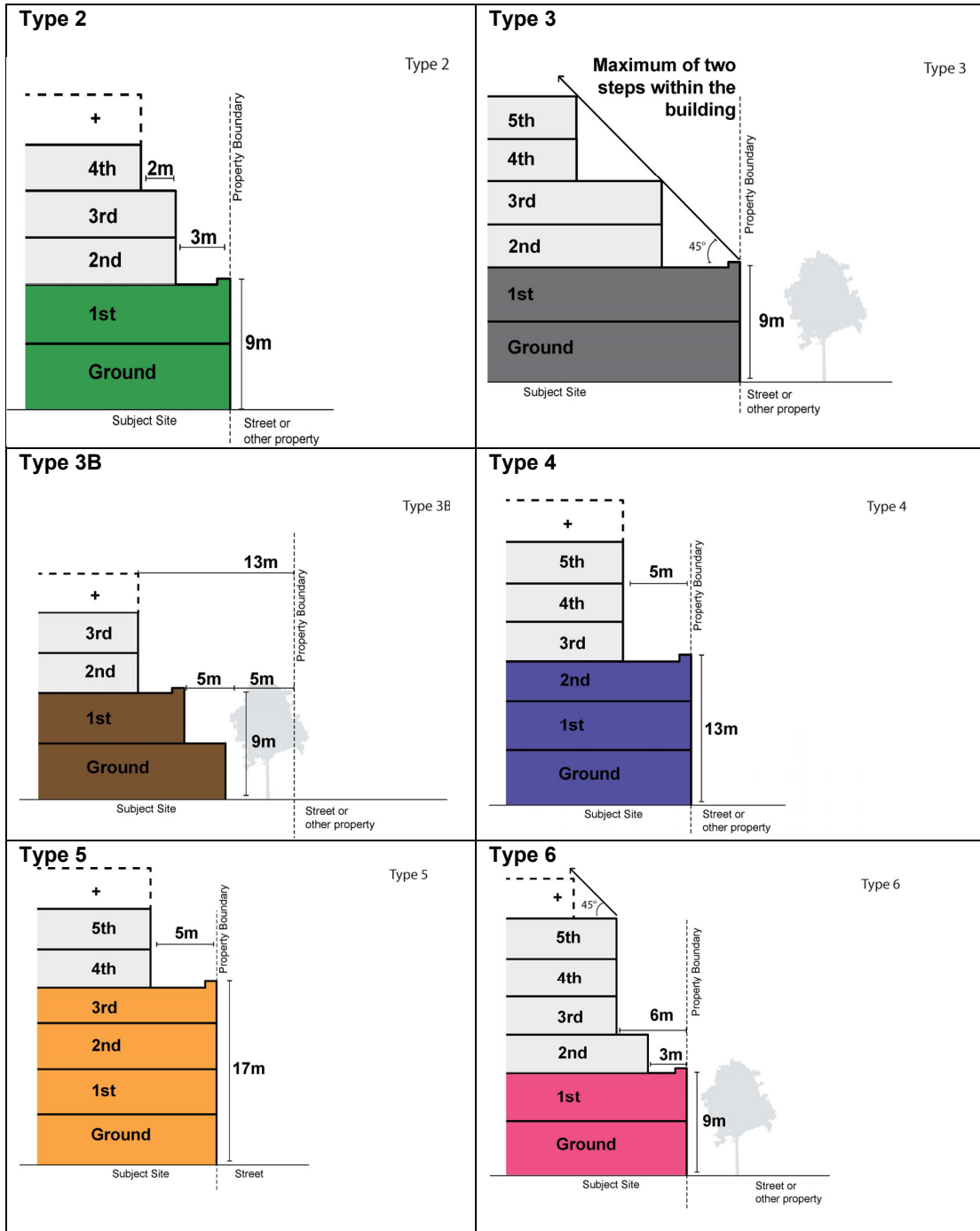
**Diagrams for interface types in Tables 3 and 4**



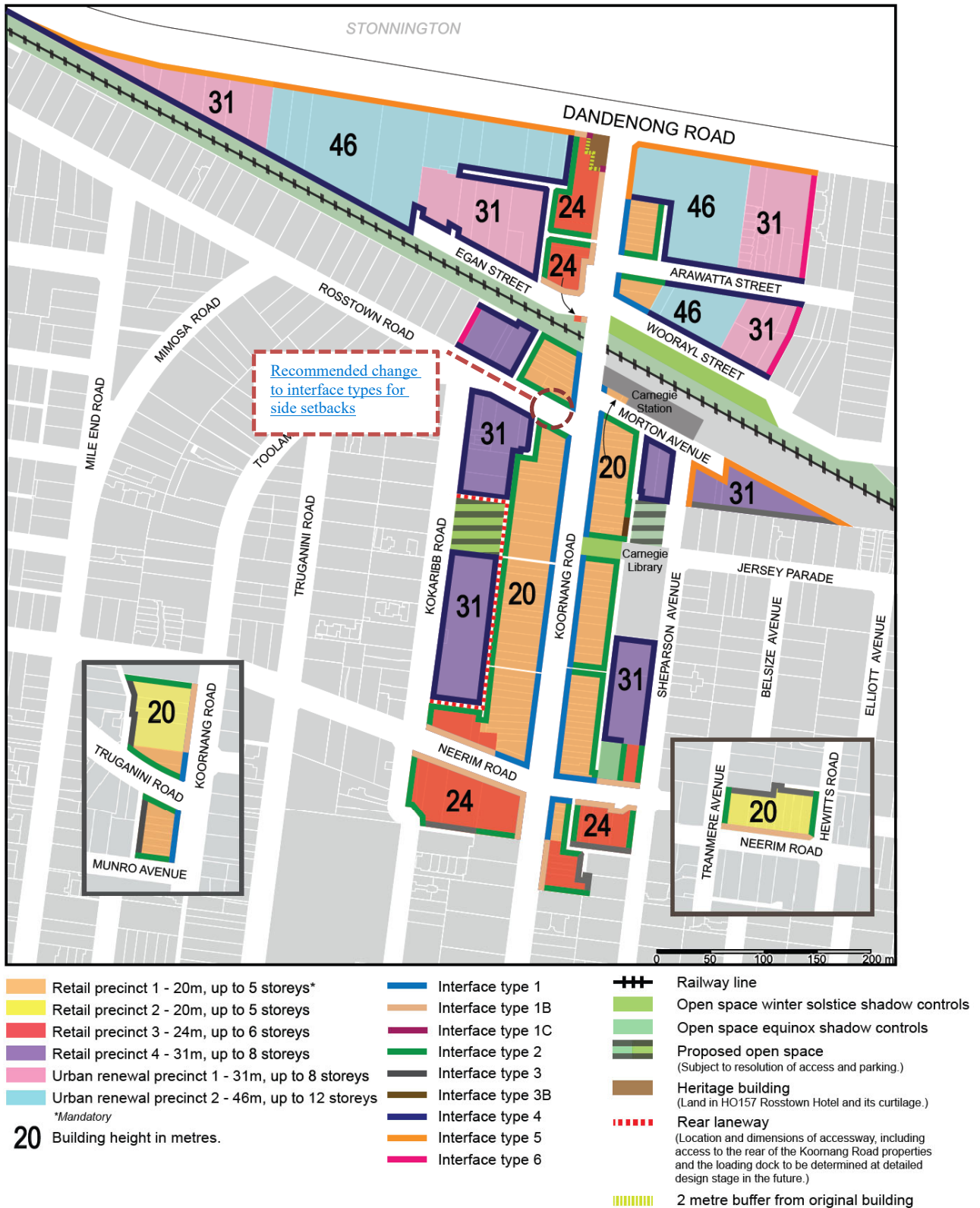
Type 1

Type 1B

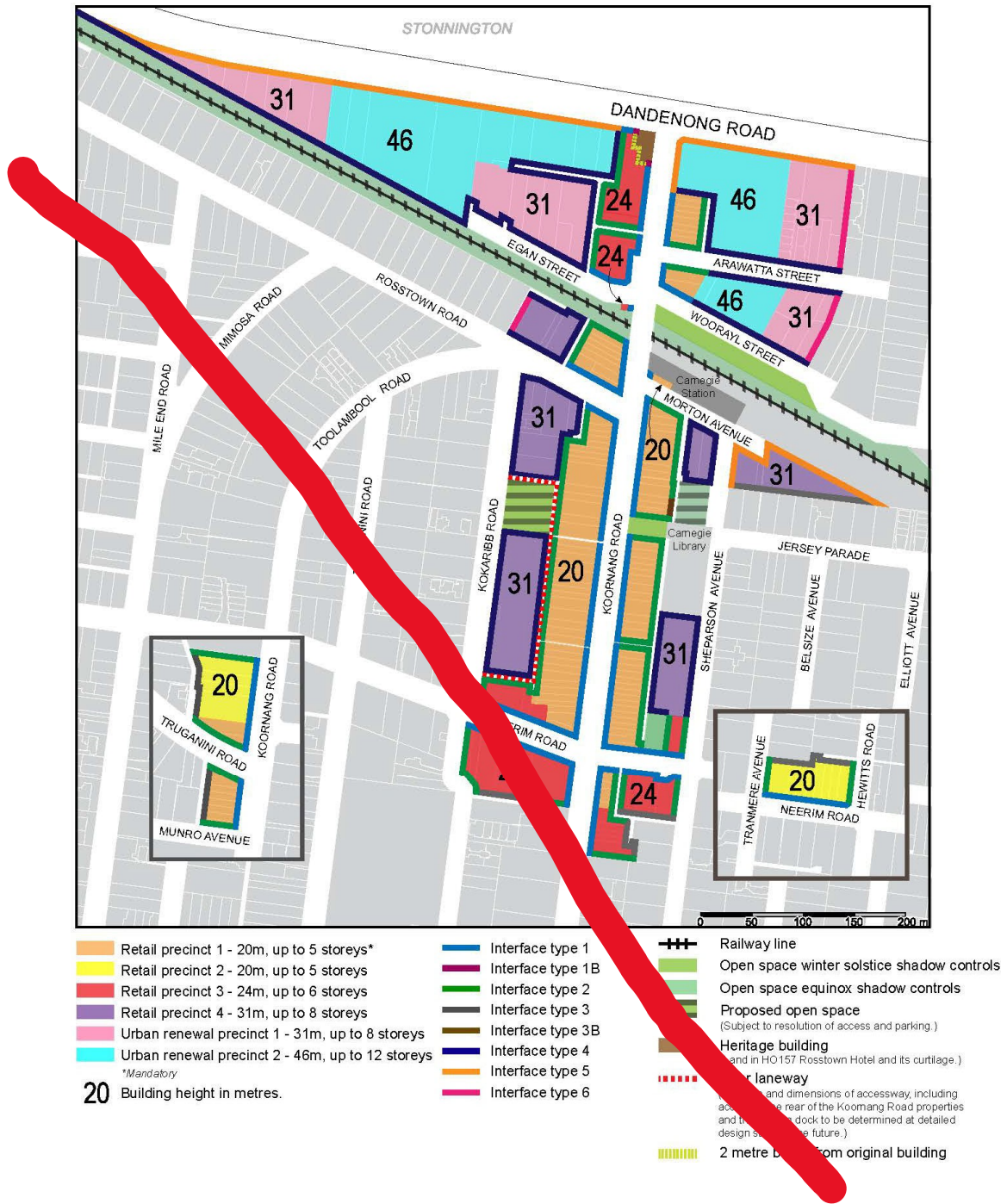




Map 2 to Schedule 9 of Clause 43.02-Building heights and interfaces.







## 2.4 Built form and design requirements

Provide ground floor active frontages and outdoor dining opportunities to activate laneways and pedestrian links.

## 2.5 Floor to floor height requirements

Buildings should provide the floor-to-floor heights set out in Table 5 to this schedule unless the development is within a heritage building:

**Table 5 - Floor to floor height requirements**

Development Type	Building Level	Floor to floor height
Commercial/ <del>Retail</del>	Ground Level	4.2 metres
Commercial	First floor and above	3.8 metres
Residential	All levels	3.2 metres

## 2.6 Requirements for development within the urban renewal precincts 1 and 2

Development within the urban renewal precincts should:

- enhance the streetscape with active frontages, ground floor retail, outdoor dining opportunities.
- include retail and commercial uses at ground and first levels.
- include employment generating land uses.
- ~~step buildings down and provide a landscaped interface to residential areas.~~

## 2.7 Interface and transition requirements

Buildings should provide a suitable transition to residential areas.

## 2.8 Overshadowing requirements

Buildings should minimise overshadowing impacts on the existing private open space of adjacent residential properties.

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces on 22 June between 10am - 2pm:

- Kokaribb Road future open space
- Woorayl Street Reserve to the north of Carnegie Station
- Library forecourt - Jersey Parade Reserve

A permit cannot be granted to vary this requirement unless the development will not cast shadows beyond those cast by:

- the existing shadows from existing buildings and infrastructure; or
- the shadow that would be cast by a street wall built to the nominated street wall height in Table 4 to this schedule between 10am - 2pm on the 22nd of June.

A permit must not be granted to construct a building or construct or carry out works that would overshadow any of the following spaces at the equinox between 10am - 2pm:

- Neerim Road open space
- Open space north of the library
- Active recreation space below Skyrail immediately west of Koornang Road
- Skyrail open space west of Egan Street

A permit cannot be granted to vary this requirement, unless the development will not cast shadows beyond those cast by:

- the existing shadows from existing buildings and infrastructure; or
- the shadow that would be cast by a street wall built to the nominated street wall height in Table 4 to this schedule at the equinox between 10am - 2pm.

A permit must not be granted to construct a building or construct or carry out works that would overshadow either of the following footpaths at the equinox at the time specified:

- Western footpath of Koornang Road at 10am
- Eastern footpath of Koornang Road at 2pm

A permit cannot be granted to vary this requirement, unless the development will not cast shadows beyond those cast by:

- the existing shadows from existing buildings and infrastructure; or
- the shadow that would be cast by a street wall built to the nominated street wall height in Table 4 to this schedule at the equinox between 10am - 2pm.

## 2.9 Laneway requirements

Buildings should where practicable:

- provide connections with universal access for pedestrians to access the rear of the site from Koornang Road. This can be internal or external and should include passive surveillance.
- prioritise pedestrian and commercial traffic in laneways over residential traffic.
- minimise residential traffic in laneways.
- provide windows above ground level for passive surveillance over laneways.

## 2.10 Building separation requirements

Buildings should provide building separation that:

- facilitates a high level of internal amenity for occupants of the development and adjoining development.
- achieves privacy through setbacks and building design, rather than screening.
- offsets direct views between buildings within the same site or adjoining sites.
- allows for views to the sky.
- ensures tall buildings do not appear as a continuous wall when viewed from street level.
- contributes to a varied and architecturally interesting skyline.
- encourages a continuous street wall when building to the boundary.
- assists with achievement of the shadow controls in Clause 2.8 of this schedule.

Buildings should provide the building separations set out in Table 6 of this schedule.

The building separation requirements in Table 6 of this schedule applies above the street wall where there is a common boundary or a laneway. The building separation is to be measured from the centre of the laneway where the common boundary is a laneway.

### Table 6 - Building separation

**Primary outlook** refers to the windows of living and dining rooms. It also refers to the balcony, measured from the main balcony edge.

**Secondary outlook** refers to bedroom and bathroom windows, and commercial windows.

<b>Building separation from adjoining properties or laneway</b>	<b>Building height</b>	<b>Setback from common boundary or the centre of the laneway</b>
No outlook, built to boundary	Up to 28 metres	0 metres
	Above 28 metres	6 metres
From a secondary outlook to the boundary	Up to 28 metres	3 metres
	Above 28 metres	6 metres
From a primary outlook to the boundary	Up to 28 metres	4.5 metres
	Above 28 metres	6 metres
<b>Building separation within a site</b>	<b>Building height</b>	<b>Setback between the buildings</b>
From a secondary outlook to no outlook (blank wall)	Up to 28 metres	3 metres
	Above 28 metres	6 metres
From a primary outlook to no outlook (blank wall)	Up to 28 metres	4.5 metres
	Above 28 metres	6 metres
Between secondary outlooks	Up to 28 metres	6 metres
	Above 28 metres	12 metres
From a primary outlook to a secondary outlook	Up to 28 metres	7.5 metres
	Above 28 metres	12 metres
Between primary outlooks	Up to 28 metres	9 metres
	Above 28 metres	12 metres

### **2.11 Transport and parking design requirements:**

Buildings should:

- provide charging stations for electric cars, bicycles and scooters within car parks.
- provide vehicle access/egress via service lanes and secondary streets.
- avoid additional vehicle crossovers on Koornang Road.
- consolidate existing vehicle crossovers.
- provide basement parking fully below the finished street level to maximise areas devoted to the provision of employment and housing.
- consider semi-basements up to 1.2 metres above the finished street level if dwelling privacy would benefit from a raised ground floor.
- avoid at grade parking and provide commercial fronts at footpath level.
- consider above ground parking only where:
  - it can be clearly demonstrated a basement cannot be achieved.
  - it is fully screened by commercial, retail and/or residential uses.

### **2.12 Building access and pedestrian requirements**

Buildings should:

- provide primary pedestrian entrance to buildings from the street.

- provide separate entries from the street for pedestrians and vehicles.
- avoid locating the primary pedestrian entrance from car parking or a rear accessway.
- provide each individual ground floor dwelling with a separate entry and address to the public street.

### 2.13 Site consolidation

Buildings should:

- consolidate sites where appropriate to deliver an efficient built form and to ensure the visual and amenity impact of the developments can be managed within the site.
- create new laneways on larger consolidated sites where appropriate.

## 3.0 Subdivision

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None specified.

## 4.0 Signs

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None specified.

## 5.0 Application requirements

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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 design response that:

- Includes detailed site layout, building design and elevations drawn to scale.
- Shows the colour and materials of all buildings and works.
- Demonstrates how the design has mitigated impacts on adjoining land.

A planning report that explains how the design meets the requirements of this schedule.

A heritage report where practicable, prepared by a suitably qualified heritage expert that demonstrates how the design proposal responds to the heritage significance of any heritage buildings on site or the adjoining site.

~~A 3D digital model of the proposed buildings and works (where it is four or more storeys in height) in a format compatible with Council's 3D model.~~

~~A landscape plan prepared by a suitably qualified landscape designer.~~

An acoustic report for residential development prepared by a suitably qualified acoustic engineer demonstrating how the development:

- Meets the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* and the *Incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021)* as may be amended from time to time.
- Reduces the impact of noise and vibrations from:
  - Carnegie Station.
  - mechanical equipment.
  - car lifts.
  - transformers.

A traffic, transport and car parking report, prepared by a suitably qualified traffic engineer that provides the following:

- The appearance, layout and allocation of car parking including visitor parking
- Bicycle parking provision including number and location.
- Electric charging locations for electric cars, bicycles and scooters.
- Vehicular ingress and egress to and from the site.
- Location and arrangements for loading and unloading of heavy vehicles.

An environmental assessment of sites included in the Environmental Audit Overlay prepared by a suitably qualified professional.

A waste management plan prepared by a suitably qualified waste management expert.

A sustainability management plan prepared by a suitably qualified professional that demonstrates how the proposal incorporates environmentally sensitive design.

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### Decision guidelines

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

- Whether the proposal offers a high-quality design, including materials and finishes.
- Whether the heritage buildings retain their prominence when viewed from the street.
- Whether upper-level development above the street wall is visually recessive and does not visually overwhelm the heritage buildings.
- The extent to which proposed buildings respect the preferred scale and form of development, particularly when viewed from the public realm.
- The contribution the building makes to the streetscape and whether it enhances the pedestrian environment.
- Whether the proposal provides for environmentally sustainable design.
- Whether the landscaping has been well integrated into the development and will support and sustain healthy plants.
- Whether the design and form of buildings supports the housing and economic needs of the Carnegie Major Activity Centre.
- Whether proposed 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 footpaths and open space.
- Whether the residential component of a building is designed to effectively mitigate noise, fumes, odour, vibration and other amenity impacts from non-residential uses.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The effect the proposal will have on existing traffic and parking in the activity centre.
- Location for storage of rubbish and materials for recycling.