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Proposed C184glen

## SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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

### CARNEGIE ACTIVITY CENTRE

#### 1.0

#### Design objectives

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Proposed C184glen

- To support high quality built form outcomes that also complement the fine grain and heritage elements of the streetscape.
- To support growth in identified urban renewal precincts and opportunity sites that support the housing, economic and place making role and function of the activity centre.
- To strengthen building design that supports employment uses or facilitates future conversion to employment uses.
- To minimise the amenity impacts on residential dwellings, including overlooking, overshadowing and visual bulk.
- To provide attractive, functional and connected public spaces that respond to the public realm through building design, defined street edges, active frontages, visual interest design elements, quality public open space and public spaces and an expanded laneway network.

#### 2.0

#### Buildings and works

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Proposed C184glen

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

#### 2.2

#### Buildings and works for which no permit is required

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 if it is authorised by the relevant public land manager.
- Alternations and additions to a single dwelling on a lot.

#### 2.3

#### Definitions

For the purpose of this schedule:

**Laneway** means an existing or potential future laneway identified in Map 3 to this schedule.

**Pedestrian laneway** means an existing or proposed laneway with active frontages that supports a high level of pedestrian activity (no vehicle access or loading facilities).

**Primary outlook** means the primary view angle from the main internal living area and secluded private open space (SPOS) of a dwelling. Where there are multiple living areas and SPOS, the primary outlook is associated with the primary living area. Where a primary living area or SPOS faces multiple boundaries, the primary outlook is the main direction where indoor and outdoor living areas are connected (such as the primary living area and a balcony). For the purpose of this clause, each dwelling is considered to have only one primary outlook.

**Service laneway** means an existing or proposed laneway that generally serves as vehicular access to the side or rear of buildings to support parking, loading facilities, services and utilities. Service laneways generally do not have active frontages and include any laneway that is not nominated as a Shared laneway or Pedestrian laneway.

**Shared laneway** means an existing or proposed laneway with active frontages that supports a high level of pedestrian activity and is shared with vehicle access or loading facilities where practical.

**Street wall** means that part of a building constructed within 0.3 metre of an existing or proposed street, laneway or public open space. The street wall is otherwise known as the ‘podium’ element of a taller building.

**Street wall height** means a height measured from the footpath or natural ground level at the centre of the relevant site frontage to the top of the street wall. It includes parapets.

**Upper levels** means the part of the building above the prescribed street wall. The upper levels are otherwise known as the ‘tower’ element of a taller building.

## 2.4

### Building height and number of storeys

A building must not exceed the maximum building height and the number of storeys specified in Column 3 of Table 1 to this schedule in Precincts A, B and C. A permit cannot be granted to vary this requirement unless:

- Any increase in height required to accommodate any increase to minimum finished floor levels determined by the relevant drainage authority or floodplain management authority.
- Alterations to or extension of a lawfully existing building if all of the following requirements are met:
  - The existing building has a building height of more than that specified in Table 1 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.
- Roof top services that do not exceed 10 per cent of the gross floor area of the top storey of the building. Roof top services includes but is not limited to plant rooms, air conditioning, lift overruns, roof top gardens, decks and communal outdoor spaces and their ancillary facilities.
- Architectural features that do not exceed the building’s height by more than 2 metres.

A building should not exceed the maximum building height and the number of storeys specified in Column 3 of Table 1 to this schedule in Precincts D, E and F.

**Table 1 - Building height requirements**

Column 1 Precinct reference	Column 2 Precinct name	Column 3 Maximum building height and number of storeys
A	Precinct A	15 metres, comprising up to 4 storeys
B	Precinct B	15 metres, comprising up to 4 storeys
C	Precinct C	19 metres, comprising up to 5 storeys
D	Precinct D	30 metres, comprising up to 8 storeys

Column 1 Precinct reference	Column 2 Precinct name	Column 3 Maximum building height and number of storeys
E	Precinct E	30 metres, comprising up to 8 storeys
F	Precinct F	44 metres, comprising up to 12 storeys

## 2.5 Street wall height

Buildings should not exceed the preferred street wall height and the number of storeys specified in Column 3 of Table 2 to this schedule, except where additional height is required to maintain consistency with existing street wall heights (including parapets) on adjoining buildings.

**Table 2 - Preferred street wall heights**

Column 1	Column 2	Column 3
Precinct reference	Precinct name	Preferred street wall height and number of storeys
A	Precinct A	9 metres, comprising up to 2 storeys
B	Precinct B	9 metres, comprising up to 2 storeys
C	Precinct C	9 metres, comprising up to 2 storeys
D	Precinct D	13 metres, comprising up to 3 storeys
E	Precinct E	13 metres, comprising up to 3 storeys
F	Precinct F	Dandenong Road: 17 metres, comprising up to 4 storeys All other roads: 13 metres, comprising up to 3 storeys

*Note: The precinct references in Column 1 of Table 2 are the areas shown on Map 1 forming part of this Schedule.*

## 2.6 Setbacks

### 2.6-1 Setbacks - all precincts

Building setbacks should:

- Be no less than the setbacks illustrated in Diagram 1 to this schedule, in accordance with the interface type applicable to the site, as outlined in Map 2 to this schedule. A greater setback may be required to meet the requirements of this schedule for primary outlook requirements as detailed in 2.11.
- Respond to sensitive interfaces, public open space and key public spaces as shown on Maps 2, 3 and 4 to this schedule.

### 2.6-2 Setbacks - Precincts A, B and C

In Precincts A, B and C shown on Map 1 to this schedule, building setbacks should:

- Contribute to a consistent two storey street wall that reinforces traditional parapet heights and reduces visual prominence of upper floors.
- Provide clear visual separation between the streetwall and upper levels to reinforce a distinct, human-scale street environment with visually recessive upper floors.
- Respond to the role, function and character of side streets, where the site is on a corner.
- Provide for a transition to sensitive interfaces, including heritage sites.
- In Precinct A:
  - Ensure that heritage facades and fine grain built form remain the visually prominent feature within the streetscape when viewed from ground level.
  - Minimise the visibility of upper levels when viewed from standing eye level (1.6 metres) at the street frontage directly across the street.

### **2.6-3 Setbacks - Precincts D, E and F**

In Precincts D, E and F shown on Map 1 to this schedule, building setbacks should:

- At streetwall (podium) level:
  - Contribute to a contemporary urban character with a consistent street edge and street wall height (four storeys on Dandenong Road and three storeys along all other roads).
  - On Dandenong Road, provide a transitional street wall height adjacent to the Rosstown Hotel site that respects the scale and character of the heritage building.
  - Establish a continuous built-to-boundary street edge, except where providing new or extended laneways and pedestrian connections.
- At upper levels (towers):
  - Provide clear visual distinction to the streetwall (podium) level.
  - Provide adequate separation between towers to:
    - Facilitate a high level of internal amenity for existing and future occupants of the development and adjacent towers.
    - Achieve privacy by setbacks and building design, rather than screening.
    - Allow for views to the sky and ensure tall buildings do not appear as a continuous wall when viewed from the street level.
    - Contribute to a varied and architecturally interesting skyline.
  - Provide significant separation of tower forms from sensitive interfaces including heritage sites, minimising visual bulk and avoiding overshadowing and overlooking.

### **2.7 Building design (general)**

Building design should:

- Be of high quality urban design and architecture.
- Incorporate high quality materials, textures, and colours, with design features that respond to the existing characteristics of the streetscape, as appropriate.
- Be designed to address front, oblique and side views and provide visual interest at short and long range. In taller buildings, contribute to a varied and visually interesting skyline.



- Provide wide building entries that are clearly visible, legible and welcoming from the street. For mixed use development, ground level entries to residential uses should be easily distinguished from commercial uses.
- Provide a unique sense of identity for each building.
- Consolidate and conceal building services (including domestic services, utilities, waste management facilities, and substations) within sites and within buildings, and ensure any externally accessible services or substations are integrated into the façade design. Building services along interfaces with active frontages, active laneways and key public spaces as identified in Map 3 to this schedule should be concealed as much as practical.
- Encourage interaction and passive surveillance of the street and public spaces, with windows, balustrades and design features that provide a level of permeability.
- Incorporate a podium and tower form with detailing emphasised at ground floor to achieve a human scale with an active street level experience.
- Consolidate 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).
- Manage building bulk towards sensitive residential interfaces and heritage sites, including a transition in scale from larger buildings to adjacent areas of smaller scale.
- Reinforce a fine grain development pattern within the street wall levels of buildings. Support the use of vertical and horizontal architectural elements and spacings in the podium that match the fine grain development pattern and character of the surrounding buildings in the street.
- In Precincts A, B and C shown on Map 1 to this schedule, prioritise the retention of existing street frontages, including restoration or reconstruction of original heritage features, as appropriate.
- In Precincts D, E and F shown on Map 1 to this schedule:
  - Support a range of employment, residential and community spaces.
  - Demonstrate a positive contribution to public spaces.
- In Precincts E and F shown on Map 1 to this schedule, contribute to an integrated urban renewal precinct that accommodates employment and housing growth and contributes to high quality public spaces and walkability.

### **2.8 Building design to support employment uses**

Within the street wall podium of a building, where a non-retail or non-commercial use is proposed, building design should provide for future conversion to support employment uses incorporating:

- Floor plan layouts allowing for future consolidation of dwellings or small tenancies into larger tenancies.
- Minimal load bearing walls in opportune locations to facilitate future consolidation and adaptable reuse of buildings.
- Wide building entries, generous foyers and wide hallways appropriate for future commercial uses.

### **2.9 Active frontages**

Development should:

- Provide active frontages at ground floor, with façade detailing in the street wall including windows, entrances, doorways and fenestration that provide street level interest, lighting, promote activity at ground level and facilitate passive surveillance of public spaces.
- Provide direct pedestrian access to ground floor uses. Ground floor design of buildings should facilitate through-site pedestrian connectivity between streets, shared laneways, pedestrian laneways and public spaces identified in Map 3 to this schedule.
- Avoid blank facades.
- Where abutting a Key Public Space identified in Map 3 to this schedule, provide an inset to facilitate active uses with a strong connection between the building and the outdoors (such as outdoor seating for food and drink premises).
- For Active Frontage Type 1A identified in Map 3 to this schedule:
  - Provide weather protection (fixed cantilevered verandahs) over the footpath on all streets.
  - Provide at least 80% of the building façade at ground level as an entry or window with clear glazing
  - Avoid vehicle access and crossovers.
- For Active Frontage Type 1B identified in Map 3 to this schedule:
  - Provide weather protection (fixed cantilevered verandahs) over the footpath on all streets.
  - Provide at least 65% of the building façade at ground level as an entry or window with clear glazing.
  - Minimise vehicle access and crossover widths as much as practical.
- For Active Frontage Type 2 identified in Map 3 to this schedule:
  - Provide at least 50% of the building façade at ground level as an entry or window with clear glazing.
  - Minimise vehicle access and crossover widths as much as practical.

### 2.10 Access and parking

Development should:

- 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.
- Avoid vehicle access from primary street frontages. The preferred location for vehicle access is from (in order of priority):
  - Service laneways or shared laneways, as identified in Map 3 to this schedule.
  - Secondary site frontages where the site is on a corner and there is no service laneway or shared laneway for the site nominated on Map 3 to this schedule.
- Minimise access and crossover widths as much as practical.
- Ensure that bicycle parking is secure, convenient and readily accessible.
- Provide resident and visitor entries that are clearly separated from service areas, vehicle accessways and loading zones.

## 2.11 Overshadowing

### 2.11-1 Overshadowing public open space and public spaces

Buildings must not cast any additional shadow past the shadows cast by existing buildings or hypothetical buildings built to the maximum street wall height permitted in the precinct (as identified in Table 2 and Map 1 to this schedule) over existing or new public open spaces or key public spaces shown as Areas A and B on Map 4 to this schedule for the hours and dates specified in Table 3 to this schedule.

In determining the shadow cast by the maximum street wall height, each storey permitted to be built at the street boundary specified in Table 2 to this schedule shall be calculated as 4 metres in height. Where existing buildings cast a larger shadow, new buildings must not exceed the existing shadow extent.

These requirements cannot be varied with a permit. These requirements do not apply to buildings and works constructed within the public open space or key public space.

#### 2.10-2 Overshadowing residential areas

Buildings should not overshadow residential areas on the areas shown as Area C on Map 4 to this schedule, above the shadows cast by existing development and structures, for the hours and days specified in Table 3 to this schedule.

**Table 3 - Overshadowing requirements**

Area on Map 4	Hours and dates
A	11:00am to 2:00pm on 21 June
B	10:00am to 3:00pm on 22 September
C	9:00am to 3:00pm on 22 September

## 2.12 Privacy, outlook and overlooking

Development should:

- Notwithstanding the building setbacks outlined in Diagram 1 and Map 2 to this schedule, ensure building design facilitates the primary outlook of all dwellings to be set back from the side or rear boundary to be no less than 6 metres. In circumstances where the outlook is to an existing development that is unlikely to be redeveloped in the foreseeable future an alternative design response can be applied that addresses privacy and overlooking.
- Prioritise the primary outlook of dwellings to face the front or rear of the development site. Primary outlooks towards side boundaries should be avoided (except for side street or laneway boundaries).
- Avoid views into secluded private open spaces and habitable room windows of dwellings on adjacent land.
- Achieve dwelling privacy through considered building design and separation rather than screening.
- Deliver high quality amenity within buildings having regard to outlook and overlooking.
- Offset direct views between existing or future buildings within the same site or adjoining sites.

## 2.13 Site consolidation

- 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.
- Site consolidation should contribute to an efficient and orderly lot size distribution, avoiding the retention of narrow unconsolidated lots that cannot achieve desired built form outcomes.
- 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 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

- Three dimensional drawings or photomontages taken from eye level (1.6m), at various locations in the surrounding area that shows the proposed development in context with its surrounds.
- Shadow diagrams to demonstrate compliance with the overshadowing requirements of this schedule.

## 6.0 Decision guidelines

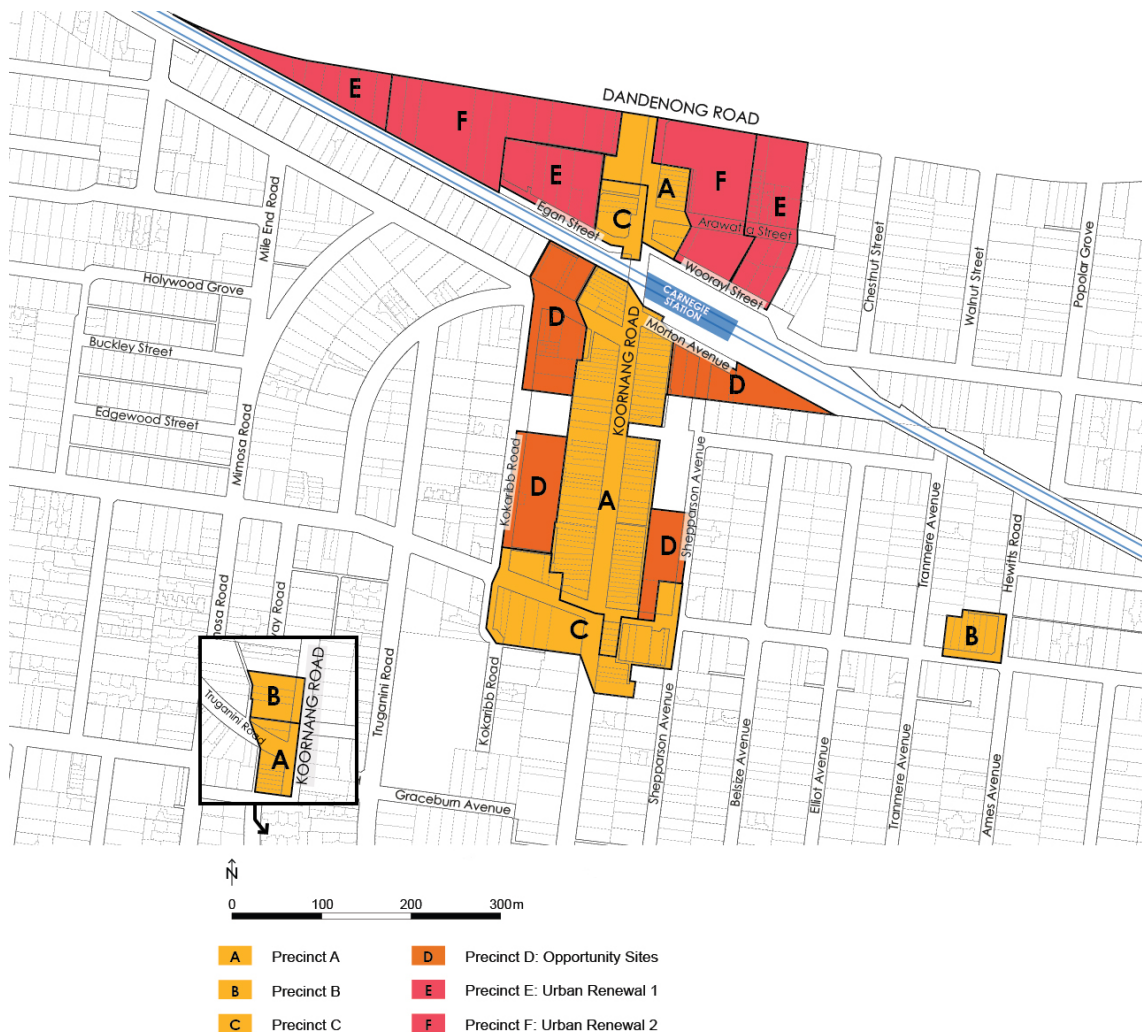
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- The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:
- The extent to which proposed buildings respect the preferred scale and form of development as set out in this schedule.
- Whether the design and form of buildings supports the economic, housing and place making role and function of the activity centre.
- Whether the proposal responds to its streetscape context and character.
- Whether building design supports employment uses or facilitates future conversion to employment uses.
- Whether development demonstrates a high level of urban design and architectural quality and makes a positive contribution to active frontages and public spaces.
- Whether buildings are designed to provide architectural interest from all angles, avoid blank walls and take into account its visual impact from short and long distance views.
- Whether proposed buildings that are adjacent to or opposite a heritage place are respectful of that heritage place.
- Whether privacy, outlook and overlooking are managed through setbacks and considered building design, rather than screening.
- The impact of overshadowing to public open spaces, public spaces and residential areas.

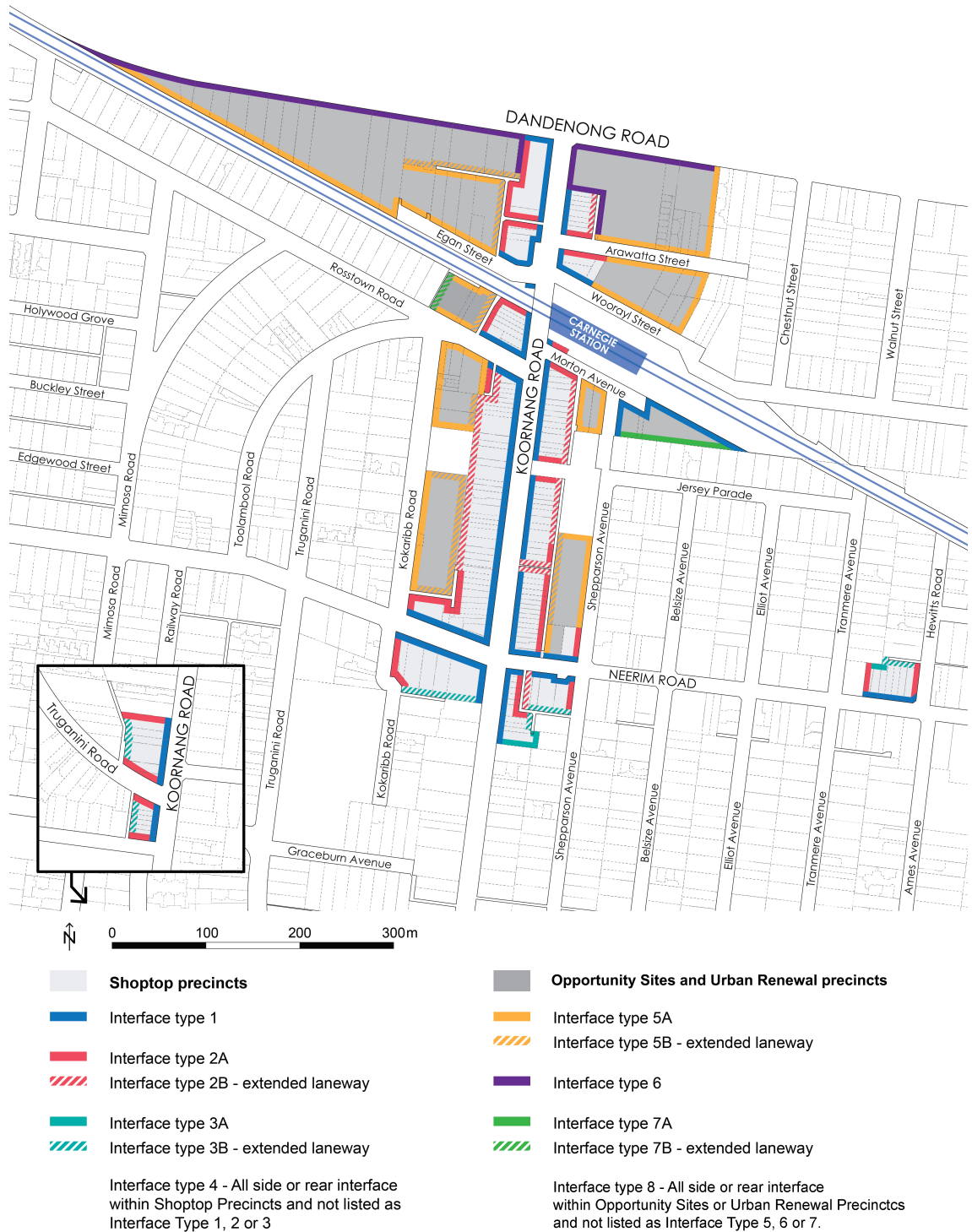
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- Whether the development has responded to active frontages and laneways and has facilitated delivery of new or widened laneways, as appropriate.
- Whether access and parking are safe and prioritises high quality streetscapes.
- Whether site consolidation has occurred in a coordinated manner to deliver efficient built form and lot size outcomes.
- Whether any development in Precinct D, E or F that exceeds the maximum building height specified in Table 1 appropriately manages the amenity of sensitive interfaces as a result of additional height.
- Demonstrates architectural design excellence and supports an appropriate built form for the Carnegie Activity Centre.

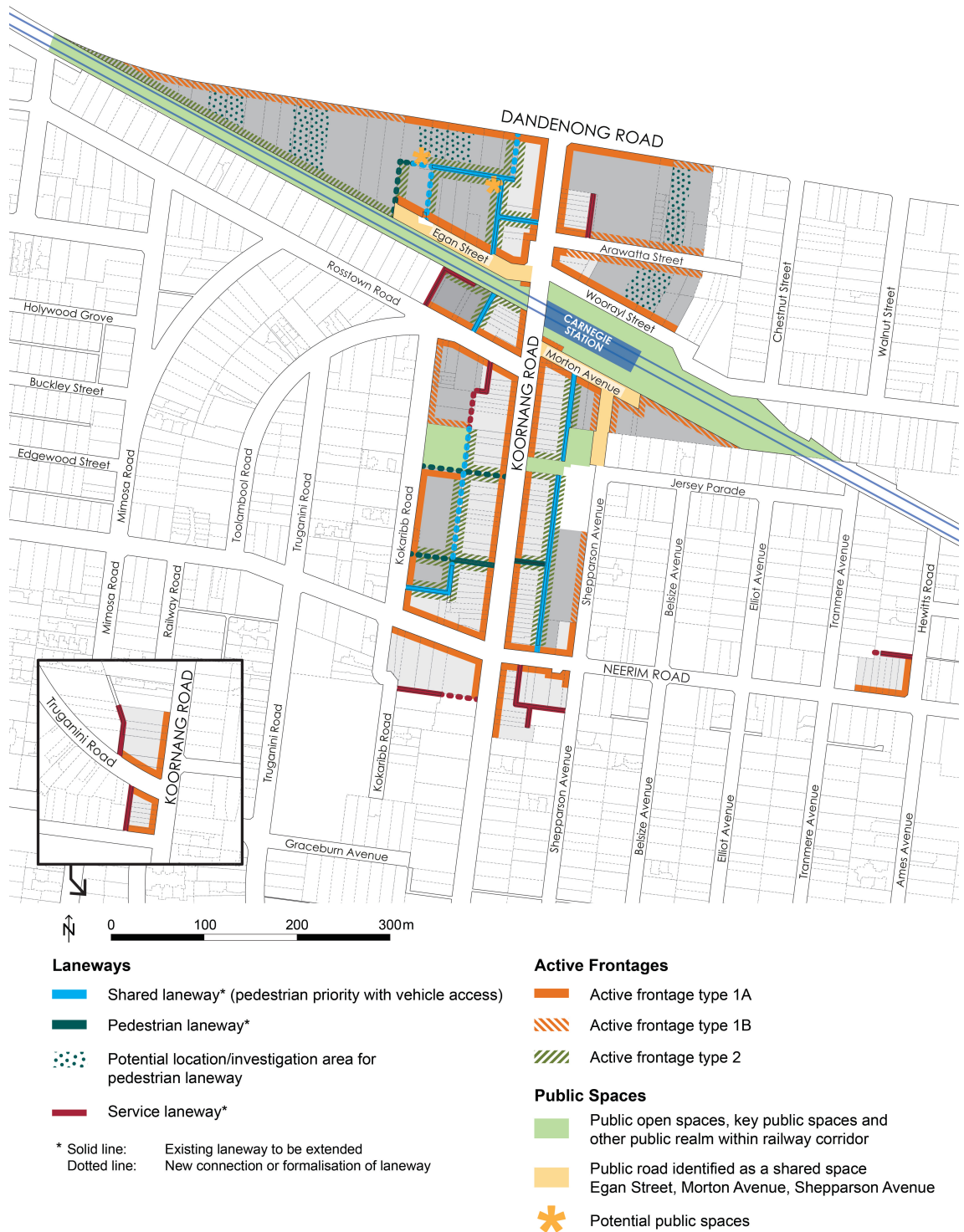
**Map 1 - Precinct Plan**



Map 2 - Interface types for building setbacks



Map 3 - Active frontages and laneways





## Map 4 - Open Space and other areas requiring shadow protection





Diagram 1 - Preferred setbacks for interface types shown in Map 2

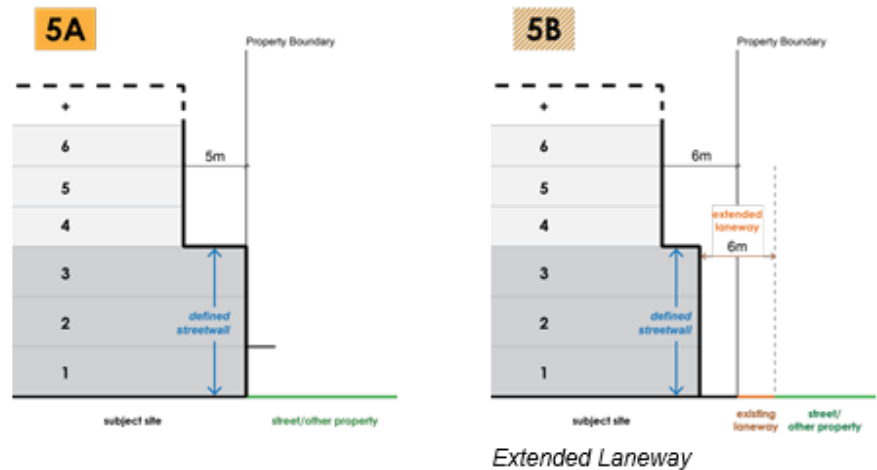
Setback interfaces for Shoptop Precincts (Precincts A, B and C)	
Map 2 Ref.	Interface Diagrams
<b>Interface Type 1</b> <i>Primary frontages</i>	
<b>Interface Type 2A and 2B</b> <i>Secondary /other frontages identified</i>	<div style="display: flex; justify-content: space-around;"> <div> </div> <div> </div> </div>
<b>Interface Type 3A and 3B</b> <i>Sensitive interfaces</i>	<div style="display: flex; justify-content: space-around;"> <div> </div> <div> </div> </div>
<b>Interface Type 4</b> <i>All side or rear interfaces within Precincts A, B or C and not listed as Interface Type 1, 2 or 3 and not listed as Interface Type 1, 2 or 3.</i>	
	<p><b>NOTE:</b> For all Interface Types, additional setbacks may be required to address:</p> <ul style="list-style-type: none"> <li>Overshadowing Requirements.</li> <li>Primary Outlook Setback Requirements.</li> </ul>

**Setback interfaces for Opportunity Sites and Urban Renewal Precincts (Precincts D, E and F)**

**Map 2 Ref. Interface Diagrams**

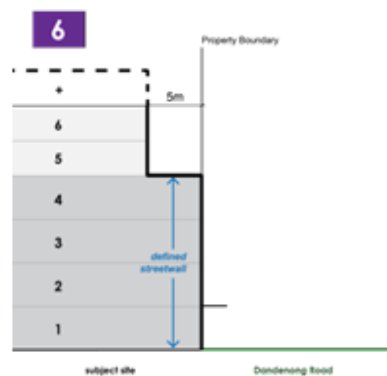
**Interface Type 5**

*Frontages except Dandenong Road*



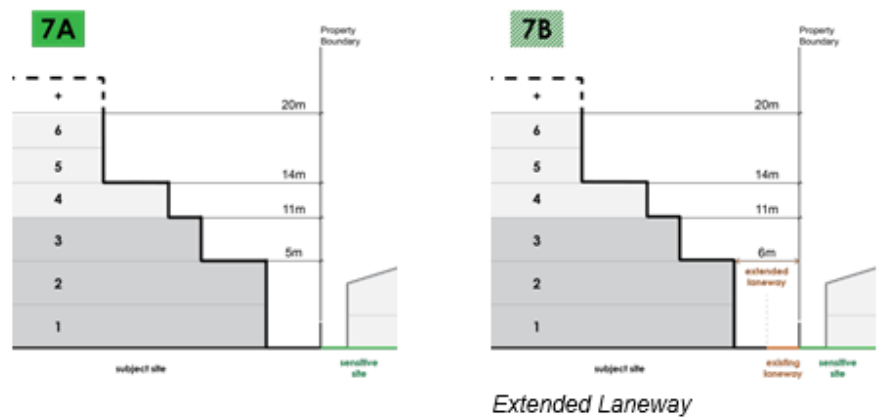
**Interface Type 6**

*Dandenong Road frontage*



**Interface Type 7**

*Sensitive interfaces*



**Interface Type 8**



**NOTE:** For all Interface Types, additional setbacks may be required to address:

- Overshadowing Requirements.
- Primary Outlook Setback Requirements.