

Darebin C161 Post Exhibition
 Highlighted underline/strikeout = post-exhibition changes

DAREBIN PLANNING SCHEME

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 Proposed
 C161

SCHEDULE 21 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO21**.

FAIRFIELD VILLAGE NEIGHBOURHOOD CENTRE

1.0 Design objectives

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- To encourage high quality urban development that achieves moderate intensification while being responsive to the valued character and amenity of the centre.
- To ensure development complements the established traditional streetscape of the centre by contributing to consistency of form, scale and facade articulation.
- To ensure development respects and enhances identified heritage buildings and precincts.
- To ensure development makes a positive contribution to the public realm.
- To ensure development provides an appropriate transition to and limits adverse amenity impacts on residential zoned properties.

2.0 Buildings and works

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A permit is not required to:

- Install an automatic teller machine.
- Alter an existing building facade provided that:
 - The alteration does not include the installation of an external roller shutter; and
 - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing for development in the Commercial 1 Zone.

Definitions

- If the land is in a Special Building Overlay, the maximum building height is the vertical distance from the minimum floor level determined by the relevant drainage authority to the roof or parapet at any point.
- A basement, attic or a mezzanine is not a storey for the purposes of calculating the number of storeys contained in a building.
- The street wall is the front facade of a building along all street frontages.
- Street wall height is measured from natural ground level to the top of the parapet, unless the land is in a Special Building Overlay or is land liable to inundation, where the maximum height is the vertical distance from the minimum floor level determined by the relevant drainage authority to top of the parapet.
- Front setback is measured from the boundary of the land with the street and applies to both front and side street boundaries of corner sites.

Building Height Requirements

The ~~overall overlay~~ height of any new building must not exceed the maximum height limit and must meet built form objectives specified in Table 1 to this schedule. The maximum height limit cannot be varied with a permit.

The maximum building height does not include:

- lifts, stairs, rooftop plant, solar panels designed to the satisfaction of the responsible authority
- structures and equipment ~~associated with~~ communal or green roof areas that occupy 50% or less of the roof area, ~~and are designed to minimise that minimises~~ views to any adjacent residential zoned property, ~~and designed to the satisfaction of the responsible authority~~
- ~~a hip or gabled pitched roof within Area 1 (Fairfield Village Heritage Precinct) as shown on Map 1 at Subclause 7.0 of this schedule.~~

Commented [DW1]: Corrects typo.

Commented [DW2]: Council included this to make it clear that meeting built form objectives in the Table are also a requirement. DELWP generally agreed.

Commented [DW3]: Council prefers this drafting.

Commented [DW4]: This was retained to be consistent with Council's decision to prepare the Amendment.

Table 1: Building height

Area	Maximum height limit	Built form objectives
Land 1000sqm or greater (may include multiple consolidated lots)	17.5m and 5 storeys	Additional height should be sufficiently recessed to be unobtrusive from surrounding streets and adjacent residential zoned properties; Overall building form should be designed to integrate with the streetscape and not detract from the prominence and character of the existing street wall; Ensure there is an appropriate transition in form to lower rise adjacent buildings.
Land under 1000sqm	14.5m and 4 storeys	
Land 1000sqm or greater (may comprise multiple consolidated lots)	17.5m and 5 storeys	Additional height is sufficiently recessed to be unobtrusive from surrounding streets and adjacent residential zoned properties, as evidenced by a visual study. Overall building form is designed to integrate with the streetscape and will not detract from the prominence and character of the existing street wall. Where an existing front facade is removed, the replacement building is articulated to respect the fine grain character of the street. Ensure There is an appropriate transition in form to lower rise adjacent buildings.

Commented [DW5]: These words were retained to be consistent with Council's resolution to prepare the Amendment.

Commented [DW6]: These words were retained to be consistent with Council's resolution to prepare the Amendment.

Valued Street Facade Requirements

Development should retain and incorporate Valued Street Facades shown in Map 1 at Subclause 7.0 to this schedule, with new building components set behind and above the retained facade in accordance with the requirements of this schedule.

Street Wall and Front Setback Requirements

The street wall ~~height~~ of any development must not exceed the maximum ~~height~~ specified in Table 2 and should be constructed to the boundary along all street frontages to maintain a consistent street edge. ~~The maximum street wall height limit~~ ~~This requirement~~ cannot be varied with a permit.

Development ~~must be behind the street wall height should~~ comply with the minimum front setbacks specified in Table 2.

Commented [DW7]: ???

Commented [DW8]: Proposed drafting required to create a requirement.

Draft - In response to Direction 10(e)

Table 2: Street Wall and Front Setback Requirements

Area (refer to Map 1 in Subclause 7.0 of this schedule)	Maximum Street Wall Height	Minimum Front Setbacks
1	8.5m, or height of adjacent street wall, whichever is greater.	<p>Where development retains a single storey building (or part thereof), set back upper storey additions a minimum of 4 metres at the second storey and 8 metres at the third and fourth storeys, as shown in Figure 1.</p> <p>Where development retains a double storey building (or part thereof), set back upper storey additions a minimum of 4 metres at the third storey and 8 metres at the fourth storey, as shown in Figure 2.</p> <p>Where a new building is proposed, 0m front setback up to the maximum street wall height (two storeys), with minimum setbacks of 4 metres at the third storey and 8 metres at the fourth storey, as shown in Figure 3.</p> <p>Corner sites abutting Duncan Street, may have a reduced setback to Duncan Street of 2 metres at the third storey and 4 metres at the fourth storey.</p> <p>Development on the north east corner of Station Street and Wingrove Street (85 Station Street) may adopt a 'bookend' form incorporating the existing heritage building with consolidated minimum 4 metre front setbacks at the second and third storeys. In addition, a single storey parapet should be extended along Wingrove Street to a length of approximately 13 metres to match the width of the existing single storey Station Street frontage, as per the <i>Fairfield Village Built Form Guidelines, 2017</i></p>
2	11.5m	<p>Where development retains a Valued Street Facade (single or double storey) set back upper storey additions a minimum of 2 metres up to the third storey, and 4 metres to the fourth storey, as shown in Figure 4.</p> <p>Where a new building is proposed, 0m front setback is required up to the maximum street wall height (containing no more than 3 storeys) with the fourth storey set back a minimum of 4 metres, as shown in Figure 5.</p> <p>Corner sites abutting Duncan Street may have a reduced setback to Duncan Street of 2 metres at the 4th storey.</p>

The front setback of a fifth storey, where permitted, should satisfy the requirements for exceeding the maximum building height requirements as specified in this schedule.

An application to reduce the minimum front setback requirements must demonstrate how the development:

- meets the design objectives of this schedule;
- achieves a consistent building form and scale to the street;
- integrates with the streetscape and does not detract from the prominence of the street wall;
- respects and emphasises heritage places and other retained Valued Street Facades; and
- limits new built form in oblique views along the street.

Commented [DW9]: Council considers the inclusion of the word 'emphasises' is important.

Front setback areas behind the street wall may be encroached by the following built form elements:

- a balcony or terrace that does not project forward of the level below, as shown in Figures 1-5.
- by minor projections of functional or design elements including:
 - awnings or sunshades projecting up to 1.5 metres forward;
 - architectural detailing or artworks projecting up to 300mm forward; and
 - vertical screens between balconies or terraces up to 1.7 metres high.

Balustrades to balconies or terraces which are visible behind retained historic street parapets from the street should be of clear glass, as shown in Figure 1. ~~The sight line angle shown on Figures 1, 2 and 3 is notional and depends on the varying heights of the existing street parapets and the exact position of the observer.~~

Commented [DW10]: Council agreed to delete sentence based on DELWP feedback but was not a tracked change in DELWP's document. The notional aspect of the figures were considered to be clear.

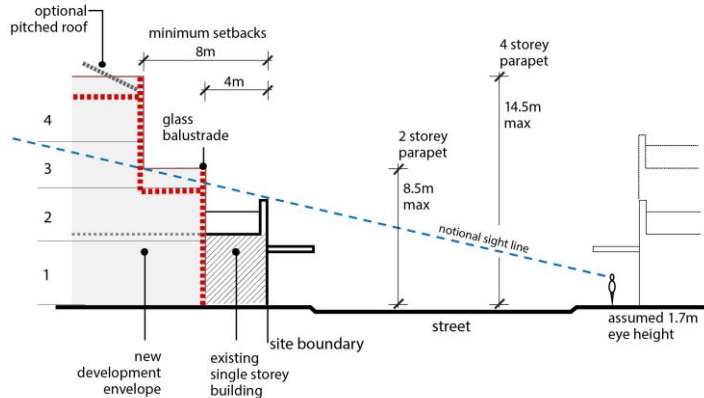


Figure 1: Front setbacks with retained single storey building in Area 1

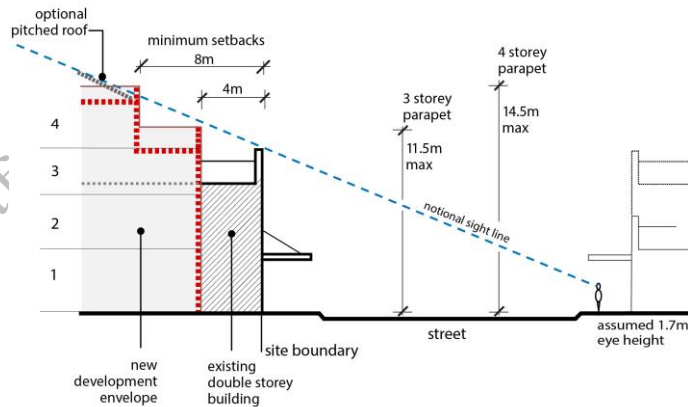


Figure 2: Front setbacks with retained double storey building in Area 1

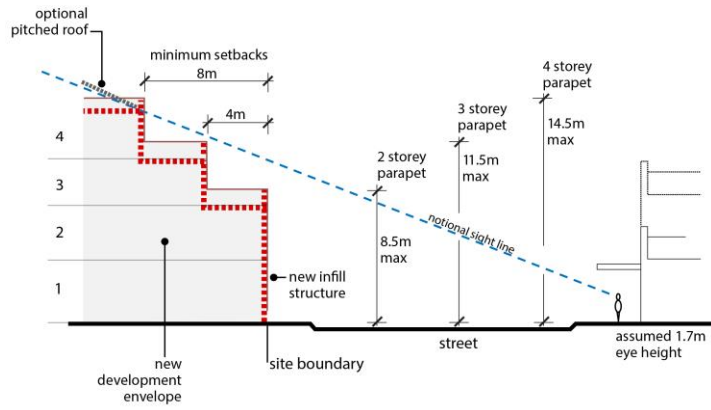


Figure 3: Front setbacks for new building in Area 1

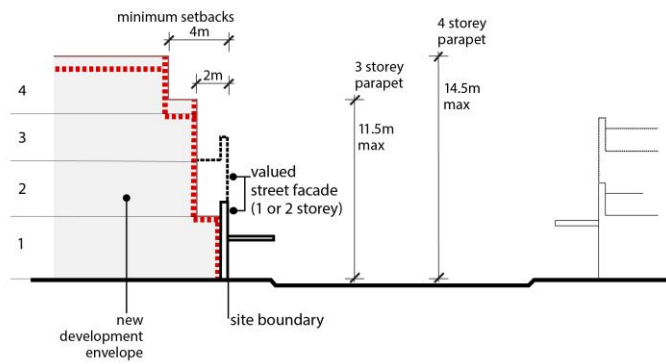


Figure 4: Front setbacks with retained valued street facade in Area 2

Commented [DW11]: Change made in response to submission.

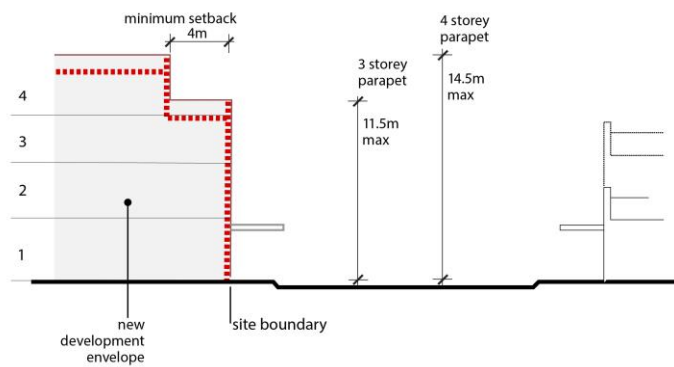


Figure 5: Front setbacks for new building in Area 2

Side Setback Requirements

No side setbacks are required in mid-block developments where adjoining sites to both sides can be built to similar scale.

Mid-block light wells should provide solar access, daylight and ventilation to buildings, as shown in Figure 6. A mid-block light well should have a minimum width of 1.5 metres at its base (or larger as required to create a usable courtyard) and gradually widen at upper levels to provide sufficient light and ventilation.

Side setbacks should not be relied upon to provide the primary outlook for a dwelling in a mid-block development. The primary outlook of dwellings should be to the front and rear site boundaries, with side setbacks providing opportunity for additional daylight access and amenity. Where orientation to side boundaries cannot be avoided, increased side setbacks should be provided for adequate daylight access and outlook for residential amenity.

Where a side boundary is shared with a property in a residential zone, a 2 storey (maximum 8.5 metre) wall is generally permissible on the side boundary. The extent of boundary wall and layout must have regard to the location, scale and amenity of adjacent dwellings, particularly the location of secluded private open spaces and proximity of habitable room windows. Upper levels should be set back from the common side boundary as appropriate to address unreasonable visual bulk impacts and if applicable, overshadowing. Development should be designed to limit views to the residential zoned property.

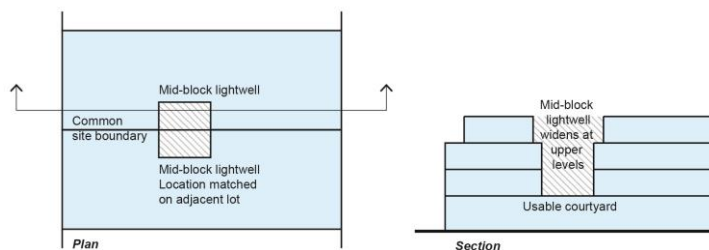


Figure 6: Mid-block light wells

Rear Setbacks and Interface Requirements

Development should be set back from the rear boundary, where adjoining a residential zoned property, properties to the rear a minimum of 3 metres at the first (i.e. ground level) and second storeys, and within the 45 degree rear setback envelope thereafter, as shown in Figure 7.

Where a laneway separates a rear boundary from a property in a residential zone, the rear setback requirement is measured from the boundary of the adjoining residential property.

Consolidate rear setbacks to avoid 'wedding cake' profiles as shown in Figure 7.

Balconies and terraces must not extend outside the rear setback envelope; however balustrades and screens to these spaces can extend vertically outside the envelope by up to 1 metre, provided the space is not enclosed via side walls and/or solid roof fixtures.

Sunshading devices may extend outside the rear setback envelope.

Overlooking from the rear of developments should be limited through design techniques which provide outlook from the new development but block downward views into secluded private open spaces and habitable rooms, such as:

- setbacks which use the building edge below to block downward views;
- permanent, fixed elements such as planter boxes; and/or
- horizontal louvre screens that block view down but allows longer range vistas.

Commented [DW12]: Council made changes based on DELWP feedback but was not a tracked change in DELWP's document.

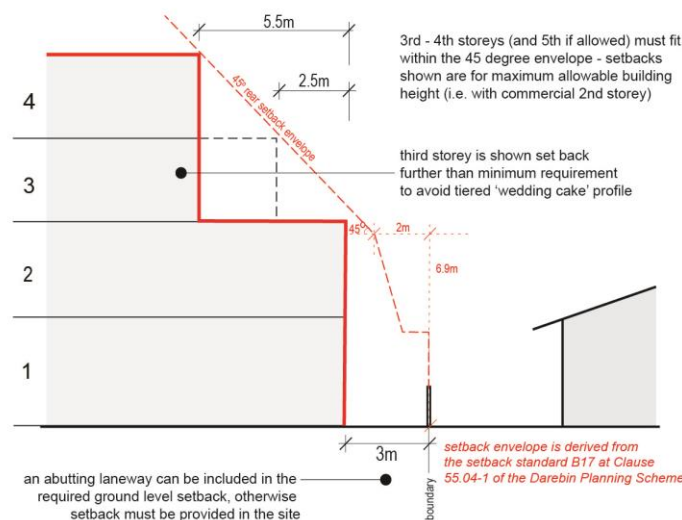


Figure 7: Rear Setback Requirements

Street Façade Form and Detailing Requirements

Development should reflect the proportions and features of existing Valued Street Facades, maintain the prominence of the street wall and achieve a degree of complexity in new building forms which provide a modern interpretation of traditional design. This should be achieved by, as appropriate:

- Use of similar proportions of solid and transparent building material as used in existing Valued Street Facades, particularly in new street wall elements.
- Avoiding floor to ceiling windows in new shop fronts. Provide stall risers with a minimum height of 500mm above the footpath.
- Maintaining the solidity of the street wall by incorporating fenestration with deep reveals, inset balconies and 'framing' elements rather than open, cantilevered or projecting elements.
- Use of architectural detailing, materials and colours to distinguish the street wall from development set back above and to minimise the 'wedding cake' appearance of progressive upper level setbacks.
- Street facades which reflect the fine-grained rhythm of the traditional streetscape. On larger sites, typical building widths (approximately 6-8 metres) should be expressed through the use of symmetrical vertical definition.
- Modern interpretation of decorative features seen in historic facades to emphasise a fine-grain frontage.
- Detailing on facades and parapets to reflect a balance of vertical and horizontal lines found in the traditional streetscape. Long horizontal building components and visually unbroken expanses of solid, transparent or reflective materials should be avoided.
- Avoiding blank facades on street frontages and side elevations and ensuring that buildings on corner sites address both street interfaces.
- Use of articulating elements such as verandahs, balconies, balustrades, sunshading canopies and architectural detailing.

Commented [PM(13)]: Figure 7's setback is not in accordance with the provision detailed above.

The comment regarding setback B17 should be removed.

Commented [DW14R13]: Reference to B17 explains the basis for the setback requirement.

- Use of clear glass balustrades behind retained historical street parapets to enclose a terrace space to building regulation height requirements without compromising the design of the parapet.

Development in Area 1 (Fairfield Village Heritage Precinct) as shown on Map 1 at Subclause 7.0 of this schedule may incorporate a light grey coloured hipped or gabled roof if the top of the building will be visible from across the street.

Development should enhance pedestrian amenity and street safety through design techniques as follows:

- Provision of a minimum of 65% clear glazing to ground floor frontages.
- Windows, entry points and balconies which face the street to provide a high degree of visibility and passive surveillance of the street. Residential entries should not exceed 2 metres of frontage width to ensure they do not dominate the frontages of buildings.
- Provision of cantilevered verandahs and awnings for weather protection. These should, as far as practicable, match the underside height and fascia height of adjoining verandahs and extend over the footpath up to 750mm from the kerb.

Materials and Finishes Requirements

Development should maintain and enhance the character of the area through innovative use of materials and finishes.

Use durable, traditional materials such as brick, painted brickwork, timber and transparent glass for the main body of a building. Render and metal should only be used as secondary or highlight finishes.

Materials should be selected to suit their application on the building (for example, street wall or recessed upper levels) and provide an appropriate level of detailing and visual interest.

Use contrasting materials to distinguish between retained street facades and new building additions.

Building features and details should be highlighted and enhanced through the use of materials (for example, metal and timber sun-shading devices and architectural features).

Landscaping Requirements

Development should provide a minimum level of landscaping as follows:

- Where the area of a development site is less than 1000 square metres, provide planter boxes to balconies and terraces, which may also include climbing plants to create a green facade. Alternatively, provide a green roof to the development.
- Where the area of a development site is 1000sqm or greater, provide landscaping as per requirements for sites less than 1000sqm, plus roof top landscaping, which may include a green roof, or communal roof top garden area, or a combination of both.

On corner sites, use landscaping features (green facade, green wall or other suitable techniques) on the secondary street facade to enhance visual amenity and thermal efficiency of the building.

Ensure landscaping features, including selection of plants, are fit for purpose, with consideration to access, cost and overall practicality for upkeep and long term maintenance.

Car Parking and Vehicular Access Requirements

Vehicle access and parking to a development must meet the following requirements:

- Locate car parking access points to the side or rear of sites where possible, utilising a side or rear street, lane or right-of-way.
- Avoid any vehicle access via frontages to Station Street, Railway Place and Wingrove Street within Area 1 (Fairfield Village Heritage Precinct) as shown on Map 1 at Subclause 7.0 of this schedule. In these areas, retention of heritage buildings, active frontages and pedestrian amenity are prioritised.
- In other locations where access to car parking from the street frontage is unavoidable, limit the width of the access point to a maximum of 5.5 metres and no more than a third of the overall site frontage width.

Where site conditions do not allow for any car parking to be provided on site, it must be demonstrated that the likely demand for car parking to be generated by the proposed development will not have an adverse impact on the locality. Alternative arrangements such as provision of parking spaces on another site, and initiatives which will reliably achieve a low rate of private vehicle ownership in the development may be considered in an application.

Commented [DW15]: Additional words included to maintain clarity that no adverse impact on the locality needs to be achieved.

3.0 Subdivision

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None specified

4.0 Advertising signs

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None specified

5.0 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 the development achieves the design objectives at Subclause 1.0 and requirements of Subclause 2.0 of this schedule.
- Whether the development is consistent with the *Fairfield Village Built Form Guidelines, 2017*, *Fairfield Heritage Assessment, 2017* and any other policy or planning provision applying to the area.
- Whether the development is of high architectural quality and makes a positive contribution to the streetscape and pedestrian environment as prescribed in this schedule.
- Whether the development provides an appropriate transition to properties in an adjoining zone and limits adverse amenity impacts on residential zoned properties.

Commented [DW16]: Reference included to ensure, as appropriate, that there is a clear link to heritage considerations.

6.0 References

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Fairfield Village Built Form Guidelines, 2017
Fairfield Village Heritage Assessment, 2017

7.0 Map



Draft



Department of Environment, Land, Water and Planning

PO Box 500, East Melbourne
Victoria 8002 Australia
www.delwp.vic.gov.au

File: PL/12/3087

Ms Sue Wilkinson
Chief Executive Officer
Darebin City Council
Email address: gilda.divincenzo@darebin.vic.gov.au

Dear Ms Wilkinson

PROPOSED DAREBIN PLANNING SCHEME AMENDMENT C161

I refer to your council's application for authorisation to prepare an amendment to the Darebin Planning Scheme. The amendment proposes to implement the *Fairfield Village Built Form Guidelines, 2017* and the *Fairfield Village Heritage Assessment, 2017* in the Darebin Planning Scheme.

Under delegation from the Minister for Planning, in accordance with section 8A of the *Planning and Environment Act 1987* (the Act) I authorise your council as planning authority to prepare the amendment subject to the following conditions:

- Council is advised to consider the edited Schedule 21 to the Design and Development Overlay attached to the email from State Planning Services officers on 24 April 2018 prior to submitting the amendment to the Department of Environment, Land, Water and Planning for exhibition.

The Department notes that council should ensure that the proposed amendment is consistent with the relevant Planning Practice Notes and Ministerial Directions.

The amendment must be submitted to the Minister for approval.

The authorisation to prepare the amendment is not an indication of whether or not the amendment will ultimately be supported.

Please note that Ministerial Direction No. 15 sets times for completing steps in the planning scheme amendment process. This includes council:

- giving notice of the amendment within 40 business days of receiving authorisation; and before notice of the amendment is given, setting Directions Hearing and Panel Hearing dates with the agreement of Planning Panels Victoria. These dates should be included in the Explanatory Report (Practice Note 77: Pre-setting panel hearing dates provides information about this step).

The Direction also sets out times for subsequent steps of the process following exhibition of the amendment.

The Minister may grant an exemption from requirements of this Direction. Each exemption request will be considered on its merits. Circumstances in which an exemption may be appropriate are outlined in Advisory Note 48: Ministerial Direction No.15 – the planning scheme amendment process.

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002



In accordance with sections 17(3) and (4) of the Act, the amendment must be submitted to the Minister **at least 10 business days** before council first gives notice of the amendment.

Please submit the amendment electronically to planning.amendments@delwp.vic.gov.au

If you have any further queries in relation to this matter, please contact Pippa Magnuson, Planner, of State Planning Services on 8392 5404.

Yours sincerely



David Nevin
Manager State Planning Services

30 / 4 / 2018