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SCHEDULE 32 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO32**.

FISHERMANS BEND – SANDRIDGE PRECINCT

1.0 Design objectives

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To create a thriving urban renewal area that is a leading example for design excellence, environmental sustainability, liveability, connectivity, diversity and innovation.

To ensure in the Core area a mix of mid-rise and high-rise podium towers that support significant commercial buildings. In Non-core areas, a range of mid-rise and hybrid (perimeter block with towers) developments that create a diversity of architectural styles and housing choices and encourage the delivery of communal open space.

To ensure built form protects sunlight penetration to identified public open spaces, streets and laneways, and facilitate comfortable wind conditions, to deliver a high quality public realm.

To ensure high levels of internal amenity for all development.

To encourage adaptable floorspace to facilitate a reduction in car dependence and an increase in commercial floor space over time.

2.1 Buildings and works for which no permit is required

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A permit is not required to construct or carry out works for a new or modified verandah, awning, sunblind or canopy to an existing building.

2.2 Requirements

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The following requirements apply to an application to construct a building or construct or carry out works.

The following requirements do not apply to:

- An application for buildings and works associated with an existing industrial use which provides services to the construction industry.
- An application to amend an existing permit granted before the approval date of Amendment GC81 which does not increase the extent of non-compliance with the requirements of this schedule.

A permit cannot be granted to vary a Built form requirement expressed with the term ‘must’.

A permit may be granted to vary a discretionary Built form requirement expressed with the term ‘should’.

An application for buildings and works that does not meet a requirement expressed with the term ‘should’ must achieve the relevant Built form outcomes.

Any reference to street width is a reference to the proposed ultimate width of the street reserve.

If there is a discrepancy between the diagrams of this schedule and the text, the text should be used.

2.3 Definitions

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For the purpose of this schedule:

Gross developable area means the total site area including any proposed road, laneway and public open space.

Laneway means a street with a street width of 9 metres or less.

Net developable area means the total site area excluding any proposed road, laneway and public open space.

Street wall means that part of a building constructed within 0.3 metres of an existing or proposed street, laneway or public open space.

Street wall height means a height measured from the footpath or natural surface level at the centre of the site frontage.

2.4 Building typologies

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Built form outcomes

A precinct that:

- Comprises subprecincts with a distinctive character and built form typology.

For the purpose of this schedule:

- Low-rise is development up to and including 6 storeys.
- Mid-rise is development of 7 storeys to 15 storeys.
- High-rise is development of 16 storeys and taller.

Built form requirements

Buildings and works should be generally in accordance with the built form typology in Table 1.

Buildings and works should help deliver the relevant preferred precinct character in Table 1.

Table 1: Building typologies and preferred precinct character

Precinct on Map 1	Building typology	Preferred precinct character
Area S1	Hybrid (predominantly mid-rise)	Mid to high-rise developments. A hybrid of perimeter blocks and towers with larger mid-rise floorplates that support campus style commercial developments.
Area S2	Hybrid (predominantly mid-rise)	Mid to high-rise developments including hybrid of mid-rise perimeter blocks and slender towers.
Area S3	Hybrid (predominantly high-rise)	Predominantly tower developments with some mid-rise buildings. Provision of towers with large floorplates with high quality outlook to support commercial development. Provision of publicly accessible private urban courtyard spaces within new developments to enhance the overall network of open spaces to support high densities of activity. Developments that incorporate north–south laneways that provide high levels of pedestrian permeability and activation.
Area S4	Low-mid-rise	Low and lower mid-rise scale of development that incorporates communal open space and responds to the context and character of adjacent low-rise neighbourhoods. Opportunities for additional upper levels that are visually recessive when viewed from within the street and North Port Oval. A variety of street wall heights between 4 and 8 storeys to contribute to architectural diversity within the street and provide opportunities for portions of the street to receive greater levels of sunlight access throughout the day.
Area S5	Hybrid (predominantly mid-rise)	Mid to high-rise developments. On large sites, a hybrid of low-mid-rise perimeter blocks with slender towers that minimise overshadowing impacts on streets, linear parks and communal open spaces. Communal open spaces with good access to sunlight to provide high levels of amenity for residents.

2.5 Building height

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Built form outcomes

Building heights that:

- Respond to the preferred precinct character and building typologies in Table 1.
- Contribute to a varied and architecturally interesting skyline.
- Limit impacts on the amenity of the public realm as a result of overshadowing and wind.
- Provide an appropriate transition and relationship to heritage buildings and existing lower scale neighbourhoods of Port Melbourne.

Built form requirements

Buildings and works should not exceed the relevant height specified in Map 2 to this schedule.

Buildings and works must not exceed a building height specified as "mandatory" in Map 2.

The following elements may exceed the specified height:

- Non-habitable architectural features not more than 3.0 metres in height.
- Building services and communal recreation facilities setback at least 3.0 metres behind the building façade.

2.6 Overshadowing

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Buildings must not cast any additional shadow above the shadows cast by hypothetical buildings built to the Maximum street wall height and existing buildings over:

- The existing residential zoned land south of Williamstown Road between the hours of 11.00am and 2.00pm on 22 September.
- The existing or new public open spaces or streets shown in Map 4 of this schedule for the hours specified in Table 2.

For the purpose of determining the shadow cast by the Maximum street wall height, the Maximum street wall height must be converted from storeys to metres using the following formula:

- Height in metres = 3.8 x number of storeys + 3.2

These requirements do not apply to buildings and works constructed within the open space.

Table 2: Overshadowing

Area on Map	Hours and dates
A	11:00am to 2:00pm, 21 June to 22 September
B	11:00am to 2:00pm, 22 September

2.7 Street wall height

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Built form outcomes

Street walls that:

- Ensure privacy and sense of separation between ground floor residential spaces and the street.
- Deliver a distinct human scale street wall, including the creation of a civic boulevard along Plummer–Fennel Streets that is well-defined by its building edges.
- Define main street corners within the Core area shown in Map 2.

- Deliver appropriate street enclosure having regard to the width of the street with lower street walls on narrower streets.
- Allow for views to the sky from the street or laneway.
- Do not overwhelm the public realm.
- Provide an appropriate transition to adjoining heritage places when viewed from the street.
- Enable adequate daylight and sunlight in streets and laneways.
- Make an appropriate transition back to the preferred street wall height from taller street walls on corner sites.

Built form requirements

Buildings should include a street wall (built to the boundary) of the Preferred street wall height specified in Table 3 except:

- Where a lower height is necessary to respond to an adjoining heritage place.
- For ground floor residential uses in Non-core areas shown in Map 2, not on Secondary active frontages.

Ground floor residential uses in Non-core areas shown in Map 2, not on Secondary active frontages, should be setback 3 metres from the street to facilitate landscaped a transition from the street to ground floor apartments.

A new street wall must not exceed the Maximum street wall height specified in Table 3.

Where a site is on a corner:

- If both streets are wider than 22 metres a Maximum street wall height of 8 storeys applies for 25 metres along each street frontage
- For other corner sites the taller Maximum street wall height applies to the frontage with the lower Maximum street wall:
  - On streets wider that 9 metres a distance of 60 metres.
  - On streets 9 metres wide or narrower for a distance of 25 metres.

The following elements may exceed the specified height:

- Non-habitable architectural features not more than 3 metres in height.

Table 3: Street wall height

Location	Qualification	Preferred street wall height	Maximum street wall height
On City Road and Williamstown Road	none specified	at least 4 storeys	4 storeys
On Fennell and Plummer Streets (between Ingles and Graham Streets)	none specified	at least 6 storeys	8 storeys
On a street or laneway ≤22 m wide	none specified	at least 4 storeys	6 storeys
On a street >22 m wide	where the building height is ≤10 storeys	at least 4 storeys	8 storeys
	where the building height is >10 storeys	at least 4 storeys	6 storeys

Location	Qualification	Preferred street wall height	Maximum street wall height
Existing or proposed public open space	none specified	at least 4 storeys	6 storeys

Diagram 1

Street ≤ 22 metre wide

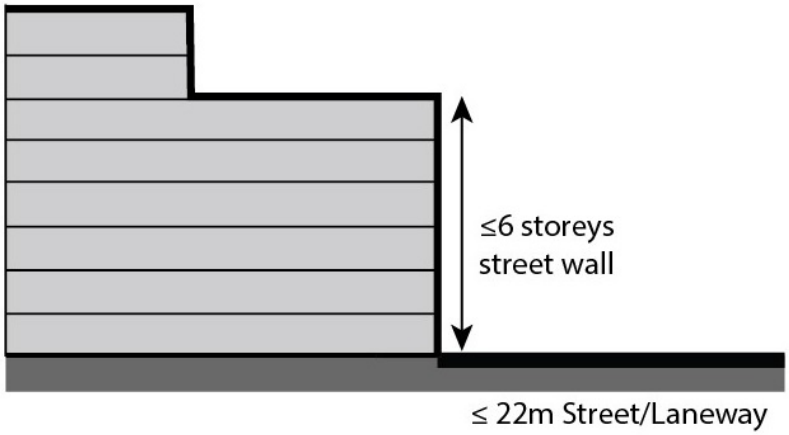


Diagram 2

Street > 22 metre wide, Building height ≤ 10 storeys

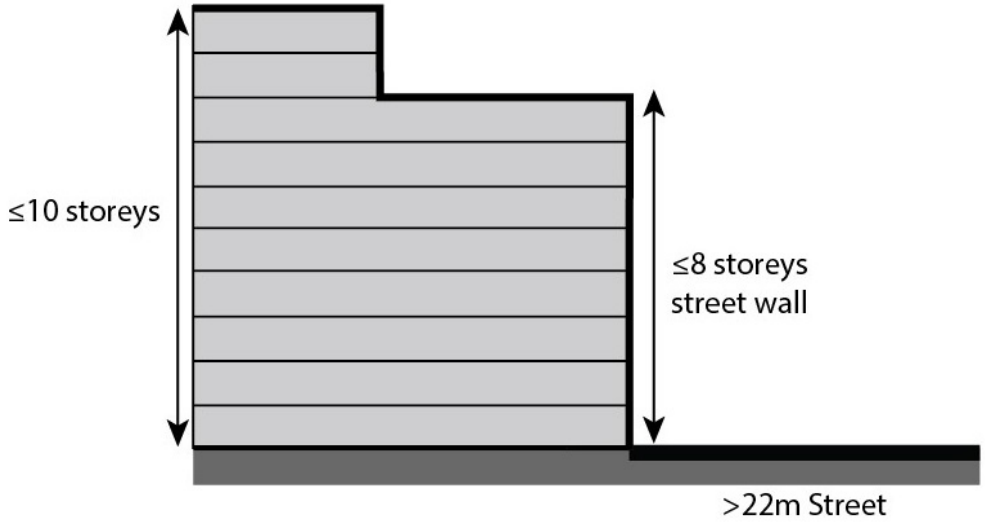
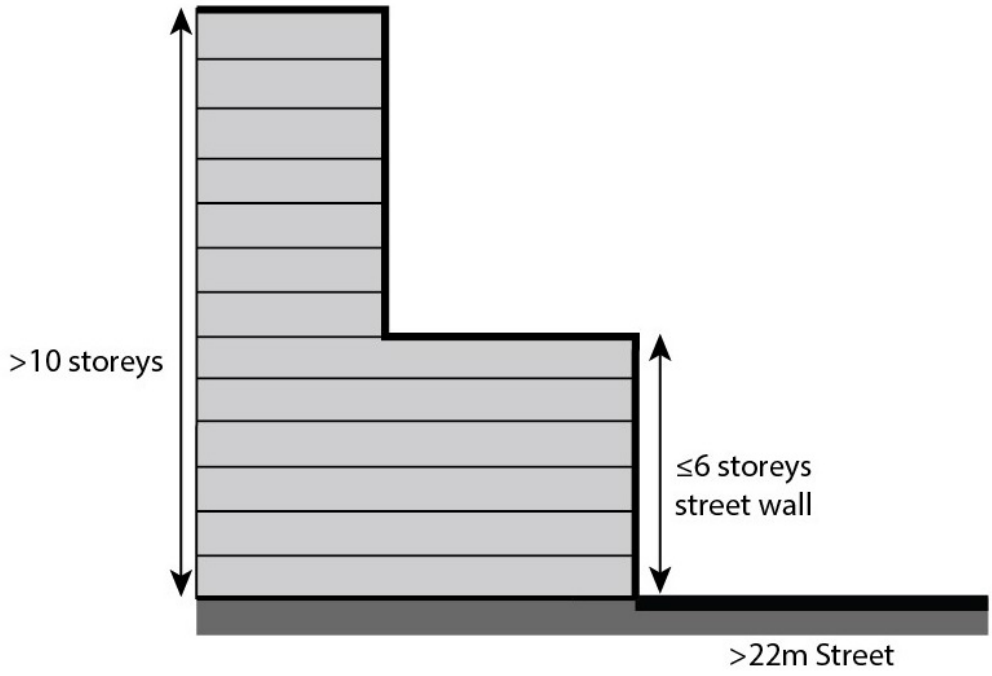


Diagram 3

Street > 22 metre wide, Building height > 10 storeys



2.8 Setbacks above the street wall

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Built form outcomes

Setbacks above street walls that:

- Help deliver comfortable wind conditions in the public realm.
- Enable adequate daylight and sunlight in streets and laneways.
- Allow for views to the sky from the street or laneway.
- Do not overwhelm the public realm.
- Maintain an appropriate setback to significant elements of any heritage place on, or adjoining the site.

Built form requirements

Any part of the building above the Maximum street wall height:

- Should be set back from a street wall at least the Preferred setback specified in Table 4.
- Must be set back from a street wall at least the Minimum setback specified in Table 4.

The setback from a street less than 9 metres wide must be measured from the centreline of the street. A negative value setback must be interpreted as a zero setback.

Table 4: Setbacks above the street wall

Location	Overall building height	Preferred setback	Minimum Setback
Where the building fronts a street that runs beside the:	≤ 8 storeys	5 metres	3 metres
	> 8 storeys	10 metres	5 metres

Location	Overall building height	Preferred setback	Minimum Setback
▪ West Gate Freeway			
Williamstown Road	none specified	as specified for Other locations	10 metres
Other locations	≤ 8 storeys	5 metres	3 metres
	> 8 storeys and ≤ 20 storeys	10 metres	5 metres
	> 20 storeys	10 metres	10 metres

Diagram 4

Building height ≤8 storeys, West Gate Freeway

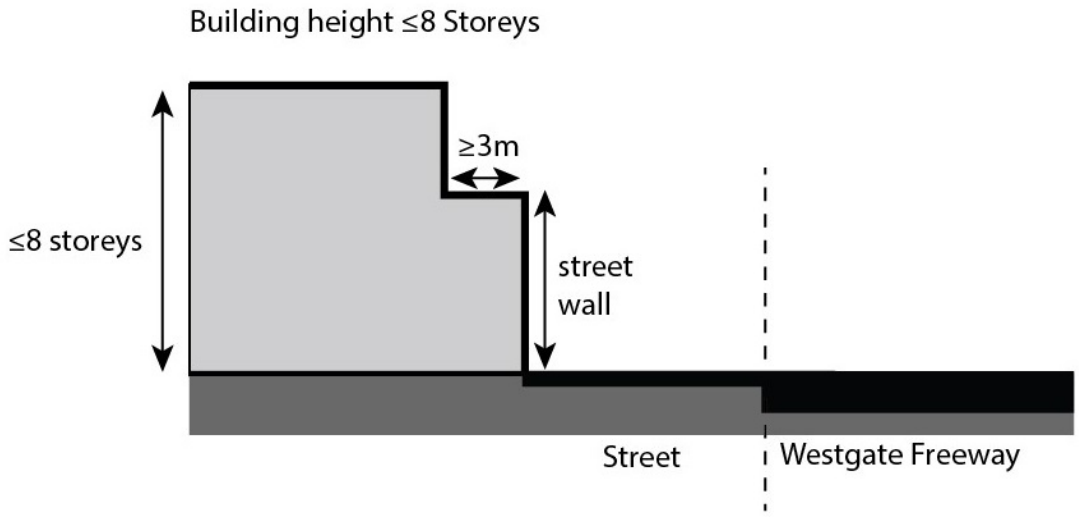


Diagram 5

Building height > 8 storeys, West Gate Freeway

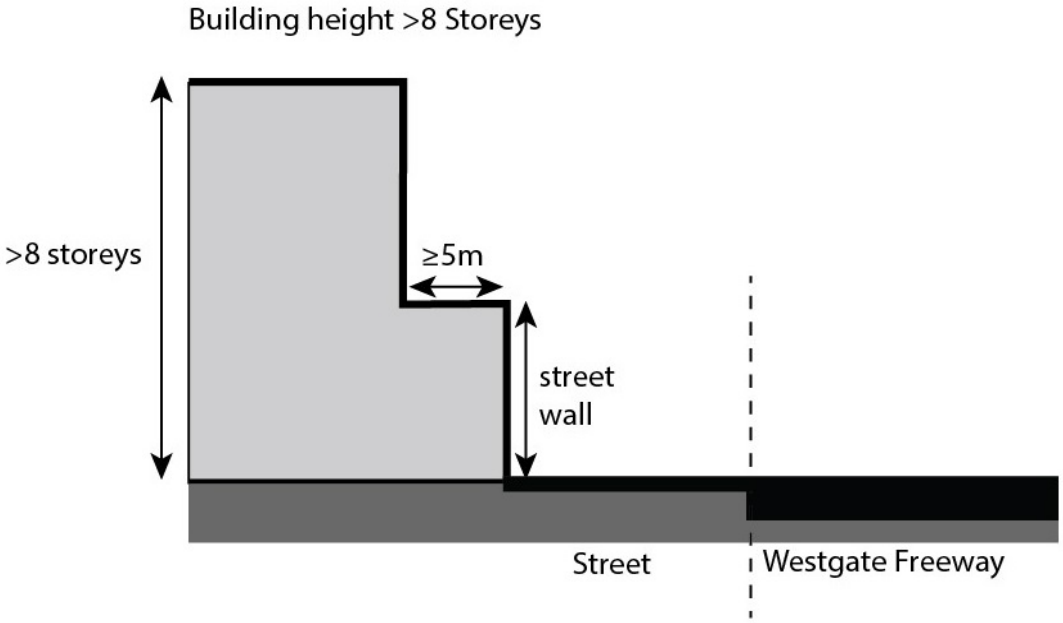


Diagram 6

Willamstown Road

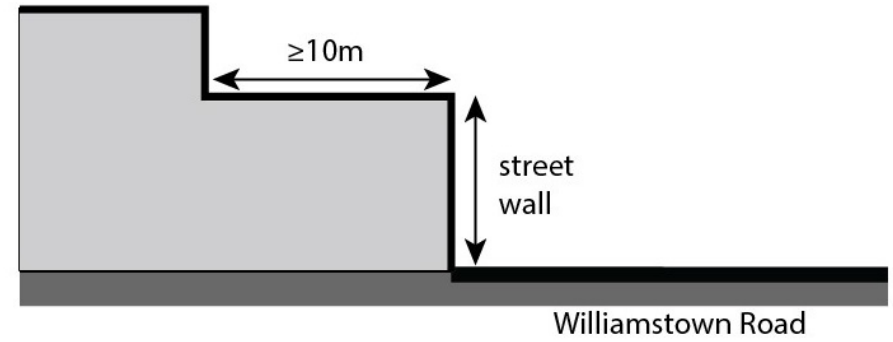


Diagram 7

Building height ≤ 8 storeys, Other locations

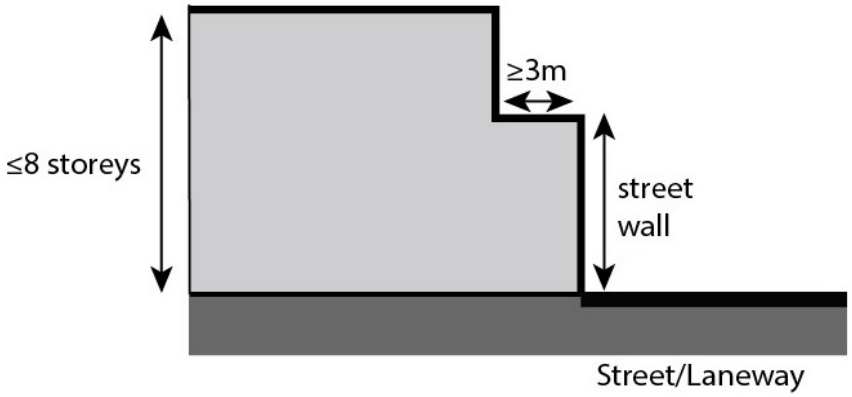


Diagram 8

Building height > 8 storeys and ≤ 20 storeys, Other locations

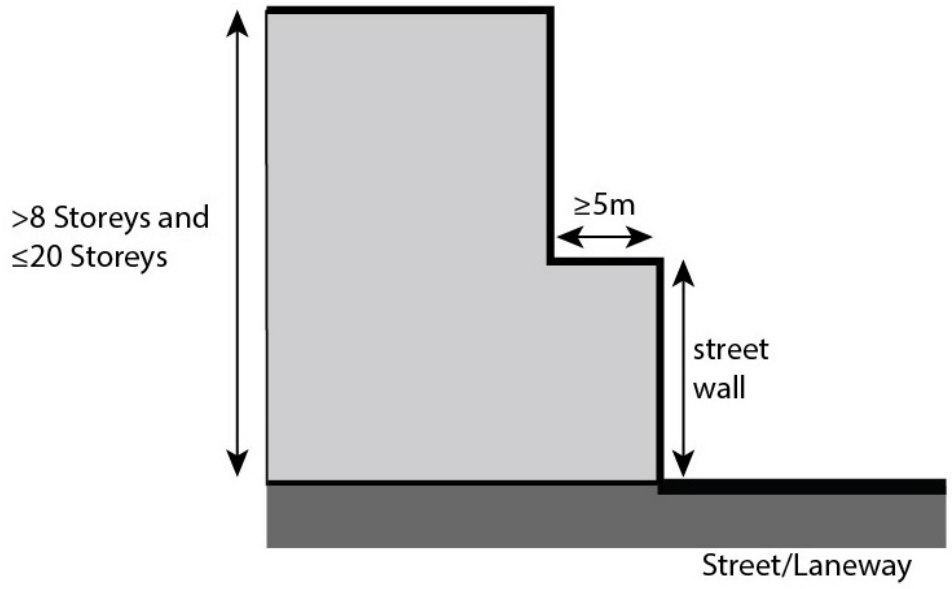
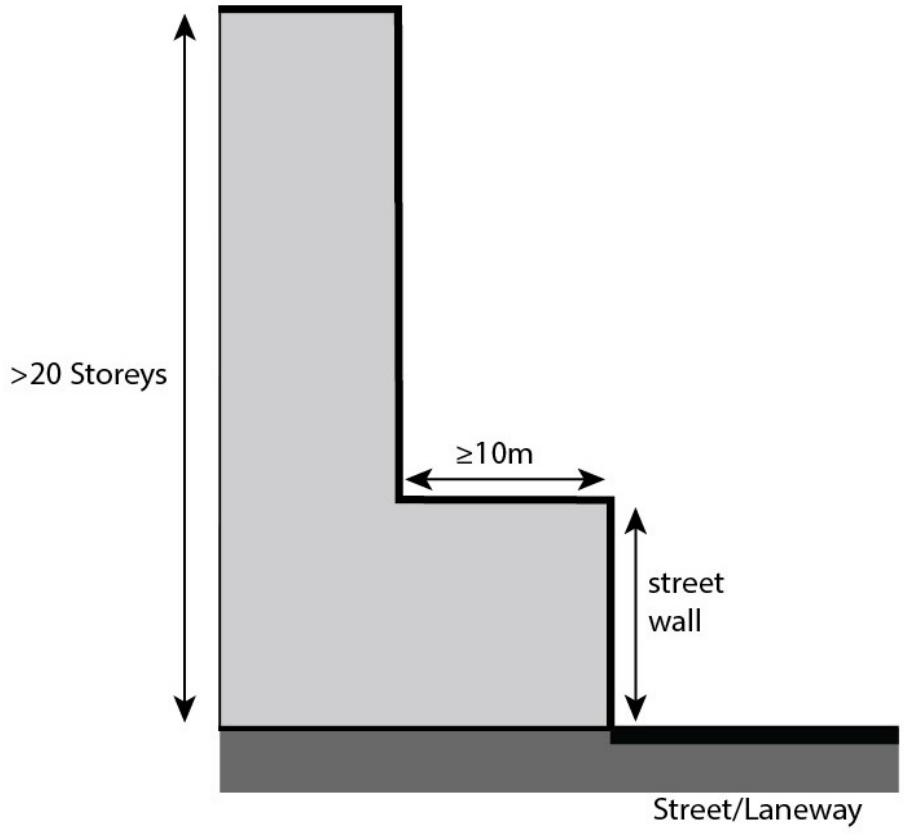


Diagram 9

Building height > 8 storeys and ≤ 20 storeys, Other locations



2.9 Side and rear setbacks

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Built form outcomes

Side and rear setbacks that:

- Create a continuous street wall along streets and laneways in Core areas.
- Adequate daylight and sunlight into streets and laneways.
- Enable adequate daylight and sunlight in streets and laneways.
- Allow sunlight and daylight to, and outlook from habitable rooms in existing and potential developments on adjoining sites with higher levels of amenity provided within Non-core areas.
- Mitigate wind effects on the public realm.
- Ensure tall buildings do not appear as a continuous wall when viewed from street level.
- Allow for views to the sky between buildings.
- Minimise visual bulk.
- Achieve privacy by setbacks rather than screening.

Built form requirements

That part of a new building below the Maximum street wall height should be built on or within 300 mm of a side boundary.

A new building not on or within 300 mm of a boundary:

- Should be setback at least the Preferred setback specified in Table 5 from the side or rear boundary.

- Must be setback at least the Minimum setback specified in Table 5 from the side or rear boundary.

The reference to the Maximum street wall height is a reference to the Maximum street wall height that applies on the nearest frontage to the side or rear boundary.

Table 5: Side and rear setbacks

Part of building	Qualification	Qualification	Preferred setback	Minimum setback
Below the Maximum street wall height	if not within 300 mm of a side or rear boundary	within Core areas shown in Map 2	6 metres	6 metres
		within Non-core area shown in Map 2	9 metres	6 metres
Above the Maximum street wall height	where building height is ≤ 20 storeys	none specified	10 metres	5 metres
	where building height is > 20 storeys	none specified	10 metres	10 metres

2.10 Building seperation within a site

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Built form outcomes

Building separation that:

- Delivers high quality amenity within buildings having regard to outlook, daylight, and overlooking with higher amenity provided in Non-core areas.
- Offsets direct views between buildings within the same site.
- Achieves privacy by building separation rather than screening.

Ensure tall buildings do not appear as a continuous wall when viewed from street level.

Built form requirements

Buildings within the same site:

- Should be separated from each other by at least the Preferred building separation specified in Table 6.
- Must be separated from each other by at least the Minimum building separation specified in Table 6.

Architectural features, but not balconies, may encroach into the Minimum building separation.

The reference to the Maximum street wall height is a reference to the Maximum street wall height that applies on the nearest frontage to buildings.

Table 6: Minimum building separation within a site

Part of building	Qualification	Preferred building separation	Minimum building separation
Below the Maximum street wall height	in Non-core areas	9 metres	6 metres
	in Core areas	12 metres	6 metres

Part of building	Qualification	Preferred building separation	Minimum building separation
Above the Maximum street wall height	≤ 20 storeys	20 metres	10 metres
	> 20 storeys	20 metres	20 metres

Diagram 10

Building height ≤ 20 storeys

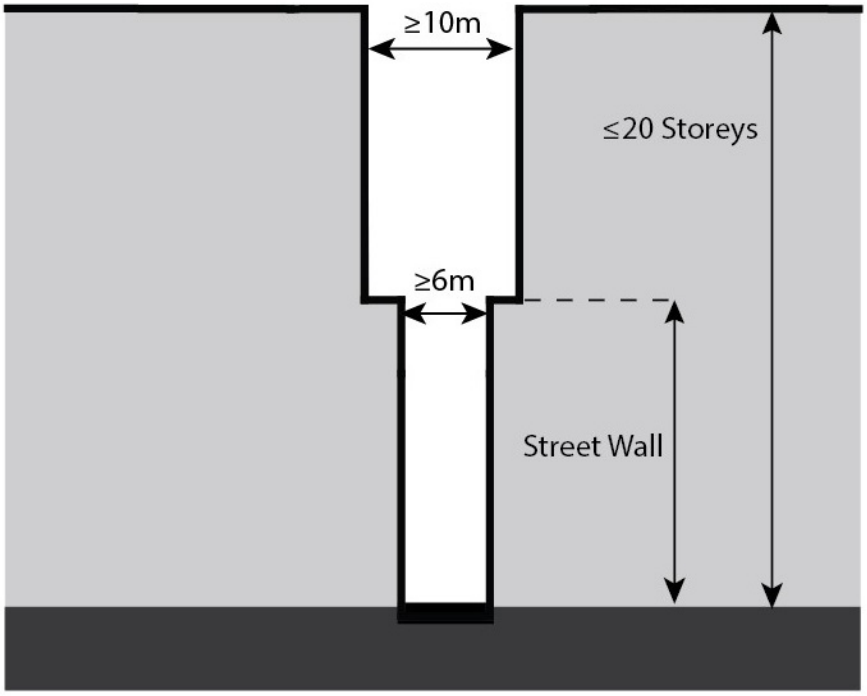
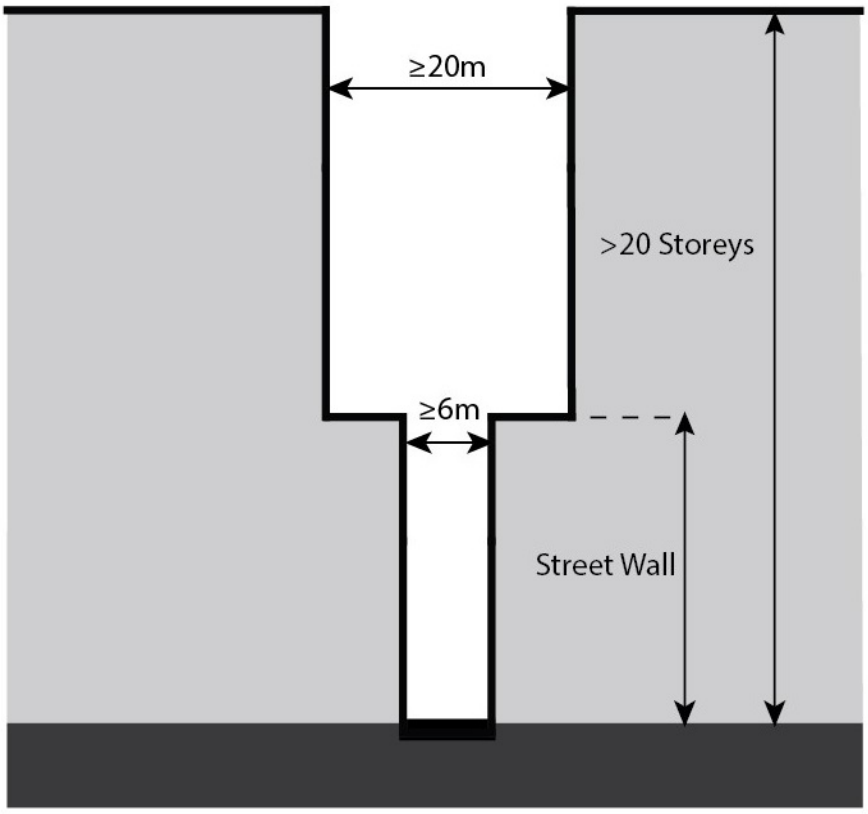


Diagram 11

Building height > 20 storeys



2.11 Wind effects on the public realm

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Built form outcomes

Local wind conditions that:

- Maintain a safe and pleasant pedestrian environment on footpaths and other public spaces for walking, sitting or standing.

Built form requirements

Buildings and works higher than 40 metres:

- Must not cause unsafe wind conditions as specified in Table 7 in publicly accessible areas within the assessment distance from all façades.
- Should achieve comfortable wind conditions as specified in Table 7 in publicly accessible areas within the assessment distance from all façades.

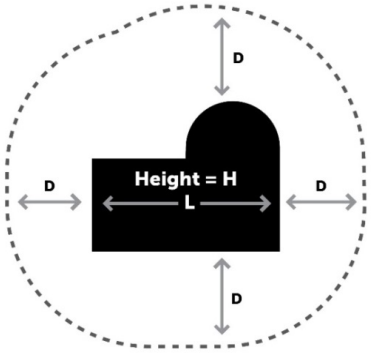
The assessment distance is shown in the figure below and is the greater of:

- Half the longest width of the building.
- Half the total height of the building.

Table 7: Wind effects on the public realm

Wind condition	Specification
Comfortable wind conditions	The hourly mean wind speed from all wind directions combined with a probability of exceedance of 20 per cent, is less than or equal to: ▪ 3 metres/second for sitting areas.

Wind condition	Specification
	▪ 4 metres/second for standing areas. ▪ 5 metres/second for walking areas. Hourlymean wind speed is the maximum of: ▪ The hourly mean wind speed. ▪ The gust equivalent mean speed (3 second gust wind speed divided by 1.85).
Unsafe wind conditions	The hourly maximum 3 second gust from any wind direction (considering at least 16 wind directions) with a corresponding probability of exceedance percentage greater than 20 metres per second.



Assessment distance D = greater of:
L/2 (Half longest width of building)
OR
H/2 (Half overall height of building)

2.12 Communal open space

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Built form outcomes

Communal open space that:

- Meets the needs of residents.
- Delivers significant opportunities for landscaping, including large trees, within the development and contribute to the visual amenity of apartments.
- Supports a range of recreational uses.
- Can be readily accessed from within the development and provide direct pedestrian connections to the street.

Built form requirements

These requirements do not apply in the Core area.

Communal open space should be a minimum of 30 per cent of the net developable area, except where any of the following apply:

- An existing building is being retained and accounts for greater the 70 per cent of the net developable area.
- The site has a gross developable area of less than 1200 square metres.
- The responsible authority is satisfied that other site constraints warrant a reduction in communal open space.

2.13 Active street frontages

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Built form outcomes

Buildings that:

- Address and define existing or proposed streets or open space and provide direct pedestrian access from the street to ground floor uses.
- Address both street frontages if the building is on a corner.
- Create activated building façades with windows and legible entries.
- Consolidate services within sites and within buildings, and ensure any externally accessible services or substations are integrated into the façade design.
- Avoid unsafe indents with limited visibility.

Buildings with residential development at ground level that:

- Create a sense of address by providing direct individual street entries to dwellings or home offices, where practicable.

Car parking that does not detract from the public realm.

Built form requirements

All buildings should provide:

- Openable windows and balconies within the street wall along streets and laneways.
- Entrances that are no deeper than one-third of the width of the entrance.

Ground floor building services, including waste, loading and parking should occupy less than 40 per cent of the ground floor area of the building.

Buildings fronting the Primary and Secondary active streets on Map 3 to this schedule, should:

- Achieve a diversity of fine-grain frontages.
- Provide canopies over footpaths where retail uses are proposed.
- Deliver the glazing specified in Table 8.

Car parking should:

- Be sleeved with active uses so that it is not visible from the public realm or adjoining sites.

Table 8: Active street frontages

Streets or areas on Map 3	Glazing
Primary active frontages	At least 80 per cent clear glazing along the ground level frontage to a height of 2.5 metres, excluding any solid plinth or base.
Secondary active frontages (Type 1)	At least 60 per cent clear glazing along the ground level frontage to a height of 2.5 metres, excluding any solid plinth or base.
Secondary active frontages (Type 2)	At least 20 per cent clear glazing along the ground level frontage to a height of 2.5 metres, excluding any solid plinth or base.

2.14 Adaptable buildings

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Built form outcomes

Buildings that:

- Provide for the future conversion of those parts of the building accommodating non-employment uses to employment uses.

Car parking that:

- Can be adapted to other uses over time.

Built form requirements

The Building elements in Table 9 should incorporate the Adaptability opportunities identified in the table.

Table 9: Adaptable buildings

Building element	Adaptability opportunity
Lower levels up to the height of the street wall	At least 4.0 metres floor to floor height at ground level. At least 3.8 metres floor to floor height for other lower levels.
Car parking areas	In areas not in a basement: - Level floors. - A floor-to-floor height at least 3.8 metres. Mechanical parking systems to reduce the area required for car parking
Dwelling layout	The ability for one and two-bedroom dwellings to be combined or adapted into three or more bedroom dwellings.
Internal layout	Minimal load bearing walls to maximise flexibility for retail or commercial refits.

2.15 Building finishes

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Built form outcomes

Façade finishes that:

- Provide visual interest on all façades.
- Do not compromise road safety.

Built form requirements

Buildings should avoid blank façades.

Building walls facing a street or public place should be detailed to provide visual interest.

Buildings fronting main roads should use materials and finishes with a perpendicular reflectivity less than 15 per cent, measured at 90 degrees to the façade surface.

2.16 Exemption from notice and review

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An application for construction of a building or to construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

3.0 Subdivision

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None specified.

3.1 Exemption from notice and review

05/10/2018
GC81

An application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

4.0 Advertising signs

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None specified.

5.0 Application requirements

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None specified.

6.0 Decision guidelines

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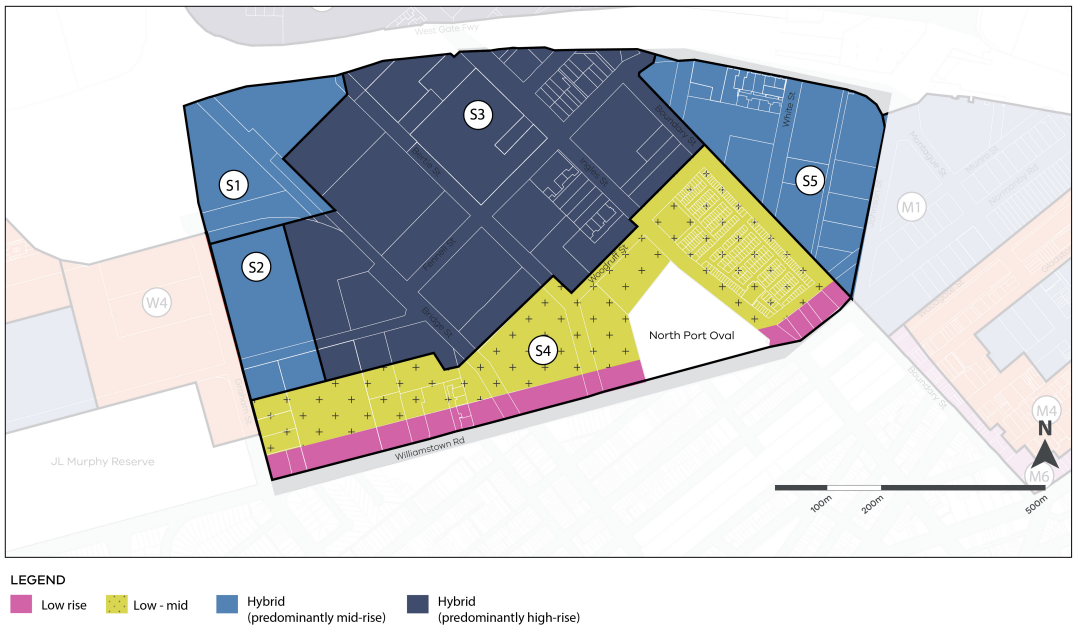
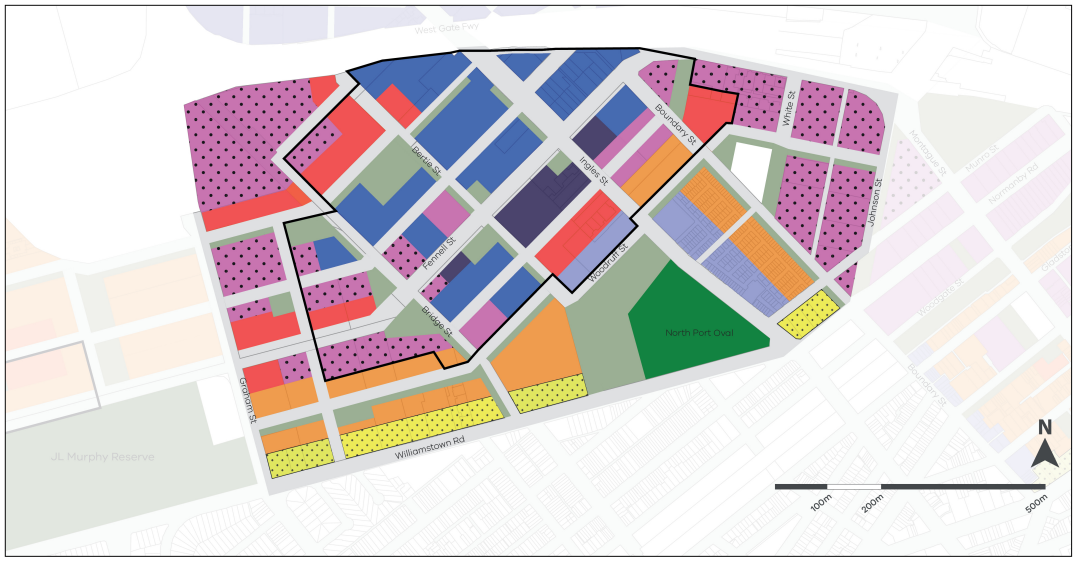
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Built form outcomes identified in this schedule.
- Whether the proposal delivers design excellence.
- The cumulative impact of the proposed development and any existing adjoining development.
- Equitable access to privacy, sunlight, daylight and outlook having regard to the proposed internal uses and the height of existing or proposed adjoining built form.

MAP 1: Building typologies



MAP 2: Building heights



LEGEND

Core area

15.4m mandatory (4 storeys)

30m (8 storeys)

68m (20 storeys)

100m (30 storeys)

Existing public open space

23m mandatory* (6 storeys)

43m (12 storeys)

81m (24 storeys)

None Specified

New public open space

*Maximum street wall height of 4 storeys and setback 10m above streetwall

MAP 3: Active street frontages

LEGEND

Active frontages

Primary (80% permeability)

Secondary Type 1 (60% permeability)

Secondary Type 2 (20% permeability)

New laneway - 6m wide (Location indicative)

MAP 4: Overshadowing

LEGEND

New and existing public open space
With overshadowing controls (refer to table 2)

New and existing public open space
No overshadowing controls

Plummer St Boulevard (first 6m north of property boundaries)
With overshadowing controls (refer to table 2)