SCHEDULE [NUMBER] 30 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO [Number] 30

FISHERMANS BEND – MONTAGUE PRECINCT

1.0 Design objectives

To implement the Fishermans Bend Vision, September 2016 and the Fishermans Bend Framework, #8 2018. [DDO M 1.0p1]

To encourage a diversity of architectural styles and building typologies in response to the desired/preferred place and character by ensuring:

- To ensure a mix of mid and high rise scale of development with including hybrid and podium tower typologies in Montague North, and
- To ensure a predominantly mid-rise scale of development encouraging including predominantly infill row, terrace and shop top developments with some hybrid typologies that preserve identified character buildings and sensitively respond to heritage fabric and reinforce the fine grain character in Montague South.
- To create a sensitive low building scale interface where the Montague Precinct abuts existing heritage residential areas. [DDO M 1.0p2]

To ensure the scale, height and setbacks of development maintain sunlight in identified public open space, streets and laneways, and facilitate comfortable wind conditions, to deliver a high quality public realm. [DDO M 1.0p3]

To ensure building separation and setbacks achieve high levels of internal amenity for all development. [DDO M 1.0p4]

To encourage buildings to be designed so that they are capable of being adapted to facilitate reduced car dependence and increased commercial floor space. [DDO M 1.0p5]

2.0 Buildings and works

Buildings and works for which no permit is required

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. [DDO M 2.0p1]

Requirements

The following requirements apply to an application to construct a building or construct or carry out works. [DDO M 2.0p2]

The following requirements do not apply to: [DDO M 2.0p3]

- An application for buildings and works associated with an existing industrial use which facilitates urban renewal of Fishermans Bend. [DDO M 2.0p4]
- An application to amend an existing permit granted before the approval date which does not increase the extent of non compliance with the requirements. [DDO M 2.0p5]

A built form requirement expressed with the term ‘must’ is mandatory requirement. A permit cannot be granted to vary a mandatory built form requirement unless there is an approved development plan pursuant to Schedule 2 of the Development Plan Overlay and the permit is generally in accordance with the approved development plan. [DDO M 2.0p6]

A built form requirement expressed with the term ‘should’ is a discretionary requirement. A permit may be granted to vary a discretionary built form requirement. [DDO M 2.0p7]

An application for buildings and works must achieve the relevant built form outcomes. [DDO M 2.0p8]
Definitions

For the purpose of this schedule: [DDO M 2.0p9]

Building height means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building excluding: [DDO M 2.0p10]

- Non-habitable architectural features not more than 3.0 metres in height. [DDO M 2.0p11]
- Building services and communal recreation facilities setback at least 3.0 metres behind the building façade. [DDO M 2.0p12]

Character building means a building that is not a heritage place but contributes to the valued character, identity or sense of place of a precinct.

Comfortable wind conditions means a mean wind speed from any wind direction with probability of exceedance less than 20 per cent of the time, equal to or less than: [DDO M 2.0p13]

- 3 metres/second for sitting areas. [DDO M 2.0p14]
- 4 metres/second for standing areas. [DDO M 2.0p15]
- 5 metres/second for walking areas. [DDO M 2.0p16]

Mean wind speed means the maximum of: [DDO M 2.0p19]

- Hourly mean wind speed, or [DDO M 2.0p20]
- Gust equivalent mean speed (3 second gust wind speed divided by 1.85). [DDO M 2.0p21]

Unsafe wind conditions means the hourly maximum 3 second gust which exceeds 20 metres/second from any wind direction with the corresponding probability of exceedance percentage. [DDO M 2.0p17]

Laneway means a road reserve of 9 metres or less in width measured from property line to property line. [DDO M 2.0p18]

Mean wind speed means the maximum of: [DDO M 2.0p12]

Street wall means any part of the building constructed within 0.3 metres 300mm of a lot boundary fronting the a street or laneway or existing or proposed public open space. [DDO M 2.0p23]

Tower means a building that exceeds the street wall where the overall building height is 13 storeys or higher.

Street wall height means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the street wall excluding non-habitable architectural features not more than 4.5 metres in height. [DDO M 2.0p24]

Side and rear setbacks means the shortest horizontal distance from a building façade to the boundary, including projections such as balconies, building services and architectural features greater than 300mm.

Building separation means the shortest horizontal distance from a building façade to another building on the same site, including projections such as balconies, building services and architectural features greater than 300mm.

Additional shadow means any shadow cast outside shadow from existing buildings or works, but not a shadow cast by incidental elements such as canopies, kiosks, artworks, screens or trees.

Low-rise means development up to and including 4 storeys.

Mid-rise means development of between 5 and 12 storeys.

High-rise means development of 13 storeys or more.
### Preferred future character and building typologies

<table>
<thead>
<tr>
<th>Table 1: Preferred future character and building typologies</th>
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<tbody>
<tr>
<td><strong>PRECINCT</strong></td>
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</tbody>
</table>
| **Montague North – Area M1 on Map 1 to this schedule** | - A mix of mid to high rise developments with hybrid and podium tower typologies.  
- On larger sites, a hybrid of perimeter blocks with slender towers located to minimise overshadowing impacts on the Normanby Road boulevard that create fast moving shadows and minimise the perception of visual bulk when viewed from streets.  
- Provision of private and communal open space within development with good access to sunlight to provide high levels of amenity for residents and workers.  
- Activation of Normanby Road through a diversity of fine grain frontages, nominally 6-12 metres wide.  
- Activation of new north-south connections that connect to the Normanby Road boulevard through a diversity of fine-grain frontages, nominally 4-8 metres wide.  
- Creation of a strong and consistent street edge of approximately 6 storeys reflecting the height of the Laconia and Dunlop heritage buildings.  
- Creation of activated north-south laneways and through block links.  
- Provision of private and communal open space within development with good access to sunlight to provide high levels of amenity for residents and workers.  
- Activation of City Road through a diversity of fine grain street frontages nominally 6-10 metres wide.  
- Towers are set back from City Road to provide a setting for heritage buildings.  
- Creation of new through block links to enhance permeability.  
- Well-designed backs of buildings to Munro and Woodruff Streets which include pedestrian entries and minimise the visual impact of services and car park entrances. |
| **Area M2 on Map 3** | Predominantly mid-rise developments with some opportunities for additional upper levels that are visually recessed from the street and protect solar access to the existing school forecourt. |
| **City Road – Area M3 on Map 1 to this schedule** | - Mid to high rise developments. On larger sites, a hybrid of including hybrid developments containing perimeter / courtyard / row blocks and high-rise podium tower typologies.  
- With some high rise towers are slender towers that in design, avoid overshadowing the proposed park and retain, and sensitively respond to heritage and character elements.  
- Adaptive reuse of heritage building elements.  
- Development is built to the boundary at the street.  
- Activation of City Road through a diversity of fine grain street frontages nominally 6-10 metres wide.  
- Towers are set back from City Road to provide a setting for heritage buildings.  
- Creation of new through block links to enhance permeability. |
| **Montague South – Area M4 on Map 1 to this schedule** | - Generally a mid-rise scale of developments with opportunities for some additional upper levels that are visually recessive from the street, protect solar access to the existing school site and do not result in tower-podium building types and retain, and sensitively respond to heritage and character elements.  
- A variety of street wall heights between 4 and 8 storeys which contribute to architectural diversity within the street. |

**Commented [AO10]**: Amended to relate to character more broadly as well as typologies.

**Commented [SB11]**: Intentionally left blank – CoPP proposes to combine M2 with M4.
PORT PHILLIP RESPONSE TO MINISTER FOR PLANNING PART C VERSION
PORT PHILLIP PLANNING SCHEME

PRECINCT | BUILT FORM OUTCOMES
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**Buckhurst Street Retail Core — Area M5 on Map 1 to this schedule**

- Predominantly, a range of mid-rise and tower developments buildings with some high-rise forms on larger sites, including hybrid developments.
- Higher building heights along Montague Street and Gladstone Street stepping down towards Buckhurst Street and Kerr Street to the east.
- On large sites, reinforce the fine grain character through breaking up building mass and creating a more varied built form rather than constructing one large building mass,
- Well-spaced, slender towers which can be demonstrated to provide sunlight access to streets and neighbouring residences.
- Towers which are located and designed to minimise overshadowing with a particular focus on the Buckhurst Street spine.
- Activation of new and existing laneways, including the creation of new plazas.
- Lower varied street wall and mid-rise building heights on large sites along Buckhurst Street to reflect the fine grain character, create a neighbourhood scale for the Retail Core and allow sunlight to the north of Buckhurst Street Green spine.

**Area M6 on Map 1 to this schedule**

- Low-rise development that responds to the context and character of the adjacent low-rise neighbourhoods.
- Development that is built to the boundary.
- Adaptive reuse of heritage and character buildings.

**Building height**

**Table 2: Building height**

<table>
<thead>
<tr>
<th>BUILT FORM REQUIREMENTS</th>
<th>BUILT FORM OUTCOMES</th>
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</thead>
<tbody>
<tr>
<td>A new building or works should not exceed the building heights shown in Map 2 to this schedule.</td>
<td>The height of new buildings in all areas must:</td>
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<tr>
<td>A new building or works must not exceed the building height of “4 storeys mandatory” shown in Map 2 to this schedule.</td>
<td>- Respond to the preferred future precinct character and building typologies in Table 1.</td>
</tr>
<tr>
<td>A new building or works must not exceed the building height of “6 storeys mandatory” shown in Map 2 to this schedule.</td>
<td>- Contribute to a varied and architecturally interesting skyline.</td>
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<td></td>
<td>- Limit impacts on the amenity of the public realm as a result of overshadowing and wind.</td>
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**Commented [SB12]:** Council does not support increased heights in this area.

**Commented [SB13]:** Mandatory overshadowing control included instead of this built form outcome so that the existing DDO8 overshadowing controls are not compromised.
Overshadowing

Buildings and works must not cast any additional shadow above the maximum street wall height over (DDO M 3.0.29):
- The existing residential zoned land south of City Road and east of Montague Boundary Street between the hours of 11.00am and 2.00pm on 22 September. (DDO M 3.0.30)
- The existing or proposed public open spaces or streets shown in the relevant maps of this schedule for the hours specified on the same map. (DDO M 2.0.01)

Buildings and works must not diminish sunlight access to the entire width of the southern footpath up to the property frontages of York Street and Market Street, South Melbourne and footpaths around the South Melbourne Market between 11am and 2pm 21 June.

Street wall height

Table 3: Street wall height

<table>
<thead>
<tr>
<th>BUILT FORM REQUIREMENTS</th>
<th>Maximum street wall height</th>
<th>BUILT FORM OUTCOMES</th>
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</thead>
<tbody>
<tr>
<td>Preferred street wall height</td>
<td>A new street wall must not exceed a height of 4 storeys on City Road.</td>
<td>Street walls that ensure:</td>
</tr>
<tr>
<td>All streets and lanes (except Buckhurst Street between Montague and Ferrars Streets)</td>
<td>6 storeys as shown in Diagram 1</td>
<td>- Respond to the preferred future character and building typologies in Table 1 and Map 1.</td>
</tr>
<tr>
<td>A new building should incl</td>
<td>A street wall height must not exceed a height of:</td>
<td>- An appropriately scaled and distinct street wall effect.</td>
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<td>- 6 storeys as shown in Diagram 1</td>
<td>- Provide a high level of pedestrian amenity, having regard to access to sunlight, sky views and the human scale.</td>
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<td></td>
<td>- On a street or laneway &gt;22m wide as shown in Diagram 2</td>
<td>- An appropriate level of street enclosure having regard to the width of the street with lower street wall heights to narrower streets.</td>
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<td>- On a street or laneway ≤22m wide as shown in Diagram 4</td>
<td>- Skyscrapers from the street or laneway do not overwhelm the public realm.</td>
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<td>- In 30-38 Thistlethwaite Street, Port Melbourne</td>
<td>- Ensure an appropriate transition to:</td>
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<td>- The street wall height of adjoining approved or existing buildings.</td>
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<td>- An appropriate transition to:</td>
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<td>- Adjoining heritage or character places buildings.</td>
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- For new buildings on (laneway or narrow lane) or Buckhurst Street. The street wall should be not exceed:
  - 4 storeys on Montague Road
  - 4 storeys on laneways.

- Buckhurst Street (between Montague and Ferrars Streets)
  - The street wall on sites with a frontage over 50m on Buckhurst Street (between Montague and Ferrars Streets) should provide a variety of heights at the interface of the street (a ‘tooth and gap’ approach as shown in Diagram 3) through:
    - Provision of a street wall height of 4 storeys for at least 30 percent of the

Commented [SB14]: Re-ordered to present more significant constraints earlier. Further, this makes it clearer that building heights may be impacted by overshadowing controls.

Commented [SB15]: Overshadowing control for streets in South Melbourne included, consistent with the existing controls in DDO 3 (as per Recommendation 3 of Council’s Montague Urban Design Report).

Commented [SB17]: Storeys are preferred over measurements. Measurements not necessary as the DDO includes requirements for floor to floor heights within the street wall.

Commented [SB18]: Thistlethwaite Street is less than 22m wide. This requirement is not needed.

Commented [SB19]: These provisions have been simplified. Essentially, a 6 storey street wall applies in all instances, except where the street is wider than 22m and the building height does not exceed 10 storeys, or on Buckhurst Street if the “tooth and gap” is provided.

Commented [SB16]: Buckhurst Street “tooth and gap” approach included (as per Recommendation 7 of Council’s Montague Urban Design Report).
### Built Form Requirements

<table>
<thead>
<tr>
<th>Preferred Street Wall Height</th>
<th>Maximum Street Wall Height</th>
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</thead>
<tbody>
<tr>
<td>Building width at the street frontage.</td>
<td>Viewed from the street.</td>
</tr>
<tr>
<td>▪ The remaining street wall height can be up to the maximum building height, however any element higher than 4 storeys should not be wider than 30m at the street frontage.</td>
<td>▪ Abutting public open space.</td>
</tr>
<tr>
<td>▪ Any element above 4 storeys should be adjacent to a 4-storey element.</td>
<td>▪ Adequate daylight and sunlight in the street or laneway.</td>
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</table>

### Built Form Outcomes

- New street walls on Normanby Road and Buckhurst Street are designed to enhance pedestrian amenity by maximising the amount of sunlight penetration on the southern side of the street for Normanby Road, and to the proposed green spine for Buckhurst Street.

- Promote diverse street wall heights in Montague South to contribute to architectural diversity (except along Boundary Street and City Road where a consistent street wall height is sought).

- Provide an appropriate transition in height at the interface with established low-scale residential development.

- For new development on Buckhurst Street (between Montague Street and Kerr Street) encourage a "tooth and gap" approach to provide varied street wall heights on sites with wide frontages and maximise the amount of sunlight to the Buckhurst Street green spine.
Diagram 1
Maximum street wall height of 6 storeys

Diagram 2
Maximum 8 storey street wall height for buildings ≤10 storeys on streets >22m wide.

Commented [SB21]: New image added which shows the number of storeys in the building, for clarity.
Commented \([SB.22]\): See comments on Table 3 – original image deleted as only two categories are necessary. Replaced with Buckhurst Street tooth and gap approach.

Diagram 3

No upper level setbacks or pop-up elements within a depth of 20m from the street frontage.
Setbacks above the street wall from new and existing streets and laneways

Table 4: Setbacks above the street wall

<table>
<thead>
<tr>
<th>BUILT FORM REQUIREMENTS</th>
<th>Minimum Setback</th>
<th>BUILT FORM OUTCOMES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any part of the building above the street wall should be setback a minimum of:</td>
<td>Any part of a building above the street wall must be setback a minimum of 10m on City Road in all other areas. Any part of a building above the street wall must be setback a minimum of:</td>
<td>Setbacks above street walls that ensure:</td>
</tr>
<tr>
<td>▪ A minimum of 5m if the overall building height is ≤ 8 storeys, except on City Road.</td>
<td>▪ A minimum of 5m if the overall building height is ≤ 8 storeys as shown in Diagram 4.</td>
<td>▪ A distinction between the street wall and towers through the use of tower setbacks.</td>
</tr>
<tr>
<td>▪ A minimum of 10m if the overall building height is &gt; 8 storeys.</td>
<td>▪ A minimum of 5m if the overall building height is &gt; 8 storeys and ≤ 20 storeys as shown in Diagram 5.</td>
<td>▪ Comfortable wind conditions in the public realm.</td>
</tr>
<tr>
<td>▪ 10m on sites with a frontage of over 50m to Buckhurst Street between Montague Street and Ferrars Street where the preferred street wall height (both and gap approaches) is provided.</td>
<td>▪ A minimum of 10m if the building fronts City Road and/or Williamstown Road.</td>
<td>▪ Adequate daylight and sunlight reaching streets and laneways.</td>
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<td></td>
<td>▪ The overall building height is &gt; 20 storeys as shown in Diagram 6 except where the building has direct interface with: Westgate Freeway, City Link overpass, Route 96 tram corridor or Route 109 tram corridor, in which case a minimum of 5m applies as shown in Diagram 7.</td>
<td>▪ Sky views - Buildings do not dominate the view from the street or laneway and do not overwhelm the public realm.</td>
</tr>
</tbody>
</table>

Note: For the purpose of Table 4: [DDO M 2.0p25]

The setback of a building above a street wall from a laneway is the shortest horizontal distance from the building façade to the centreline of the laneway. [DDO M 2.0p26]

The setback of a building above a street wall from a street or laneway is the shortest horizontal distance from the building façade to the street boundary. [DDO M 2.0p27]
Diagram 4
Minimum 3m setback above the street wall for buildings ≤8 storeys

Diagram 5
Minimum 5m setback above the street wall for buildings >8 storeys and ≤20 storeys

Commented [SB27]: New image added which shows the number of storeys in the building.

Commented [SB28]: New image added which shows the number of storeys in the building.
Diagram 6
Minimum 10m setback above the street wall for buildings >20 storeys

Commented [SB29]: New image added which shows the number of storeys in the building.

Diagram 7
Side and rear setbacks

Commented [SB30]: Diagram 7 deleted (see comment in table above).

Table 5: Side and rear setbacks

Commented [Maddocks31]: The Minister’s Part C control has removed the concept of habitable and non-habitable windows. Council’s submission generally supported the previous approach. In response to the Minister’s changes further changes are suggested, based on the previous habitable room distances.
<table>
<thead>
<tr>
<th>BUILT FORM REQUIREMENTS</th>
<th>BUILT FORM OUTCOMES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preferred Setbacks</td>
<td>Minimum Setbacks</td>
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</table>
Under the street wall:

Any part of a new building below the street wall height should be built on or within 300mm of a side or rear boundary up to the maximum street wall height specified in Table 3. However, if any part of a new building below the street wall height is setback from a side or rear boundary it should be setback at least 5 metres.

Above the street wall:

Any part of a new building above the street wall height should be setback at least 10 metres from the side or rear boundary.

To create a continuous street wall along all site frontages, new buildings (above and below the street wall) are setback to ensure:

- Well-paced development that ensures adequate daylight and sunlight into existing and proposed streets and laneways.
- High quality internal amenity including opportunities for access to southerly light, daylight and privacy to and outlook from habitable rooms, for both existing and potential developments on adjoining sites.
- Wind effects on the public realm are mitigated.
- Tall buildings do not appear as a continuous wall when viewed from street level.
- Sky views between buildings when viewed from existing and proposed streets and laneways.
- Internal bulk is minimised.

Well-paced development that ensures adequate daylight and sunlight into existing and proposed streets and laneways.

High quality internal amenity including opportunities for access to southerly light, daylight and privacy to and outlook from habitable rooms, for both existing and potential developments on adjoining sites.

Wind effects on the public realm are mitigated.

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

Sky views between buildings when viewed from existing and proposed streets and laneways.

Well-paced development that ensures adequate daylight and sunlight into existing and proposed streets and laneways.

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

Sky views between buildings when viewed from existing and proposed streets and laneways.

Internal bulk is minimised.
### BUILT FORM REQUIREMENTS

<table>
<thead>
<tr>
<th>Preferred Setbacks</th>
<th>Minimum Setbacks</th>
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<tr>
<td>setback 12m from a side or rear boundary.</td>
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A permit may be granted to vary this requirement if the overall building height is 10 storeys or less to allow building services / lift cores to be located along one side boundary.

**Commented [SB39]:** Consistent with Recommendation 12 of Council’s Overarching Urban Design Report.
Diagram 7
Minimum side and rear setbacks for buildings 12 storeys or less

Diagram 8
Minimum side and rear setbacks for buildings above 12 storeys
Diagram 8409

Minimum side and rear setbacks for buildings above 12 storeys where the building has a direct interface to the Westgate Freeway, Route 96/106 tram corridor or citylink overpass.

Commented [SB40]: New diagrams added for setbacks from side and rear boundaries. Diagrams show the number of storeys in the building and show revised setback requirements.
Building separation within a site

Table 6: Minimum building separation within a site

<table>
<thead>
<tr>
<th>BUILT FORM REQUIREMENTS</th>
<th>Minimum building separation</th>
<th>BUILT FORM OUTCOMES</th>
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<tbody>
<tr>
<td><strong>Below the street wall:</strong></td>
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<td>Building separation</td>
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<td>Buildings within the same</td>
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<td>ensures:</td>
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<td>site must be separated from</td>
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<td>▪ To ensure high</td>
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<td>each other by at least 12m.</td>
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<td>quality internal</td>
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<td><strong>Above the street wall:</strong></td>
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<td>amenity outcomes</td>
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<td>Buildings within the same</td>
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<td>site must be separated from</td>
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<td>each other by at least 20m.</td>
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<td>▪ Internal amenity is</td>
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<td>▪ Well spaced</td>
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<td>▪ Sky views between</td>
</tr>
<tr>
<td></td>
<td></td>
<td>buildings when viewed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>from existing or</td>
</tr>
<tr>
<td></td>
<td></td>
<td>proposed streets or</td>
</tr>
<tr>
<td></td>
<td></td>
<td>laneways.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>▪ Visual bulk is</td>
</tr>
<tr>
<td></td>
<td></td>
<td>minimised.</td>
</tr>
</tbody>
</table>

Note: For the purpose of Table 6 building separation distance within a site is to be measured from the face of each building. [DDO M 2 (2022)]

Commented [SB41]: Amended so that consistent with side and rear boundary setbacks (see comments above).

Commented [SB43]: Amended to 12m so that building separation is consistent with the requirements for side and rear setbacks, so that separation between all buildings (on the same site or different sites) are consistent.

Commented [AO42]: This column is unnecessary.
Diagram 810
Minimum building separation for buildings 12 storeys or less

Diagram 911
Minimum building separation for buildings above 12 storeys

Overshadowing

Table 7: Building width

<table>
<thead>
<tr>
<th>BUILT FORM REQUIREMENTS</th>
<th>BUILT FORM OUTCOMES</th>
</tr>
</thead>
</table>
| Mid-rise residential buildings should not exceed 50m in length. This should be achieved through the provision of laneways, through block links or separation between buildings. | Mid-rise residential buildings that:

- Provide high levels of pedestrian permeability through blocks;
- Smaller buildings allow for better views/outlook, daylight and sunlight to dwellings and communal open spaces. |
spaces and reduce the impact of large, slow moving shadows.

Tower size should not exceed:
- For residential buildings, a maximum dimension along one side of 50m and a maximum floorplate of 1,250sqm.
- For non-residential buildings, a maximum dimension along one side of 75m and a maximum floorplate of 2,500sqm.

Towers should be designed as three carefully integrated parts: a base building, middle and top.

Well-spaced, slender towers that:
- Create narrow, fast moving shadows which provide sunlight access to streets and neighbouring residences.
- Minimise negative wind conditions on surrounding streets, public open space and properties.
- Ensure sky views from the public realm.
- Allow for passage of natural light, ventilation, outlook and thermal comfort into interior building spaces ensuring a high level of wellbeing for building occupants.
- Create architectural interest and visually diminish the overall scale of the building mass.

Retention of heritage and character buildings

Table 8: Retention of heritage and character buildings

<table>
<thead>
<tr>
<th>BUILT FORM REQUIREMENTS</th>
<th>BUILT FORM OUTCOMES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development should retain and reuse heritage buildings and character buildings.</td>
<td>Designs demonstrate adaptive reuse of heritage and character buildings.</td>
</tr>
<tr>
<td>Key heritage buildings should be retained and adapted:</td>
<td>Development integrates and does not dominate heritage and character buildings.</td>
</tr>
<tr>
<td>- On the north-east corner of City Road and Whitehall Street to a depth of at least 15 metres on City Road and 5m on Whitehall Street, including the retention of one bay of the warehouse on City Road.</td>
<td>Development enhances the heritage character and appearance of Montague South.</td>
</tr>
<tr>
<td>- The two significant buildings on the north-west corner of Cecil Street and City Road to a depth of 10m.</td>
<td></td>
</tr>
</tbody>
</table>

Wind effects on the public realm

Table 7: Wind effects on the public realm

<table>
<thead>
<tr>
<th>BUILT FORM REQUIREMENTS</th>
<th>BUILT FORM OUTCOMES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings and works higher than 40 metres:</td>
<td>Developments ensure a safe and pleasant pedestrian environment is maintained at street level on footpaths and other public spaces for walking, sitting or standing.</td>
</tr>
<tr>
<td>▪ Must not cause unsafe wind conditions.</td>
<td>To ensure that the ground level wind gust speeds do not cause unsafe wind conditions to pedestrians adjacent to the development or to pedestrians adjacent to public spaces.</td>
</tr>
<tr>
<td>▪ Should achieve comfortable wind conditions;</td>
<td>To ensure that the proposed development achieves comfortable wind conditions commensurate to the identified principal role of publicly accessible areas for sitting, standing or walking.</td>
</tr>
<tr>
<td>in publicly accessible areas within a distance equal to half the longest width of the building above 40 metres in height measured from all façades, or half the total height of the building, whichever is greater as shown in the figure below.</td>
<td></td>
</tr>
</tbody>
</table>

Active street frontages

Table 8: Active street frontages

<table>
<thead>
<tr>
<th>BUILT FORM REQUIREMENTS</th>
<th>BUILT FORM OUTCOMES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Primary active frontages</strong></td>
<td>Buildings designed to:</td>
</tr>
<tr>
<td>On streets marked as Primary active frontages on the relevant maps to this schedule:</td>
<td>▪ Ensure the facades of buildings are attractive to passing pedestrians.</td>
</tr>
<tr>
<td>▪ Buildings should provide:</td>
<td>▪ Provide opportunities for the surveillance of the public realm.</td>
</tr>
<tr>
<td>▪ At least 80 per cent visual permeability along the ground level of the building to a height of 2.5m, allowing for a solid plinth or base.</td>
<td>▪ Ground floor occupancies to street frontages are encouraged to directly engage with the street and be visually evident from the street.</td>
</tr>
<tr>
<td>▪ Pedestrian entries at least every 10m</td>
<td>▪ Address and define existing or proposed streets or open space and provide direct pedestrian access from the street to ground floor uses.</td>
</tr>
<tr>
<td>▪ Footpath canopies where retail uses are proposed.</td>
<td>▪ Address both street frontages if the building is on a corner.</td>
</tr>
<tr>
<td>▪ The frontage to a residential lobby at ground level should not exceed 4m.</td>
<td></td>
</tr>
</tbody>
</table>

**Secondary active frontages** 

Commented [SB48]: Amended to provide more clarity for development.

Commented [AO49]: Inserted headings and row lines to make it easier to follow.

Commented [SB50]: Moved to built-form requirements.
BUILT FORM REQUIREMENTS

On streets marked as Secondary active frontages (Type 1) on the relevant maps to this schedule, buildings should provide:

- At least 60 per cent visual permeability along the ground level of the building to a height of 2.5m, allowing for a solid plinth or base.
- Pedestrian entries at least every 15m.
- Footpath canopies where retail uses are proposed.

On streets marked as Secondary active frontages (Type 2) on the relevant maps to this schedule, buildings should provide:

- At least 20 per cent visual permeability along the ground level of the building to a height of 2.5m, allowing for a solid plinth or base.
- Create activated building facades with transparent windows and regularly spaced and legible entries.
- Avoid unsafe indents with limited visibility.
- Ensure car parking and building services that do not detract from the public realm.
- Create a safe and high-quality interface between the public and private realm through the arrangement of uses internal to a building.
- Consolidate services within sites and within buildings, and ensure any externally accessible services or substations are integrated into the façade design.
- Buildings with residential development at ground level should:
  - Create a sense of address by providing direct individual street level entries to dwellings or home offices.
  - Achieve a degree of privacy through permeable screening and level changes.
  - Buildings are designed to avoid unsafe indents with limited visibility.
  - Car parking and building services that do not detract from the public realm.
  - Service areas are consolidated and located to maximise activation of the public realm.
  - Any externally accessible services or substations are integrated into the façade design.
  - A safe and high-quality interface between the public and private realm through the arrangement of uses internal to a building.

Residential uses at ground floor

Buildings with residential development at ground level should be designed to achieve:

- Sense of address by providing direct individual street level entries to dwellings or home offices.
- Balance between privacy and activation using a mix of low building heights, solid and transparent balustrades, terrace or fence elements, and incorporating landscaping or vegetation where possible.

All buildings

On a corner, buildings should be designed to address both street frontages.

All buildings should provide:

- Openable windows and balconies within on each level of the street wall along streets and laneways.
- Entrances that are no deeper than one third of the width of the entrance.
- Canopies over footpaths on primary or secondary active streets where retail uses are proposed.
- Consolidated services within sites and within buildings, located to maximise activation of the public realm and ensure any externally accessible services or substations are integrated into the façade design.

Car parking should:

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

BUILT FORM OUTCOMES

- Create activated building facades with transparent windows and regularly spaced and legible entries.
- Avoid unsafe indents with limited visibility.
- Ensure car parking and building services that do not detract from the public realm.
- Create a safe and high-quality interface between the public and private realm through the arrangement of uses internal to a building.
- Consolidate services within sites and within buildings, and ensure any externally accessible services or substations are integrated into the façade design.
- Buildings with residential development at ground level designed to:
  - Create a sense of address by providing direct individual street level entries to dwellings or home offices.
  - Achieve a degree of privacy through permeable screening and level changes.
  - Buildings are designed to avoid unsafe indents with limited visibility.
  - Car parking and building services that do not detract from the public realm.
  - Service areas are consolidated and located to maximise activation of the public realm.
  - Any externally accessible services or substations are integrated into the façade design.
  - A safe and high-quality interface between the public and private realm through the arrangement of uses internal to a building.

Commented [SB51]: Moved from general building requirements

Commented [SB52]: Council does not support the inclusion of Secondary active frontages (Type 2) or the proposed reduction of visual permeability to 20% on these streets (particularly Buckhurst Street).

Commented [SB53]: Moved from built form outcomes.

Commented [SB54]: Moved from built form outcomes.

Commented [SB55]: Moved from built form outcomes.
### BUILT FORM REQUIREMENTS | BUILT FORM OUTCOMES
---|---
- Not be located at ground floor level. | -
- Not be visible from the street. | -
- Be contained within a building. | -
- The area of any ground floor of a building occupied by building services, including waste, loading and parking should be less than 40% of the total site area. | -

#### Adaptable buildings

| BUILT FORM REQUIREMENTS | BUILT FORM OUTCOMES |
---|---
Buildings should be designed with minimum floor to floor heights of, at least: | Buildings are designed to accommodate employment uses and provide for future adaptation or conversion of parts of a building accommodating non-employment generating uses (including car parking) to employment generating uses over time. |
  - at least 4.0 metres at ground level; | - So that it can be adapted to other uses over time. |
  - at least 3.8 metres for other lower levels up to the height of the street wall. | - To minimise its footprint within a building. |
  - 3.2 metres for all other levels. | Dwelling is designed to enable the consolidation or reconfiguration over time to alter the number of bedrooms. |
Car parking areas which are not located within a basement should: | - Buildings are designed with adequate floor to floor heights which enable daylight penetration and adaptation to other uses. |
  - have level floors and | Internal layouts and floor plates should be flexible and adaptable with minimal load bearing walls that maximise flexibility for retail or commercial refits. |
  - provide a floor-to-floor height not less than 3.8 metres (except for ramps). | Floorplate layout designed to enable one and two bedroom dwellings to be combined or adapted into three or more bedroom dwellings. |
Make provision for future conversion of car parking areas to alternate uses over time. | |
Ramped parking structures which preclude adaptation for other uses should be avoided. | |
Mechanical systems should be utilised to reduce the footprint of car parking areas. | |
Internal layouts and floor plates should be designed and arranged: | |
  - with minimal load bearing walls that maximise flexibility for retail or commercial refits. | |
  - to enable one and two bedroom dwellings to be combined or adapted into three or more bedroom dwellings. | |
  - to enable adaptable floorplates to accommodate change of uses over time. | |

Commented [SB56]: Added desirable residential floor to floor height to ensure a high level of amenity for residents.

Commented [SB57]: Moved from built form outcomes
Façade design and building finishes

Table 1012: Façade design and building finishes

<table>
<thead>
<tr>
<th>BUILT FORM REQUIREMENTS</th>
<th>BUILT FORM OUTCOMES</th>
</tr>
</thead>
<tbody>
<tr>
<td>New buildings should incorporate common industrial materials reflecting the building materials and finishes of neighbouring and surrounding pre-existing industrial buildings where appropriate.</td>
<td>The exterior finishes, materials and architectural details of buildings reference the industrial context where appropriate and are sympathetic to any neighbouring heritage or character buildings.</td>
</tr>
<tr>
<td>Buildings should avoid blank walls. Building walls on shared boundaries that are visible from the public realm should be finished or treated to provide visual interest. Building materials and finishes for buildings fronting main roads should not exceed 15 per cent perpendicular reflectivity, measured at 90 degrees to the façade surface. Buildings should provide different façade treatments every 6 to 10m (12m) along:</td>
<td>Ensure the use of high quality building material and details. All visible sides of a building are designed to a high standard, to provide visual interest and an enduring quality of finish. Buildings are not designed in a manner that creates blank facades. Buildings are designed to achieve a fine grain on Buckhurst Street, north-south laneways south of Buckhurst Street (between Montague Street and Kerr Street), City Road, Normanby Road and on new north-south laneways connecting Normanby Road to Munro Street and Watergate Street.</td>
</tr>
<tr>
<td>• Buckhurst Street; • North-south laneways south of Buckhurst Street (between Montague Street and Kerr Street); • City Road; • Normanby Road; and • New north-south laneways connecting Normanby Road to Munro Street and Watergate Street.</td>
<td></td>
</tr>
</tbody>
</table>

Landscaping

Table 13: Landscaping

<table>
<thead>
<tr>
<th>BUILT FORM REQUIREMENTS</th>
<th>BUILT FORM OUTCOMES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscaping should be provided in new streets, communal open space and private open space provided as part of any development. Development should:</td>
<td>Landscaping contributes to the quality and amenity of communal and public open spaces. Building design incorporates opportunities for planting on structures. Landscaping enhances the microclimate and sustainability of the development and the public realm.</td>
</tr>
<tr>
<td>• Include deep soil zones of at least 1.5 metres or planter pits to accommodate canopy trees. • Incorporate green facades, rooftop podium or terrace planting that is located and designed to be sustainable, viable and resilient and appropriate to micro-climate conditions. • Encourage vertical and roof top greening to contribute to biodiversity outcomes.</td>
<td></td>
</tr>
</tbody>
</table>

Commented [SB58]: Amended heading as this section covers façade design, in addition to building finishes.

Commented [SB59]: Amended to provide a range to provide more variety within streetscapes.
Exemption from notice and review

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. [DDO M 2.0p32]

3.0

Subdivision

None specified. [DDO M 3.0p1]

Exemption from notice and review

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. [DDO M 3.0p2]

4.0

Advertising signs

None specified. [DDO M 4.0p1]

5.0

Decision guidelines

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: [DDO M 5.0p1]

▪ The preferred built form outcomes identified in this schedule. [DDO M 5.0p2]

▪ Whether the cumulative impact of the proposed development and any existing adjoining development supports achievement of a high quality pedestrian amenity in the public realm, in relation to scale, visual bulk, overshadowing and wind effects. [DDO M 5.0p3]

▪ Whether the proposed building setbacks and separation distances allow equitable access to privacy, sunlight, daylight and outlook. Consideration of this issue should have regard to the proposed internal use(s) within a new building and the height of any existing or proposed adjoining built form. [DDO M 5.0p4]

▪ The effect of the proposed buildings and works on solar access to existing and proposed public spaces having regard to: [DDO M 5.0p5]

   ▪ the area of additional shadow cast over the public space -relative to the total area of public space and the area which will remain sunlit; [DDO M 5.0p6]

   ▪ any adverse impact on soft landscaping in public space; and [DDO M 5.0p7]

   ▪ whether allowing additional shadows to be cast on public spaces other than open space, is reasonable having regard to the function and orientation of the space and shadows cast by adjacent buildings. [DDO M 5.0p8]

▪ Whether the proposal delivers design excellence, and contributes to creating a range of built form typologies. [DDO M 5.0p9]

▪ The impacts of built form and visual bulk on daylight, sunlight and sky views from within public spaces or on adjoining heritage places. [DDO M 5.0p10]

▪ The internal amenity of the development and the amenity and equitable development opportunities of adjoining properties. [DDO M 5.0p11]

▪ The impacts of wind on the amenity and useability of nearby public open spaces, streetscapes or the public realm. [DDO M 5.0p12]
Map 1: Montague sub-precincts

Commented [SB60]: New plan inserted showing CoPP’s proposed sub-precinct boundaries (as per Recommendation 1 of Montague Urban Design Report).

NB: Plan to be renumbered sequentially M1, M2, M3, M4 and M5 as per CoPP submission.
Commented [SB61]: New map inserted showing Council’s preferred building heights.
Map 3: Active street frontages

Commented [SB62]: New map inserted showing Council’s preferred active street frontages.
Map 4: Overshadowing

- **Public Open Space**
  - Overshadowing control from 11am to 2pm, 21 June to 22 September

- **Public Open Space**
  - Overshadowing control from 11am to 2pm, 22 September

- **Public Open Space**
  - No overshadowing controls

Commented [SB63]: New map inserted showing Council’s preferred public open space and overshadowing controls.