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SCHEDULE 13 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO 13**

WEST HAWTHORN AREA

1.0 Design Objectives

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To implement the West Hawthorn Urban Design Framework (2006).

To ensure new development does not compromise significant view corridors, particularly views of the Hawthorn Town Hall and the Church of the Immaculate Conception.

To encourage built form that does not cause unreasonable amenity impacts on adjacent residential areas and minimises the negative impacts of overlooking, overshadowing, noise and visual bulk.

To encourage landscaped areas at residential interfaces to soften built form.

To encourage buildings built to the street to activate street frontages in business zones.

To ensure development on the north side of Burwood Road allows the potential for adequate solar access to the south side of Burwood Road at the equinox.

To encourage development which incorporates ecologically sustainable energy, water and construction principles in its design.

2.0 Buildings and works

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The requirements in the Table should be met.

A permit cannot be granted to vary any Mandatory Requirements in the Table to this Schedule.

An application to develop land in a business zone must be accompanied by an urban context report and design response which includes the matters set out in clause 52.35 of the scheme. The urban context report and design response must show how the development achieves:

- The Design Objectives of this Schedule and for the relevant precinct;
- The Mandatory Requirements for the relevant precinct;
- The Requirements applicable to the relevant precinct.

The responsible authority may waive or reduce a requirement for information if it considers it to be not relevant to an application.

An application which does not meet the discretionary building height or setbacks specified in the Table must demonstrate that the proposed development will continue to meet the relevant design objectives specified in the Table.

Height

Building services, plant and infrastructure including but not limited to air conditioning units, masts, stairwells and liftwells may exceed the specified building height by up to 3 metres provided that:

- requirements in the Table to Schedule 13 relating to the design and siting of building services, plant and infrastructure are met; and
- requirements for setbacks in the Table to Schedule 13 are met.

Table to Schedule 13

The precincts referred to in this table are the precincts identified on Map 1 forming part of this schedule.

Note: Precinct numbering originates in the West Hawthorn UDF. Controls for Precincts 2 and 7 were not adopted.

DDO13 West Hawthorn Area – All Precincts

Requirements

General Requirements

- Buildings should minimise the impact on the amenity of residentially zoned land having regard to matters such as overlooking, overshadowing or visual bulk.
- All development on land abutting residentially zoned land or separated from residential land by a laneway, should comply with the relevant objectives and standards of Clause 55.04 and the Guidelines for Higher Density Residential Development (DSE 2004) as appropriate.
- Facades, side and rear walls that are visible from the public realm or from residential areas should be articulated to a high standard and consideration should be given to the proposed fenestration.
- Development along Burwood Road should have a zero setback and extend across the full width of the lot at least at ground floor level except where access requirements do not allow this.
- Where it is necessary to set back a building from the zero setback point, the treatment of the setback should not create a barrier between the street and the building. Within a residential area, the setback should be landscaped.
- Existing mature vegetation should be retained and buildings designed to protect the vegetation.
- Development on the north side of Burwood Road should ensure reasonable solar access to the south side of Burwood Road at the equinox.
- Streets, lanes and walkways should be well lit to enhance public safety and useability.
- Loading bays, site storage and waste collection areas should be appropriately screened from public view.
- Building services, plant and infrastructure structures should integrate with the architecture of the host building.
- Developments should apply current best practice and emerging technology in energy and water conservation.
- Developments should incorporate Water Sensitive Urban Design where appropriate to improve the quality of storm water leaving the area.
- Rainwater retention for reuse should be incorporated into the design of all new buildings.
- Stormwater detention should be evaluated and employed as a solution to infrastructure limitations.
- Developments should use permeable surface coverings wherever practicable.
- Vehicular access should not be from Burwood Road where there are other options for vehicular access.
- Car parking and garage doors should not dominate the streetscape. Basement car parks should be located fully below street level when fronting Burwood Road and Glenferrie Road.
- New development should incorporate environmentally sustainable design features.

DDO13-1 Precinct 1 - Office and Housing***Design Objectives***

- To encourage built form outcomes that are consistent with the precinct's ability to accommodate substantial change.
- To promote a precinct that has a high degree of design flexibility and can absorb and pioneer a variety of architectural styles, high quality contemporary architecture and innovative design solutions.
- To encourage built form and landscape design that identify the commencement of the western end of the West Hawthorn neighbourhood activity centre.
- To protect existing residential areas from unreasonable loss of amenity.
- To ensure building heights and setbacks maintain reasonable amenity to existing residential properties.

Requirements***General Requirements***

- The hard edges of buildings to the street frontage should maintain a human scale. Higher built form elements should be setback so that buildings do not unreasonably dominate the streetscape when viewed from the opposite side of the street.
- At the 5m setback from residentially zoned properties, new buildings should have a maximum building height of 7m, and thereafter should be setback 1m for every 0.3m in building height.

Mandatory Requirements

- Building height must not exceed 16 metres.
- At the street frontage buildings must have a maximum building height of 10 metres. Thereafter buildings must be setback a minimum of 5 metres.
- If a rear boundary abuts residentially zoned property, new development must be setback 5.0m from this property boundary. The setback must be landscaped.

DDO13-3 Precinct 3 - The West Hawthorn Village***Design Objectives***

- To encourage built form outcomes that are consistent with the precinct's ability to accommodate incremental change.
- To ensure built form and landscape outcomes respect and enhance the character of the precinct.
- To maintain streetscape rhythm.
- To provide for active frontages along Burwood Road and Power Street.
- To maintain the current human / pedestrian friendly scale of development.
- To create and reinforce local spaces for passive recreation.
- To protect existing residential areas from unreasonable loss of amenity.
- To ensure building heights and setbacks maintain reasonable amenity to existing residential properties.

Requirements

- Narrow buildings should not be consolidated into a single wider building.
- Building Height should not exceed 9 metres at the street frontage. Any storey beyond the street frontage should be setback a minimum of 5 metres so that buildings

do not unreasonably dominated the streetscape when viewed from the opposite side of the street. Overall Building Height should not exceed 11 metres. This does not apply to Hawthorn Square (88-114 Burwood Road) or the car park to the rear of Hawthorn Square (124-128 Power Street)

- At Hawthorn Square (88-114 Burwood Road) and the car park to the rear of Hawthorn Square (124-128 Power Street) Building Height should not exceed 16m. At the street frontage the Building Height should not exceed 10 metres. Above that height, buildings should be setback a minimum of 5 metres.
- New buildings adjoining residential properties should provide transitional height and setbacks to limit the impact of overshadowing and overlooking, and reduce the visual bulk of upper levels.
- Building heights and setbacks of all non residential and residential buildings in relation to the adjoining a residential boundary should be in accordance with the provisions of Clause 55.04 for development up to 9 metres. Where development exceeds 9 metres, regard should be given to the directions of Clause 52.35.
- Reinforce the area at the Power Street and Burwood Road corner of Hawthorn Square (88-114 Burwood Road) as an important local space for passive recreation.

DDO13-4A Precinct 4A - Mixed Use North

Design Objectives

- To encourage built form outcomes that are consistent with the precinct's ability to accommodate substantial change.
- To promote a precinct that has a high degree of design flexibility and can absorb and pioneer a variety of architectural styles, high quality contemporary architecture and innovative design solutions.
- To ensure the southern edge of the precinct abutting Burwood Road promotes active street frontages and complements the high quality pedestrian environment in this location.
- To encourage utilisation of Lynch Street for vehicular access.
- To provide for active frontages along Burwood Road and Power Street.
- Development should provide casual surveillance of Tweed Street and Golding Street where this does not compromise the amenity of adjacent residential land uses.

Requirements

General Requirements

- Development should ensure the potential for adequate sunlight penetration to the southern footpath of Burwood Road at the equinox.

Mandatory Requirements

- Buildings Height must not exceed 18 metres.
- At the Burwood Road street frontage, the Building Height must not exceed 12 metres.
- Any additional height above 12 metres must be set back a minimum of 5 metres from the Burwood Road frontage, so that buildings do not unreasonably dominate the streetscape and maintain adequate sunlight penetration to the south side of Burwood Road at the equinox.
- At street frontages other than those to Burwood Road, Building Height must not exceed 18 metres.

DDO13-4B Precinct 4B - Mixed Use South

Design Objectives

- To encourage built form outcomes that are consistent with the precinct's ability to accommodate substantial change.
- To promote a precinct that has a high degree of design flexibility and that can absorb and pioneer a variety of architectural styles, high quality contemporary architecture and innovative design solutions.
- To ensure the northern edge of the precinct abutting Burwood Road promotes active street frontages and complements the high quality pedestrian environment in this location.
- To protect existing residential areas from unreasonable loss of amenity.
- To ensure building heights and setbacks maintain reasonable amenity to existing residential properties.
- To ensure new buildings respect and complement heritage buildings.
- To ensure vehicular access arrangements have minimal impact on residential amenity in Manningtree Road.
- To promote active frontages along Lavidge Street, Thomas Street, Drill Street, Elizabeth Street, Guest Street, Cook Street and Luton Lane where this does not compromise the amenity of adjacent residential land uses with respect to noise, loss of privacy and poor visual amenity.

Requirements

General Requirements

- The hard edges of buildings to the street frontage should maintain a human scale.
- At the 5m setback from residentially zoned properties, new buildings should have a maximum building height of 7m, and thereafter should be setback 1m for every 0.3m in building height.
- Development should provide for active frontages along Burwood Road and Power Street.
- New development should provide a landscaped buffer that when fully matured will substantially screen buildings adjoining the Manningtree Road properties.

Mandatory Requirements

- Building Height must not exceed 18 metres.
- At the street frontage, the Building Height must not exceed 12 metres.
- Any additional height above 12 metres must be set back a minimum of 5 metres from the street frontage, so that buildings do not unreasonably dominate the streetscape.
- If a rear boundary abuts residentially zoned property, new development must not be located within 5.0m of this property boundary, and the setback must be used as a significant landscape buffer.

DDO13-5 Precinct 5 - Transit Oriented Development

Design Objectives

- To encourage built form outcomes that are consistent with the precinct's ability to accommodate significant change.
- To maintain the service role of Lynch Street and promote residential development at the eastern and western ends of the precinct.

Requirements

- Buildings should be well articulated, minimise overlooking, overshadowing and noise impacts and respond positively to the public realm.
- Building Height should not exceed 9 metres.

DDO13-6 Precinct 6 - Glenferrie Road Quarter

Design Objectives

- To encourage built form outcomes that are consistent with the precinct’s ability to accommodate incremental change.
- To reinforce the existing retail and commercial character of the area, including community and professional services.
- To ensure built form and landscape outcomes respect and enhance the character of the precinct.
- To ensure that the built form and landscape outcomes of new developments minimise impacts on residentially zoned land.
- To maintain streetscape rhythm, traditional narrow buildings should not be consolidated into single wider buildings.
- To provide for active frontages along Burwood Road and Glenferrie Road.
- To provide for active frontages along Luton Lane where this does not compromise the amenity of adjacent residential land uses with respect to noise, loss of privacy and poor visual amenity.
- To protect existing residential areas from unreasonable loss of amenity.
- To ensure building heights and setbacks maintain reasonable amenity to existing residential properties.

Requirements

General Requirements

- New development along Burwood Road should extend across the lot at ground floor level to prevent the creation of concealed spaces and to continue the consistent character along Burwood Road.

Mandatory Requirements

- Building Height must not exceed 16 metres.
- At the street frontages the Building Height must not exceed 10 metres. Thereafter buildings must be setback a minimum of 5 metres.
- New buildings adjoining residential properties should provide transitional height and setbacks to limit the impact of overshadowing and overlooking, and reduce the visual bulk of upper levels.
- Building heights and setbacks of all non residential and residential buildings in relation to the adjoining a residential boundary should be in accordance with the provisions of Clause 55.04 for development up to 9 metres. Where development exceeds 9 metres, regard should be given to the directions of Clause 52.35.

3.0

Subdivision

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A permit is required to subdivide land.

In considering an application for the subdivision of land in precincts 1, 4A and 4B, the responsible authority must consider the preferred land uses for the precinct identified in Clause 22.15 and whether the proposed subdivision will prejudice the outcomes sought in that local policy.

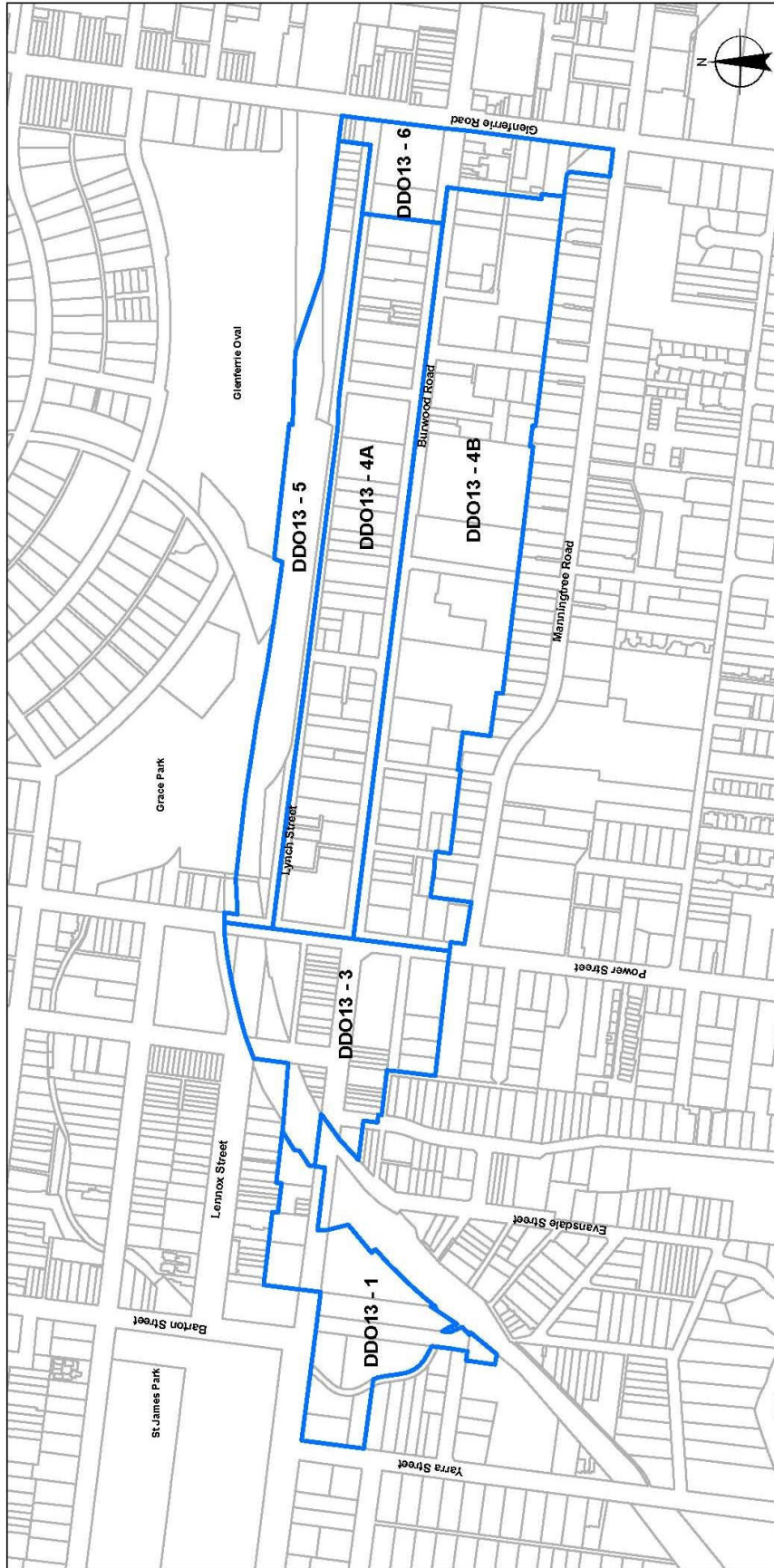
4.0 Decision Guidelines

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Before deciding on an application, the Responsible Authority must consider, as appropriate:

- The West Hawthorn Area Policy at Clause 22.15.
- The design objectives and requirements for the area and relevant precinct.
- The impact of traffic generated by the proposal and whether it is likely to require special traffic management control works in the neighbourhood.
- Points of access to and from the land and whether they are suitably located.
- The views of Vic Roads, Melbourne Water and / or Yarra Valley Water with respect to the impact of a proposal on existing infrastructure capacity.

MAP 1: WEST HAWTHORN AREA AND PRECINCTS



Note: Controls for Precincts 2 and 7 were not adopted