

SCHEDULE 26 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO26**.

395-429 ALBERT STREET, BRUNSWICK – ALBERT STREET URBAN RENEWAL PRECINCT**1.0**Historic
08/09/2022
C195more**Design objectives**

To support quality medium density residential development that is mid-rise built form in character, with a pedestrian scale to the precinct edges and a western interface that is scaled down and provides a separation to respond to the lower scale and heritage significance of existing dwellings.

To provide a quality public realm interface by including a visual and public pedestrian connection between Albert Street and Clifton Park, a high level of passive surveillance to external public spaces and internal communal areas, and quality landscape design to integrate into the parkland context.

To ensure building massing, separation and orientation optimises park views for new dwellings.

To ensure reasonable future development potential for the precinct, and encourage site consolidation to improve overall design and development outcomes.

To prioritise pedestrian and cycle movements over vehicle movements within and around the precinct.

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14/02/2023
C225more**Buildings and works**

No permit is required to:

- Construct or extend one dwelling on a lot of more than 300 square metres. This exemption does not apply to:
 - Construct a dwelling if there is at least one dwelling existing on the lot;
 - Construct or extend a dwelling if there are two or more dwellings on the lot;
 - Construct or extend a dwelling if it is on common property; and
 - Construct or extend a front fence within 3 metres of a street if the fence is associated with 1 or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in Clause 55.06-2.
- Construct or carry out works normal to a dwelling.
- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

Built Form

For the purpose of this schedule:

- Four (4) storeys means a height of 15 metres;
- Eight (8) storeys means a height of 28 metres.

Development fronting Clifton Park should not exceed four (4) storeys.

Development within the precinct should not exceed eight (8) storeys.

Taller buildings above four (4) storeys in height should be set back from the four storey podium at the Albert Street and Clifton Park interfaces and from existing dwellings adjacent to the precinct, and be designed to be visually recessive when viewed from Clifton Park, Albert Street and the rear of properties fronting Albert and Pearson Streets. Balconies should not encroach into upper level setbacks.

MERRI-BEK PLANNING SCHEME

Development must be designed and oriented to optimise daylight access to new dwellings and solar access to communal and public spaces across the precinct.

Building siting, separation and orientation should optimise park views for new dwellings and public paths as indicated in the Framework Plan at Map 1.

Development should avoid creating a continuous wall of built form along the Clifton Park and Albert Street frontages by providing physical breaks between buildings.

Visual connections between Albert Street and Clifton Park should be provided, primarily through a new network of public streets and/or pedestrian paths through the site and through breaks between buildings.

Development should provide for a mix of dwelling sizes including 1, 2 and 3 bedroom dwellings.

Built form that exceeds 8 storeys must meet the following criteria, to the satisfaction of the Responsible Authority:

- How the development meets the design objectives of this schedule.
- How the development is of exemplary design quality (i.e. substantially superior to an acceptable design), particularly with regard to the external presentation of development and ground level street and park interfaces.
- How the visual impacts of the development on existing dwellings and parkland are mitigated through the design response.

Albert Street Interfaces

Development must create active frontages and dwelling entries at ground floor and primary outlooks at all levels to provide for passive surveillance and activation of Albert Street.

A minimum 3 metre landscaped setback to Albert Street should be provided. A lesser setback may be provided if commercial or other non-residential uses are proposed at ground floor. Balconies should not encroach into the setback.

Development must provide for the upgrade of the Albert Street footpath and street tree planting immediately adjacent to the precinct (design details to be resolved at the planning permit application stage).

Access and loading areas for any retail or commercial uses should be from the side or rear of buildings fronting Albert Street.

Clifton Park Interfaces

Buildings and private open space should be clearly separated from the boundary of Clifton Park by a public path, as per Map 1, to provide a clear delineation between the public and private realm.

A 3 metre landscaped setback to Clifton Park should be provided, as shown in Figures 2 and 3. The setback may be reduced if commercial or other non-residential uses are proposed at ground floor. Balconies should not encroach into the setback.

Development must create active frontages and should create dwelling entries at ground floor and primary outlooks at all levels to provide for passive surveillance and activation of Clifton Park.

Western Residential Interface

The siting and setbacks of any development on the western boundary of the precinct should comply with Clause 55 Standard B17, Standard B21 and Standard B22.

Any new development along the western interface of the precinct must provide for a transition down in height to appropriately respond to the character, built form and height of the existing heritage precinct to the west.

Development should vary setbacks to upper floors to avoid poor built form outcomes.

Note: Laneways that exist along the rear boundary of adjacent properties should be counted as part of the setback envelope.

Circulation, Access and Parking

Development must provide for the public paths shown in Map 1.

The Primary Public Path shown in Map 1 must be provided and should generally be shared across the properties at 427 and 429 Albert Street. It should be a minimum 3 metre wide public path which is open to the sky.

Development which fronts the Primary Public Path should be setback and designed to create active frontages to this link.

Development should facilitate the creation of internal roads that will provide access to multiple stages of development to minimise the number of individual accessways and crossovers to Albert Street.

Land parcels should be consolidated or designed to incorporate shared vehicle access to minimise the number of vehicle crossovers to Albert Street.

Any internal roads, laneways and pedestrian paths intended to be vested in Council must be designed and constructed in accordance with Merri-bek City Council standards (including dimensions) and where appropriate make provision for two-way vehicular traffic, vehicles associated with waste management, safe pedestrian access for all, bicycles and tree planting.

Any above-basement car parking areas must be screened from view of the street and park and should be sleeved by dwellings or other uses.

All development must have legal access to a road.

The existing laneway connecting to Pearson Street at the west of the precinct should be considered for pedestrian access into the precinct. No vehicle access should be provided from this laneway into the precinct.

Landscaping

Landscape design should contribute significantly to the future character of the precinct and integrate the precinct into the surrounding parklands context.

The landscape design should, where appropriate:

- Soften the visual impact of buildings on Clifton Park and the public path;
- Maintain any existing significant trees;
- Contribute to reduction of the urban heat island effect;
- Provide for summer shading and access to winter sun;
- Incorporate green roofs and walls;
- Provide for deep soil planting where possible. If deep soil planting is not possible due to contamination, adequate above ground allowance must be made to accommodate significant vegetation and landscaping; and
- Incorporate water sensitive urban design principles.

The landscape design should include any associated street and park landscaping in Albert Street and Clifton Park to be delivered by the development, including trees in the park as shown in Figures 2 and 3, and street trees along Albert Street immediately adjacent to the precinct.

Reasonable future development potential

New development must be designed to have regard to the reasonable development potential of adjacent sites in the precinct, including consideration of shared accessways and opportunity for public easements, as well as adequate building separation distances.

Map 1 to Schedule 26 to Clause 43.02 – Framework Plan



Figure 1 – Cross Section A

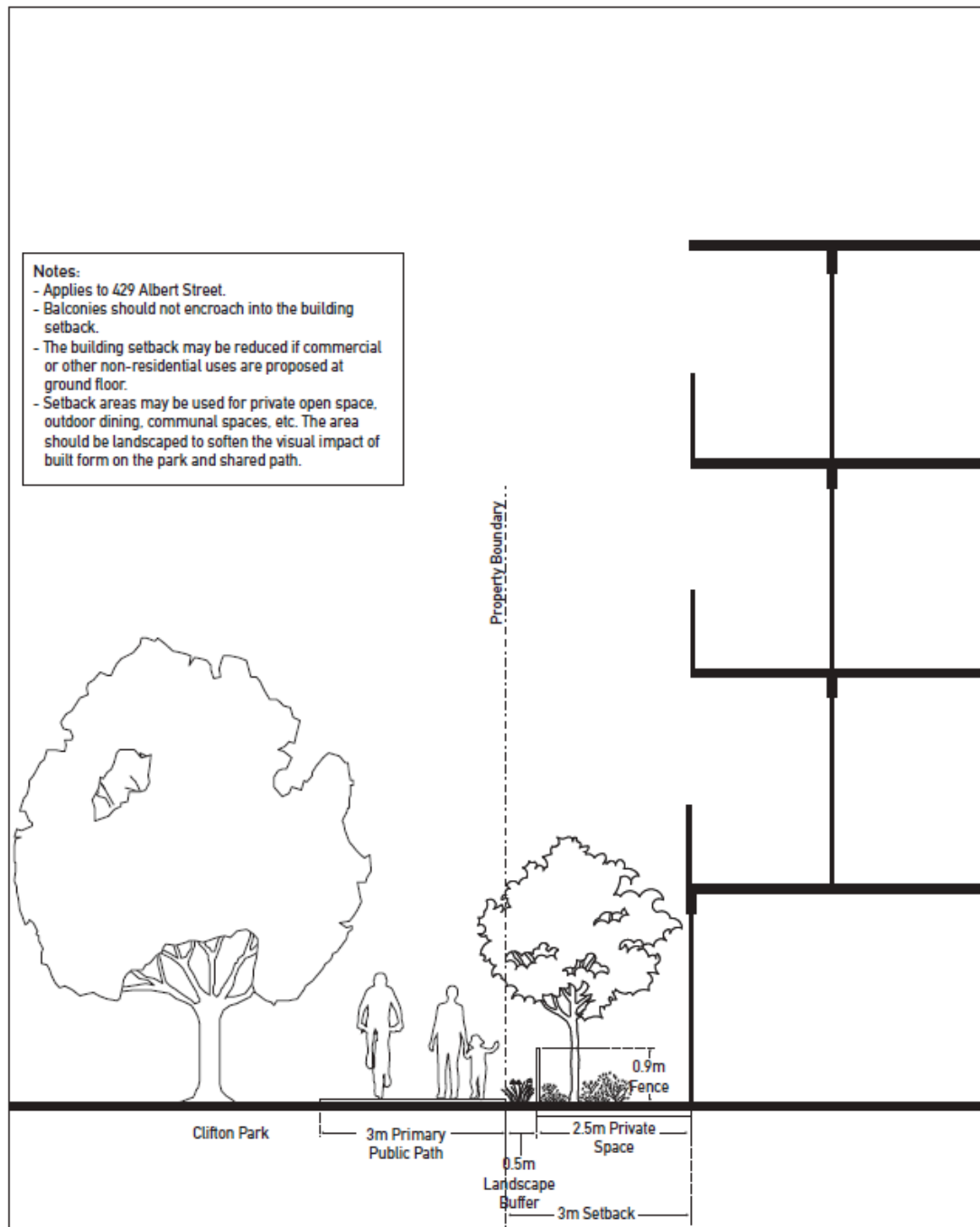
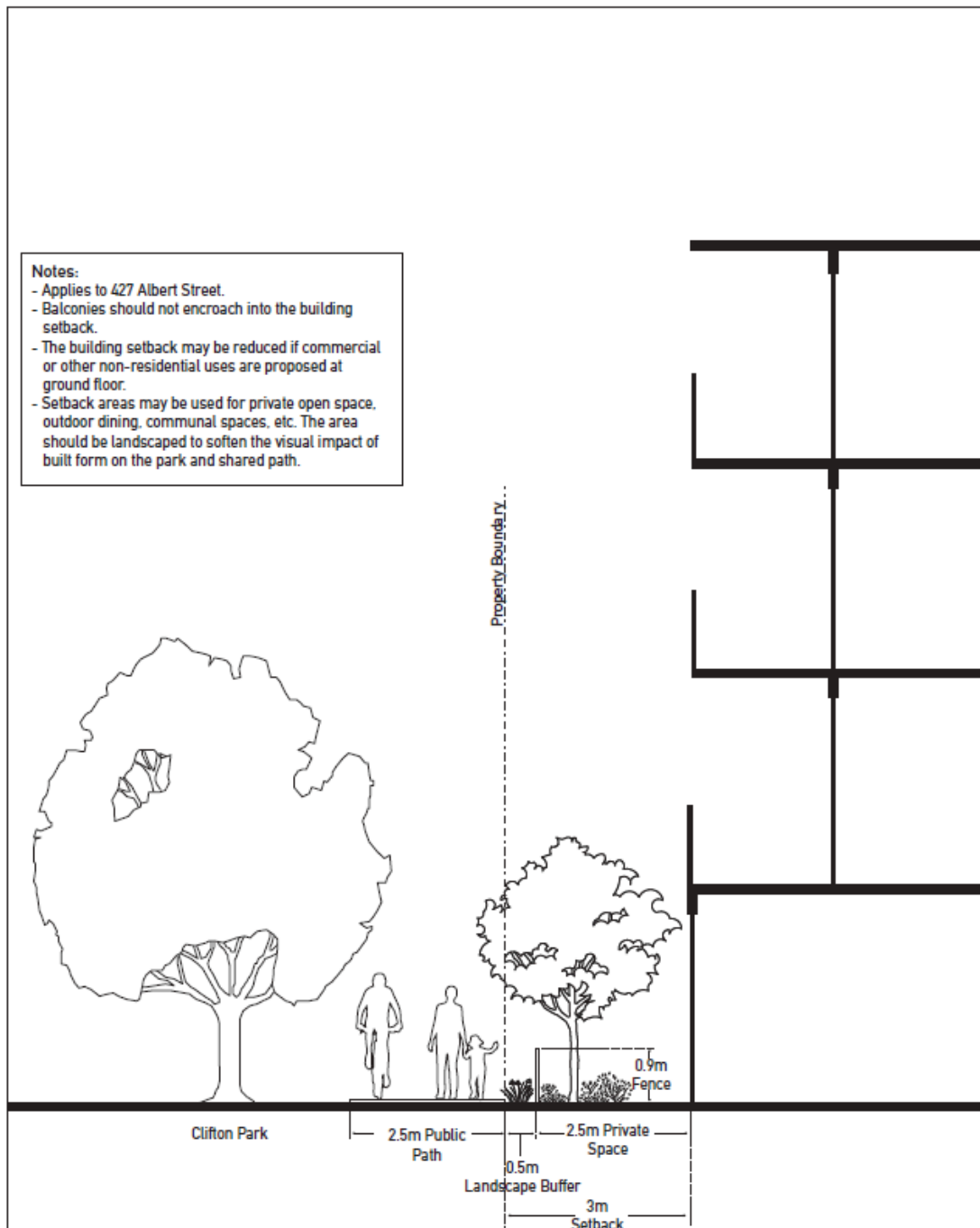


Figure 2 - Cross Section B



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Subdivision

A permit to subdivide land must meet the following requirements:

- Applications that do not support the development objectives of this schedule are discouraged.
- The consolidation of narrow lots to encourage better development is encouraged.
- Except for the consolidation of existing lots or the realignment of existing boundaries, any application to subdivide land must include a Plan of Subdivision showing public paths set aside and vested in Council generally in accordance with Map 1.

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Signs

None specified.

Application requirements

Buildings and works

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

An application for development must include, where appropriate, having regard to the particular stage of development, the following information to the satisfaction of the responsible authority:

- The following upgrade works/actions to be confirmed by a section 173 Agreement or other suitable guarantee, including the timing for these items. The cost of these upgrade works/actions are to be paid for by the developer and considered in addition to any developer contribution made under Schedule 1 to Clause 45.06 and the Schedule to Clause 53.01 of the Merri-bek Planning Scheme:
 - When and how any upgrades to both sides of Albert Street, including the undergrounding or bundling of powerlines and street tree planting, will be achieved.
 - When and how any upgrades to Clifton Park will be achieved, including:
 - the need for any additional infrastructure to manage conflicts resulting from the ‘active use’ of the sports grounds in Clifton Park (e.g. protective nets behind goal posts).
 - the construction of the public path along the interface with Clifton Park, including tree planting.
 - the creation of a ‘paper road’ to delineate private land from public land and provide legal pedestrian access, where needed, to new dwellings fronting the park.
 - Development must provide for the upgrade of the Albert Street footpath and street tree planting immediately adjacent to the precinct (design details to be resolved at the planning permit application stage).
 - The path fronting Clifton Park should be provided on public land in accordance with Figures 1, 2 and 3.
- An Urban Design Report, prepared by an urban design professional or architect, addressing the following:
 - How the development addresses the design objectives and the buildings and works requirements,
 - How the proposal integrates with any developed portions of the precinct and yet to be developed portions to ensure the internal amenity is not compromised
 - How the proposal ensures the reasonable development opportunities of adjoining sites are maintained.
- A Traffic Engineering Report prepared by a suitably qualified person confirming the suitability of traffic and access arrangements for each stage of development, including for waste collection, having regard to the relevant requirements set out at Clause 3.0 above.
- A Landscape Design Report prepared by a suitably qualified person detailing the planting strategy, including proposed plant species, associated with each stage of development including an assessment of the significance of existing trees and potential to retain them.
- An Acoustic Engineering Report prepared by a suitably qualified person demonstrating the use of suitable materials and building treatments to ensure appropriate acoustic mitigation from any existing noise sources within and external to the precinct.

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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:

- The Moreland Industrial Land Strategy 2015-2030 (as amended from time to time).
- How the development meets the design objectives in subclause 1.0 of this schedule.
- How the development meets the built form requirements at subclause 2.0 of this schedule.