BUILT FORM AND DESIGN POLICY

The policy applies to all new development not included in a heritage overlay. Clause 22.10-3.1 does not apply to residential development. Clauses 22.10-3.6 to 22.10-3.11 do not apply for applications required to be assessed against Clause 54 or Clause 55.

The policy comprises ten design elements that address the following issues:

- Urban form and character.
- Setbacks and building heights.
- Street and public space quality.
- Environmental sustainability.
- Site coverage.
- On-site amenity.
- Off-site amenity.
- Landscaping and fencing.
- Parking, traffic and access.
- Service infrastructure.

Each of the above elements includes Design Objectives and Design Guidelines. The Design Objectives describe the desired development outcomes, while the Design Guidelines provide standards or techniques that can be implemented to achieve the Design Objectives.

All of the Design Objectives must be met, while the Design Guidelines should be met. Where the Design Guidelines are not met, the written submission included as part of the supporting documentation must explain how the proposed development achieves the related Design Objectives.

Policy Basis

The City of Yarra Municipal Strategic Statement recognises that a key strength of the municipality is its’ diversity in terms of land use mix, built form, natural features and community composition. In many respects it is this diversity, combined with Yarra City’s inner urban location, that is contributing to an increasing demand for more intense urban development. These pressures include multi-storey development along main roads, within established mixed use, retail, commercial and industrial areas and close to the Yarra River.

In guiding the scale, form and appearance of new development much of the City’s 19th century urban fabric is already protected by heritage overlays and the Clause 22.02 - Local Planning Policy, “Development Guidelines for Heritage Places”. However, for areas where heritage overlays do not apply there is a need to provide guidelines for the assessment of new built form.

Objectives

- Ensure that new development positively responds to the context of the development and respects the scale and form of surrounding development where this is a valued feature of the neighbourhood character.
- Ensure that new development makes a positive contribution to the streetscape through high standards in architecture and urban design.
- Limit the impact of new development on the amenity of surrounding land, particularly residential land.
- Design buildings to increase the safety, convenience, attractiveness, inclusiveness, accessibility and ‘walkability’ of the City’s streets and public spaces.
- Create a positive interface between the private domain and public spaces.
Encourage environmentally sustainable development.

22.10-3

Policy

22.10-3.1 Application Requirements for Non-Residential Development

Site Analysis Plan
The preparation of a detailed site analysis plan is fundamental in determining sensitive interface issues and appropriate setbacks and building heights of new development. Accordingly, a site analysis plan showing the following information, as appropriate, must be submitted with the planning permit application:

In relation to the subject site:
- Site shape, size, orientation, slope (contours) and location and type of any easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location and heights of existing buildings on the site.
- Solar access to the site.
- Shadows cast by any existing buildings between 9am and 3pm on 22 September.
- Location and botanical name of significant trees.
- Fence heights, styles and location.
- Views to and from the site.
- Street frontage features such as poles, street trees, kerb crossovers and pedestrian access points.
- Any other notable features or characteristics of the site.

In relation to adjacent properties and the broader neighbourhood:
- The location and heights of buildings on adjacent properties.
- The use of buildings on adjacent properties.
- The location of secluded private open space and habitable room windows of adjacent residential properties which have an outlook to the site within 9 metres.
- Solar access to adjacent properties.
- The pattern of development of the neighbourhood, including details regarding widths of adjacent footpaths and roadways, and street planting.
- The built form, scale and character of surrounding development including front fencing.
- Architectural styles of surrounding buildings.
- Location of any nearby places of cultural heritage significance.
- Land (such as streets/laneways and public parks) where natural surveillance is desirable.
- The location of local shops, public transport services, public open spaces (including any pedestrian and cycle links to these facilities) situated within walking distance of the site.
- Any other notable features or characteristics of the neighbourhood.

Design Response
The design response must demonstrate how the proposed development derives from and responds to the site analysis plan.

A design response showing the following information, as appropriate, must be submitted with the application:
• The location of the proposed buildings in relation to the location of surrounding buildings.
• Proposed building heights in relation to the heights of surrounding buildings (include elevations and cross sectional drawings).
• Correctly proportioned street elevation or photomontage showing the development in the context of surrounding buildings.
• Photomontage(s) showing the visual impact of the development when viewed from other key short, mid and long-range points.
• Building materials.
• Roof top details.
• Shadows cast by the new development on surrounding land for each hour between 9am and 3pm on 22 September.
• The location and width of vehicular and pedestrian access ways.
• Landscaping treatments, including notation of any existing trees to be removed.
• Treatment of interfaces with adjacent uses and development.

22.10-3.2 Urban form and character

Design Objectives
To retain and extend the City’s fine grain of street pattern and urban form.
To ensure that developments contribute positively to the urban fabric and public realm.
To improve the transparency and legibility of the city’s urban form and structure.
To achieve continuity in the built form having regard to rhythm and spacing of buildings and any distinctive street pattern (as identified in the Site Analysis Plan and Design Response).

Design Guidelines
Within large redevelopment sites, design a vehicle and pedestrian network that ensures a high level of access within the development for all vehicular and non-vehicular traffic that connects and integrates with the broader network.

New development on large remnant sites should respect any existing prevailing subdivision pattern (as identified in the Site Analysis Plan and Design Response) by providing adequate separation between buildings and modular building bulk rather than unbroken mass.

Express the original fine-grained subdivision pattern in building design, massing, modulation and facade articulation.

Within sites removed from the small lot, fine-grain areas of the city, create a new urban character that adds to the layering of the city’s historical evolution.

22.10-3.3 Setbacks & Building Height

Design Objectives
To ensure that the setbacks of new development complement the desired neighbourhood character of the area (as identified in the Site Analysis Plan and Design Response, the Municipal Strategic Statement and any relevant local planning policies).

To ensure that the height of new development is appropriate to the context of the area (as identified in the Site Analysis Plan and Design Response) and respects the prevailing pattern of heights of the area where this is a positive contribution to neighbourhood character.
To ensure new roof forms respect any prevailing roof forms in the area (as identified in the Site Analysis Plan and Design Response) and contribute to the skyline silhouette.

**Design Guidelines**

New development constructed with a front setback to the street should include soft landscaping within the setback area. This setback should not be used for ancillary services, car parking, basement car parking, ventilation shafts, or major promotion signs.

Use massing or articulation or changes of surface treatment, or a combination of these, to relate taller buildings to the scale of their surrounds, and to diminish visual bulk.

The maximum building height for the portion of the new development between the primary setback and the secondary setback should not exceed the height of the higher of the two adjacent buildings unless:

- The height is specified in any relevant policy or schedule set out under this Scheme.
- The development is in an area where it is appropriate and practicable to establish a distinctly different new character in order to achieve planning objectives.
- The adjacent buildings do not reflect the prevailing heights of the area.
- One of the adjacent buildings is considerably lower in height than the other and it is appropriate to step down to the lower building to create a suitable transition in building height.

New development that is higher than adjacent buildings should adopt a secondary setback for the higher building component which:

- Aligns to the street pattern;
- Retains existing view lines to nearby heritage places and other key features.

The use of the secondary setback space should:

- Remain as roof space or be used as a roof top garden;
- Remain open to the sky; and
- Be free of ancillary services or major promotion signs.

The height of any portion of the new development which is located on the secondary setback should be guided by its’ visual impact and off-site amenity impacts on surrounding properties such as overshadowing, visual bulk, day lighting to habitable rooms and overlooking.

The overall height of new development (including the height between the primary setback and the secondary setback) may exceed the prevailing building height of the area if the site does not cause off-site impacts and is either:

- Located on a corner site of a main road; or
- Of substantial land area.

New development which abuts a laneway should be no higher than 2 storeys and should not affect the amenity of neighbouring residential properties.

Roof forms should respect those of the area having regard to the following elements:

- Roof hips and pitches;
- Gable ends;
- Parapets;
- Ridgelines;
- Chimneys; and
- Materials (e.g. terra cotta, slate, corrugated iron etc).
The height of new development abutting land in a Heritage Overlay should:

- Adopt a façade height to the street frontage which is no higher than the adjacent building within the Heritage Overlay;
- Design and site taller structures so that they do not visually dominate surrounding heritage places; and
- Match the floor levels of the adjacent heritage building.

22.10-3.4 Street and Public Space Quality

Design Objectives

To ensure ground level façade and boundary treatments interface positively with the street and public domain treatments interface positively with the street and public domain.

To ensure that new development enhances public safety and the pedestrian experience.

To ensure that access and views to public open spaces are provided where possible.

To create attractive and active interfaces with the public domain whilst maintaining a sense of public space.

To ensure the building presents visually interesting elevations on all faces visible from the public domain.

To provide pedestrian/human scaled design at street level.

Design Guidelines

New development should:

- Be oriented to front existing and proposed streets.
- Produce high quality architectural design.
- Maintain the dominant parapet line of adjacent buildings (where this exists).
- Express the traditional and characteristic vertical rhythm of buildings and the dominant lot widths (where they exist) within the street.
- Continue vertical or horizontal themes within the facade (where these exist and where appropriate).
- Use appropriate materials, finishes and colours, which add visual interest and, assist in breaking up the mass and bulk of new development.
- Incorporate roof articulation.
- Provide a reasonable level of transparent treatment (e.g., windows, voids etc) within the front and side street elevations.
- Provide weather protection of footpaths where practical and appropriate.
- Limit front fence heights to allow views into the site from the street.

The design of the ground level street frontage of new development should provide a high level of pedestrian amenity and visual interest by:
- Providing well-defined entries at ground level on the street frontage.
- Incorporating commercial/display or retail space (where appropriate).
- Installing glazed areas allowing permeability into the interior spaces.
- Matching ground floor level with street level.
- Avoiding sub-basement car parks where the structure of the car park and vents are raised above the footpath level.

New development should enhance the night time experience in the street by:
- External illumination of the building façade and main entries.
- Illuminating ground level landscaping.
- Illuminating directional signage.

Development on large sites should include through-site pedestrian links to the surrounding street network and any adjoining public parks and spaces.
Environmental Sustainability

Design Objectives
To ensure that new development is environmentally sustainable.
To minimise the use of energy and natural resources in the construction and operation of buildings.
To facilitate on-site stormwater infiltration or collection for reuse.
To reduce the impact of stormwater run-off on the drainage system.
To reduce the impact of stormwater on the water quality of the Yarra River, Darebin and Merri Creeks.

Design Guidelines
New development should be sited and orientated to maximise solar energy use.
New development should:
- Include an appropriate level of openable windows to allow effective natural ventilation of internal spaces;
- Locate doors and openable windows to allow effective cross ventilation to occur;
- Incorporate measures to protect occupants from harsh weather conditions, western sun, strong winds and to provide summer shading and winter sunlight to windows;
- Maximise the retention and re-use of existing materials;
- Consider the use of on-site electricity generation systems;
- Ensure that floors, walls and ceilings are well insulated;
- Provide outdoor clothes drying for accommodation uses;
- Use energy efficient fixtures and fittings;
- Minimise the need for artificial lighting during daylight hours; and
- Avoid the need for mechanical heating and cooling.
New development should minimise water use by:
- Maximising the collection and reuse of rainwater;
- Reusing greywater for watering of landscaped areas and flushing toilets;
- Using water efficient fixtures and fittings such as low flow taps and shower heads,
- Maximising the use of permeable surfaces to assist with the on-site filtration of stormwater;
- Minimising the need for watering gardens by using indigenous and drought tolerant plants.
Landscape works should be designed to filter and absorb stormwater.

Site Coverage

Design Objectives
To ensure that the site coverage of new development complements the desired neighbourhood character of the area and responds to the features of the site (as identified in the Site Analysis Plan, Design Response, the Municipal Strategic Statement and any relevant local planning policies).

Design Guidelines
New development should not exceed a maximum site coverage of 80% of the site area unless:
- the pattern of site coverage in the immediate area is higher than this figure (as identified in the Site Analysis Plan and Design Response); or
there is a need to cap the site to deal with contamination.

22.10-3.7 On-Site Amenity

Design Objectives
To ensure that new development optimises amenity for future occupants.
To encourage new residential development that provides dwellings with an appropriate aspect and view of the public domain.
To ensure that new residential development provides private and/or communal open space that is well designed, functional, safe, solar oriented, well ventilated and meets the needs of residents.
To ensure that new development contributes to a sense of safety, comfort and community presence within the site and its immediate environs.

Design Guidelines
New development provides an appropriate level of natural daylight into internal communal spaces and habitable rooms.
Avoid internal facing dwellings wherever possible, unless they address a large internal communal open space area.
Development should incorporate layouts that provide for personal safety, security and a high level of amenity through:
- Externally illuminating public and semi-private exterior spaces within and surrounding the development;
- Ensuring public and semi-private exterior spaces can be observed from the street and/or other public spaces and/or residential windows (Note: Natural surveillance and the need to externally illuminate exterior spaces does not apply to residential private open space);
- Tailoring landscaping to maximise sight lines; and
- Avoiding dead ends and cul-de-sacs.

Ensure buildings do not detract from the landscape character and attractiveness of open spaces.
The orientation and quality of development should provide for a high level of acoustic protection by:
- Providing effective acoustic insulation especially where new residential or mixed use development is proposed near to existing noise sources (an acoustic assessment report is required if potential problems are identified by Council); and
- Locating plant and other ancillary services in discrete locations.

Residential development should provide private open spaces which:
- Are adequate in area, dimension and slope for the needs of likely residents;
- Have access to direct sunlight;
- Have convenient access from a main living room; and
- Are appropriate to the locality, size and type of dwelling.

Private open spaces may be reduced where communal space or recreation facilities will better serve the needs of residents.
Communal open space provided for residential development should:
- Be substantially fronted by development;
- Provide an outlook for as many dwellings as practicable;
• Have an open design that provides a north facing aspect and orientation so as to not unreasonably enclose the space;
• Be designed to protect any natural features on the site;
• Be safe, accessible and useable; and
• Be adequate in area, dimension and slope for the needs of likely residents.

Development should ensure that at least 50% of communal open space areas receive direct sunlight for a minimum of 5 hours on September 22.

New development should increase the safety of residents/users of the site during evening hours by lighting:
• Car parking areas;
• Communal open space areas; and
• Pathways/pedestrian routes.

22.10-3.8 Off-Site Amenity

Design Objectives
To ensure that new development does not prejudice the rights of adjoining and/or nearby land users (especially residents) to enjoy solar access, privacy, and acceptable noise levels.

To ensure that built form enhances and does not detract from the landscape character of parks and open spaces.

To ensure that new development does not substantially overshadow adjoining residential private open space or public facilities such as parks and gardens.

Design Guidelines
New development should provide for a high level of acoustic protection to adjoining properties by:
- Locating plant and other service infrastructure (including automatic garage doors) in discrete locations;
- Using masonry wall construction rather than, for example, curtain walling; and
- Building in effective acoustic insulation.

The location, length and height of any wall built to a side or rear boundary should not adversely impact on the amenity of any adjoining residential properties in terms of overshadowing of private open space, visual bulk or daylighting to habitable room windows.

Where private open space and/or windows to adjacent uses are affected, additional setbacks from side boundaries are required to address loss of daylight, overshadowing and visual bulk impacts on neighbouring properties, especially residential properties.

The perimeter walls of new development should:
- Provide appropriate articulation (utilising setbacks, fenestration etc);
- Be designed to provide an appropriate solid to void ratio; and
- Use sympathetic materials and finishes.

The design of development should avoid reflective materials unless it can be demonstrated that any potential reflections will not have a detrimental impact on surrounding properties.

New development should create a positive interface with parkland. Such interfaces should:
- Relate the scale and siting of a building to the topography and character of the parkland;
- Use windows and balconies to allow natural surveillance and enhance the feeling of safety in the parkland;
- Maintain sunlight reaching the parkland;
- Provide landscaping which complements the vegetation character of the parkland; and
- Increase useability of the parkland by considering contributing to any needed landscape or night lighting upgrades.

New residential development that contains a habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling or a dwelling’s secluded private open space located within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio, should be either:
- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed obscure glazing in any part of the window below 1.7 metres above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25% transparent.
22.10-3.9 Landscaping and Fencing

Design Objectives
To retain mature vegetation on the site where possible.
To encourage development that respects the landscaped character of the neighbourhood.
To enhance local biodiversity.
To ensure that the height and design of new front fencing respects the character of the development and any prevailing fence style in the area where this exists (as identified in the Site Analysis Plan and Design Response).
To ensure that any landscaped front setbacks make a positive contribution to the public domain.

Design Guidelines
Proposed landscaping should include the use of indigenous plants and avoid the use of environmental weeds.

Where existing trees and plantings are to be retained, development should be sited at an appropriate distance to ensure the ongoing health of the retained trees and plantings.

High solid fence treatments to street boundaries should be avoided.

New fencing should:
- Provide an appropriate level of privacy and security but avoid a gated effect.
- Allow for natural surveillance of the public domain and communal areas within the site.
- Provide an appropriate level of privacy and security.
- Be consistent with the design of the building.
- Clearly define the boundaries of the site.

Landscaping should enhance the streetscape and development by:

- Incorporating landscape materials and treatments that are durable and resistant to adverse environmental conditions.
- Incorporating themes that are consistent with the prevailing landscape theme in the street and/or that reflect the strategic significance of the surrounds.
- Defining the boundaries of sites.
- Utilising soft landscaping treatments in the setbacks to buildings rather than hard surfaces.

22.10-3.10 Parking, Traffic and Access

**Design Objectives**

To ensure that new development provides an adequate number of on-site spaces to meet the parking demand, including visitor parking, generated by the use(s).

To ensure that new development only generates traffic volumes that can be safely accommodated by the surrounding street network.

To ensure that new development does not result in congestion of intersections with primary or secondary roads.

To ensure that new development does not result in vehicles banking along roads that contain tramlines.

To provide legible and safe vehicular entry to new development.

To ensure that access to car parking areas and loading areas does not adversely affect pedestrian amenity.

Ensure that the use or development of the land does not affect the level of service, safety and amenity of the adjacent arterial road network.

**Design Guidelines**

**Number of Parking Spaces**

New development must provide an appropriate number of car spaces having regard to:
The existing and proposed activities on the land; and
The nature of the locality.

Car parking for residential development should be provided as follows:

- 1 resident space for each one or two bedroom dwelling;
- 2 resident spaces for each three or more bedroom dwelling; and
- 1 visitor space for every five dwellings (these should be clearly marked as visitor parking).

Studies or studies that comprise separate rooms must be considered bedrooms for car parking provision.

Visitor parking should be provided on-site.

**Design and Location of Car Parking**

New development should provide car parking areas that are:

- Concealed from street frontages;
- Sited to ensure adjacent sensitive land uses such as residential use will not be negatively impacted by noise, light spill and traffic generation;
- Reasonably close and convenient to the development;
- Secure;
- Designed to allow safe and efficient movements within the development;
- Avoid tandem spaces where possible; and
- Well ventilated (if underground).

Open, ground level, multi-space car parking areas are discouraged.

Non-residential multi-deck car parking should:

- Preferably be located in a basement car park or at the rear of the site;
- Avoid blank walls to the ground and upper level street frontages; and
- Conceal the view of cars on upper levels from all frontages.

Basement car parks are the preferred method of providing on-site parking for large-scale residential development. A component of semi-basement car parking may be acceptable where:

- The semi-basement does not directly interface with surrounding streets; and
- Landscaping is used to adequately screen views into the car park.

**Traffic Management**

New development should not introduce an excessive level of traffic into the local traffic network.

A traffic impact assessment report is required, if potential traffic conflicts are identified by Council, and for any development that is expected to generate more than 100 vehicular trips per day or likely to increase the traffic movements on any leg of a nearby intersection, involving a Road Zone 1 road, by ten percent or more.

New development should provide vehicular entries that:

- Are sited to ensure sensitive land uses, such as residential use, will not be negatively impacted on in terms of noise, light spill and traffic generation;
- Do not compromise the flow of traffic on surrounding roads;
- Do not dominate the appearance of the building and/or site frontage;
- Maintain high levels of pedestrian safety and sight lines;
- Have a limited number of crossovers and rationalise existing crossovers where possible;
- Provide for the safe entry of cyclists; and
- Limit crossover widths, by:
  - Providing a minimum of 2 metres distance between crossovers;
  - Being located a minimum of 2 metres from side boundaries; and
  - Limiting the width of crossovers to 3 metres (single) and 5.5 metres (double).

**Pedestrian Access**

New development should take into consideration the amenity needs of pedestrians by:

- Providing appropriate separation between vehicle access and pedestrian entry areas to allow a safe crossing area for pedestrians;
- Clearly signposting car movements and areas of frequent vehicular use in order to avoid pedestrian conflict;
- Maintaining high levels of pedestrian safety and internal sight lines;
- Attractively landscaping open ground level car parking areas where they are provided; and
- Providing appropriate illumination for evening access and safety.

**Loading Bays**

In addition to the requirements of Clause 52.07 of the Yarra Planning Scheme, loading bays for non-residential development should:

- Be clearly separated and screened from pedestrian areas;
- In the case of larger sites, allow for vehicle turning to prevent reversing onto and off the site;
- Provide for loading and unloading to occur entirely off street; and
- Be concealed from the frontage and street corners.
22.10-3.11 Service Infrastructure

Design Objectives

New development should ensure that service infrastructure is appropriately sited and blended into the design of new buildings and is obscured from the public domain.

New development should ensure that appropriate garbage, recycling and storage facilities are provided on-site.

Service infrastructure should not cause detriment in terms of noise.

Design Guidelines

Ancillary services should be:

- Concealed from front, side and rear boundary view (for example, within roof forms).
- Incorporated within the design of the development.

Ancillary services should be located away from on-site and adjacent sensitive land uses where noise levels may be detrimental to amenity.

Ancillary services should be appropriately treated to reduce noise that may interfere with the amenity of adjoining land, especially residential use.

Accessible and secure storage (minimum of 6m$^3$ per dwelling) should be provided within new residential development.
Garbage and recycling bin enclosures should be adequate in size and blend in with the development. Bin and recycling enclosures should be located for convenient access by users and collection vehicles.

All public infrastructure facilities should be conveniently located to enable efficient maintenance without disrupting the operation or use of the building.

Reference Documents

- City of Yarra Built Form Review 2003
- Environment Protection Authority: “Guidelines for Major Construction sites” (EPA Publication No. 480)