

Differences between the exhibited controls under Amendment C57, the controls recommended by the Panel's, and the controls under proposed Amendment C57 (Part 2)

Exhibited controls	Controls recommended by the Panel	Controls proposed under Amendment C57 (Part 2)
<p>The exhibited controls included separate design objectives and requirements for the residential precincts DDO18-2 and DDO18-3. DDO18-2 applies to the residential precinct along Ormond Road between Byrne Avenue and Beach Avenue, and DDO18-3 applies to the residential precinct along Ormond Road between Pine Avenue and St Kilda Street (including 473 and 475A St Kilda Street).</p>	<p>The Panel was not of the same opinion in terms of the differences between the two residential areas and noted the following:</p> <p><i>The Guidelines and proposed DDO18 controls make much of a perceived difference in the built form of the two residential precincts. While the Panel concurs that there are some differences in existing architectural form, we consider the precincts to be relatively similar in an urban design sense, in particular in terms of proximity to commercial services, subdivision pattern, and heritage values and design integrity. Both precincts exhibit freestanding housing as well as two- and three-storey multi unit forms. In the Panel's assessment, the distinction between these precincts is subtle. The limited differences perhaps reflect their locations 'between' commercial areas (as is the case with Residential Precinct 1) or 'on the fringe' (as is the case with Residential Precinct 2).</i></p> <p>The Panel recommended that a refined preferred character statement and refined design objectives be applied for the combined residential precincts (DDO18-2 and DDO18-3), emphasizing the residential nature of the combined precinct by use of front and side landscaped setbacks and by encouraging a domestic architectural idiom.</p>	<p>The controls for residential precinct DDO18-3 are proposed to be the same for DDO18-2, with a single set of preferred character statements, design objectives and requirements.</p>
<p>The exhibited controls specified a mandatory height of 3 storeys (9 metres).</p>	<p>The Panel supported mandatory height limits in DDO18-3, but recommended that the overall height be increased from 9 metres to 13 metres. The Panel recommended the exhibited controls be amended as follows:</p> <ul style="list-style-type: none"> ▪ The front wall of buildings must not exceed a height of 3 storeys and 10.5 metres and the buildings must not exceed an overall height of 4 storeys and 13 metres. <p>The Panel justified their position with regard to height on the following basis:</p> <p><i>The proposed controls seek to apply a mandatory height control of 9 metres (with setbacks required above 6 metres).</i></p> <p><i>We understand the rationale which has been put forward for these proposed controls, but the new requirements would result in an urban form that is notably lower than that already occurring within this precinct of Ormond Road. We would observe also that the built form outcome would also be lower or less intense even than the existing development in the hinterland to the Ormond Road precincts. In the hinterland there are already new robust three- storey multi-unit forms as well as older two-storey flats with large rising roof forms closer to the beach). It seems illogical in the Panel's view that land in a precinct located within close walking distance of commercial neighbourhood commercial facilities, on a main road and which already contains a series of three-storey flat buildings should be constrained to a greater degree than other land occurring outside of the defined 'Activity Centre' boundary.</i></p> <p><i>A height limit should therefore be applied in this precinct - but one which is more generous than that proposed by the Planning Authority.</i></p>	<p>The proposed controls specify a maximum height of 4 storeys (13 metres). This is a mandatory control.</p>

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	<p><i>The Panel believes that there would be merit in considering the adoption of the same or similar built form objectives for the two residential precincts. We suggest that a mandatory maximum building height of four storeys, with the uppermost level being required to be set well back would be appropriate in both residential areas of Ormond Road.</i></p>	
<p>The exhibited controls required setbacks above a height of 2 storeys (6 metres).</p>	<p>The Panel recommended that a setback be applied above 3 storeys (10.5 metres), rather than above 2 storeys (6 metres) as proposed, and recommended the exhibited controls be amended as follows:</p> <ul style="list-style-type: none"> ▪ Any 4th storey must be set back from front and side street boundaries such that it (and any associated balustrading) is not visible from standing eye level (1.6 metres above ground level) on the footpath directly opposite the site. ▪ New development on land on Ormond Road must be setback above a height of 10.5 metres such that it is not visible from standing eye level (1.6 metres above ground level) at the rear building line of any adjoining residential property. <p>The Panel justified their position on the following basis:</p> <p><i>The Panel believes that limiting the closest wall to the street frontage (albeit setback) to two storeys would inappropriately achieve a built form outcome as seen from the street opposite that would be lower than many of the existing three-storey walk-up 1960's flats (such as those clustered on the northern side of Ormond Road). While the walk-up flats do not necessarily display design excellence, their form does represent an existing prominent characteristic of the area, and one which should be taken into account in determining built form approaches. The Panel is of the view that successful contemporary multi-dwelling designs generally adopting the broad form of the existing walk-up flats (three levels set a uniform distance from the site frontage) can be devised and, if the existing building form were to be followed, this would contribute to achieving a cohesive design theme for the precinct as a whole. The Panel suggests that if, alternatively, multiple setbacks as proposed were to be adopted, this would result in an uncharacteristically staggered mass for new buildings and a rather regrettable 'wedding cake' effect. A consistently set back 3 storey frontage form can in our view be suitably accommodated within this precinct.</i></p>	<p>The proposed controls specify that a setback be applied above a height of 3 storeys (10 metres). This means that a building could extend up to 3 storeys, and if a 4th storey was proposed, it would need to be setback so that it (and any associated balustrading) was not visible from standing eye level (1.6 metres above ground level) on the footpath directly opposite the site, or from the rear building line of any adjoining residential property. This is a mandatory control.</p>
<p>The exhibited controls required front setbacks to be in accordance with the provisions of Rescode (Clause 55.03-1), and that this be a discretionary control.</p>	<p>The Panel recommended that the exhibited controls for front setbacks be amended from discretionary to mandatory controls as follows:</p> <ul style="list-style-type: none"> ▪ Buildings must be set back from the front boundary a minimum distance of 6 metres or that distance required by Clause 55.03-1 (street setback objective) of the Port Phillip Planning Scheme, whichever is the greater. ▪ Front setbacks must be landscaped. <p>The Panel justified their position on the following basis:</p> <p><i>A key design element for the residential areas is the establishment of generous front setbacks and side spacing at both ground and upper levels. The Panel is of the view that these matters are sufficiently important as to warrant mandatory control. In proposed DDO18 they are identified as discretionary. On inspection of the precinct, we believe that a minimum front setback of 6 metres would be adequate to</i></p>	<p>The proposed controls specify a mandatory front setback of a minimum of 6 metres or that distance required by Clause 54.03-1/55.03-1 (street setback objective) of the Port Phillip Planning Scheme, whichever is the greater. The proposed controls also require that this area be landscaped, and that it not be used for car parking.</p>

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	<p><i>achieve a consistent pattern of landscaped frontage. It is also a dimension that fits comfortably with the recommended 10.5 metres (and 3 storeys) front wall. It is a depth that allows for the sustainable growth of large canopy trees. It should not be viewed as a space set aside for surface car parking.</i></p>	
<p>The exhibited controls required side setbacks to conform with the character of the area, as a mandatory control.</p>	<p>The Panel supported a mandatory side setback requirement, but recommended that the setback be explicitly stated as a numerical value, as follows:</p> <ul style="list-style-type: none"> ▪ Buildings must be set back a minimum distance of 4 metres from a side property boundary (not a front or side street boundary) except that the uppermost level must be set back a further 3 metres from the boundary. <p>The Panel justified their position on the following basis:</p> <p><i>A key design element for the residential areas is the establishment of generous front setbacks and side spacing at both ground and upper levels. The Panel is of the view that these matters are sufficiently important as to warrant mandatory control. In proposed DDO18 they are identified as discretionary.</i></p> <p><i>Side setbacks should be set at a minimum of 4m at ground level and should be increased at the upper level to highlight the prevailing 3 storey parapet. Upper level side setbacks of a further 3 metres should be applied. In our view that this would be appropriate to allow for suitable side window separation between properties and provision of canopy trees along the common boundary.</i></p> <p>Although the Panel recommended the above new requirement in relation to setbacks, they also recommended the inclusion of the following requirement (in addition to the above):</p> <ul style="list-style-type: none"> ▪ The height and setback of a building from a boundary with any residential property should accord with Clause 55.04-1 (side and rear setbacks objective) and Clause 55.04-5 (overshadowing open space objective) of the Port Phillip Planning Scheme. 	<p>The proposed controls specify that the height and setback of a building from a boundary with any residential property should accord with Clause 54.04-1/55.04-1 (side and rear setbacks objective). This is a discretionary control.</p> <p>The proposed controls specify that a development should accord with Clause 54.05-5 / 55.05-5 (overshadowing open space objective). This is a discretionary control.</p>