

SCHEDULE 12 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO12**

HIGHETT ACTIVITY CENTRE**1.0**02/05/2024
G203king**Design objectives – General**

All buildings should achieve a high standard of building design and articulation:

Highett Road

- To revitalise the Highett Activity Centre as an attractive, vibrant and well-used ‘Main Street’ and community focal point by implementing the objectives of the *Highett Structure Plan (2006)* :
- To achieve an acceptable balance between the opportunities for increased built form, bulk and height, and maintaining a reasonable level of residential amenity.
- To ensure the built form and building siting respects the dominant street patterns.
- To achieve high quality, well designed new buildings, works and additions that are compatible with the existing architectural and streetscape character of Highett Activity Centre.
- To ensure that active frontages are achieved.
- To protect and enhance the visual amenity of the Highett Activity Centre including sunlight to pedestrian areas.
- To encourage the appropriate redesign of car parking areas to compliment the streetscape of the Highett Activity Centre.

Preferred Medium Density Residential Areas

- To encourage apartment residential development of up to three storeys in height on consolidated lots in residential areas close to the Highett Activity Centre.
- To retain the amenity of existing low density residential development by ensuring that adequate side and rear setbacks are provided to taller buildings to allow screen planting and a landscape setting, and to prevent unreasonable overlooking, overshadowing and visual bulk.
- To encourage car parking to be provided within buildings rather than at ground level, to maximise the opportunity to use ground level open space for landscaping, and communal and private open space.
- To encourage consolidation of land that facilitates the creation of viable development sites capable of achieving the outcomes promoted by the Scheme and the *Highett Structure Plan, May (2006)*.

Increased Density Highway West

- To ensure integrated development of the whole Increased Density Highway West Precinct.
- To encourage the use of contemporary architecture combined with innovative urban design principles.
- To ensure buildings within Precinct H6 (Increased Density Highway West) address Nepean Highway, any new network of streets established and open space areas throughout and adjoining the precinct to provide for surveillance.
- To achieve residential development within Precinct H6 (Increased Density Highway West) that provides a mixture of building heights sizes and formats and varying built forms and layouts to provide visual interest.
- To ensure that building heights increase to a maximum furthest from established residential areas to the north to minimise visual impact from surrounding residential areas.

- To encourage a transition of building heights across Precinct H6 (Increased Density Highway West) from 7.5 metres adjacent to established residential areas up to a maximum building height of 17 metres near the south-east corner of the precinct.
- To create treed boulevards and high quality landscape treatment along new network or public streets and open spaces.
- To achieve development of circulation networks that focus on providing strong linkages within the Increased Density Highway West precinct with the Lyle Anderson Reserve west of the Railway line, the Highett Activity Centre, the Sir William Fry Reserve south of the precinct and Southland Principal Activity Centre.
- To achieve development that provides accessible, safe, attractive and functional private and public open space opportunities, which are well connected and integrated within a permeable urban environment.
- To provide solar access in mid winter to key boulevards within the precinct to contribute to a comfortable, pedestrian friendly urban environment.
- To facilitate the enjoyment of public urban spaces, streetscapes, pedestrian and bicycle paths by ensuring that these areas are not excessively overshadowed or affected by wind tunnelling from new buildings and works.
- To encourage consolidation of land that facilitates the creation of viable development sites capable of achieving the outcomes promoted by the Scheme and the Highett Structure Plan (May 2006) for land within this precinct.
- To discourage the fragmentation of sites other than in association with a development proposal that achieves the outcomes promoted by this Scheme and the *Highett Structure Plan (May 2006)* for the precinct.
- Buildings with unique architectural or design features that substantially contributes to the overall building form and appearance as identified by the *Highett Structure Plan (May 2006)*, must:
 - Substantially contribute to the overall building form and appearance by forming part of a distinctive architectural design feature;
 - Be based on contemporary architectural and innovative urban design elements;
 - Be located where higher built form outcomes are identified in the *Highett Structure Plan, (May 2006)* and *Kingston Housing Strategy and Neighbourhood Character Study (2021)*;
 - Not cast additional overshadowing upon adjacent and nearby properties and public spaces at 12 noon on 22 June.

Substantial Change Areas

- To support higher density housing in a mid-rise apartment format that delivers pedestrian sealed buildings to the street.
- To provide a landscaped garden setting around buildings including front and rear setbacks that can accommodate in ground canopy trees.
- To ensure reasonable future development potential for the precinct and encourage lot consolidation to maximise development opportunity and efficiency.
- To provide adequate side and rear setbacks which present tall elevations, designed to respond to the preferred future character including streetscape, building height, siting and built form.
- To mitigate visual and shadowing impacts on adjoining properties, with a greater emphasis on minimising impacts on land within the General Residential Zone.
- To achieve a high level of internal amenity for all residential development typologies.

2.002/05/2024
G203king**Buildings and works****Permit Requirements**

A permit is not required for buildings and works associated with environmental audit and site remediation.

Height**Areas H1, H2, H3, H4, H5 and H7:**

Buildings and works must not exceed the maximum building height set out in the Table to this Schedule for Areas H1, H2, H3, H4, H5 and H7.

A permit cannot be granted to vary the maximum building height set out in the Table to this Schedule for Areas H1, H2, H3, H4, H5 and H7.

Area H6

Buildings and works should not exceed the maximum building height set out in the Table to this Schedule for Area H6.

A permit may be granted to exceed the height limit if the additional height is necessary to achieve the design objectives. The development must continue to comply with the design objectives and design standards for that area.

Landscape Design

Landscape design must:

- Provide canopy trees and native and indigenous plantings;
- Provide landscape treatments to soften the urban built form environment; and
- Create private and public open space areas/links to established public open spaces areas within the surrounding area that are accessible, safe, attractive and functional for all users.

Setbacks

Buildings and works must be constructed in accordance with the setback requirements in the Table to this Schedule.

A permit cannot be granted to vary any of the setback requirements in the Table to this Schedule unless otherwise specifically stated in the Table to this Schedule.

Table to Schedule 12

Height Control Area as shown on the plan to Schedule 12	Maximum Building Height	Design Standard
DD012-H1 Northwest and southwest corners of Nepean Highway and Highett Road	4 storeys (14 metres) subject to site consolidation	<p>New development on the northwest corner must be setback to not intrude on viewlines into the centre from Nepean Highway and further east.</p> <p>Development on the north west corner must respect the scale of, and provides a transition down to, adjoining lower scale residential buildings.</p> <p>Setbacks of new development on the southwest corner from street frontages on the southern side of Highett Road are not required.</p> <p>New development must present a gateway to the commercial area and reinforce Highett Road as a Neighbourhood Activity Centre. Ground floors must comprise active commercial uses.</p>

KINGSTON PLANNING SCHEME

Height Control Area as shown on the plan to Schedule 12	Maximum Building Height	Design Standard
		<p>The scale of development on these gateway sites should take advantage of the opportunities of consolidated sites but maintain a comfortable relationship with the surrounding low scale and pedestrian-oriented built form character of the shopping centre. It should not unreasonably overshadow Highett Road and streets in the precinct.</p> <p>The quality of architecture should be high to respond to its visibility from Nepean Highway.</p>
DDO12 - H2 Corner of Railway Parade and Highett Road	3 storeys (11 metres)	<p>New development on consolidated land should reinforce the prominence of the corner.</p> <p>A consistency of building height, built form and a strong urban edge to Highett Road should be provided with a strong urban edge and zero front setbacks.</p>
DDO12 - H3 Highett Road (north & south)	3 storeys (11 metres)	<p>Any 3rd storey must be setback a minimum of 8 metres from the frontage and appear as a two-storey building form from Highett Road.</p> <p>This setback may be reduced where the building height is reduced and it can demonstrate sunlight access to the street and public spaces.</p> <p>Any 3rd storey must be setback 4 metres from the rear boundary to respect the scale of, and provide adequate setback to, adjoining lower residential buildings.</p> <p>A feeling of openness and intimate scale for pedestrians should be maintained.</p> <p>The scale of development should have a comfortable relationship with the low-scale, built form character of the Highett Activity Centre.</p>
DDO12 - H4 Civic Plaza south of the Highett Road shops, between Station Street, the railway line and incorporating the Highett Library and the RSL	3 storeys (11 metres)	<p>An attractive and active pedestrian environment should be provided.</p> <p>Development should not overshadow the Square. Lower building forms with a maximum height of 2 storeys should be provided along the edges of the Square and Highett Road.</p> <p>New buildings around the Square should provide a transition from 2 storeys along the edges of the Square and Highett Road to higher 3-storey built forms. Any 3rd storey must be setback a minimum of 8 metres from the street frontages.</p>
DDO12 - H5 Residential zoned land bounded by Wickham Road, Railway Parade, Viola Street and Henry Street. Includes 42-48 Henry Street and 1050 Nepean Highway. Residential zoned land east of Nepean Highway, between Wickham Road and Karen Street.	3 storeys (11 metres)	<p>Site consolidation is encouraged and the preference is for apartment developments rather than villa units or townhouses.</p> <p>New development should be setback from rear boundaries 5 metres, and should be setback from side boundaries greater than the standards of Clause 55 of this Scheme.</p> <p>Setbacks are to provide for a garden setting and substantial landscaping opportunities to the front and rear, and to provide a reasonable level of amenity for adjoining residences.</p> <p>Car parking spaces be provided primarily within new developments rather than at ground level, in order to maximise the opportunity to use ground level areas for landscaping, and communal open space.</p>
DDO12 - H6 Increased Density Highway West		
	DDO12 - H6 (a)	The scale of development must have a comfortable relationship with the lower-scale, built form of adjoining development.

Height Control Area as shown on the plan to Schedule 12	Maximum Building Height	Design Standard
	3-storeys (11 metres) for a depth of 15 metres along Nepean Highway 4-storeys (14 metres) for the remaining precinct	Development must setback to provide for a landscaped and tree-lined new network of streets: High quality architecture must respond to its visibility from Nepean Highway and makes a positive contribution to Nepean Highway.
	DDO12--H6 (b) 5-storeys (17 metres)	Development must be set back to provide for a landscaped and tree-lined new network of streets: High quality architecture must respond to and addresses the new network of public streets, open and public spaces and Sir William Fry Reserve: High quality architecture must respond to its visibility from Nepean Highway and make a positive contribution to Nepean Highway: New buildings to provide a transition from 4-storeys to higher storey built forms. Any 5 th or higher storey must be setback from the street frontages to minimise its visual bulk: Development must provide a transition to adjoining lower scale residential buildings within the precinct.
DDO12--H7 Substantial Change Areas Residential zoned land south of the Highett shopping centre, bounded by Station Street, the Frankston rail line and Nepean Highway: Residential areas north of the Highett shopping centre, bounded by Viola Crescent, the Frankston rail line and Nepean Highway:	4-storeys (13.5 metres)	Development should be set back from front boundaries by a minimum of 5 metres and be set back from rear boundaries by a minimum of 5 metres. A fourth level should be set back from the front boundary by a further 3 metres from the level below to present as pedestrian scaled: Side boundaries should be set back: <ul style="list-style-type: none"> ■ Primary outlooks (balcony, living room or open planned living area) 4.5 metres from the boundary: ■ Secondary outlooks (bedroom, kitchen or any other habitable room) 2 metres from the boundary: ■ Fourth level a minimum of 4 metres from the boundary: Development should seek to: <ul style="list-style-type: none"> ■ Design all primary outlooks to have a reasonable outlook, and design to avoid relying on screening at upper levels: ■ Design secondary outlooks at upper levels to contribute to passive surveillance, if not viable then have highlight glazing or be screened, and design to maximise the potential for developable adjoining land: ■ Provide basements for all developments and with adequate front and rear setbacks for deep soil planting: ■ Present the top floor as visually distinct from lower levels: ■ A siting that enables an appropriate extent of landscaping: ■ Excessive visual bulk is avoided, along with minimising cantilevered built form, providing adequate building separation and top floor rebates:

4.023/05/2019
G483king**Signs**

None specified.

5.023/05/2019
G483king**Application requirements**

None specified.

6.002/05/2024
G203king**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:

- The site analysis and urban context report.
- The visibility of the building form and height on the scale and character of Highett Road.
- Whether opportunities exist to avoid the building being visually obtrusive by the use of alternative building designs and staggered building forms.
- On a corner site, the architectural style and detail of the building, and whether it will make a positive statement as a corner element.
- The amenity impacts on any adjoining residentially zoned land, particularly with respect to overshadowing, privacy and visual bulk.
- The use of materials, finishes and colour.
- The visual impact of any balcony or roof deck and associated access when viewed from the street and surrounding area.
- Whether the third and fourth storeys are visually intrusive when viewed from the street and surrounding area.
- Whether the subdivision is associated with a development proposal that supports the objectives promoted by this Scheme and does not result in fragmentation of sites.
- Whether the proposed buildings achieve the desired mix of building heights, sizes, formats and layouts throughout Precinct H6.
- Whether appropriate surveillance of open space links and open space and public areas is achieved through building design and placement.
- The impact of new development on historic features and views to historic features.
- The ability for new development within Precinct H6 to integrate with adjoining built forms.
- The visual impact and integration of new development within Precinct H6 when viewed from the surrounding area.

Background documents

Highett Structure Plan (May 2006)

Kingston Housing Strategy and Neighbourhood Character Study (2021)

Kingston Landscape Character Assessment: Character Analysis and Landscape Guidelines (2021)

KINGSTON PLANNING SCHEME - SCHEDULE TO DDO12



LEGEND

H1	DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 12 (AREA H1)	H6(a)	DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 12 (AREA H6(a))
H2	DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 12 (AREA H2)	H6(b)	DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 12 (AREA H6(b))
H3	DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 12 (AREA H3)	H7	DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 12 (AREA H7)
H4	DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 12 (AREA H4)		
H5	DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 12 (AREA H5)		