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Proposed C133hbay

## SCHEDULE 6 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO6**.

### NEWPORT STRUCTURE PLAN – NORTHERN PRECINCT

#### 1.0

#### Design objectives

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To ensure development provides active and articulated ground level street frontages to Melbourne Road.

To ensure development is respectful of the scale and architectural features of heritage buildings and places.

To encourage development that accommodates a mix of retail, hospitality and commercial at ground level, and office and residential uses at upper levels.

To encourage sustainability and innovation in built form.

To ensure development is designed to mitigate noise impacts from the railway corridor and is set back from pipeline infrastructure.

#### 2.0

#### Buildings and works

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A permit cannot be granted to construct a building or construct or carry out works in Areas A, B, C or D which do not comply with the building height, street setback and residential interface requirements specified in Tables 1-4 of this schedule.

The requirements in Tables 1-4 apply to an application to construct a building or construct or carry out works.

#### Map 1

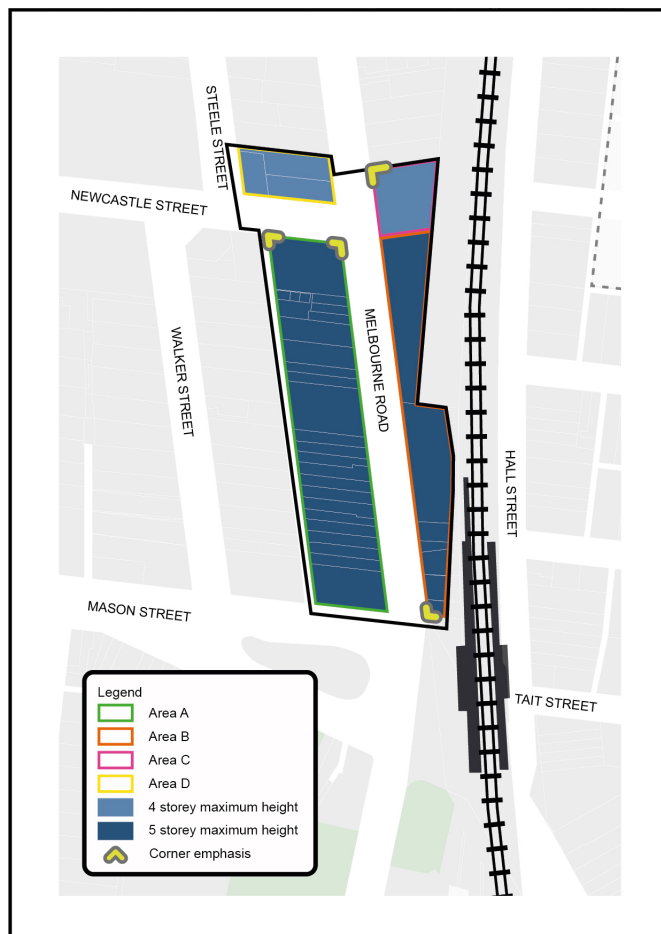


Table 1. Area A – West side of Melbourne Road

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	Building height must not exceed 18 metres and 5 storeys.
<b>Floor to floor height</b>	Ground level floor to floor height must be 4 metres. Storeys above ground floor level must have a floor-to-floor height of 3.5 metres.
<b>Street setback</b>	<p>Walls of buildings must be set back from the front street:</p> <ul style="list-style-type: none"> <li>0 metres up to and including a height of 11 metres (or matching the height of an existing adjoining building) with a continuous street wall edge.</li> <li>4.5 metres for any part of a building above 11 metres with a continuous street wall edge.</li> </ul> <p>Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.</p> <p>For a corner site, walls of buildings must be set back from the side street:</p> <ul style="list-style-type: none"> <li>0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>Building levels above 3 storeys must be distinctly recessed from the side street podium wall.</li> </ul>
<b>Heritage areas</b>	<p>For single storey contributory or individual Heritage Overlay buildings:</p> <ul style="list-style-type: none"> <li>Street walls above the facade should be set back a minimum of 1.5 metres.</li> </ul> <p>For multi-storey contributory or individual Heritage Overlay buildings:</p> <ul style="list-style-type: none"> <li>Street walls above the facade should be set back a minimum of 4.5 metres.</li> </ul>
<b>Public realm interface</b>	<p>New buildings should:</p> <ul style="list-style-type: none"> <li>Provide active and articulated ground floor frontage for sites facing Melbourne Road, Mason Street or Newcastle Street (minimum 80% active frontage).</li> <li>Provide verandah awnings or similar weather protection for pedestrians for frontages on Melbourne Road, Newcastle Street and Mason Street.</li> </ul> <p>Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.</p>
<b>Residential interface</b>	New buildings must meet the requirements of Clause 55.04-5 – Standard B21 for overshadowing of existing private open space.
<b>Corner emphasis</b>	<p>Buildings on corner sites should provide active and articulated ground floor frontages to both streets.</p> <p>Building design should emphasise the corner locations shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 18 metres.</p>

Table 2. Area B – East side of Melbourne Road

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	Building height must not exceed 18 metres and 5 storeys.
<b>Floor to floor height</b>	Ground level floor to floor height must be 4 metres. Storeys above ground floor level must have a floor-to-floor height of 3.5 metres.
<b>Street setback</b>	Walls of buildings must be set back from the front street: <ul style="list-style-type: none"> <li>0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>4.5 metres for any part of a building above 11 metres with a continuous street wall edge.</li> </ul> Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.
<b>Railway interface</b>	New buildings should: <ul style="list-style-type: none"> <li>Provide acoustic mitigation and absorption along the railway interface to alleviate noise impacts and minimise the rebound of rail noise onto Hall Street.</li> <li>Provide articulated built form along the railway interface to avoid blank walls facing the railway corridor.</li> <li>Utilise a diverse range of building materials for built form adjacent to the railway corridor.</li> <li>Be set back from pipeline easements.</li> </ul>
<b>Public realm interface</b>	New buildings should: <ul style="list-style-type: none"> <li>Provide active and articulated ground floor frontage for sites facing Melbourne Road and the Newport Station entrance forecourt (minimum 80% active frontage).</li> <li>Provide awnings or similar pedestrian shelter for sites facing Melbourne Road.</li> <li>Facilitate improved pedestrian links from the east side of Melbourne Road to the Newport train station entrance and underpass.</li> </ul> Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.
<b>Corner emphasis</b>	Building design should emphasise the corner location shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 18 metres.

Table 3. Area C – East side of Melbourne Road (residential interface)

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	Building height must not exceed 14.5 metres and 4 storeys.
<b>Floor to floor height</b>	Ground level floor to floor height must be 4 metres. Storeys above ground floor level must have a floor-to-floor height of 3.5 metres.

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Street setback</b>	<p>Walls of buildings must be set back from the front street:</p> <ul style="list-style-type: none"> <li>0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>4.5 metres for any part of a building above 11 metres with a continuous street wall edge.</li> </ul> <p>Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.</p>
<b>Railway interface</b>	<p>New buildings should:</p> <ul style="list-style-type: none"> <li>Provide acoustic mitigation and absorption along the railway interface to alleviate noise impacts and minimise the rebound of rail noise onto Hall Street.</li> <li>Provide articulated built form along the railway interface to avoid blank walls facing the railway corridor.</li> <li>Utilise a diverse range of building materials for built form adjacent to the railway corridor.</li> <li>Be set back from pipeline easements.</li> </ul>
<b>Residential interface</b>	<p>New buildings along the northern boundary of Area C must be in accordance with the following residential design standards:</p> <ul style="list-style-type: none"> <li>Clause 55.04-1 – Standard B17</li> <li>Clause 55.04-2 – Standard B18</li> <li>Clause 55.04-3 – Standard B19</li> <li>Clause 55.04-5 – Standard B21</li> </ul>
<b>Public realm interface</b>	<p>New buildings should:</p> <ul style="list-style-type: none"> <li>Provide active and articulated ground floor frontage for sites facing Melbourne Road (minimum 80% active frontage).</li> <li>Provide verandah awnings or similar pedestrian shelter for sites facing Melbourne Road.</li> </ul> <p>Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.</p>
<b>Corner emphasis</b>	<p>Building design should emphasise the corner location shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 14.5 metres.</p>

Table 4. Area D – Residential transition (461-463 Melbourne Road)

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	Building height must not exceed 14.5 metres and 4 storeys.
<b>Floor to floor height</b>	<p>Ground level floor to floor height must be 4 metres.</p> <p>Storeys above ground floor level must have a floor-to-floor height of 3.5 metres.</p>

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Street setback (Melbourne Road and Newcastle Street)</b>	<p>Walls of buildings facing Melbourne Road must be set back:</p> <ul style="list-style-type: none"> <li>0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>4.5 metres for any part of a building above 11 metres with a continuous street wall edge.</li> </ul> <p>Walls of buildings facing Newcastle Street must be set back:</p> <ul style="list-style-type: none"> <li>0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>Building levels above 3 storeys must be distinctly recessed from the Newcastle Street podium wall.</li> </ul> <p>Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.</p>
<b>Residential interface</b>	<p>New buildings along the northern boundary of Area D must be in accordance with the following residential design standards:</p> <ul style="list-style-type: none"> <li>Clause 55.04-1 – Standard B17</li> <li>Clause 55.04-2 – Standard B18</li> <li>Clause 55.04-3 – Standard B19</li> <li>Clause 55.04-5 – Standard B21</li> </ul>
<b>Public realm interface</b>	<p>New buildings should:</p> <ul style="list-style-type: none"> <li>Provide active and articulated ground floor frontage for sites facing Melbourne Road and the corner of Newcastle Street (minimum 80% active frontage).</li> <li>Provide verandah awnings or similar pedestrian shelter for sites facing Melbourne Road and Newcastle Street.</li> </ul> <p>Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.</p>

**3.0****Subdivision**

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None specified.

**4.0****Signs**

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None specified.

**5.0****Application requirements**

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The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report that indicates how a proposal to reuse or redevelop a building within a heritage overlay is compatible with the scale and architectural features of the building and adjoining sites within a heritage overlay.
- An acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority which:

- Takes into consideration, the vibration impact from the rail corridor on the future development.
- Applies the following noise objectives:
  - 35 dB LAeq,8h when measured within a sleeping area between 10 pm and 6 am.
  - 40 dB LAeq,16h when measured within a living area between 6 am and 10 pm.
- For areas other than sleeping and living areas, the median value of the range of recommended design sound levels of Australian Standard AS/NZ 2107:2016 (Acoustics – Recommended design sound level and reverberation times for building interiors).
- Includes recommendations for any noise attenuation measures required to meet the applicable noise level objectives.
- Includes additional considerations, where relevant, to address:
  - potential noise character (tonality, impulsiveness or intermittency);
  - noise with high energy in the low frequency range; and
  - transient or variable noise.
- For sites in Area B and C, a report prepared by a suitably qualified consultant demonstrating how the development addresses nearby pipeline infrastructure, including building setbacks and provision of access for pipeline operators.

### 6.0

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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:

- Whether the impact of the potential noise sources have been mitigated through design, layout, and location; and whether this reduces the need for acoustic treatment of buildings or compromises the useability of the building by its occupant.
- Whether the design and layout of the proposed development provides sufficient setbacks from pipeline infrastructure and provides access for pipeline operators.