

01/09/2016
C297**SCHEDULE 7 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO7**.

Former Fishmarket Site Northbank**1.0**19/01/2006
VC37**Design objectives**

To provide for a built form scale transition from the CBD to the Yarra River corridor and Batman Park.

To encourage development that maintains the visual dominance and built form of Flinders Street and the Hoddle grid.

To encourage public use, public safety and high quality pedestrian access to Batman Park and environs.

To ensure solar access that maintains and enhances the leisure and recreational purpose of Batman Park and Northbank promenade.

To ensure that the use and development of land under, over and immediately adjacent to the railway viaduct bridge does not prejudice the safety of the structure and its safe and efficient operation and maintenance.

To ensure adequate space is provided around the existing railway viaduct bridge to build, operate and maintain two additional railway tracks to meet the future capacity requirements of the rail network.

2.004/09/2015
C262**Requirements****Building Height**

The construction of buildings and works must not overshadow the Northbank Promenade 15 metres north of the alignment of the north river bank between 11.00 am and 2.00 pm on 22 June and must not increase overshadowing of Batman Park between 11.00 am and 2.00 pm on 22 March and 22 September. A permit cannot be granted to vary this requirement.

The construction of buildings and works should generally be in accordance with the Incorporated document titled "Former Fishmarket Site, Flinders Street Melbourne, September 2002."

Built form

Higher building form should be spaced to ensure adequate separation between tower elements and to provide for outlook to and from Batman Park and the Hoddle grid.

Building facades should be articulated to reflect the predominant subdivision pattern, urban grain and vertical composition of Flinders Street.

Building development must not prejudice or inhibit the safe and efficient operation of the railway viaduct, access to the viaduct structure for maintenance or the ability to build, operate and maintain an additional two rail tracks along side the existing railway viaduct bridge to the required standards and satisfaction of the responsible authorities.

Active Frontages

Active street frontages must be provided to Flinders Street, the through block pedestrian

linkage(s) and Batman Park frontage generally in accordance with the Incorporated document titled “Former Fishmarket Site, Flinders Street Melbourne, September 2002.”

Buildings with ground level frontages to areas identified as ‘active frontages’ in the Incorporated document titled “Former Fishmarket Site, Flinders Street Melbourne, September 2002” must present an attractive pedestrian orientated frontage by providing:

At least 80% of the frontage as an entry or display window to a shop and/or a food and drink premises, customer service area or other uses or activities which provides pedestrian interest and interaction.

Built scale appropriate to the street or publicly accessible area and pedestrians.

Clear glazing (security grilles must be transparent)

Weather protection devices

Active frontages to Batman Park and the through block links should be designed for public safety and provide for visual surveillance incorporating public lighting and paving.

Pedestrian Linkages and Vehicular Access

A high quality public through block pedestrian linkage must be provided between Flinders Street and Batman Park in alignment with Katherine Place in accordance with the Incorporated document titled “Former Fishmarket Site, Flinders Street Melbourne, September 2002.”

A high quality public laneway 10 metres wide minimum, with vehicular access points combined where practicable must be provided at the alignment of Downie Street linking Flinders Street to Batman Park in accordance with the Incorporated document titled “Former Fishmarket Site, Flinders Street Melbourne, September 2002.”

3.0

19/01/2006
VC37

Exemption from notice and appeal

An application to construct or demolish a building or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1),(2) and (3) and review rights of section 82(1) of the Act.

4.0

16/11/2015
C266

Transitional arrangements

The requirements of clause 2.0 of this schedule do not apply to:

- use or development of land that is undertaken in accordance with a permit under the *Building Act 1993* issued before the commencement of Amendment C262 to this planning scheme;
- use or development of land that is undertaken in accordance with a planning permit that was issued before the commencement of Amendment C262 to this planning scheme; and
- an application made before the commencement of Amendment C262 to this planning scheme. For applications made before the commencement of Amendment C262 the requirements of this scheme, as they were in force immediately before the commencement of Amendment C262, continue to apply.

5.0

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Expiry

The requirements of this overlay cease to have effect after 31 December 2016.