

29/01/2015
C225**SCHEDULE 15 TO THE DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO15****ROYAL BOTANIC GARDENS****1.0**19/01/2006
VC37**Design Objectives**

- To preserve the landscape qualities and amenity of the Royal Botanical Gardens and to foster vegetation growth in the Gardens.
- To ensure that the enjoyment of the Royal Botanic Gardens is not diminished by overshadowing or visual intrusion from any new buildings or works.
- To minimise detrimental wind impacts on the Royal Botanic Gardens.
- To ensure that any new development or redevelopment is compatible with the existing scale and character of buildings in the area.
- To protect the residential amenity of the area.

2.019/01/2006
VC37**Buildings and works**

An application must be accompanied by a site analysis and urban context report which demonstrates how the proposed building or works achieve each of the Design Objectives and Built Form Outcomes of this schedule, and any local planning policy requirements.

A permit cannot be granted to vary the Maximum Building Height specified in Table 1 to this schedule.

A permit may be granted to replace or alter a building or works existing at the approval date but which do not comply with the Maximum Building Height specified in Table 1, only if the responsible authority is satisfied an increased height improves the amenity and enhances the urban character of the area.

Buildings or works should not exceed the Maximum Building Height specified in Table 2 to this schedule. An application to exceed the Maximum Building Height specified in Table 2 to this schedule must demonstrate how the development will continue to achieve the Design Objectives and Built Form Outcomes of this schedule and any local planning policy requirements.

Building height is the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the building, with the exception of architectural features and building services.

3.029/01/2015
C225**Decision guidelines**

Before deciding on an application, the responsible authority must consider the views of the Director of the Royal Botanic Gardens if the responsible authority considers that the application involves works which may be visible from the Royal Botanic Gardens.

Table 1 to Schedule 15

Area	Maximum Building Height	Built Form Outcomes
DDO 15 – Area A1 South and	12 metres	Buildings or works do not visually intrude upon vistas within the Royal Botanic Gardens or cast shadows on the Gardens between 11.00 am and

Area	Maximum Building Height	Built Form Outcomes
East of the Royal Botanic Gardens		2.00 pm on 22 March and 22 September. Development is compatible with the scale and character of the South Yarra area.

Table 2 to Schedule 15

Area	Maximum Building Height	Built Form Outcomes
DDO 15 – Area A2 Schedule 3 to the Special Use Zone (SUZ3) and north of the Royal Botanic Gardens	12 metres	Buildings or works do not visually intrude upon vistas within the Royal Botanic Gardens or cast shadows on the Gardens between 11.00 am and 2.00 pm on 22 March and 22 September. Development is compatible with the scale and character of the South Yarra area.

4.0 Exemption from notice and appeal

19/01/2006
VC37

An application to construct a building or construct or carry out works that is generally in accordance with a master plan incorporated in the planning scheme or approved by the responsible authority 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 the review rights of Section 82(1) of the Act.

5.0 Subdivision

18/10/2010
C174

A permit is not required to subdivide land.