

18/11/2010  
C174**SCHEDULE 20 TO THE DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO20****VICTORIA PARADE AND ALBERT STREET AREA****1.0**19/01/2006  
VC37**Design objectives**

- To minimise the visual impact of buildings on the Fitzroy Gardens and to preserve the amenity of the gardens.
- To ensure that the enjoyment of the Fitzroy Gardens is not excessively diminished by overshadowing from any new building or works.
- To ensure that any new development or redevelopment is compatible with the existing scale and character of adjoining buildings and the area.
- To protect and enhance the appearance of Victoria Parade as a major boulevard.

**2.0**19/01/2006  
VC37**Requirements****2.1**19/01/2006  
VC37**Building height and setback**

Buildings or works should not exceed the maximum building height or be constructed within the setback distance specified in the table to this schedule.

An application to exceed the maximum height or vary the setback must be accompanied by a site analysis plan and a written urban context report documenting how the development will achieve the specific design objectives and outcomes of this schedule.

The height of a building or works is the height of its highest point above the permanent footpath at the centre of the site frontage. If there is no footpath, the natural surface level at the centre of the site frontage is the base level.

**Table to Schedule 20**

| AREA | MAXIMUM BUILDING HEIGHT   | BUILDING SETBACK  | OUTCOMES  |
|------|---|---|---|
| 11   | 9 metres  | --  | The predominantly 2-3 storey scale and built form character of the area is maintained.  |
| 38   | 30 metres   | --  | The buildings that edge the Victoria Parade boulevard entry to the CBD have a consistent scale.   |
| 43   | No buildings may be constructed that protrude above a plane inclined at an angle of 22 degrees from a point that is:<br><br>On the southern alignment of Albert Street.<br><br>At a permanent footpath level, or if | Frontage:<br><br>8 metres to the Albert Street boundary (excluding enclosed verandahs). | New buildings or works do not impact upon the visual attractiveness of Fitzroy Gardens or create additional overshadowing on the gardens between 11.00 am and 2.00 pm on 22 March and 22 September. |

| AREA | MAXIMUM BUILDING HEIGHT   | BUILDING SETBACK | OUTCOMES  |
|------|---|------------------|---|
|      | <p>there is no footpath, at natural surface level.</p> <p>Directly opposite the centre of the site frontage.</p>  |                  |   |
| 45   | <p>No building or works may be constructed to exceed the height above the Australian Height Datum as shown on the incorporated document named "Building Envelope Plan Replacement Plan No.1".</p> |                  | <p>Development that takes advantage of a large consolidated site is achieved provided that the density, scale and character of any redevelopment is compatible with :</p> <p>The amenity of the surrounding area.</p> <p>The capacity of the existing road system and any modification to accommodate any increase in vehicle traffic.</p> <p>The capacity of the existing essential services and any proposed modifications.</p> |

**3.0**

19/01/2006  
VC37

**Decision guidelines**

In Area 43, before deciding on an application, the responsible authority must be satisfied that the building or works would not protrude above a plane elevated from the same point to the highest southern parapet of a building fronting Victoria Parade north of the site.

**4.0**

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**Subdivision**

A permit is not required to subdivide land.