

17/01/2013
C169**SCHEDULE 53 TO THE DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO53**.**DIGITAL HARBOUR PRECINCT****1.0****Design objectives**07/04/2008
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- To ensure that vistas to the east, into the Central Business District, and to the west across Victoria Harbour are recognised.
- To prevent any overshadowing of the playing surface of the major sports and recreation facility greater than the shadow that is already cast by the existing facility roof when fully open.

2.0**Buildings and works**07/04/2008
C92**2.1****Permit Requirement**07/04/2008
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A permit is not required to construct a building or construct or carry out works in accordance with an Existing Old Format Approval. In this schedule, "Existing Old Format Approval" has the meaning given to it in Clause 37.05-4.

A permit is not required to construct a building or construct or carry out works if the requirements of Table 1 to this schedule are met.

An application must be accompanied by a site analysis and urban context report which demonstrates how the proposed buildings and works achieves each of the Design Objectives 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.

2.2**Exemption from notice and review**07/04/2008
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An application to construct a building or construct 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 the review rights of section 82(1) of the Act.

Table 1 to Schedule 53

Area	Maximum building height
DDO 53 Area 1	60 metres, except for one tower in the north west corner of the module not exceeding 100 metres.
DDO 53 Area 2	75 metres, except for one tower in the south east corner of the module not exceeding 100 metres.
DDO 53 Area 3	25 metres

3.0**Decision guidelines**07/04/2008
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Before deciding on an application the responsible authority must consider:

- The prevention of any overshadowing of the playing surface of the major sports and recreation facility greater than the shadow which is already cast by the existing facility roof when fully open.
- The orientation and design of a development and whether it will cause significant overshadowing individually or as part of a cumulative effect on the public realm.
- The need to ensure appropriate separation of buildings, particularly tower elements, to provide spacing of building bulk and to avoid the creation of a wall effect.
- Buildings exceeding 40 metres in height must provide an appropriate built form relationship to the street.
- The need to preserve significant vistas.
- The nature of wind effects caused by any new building, and design measures to address these.

4.0

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Subdivision

A permit is not required to subdivide land.