

22/11/2016  
GC59**SCHEDULE 67 TO THE DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO67**.**Fishermans Bend Urban Renewal Area****1.0****Design objectives**14/11/2016  
GC50

- To provide parameters to guide appropriate built form outcomes for the Fishermans Bend Urban Renewal Area.
- To ensure new development responds to the emerging built form scale and development patterns.
- To ensure that new buildings respect the existing conditions and future development potential of adjacent sites.
- To ensure development provides for equitable access to privacy, sunlight, daylight and outlook from habitable rooms.
- To enhance the visual character and public realm amenity of the area.

**2.0****Buildings and works**22/11/2016  
GC59

A permit is required to construct a building or construct or carry out works other than:

- The construction, or modification, of a waste pipe, flue, vent, duct, exhaust fan, air conditioning plant, lift motor room, skylight, security camera, street heater or similar minor works provided they are to the satisfaction of the responsible authority.
- A modification to the shop front window or entranceway of a building to the satisfaction of the responsible authority having regard to the architectural character of the building.
- An addition or modification to a verandah, awning, sunblind or canopy of a building to the satisfaction of the responsible authority.
- The painting, plastering and external finishing of a building or works to the satisfaction of the responsible authority.
- External works to provide disabled access that complies with all legislative requirements to the satisfaction of the responsible authority.
- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- Bus and tram shelters required for public purposes by or for the Crown or a public authority in accordance with plans and siting to the satisfaction of the responsible authority.

A permit must not be granted or amended (unless the amendment does not increase the extent of non-compliance) for buildings and works which are not in accordance with the Built Form Requirement and Maximum Building Heights specified Table 1 and the Requirements of Table 2 to this schedule, with the exception of:

- Architectural features, building services and landscaping.

Buildings and works must also meet the Built Form Outcomes specified in Table 2 to this schedule.

Street is defined as a road reserve of 9 metres or greater in width.

Laneway is defined as a road reserve of less than 9 metres in width.

*Application Requirements*

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.

**Table 1 to Schedule 67 of the Design and Development Overlay**

Built Form Requirement	Area	Maximum Building Height
The height of a building must not exceed the maximum building height specified in this table.	A1	40 Storeys
	A2	6 Storeys

*Refer to Map 1 of this schedule to identify the areas.*

**Table 2 to Schedule 67 of the Design and Development Overlay**

Built Form	Requirements	Built Form Outcomes
Maximum street wall height	The height of street walls must not exceed 20 metres or 5 storeys whichever is lesser.	<p>Street walls:</p> <ul style="list-style-type: none"> <li>▪ Are oriented to complement the street system.</li> <li>▪ Have a human scale and some height variation below 5 storeys.</li> <li>▪ Provide an appropriate level of street enclosure having regard to the width of the street</li> <li>▪ Are consistent with the proposed heights and setbacks of adjoining street walls.</li> <li>▪ Have a height and setback that does not compromise the heritage character of an adjoining heritage building.</li> </ul>
Minimum tower setback to Street(s)	Above the street wall height, towers must be setback a minimum of 10 metres to the Street.	<p>Towers are setback to ensure:</p> <ul style="list-style-type: none"> <li>▪ Large buildings do not dominate the view from the street.</li> <li>▪ They do not cause undue shadowing and wind effects on the public realm.</li> <li>▪ The dominant street wall scale is maintained.</li> </ul>
Minimum tower setbacks to all boundaries excluding Street(s)	<p>Above the street wall height, towers must be setback a minimum of 10 metres to all boundaries.</p> <p>Where a boundary adjoins a laneway, the setback is measured from the centreline of the laneway.</p>	<p>Towers are designed and spaced to ensure:</p> <ul style="list-style-type: none"> <li>▪ Sun penetration and mitigation of wind impacts at street level.</li> <li>▪ Sunlight, daylight, privacy and outlook from habitable rooms for both existing and proposed development.</li> </ul>

Built Form	Requirements	Built Form Outcomes
		<ul style="list-style-type: none"> <li>▪ Tall buildings do not appear as a continuous wall when viewed from street level or from nearby vantage points.</li> <li>▪ Variation in built form is provided while achieving the setback requirements.</li> </ul>
Minimum setbacks between towers	A minimum setback of 20 metres between towers.	<p>Towers are designed and spaced to ensure:</p> <ul style="list-style-type: none"> <li>▪ Sun penetration and mitigation of wind impacts at street level.</li> <li>▪ Sunlight, daylight, privacy and outlook from habitable rooms for both existing and proposed development.</li> <li>▪ Tall buildings do not appear as a continuous wall when viewed from street level or from nearby vantage points.</li> </ul>

### 3.0 Exemption from notice and review

22/11/2016  
GC59

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.

### 4.0 Subdivision

22/11/2016  
GC59

A permit is not required to subdivide land.

### 5.0 Decision guidelines

22/11/2016  
GC59

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Built Form Outcomes of this schedule.
- The Fishermans Bend Strategic Framework Plan, July 2014 (amended September 2016).

### 6.0 Expiry

22/11/2016  
GC59

The requirements of this overlay cease to have effect after 31 March 2018.

Map 1 to Schedule 67 of the Design and Development Overlay

