

18/11/2010  
C174**SCHEDULE 33 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO33**.

**CBD FRINGE****1.0**05/07/2007  
C96**Design Objectives**

- To provide a transition between the taller built form of the central city and the lower scale built form of West Melbourne
- To maintain the heritage characteristics of the area by ensuring new development respects the scale of, and provides a transition to, adjoining heritage buildings.
- To ensure development limits impact on the amenity and outlook from Flagstaff Gardens.

**2.0**05/07/2007  
C96**Buildings and works**

A permit may be granted to vary any Maximum Building Height, Podium Height or Minimum Building Setback specified in the table to this schedule.

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

**Table to Schedule 33**

Area	Maximum Building Height, Podium Height And Minimum Building Setback	Built Form Outcomes
DDO 33	<p><b>Height</b> 40 metres</p> <p><b>Podium Height</b> Podium height of 16 metres or an appropriate lesser height where the site is adjacent to a heritage building.</p> <p><b>Setbacks</b> Setbacks above podium:</p> <ul style="list-style-type: none"> <li>▪ 6 metres from all front, side and rear boundaries.</li> <li>▪ 2 metres from laneways.</li> </ul>	<p>Built form which provides a visual transition between the taller prevailing heights of the CBD and the lower scale built form of West Melbourne.</p> <p>Development provides a transition to adjoining lower scale heritage buildings by the use of podiums and upper level setbacks.</p> <p>Development that does not overshadow Flagstaff Gardens between 11am and 2 pm on 22 September and 22 June.</p> <p>Building setbacks that strengthen the pedestrian scale and focus of the area and maintain a sense of open outlook from the Flagstaff Gardens.</p>

**3.0**05/07/2007  
C96**Decision Guidelines**

Before deciding on an application for a site adjoining a Heritage Overlay, the responsible authority must consider, as appropriate:

- Whether the height of any new development or the height of its podium will adversely effect the heritage significance of any adjoining heritage building, including the grading of the building as listed in the Heritage Places Inventory 2002.

**4.0**18/11/2010  
C174**Subdivision**

A permit is not required to subdivide land.