SCHEDULE 56 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO56.

CBD LANES – CLASS 1 AND CLASS 2

1.0 Design objectives

- To maintain and enhance the pedestrian amenity of the Central Business District’s Class 1 and Class 2 lane ways.
- To manage future development along the Central Business District’s Class 1 and Class 2 lane ways to maintain or create a built form that reinforces the human scale and relates to the prevailing building height along the lane wall.

2.0 Buildings and Works

A permit is not required under this overlay to construct a building or construct or carry out works if the Building height along lane wall, Setback and Interface requirements of this schedule are met.

3.0 Building height along lane wall

Development abutting a Class 1 lane or Class 2 lane must meet a preferred maximum lane wall building height to lane width ratio of 5:1. (Lane wall building height is defined as the maximum height of the building on the lane alignment);

Where a lane is also within a height control area under Schedule 2 to the Design and Development Overlay (DDO) the height of a wall abutting a lane should meet the lesser of:

- the maximum building height set out in Table 1 and 2 to Schedule 2 to the DDO; or
- the preferred maximum height to lane width ratio of 5:1.

Setbacks

Any part of the development that exceeds the preferred 5:1 Building height along lane wall must be setback from the lane way. The minimum setback must be a distance equivalent to the width of the lane.

Interfaces

On a corner site new development must meet the Building height along lane wall and Setback requirements at a point no less than 15 metres into the lane.
### Decision guidelines

Before deciding on an application, in addition to the decision guidelines listed at Clause 43.02-5, the responsible authority must consider:

- Whether tower forms are generally concealed from the view of a pedestrian within the lane therefore avoiding a canyon effect.

### Exemption from notice and appeal

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.

### Subdivision

A permit is not required to subdivide land.

### Expiry

This schedule does not apply after 30 September 2011.