

05/10/2018  
GC81**SCHEDULE 67 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO67**.

**FISHERMANS BEND - LORIMER PRECINCT****1.0 Design objectives**05/10/2018  
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To create a thriving urban renewal area that is a leading example for design excellence, environmental sustainability, liveability, connectivity, diversity and innovation.

To encourage a diversity of mid and high-rise scale developments, including hybrid developments on larger sites that incorporate communal open space, with taller buildings located along the interface to the West Gate Freeway.

To ensure built form protects sunlight penetration to the Lorimer Parkway and other identified public open spaces, streets and laneways, and facilitate comfortable wind conditions, to deliver a high quality public realm.

To ensure high levels of internal amenity for all development.

To encourage adaptable floorspace to facilitate a reduction in car dependence and an increase in commercial floor space over time.

**2.0 Buildings and works**05/10/2018  
GC81**2.1 Buildings and works for which no permit is required**05/10/2018  
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A permit is not required to construct or carry out works for a new or modified verandah, awning, sunblind or canopy to an existing building.

**2.2 Requirements**05/10/2018  
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The following requirements apply to an application to construct a building or construct or carry out works.

The following requirements do not apply to:

- An application for buildings and works associated with an existing industrial use which provides services to the construction industry.
- An application to amend an existing permit granted before the approval date of Amendment GC81 which does not increase the extent of non-compliance with the requirements of this schedule.

A permit cannot be granted to vary a Built form requirement expressed with the term 'must'.

A permit may be granted to vary a discretionary Built form requirement expressed with the term 'should'.

An application for buildings and works that does not meet a requirement expressed with the term 'should' must achieve the relevant Built form outcomes.

Any reference to street width is a reference to the proposed ultimate width of the street reserve.

If there is a discrepancy between the diagrams of this schedule and the text, the text should be used.

**2.3 Definitions**05/10/2018  
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For the purpose of this schedule:

**Laneway** means a street with a street width of 9 metres or less.

**Street wall** means that part of a building constructed within 0.3 metres of an existing or proposed street, laneway or public open space.

**Street wall height** means a height measured from the footpath or natural surface level at the centre of the site frontage.

**2.4**

**Building typologies**

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**Built form outcomes**

A precinct that:

- Comprises subprecincts with a distinctive character and built form typology.

For the purpose of this schedule:

- Low-rise is development up to and including 6 storeys.
- Mid-rise is development of 7 storeys to 15 storeys.
- High-rise is development of 16 storeys and taller.

**Built form requirements**

Buildings and works should be generally in accordance with the built form typology in Table 1.

Buildings and works should help deliver the relevant preferred precinct character in Table 1.

**Table 1: Building typologies and preferred precinct character**

Precinct on Map 1	Building typology	Preferred precinct character
Area L1	Hybrid (predominantly high-rise)	Predominantly high-rise buildings. On larger sites, a hybrid of high-rise perimeter blocks (with central communal open space) and slender towers that create fast moving shadows to minimise overshadowing of the Lorimer Parkway. Lower street wall heights along Lorimer Parkway to minimise overshadowing impacts. Developments that incorporate north–south laneways that provide activated pedestrian connections towards the Yarra River.
Area L2	Mid-rise	Mid-rise developments with opportunities for some additional upper levels that are visually recessive from the street and from within Lorimer Central and do not result in tower–podium building types. Developments that incorporate north–south laneways that provide activated pedestrian connections towards the Yarra River. Lower scale development to interface with Lorimer Central.
Area L3	Hybrid (predominantly mid-rise)	Predominantly mid-rise developments that incorporate slender towers to minimise overshadowing of the Lorimer Parkway. Upper levels of mid-rise buildings are visually recessive from the street and Lorimer Parkway. Developments that incorporate north–south laneways that provide activated pedestrian connections towards the Yarra River.
Area L4	Hybrid (predominantly high-rise)	Predominantly podium–tower developments interspersed with some mid-rise perimeter blocks and courtyard buildings. A variety of street wall heights between 4 and 8 storeys to

Precinct on Map 1	Building typology	Preferred precinct character
		<p>contribute to architectural diversity within the street.</p> <p>Well-spaced, slender towers that avoid a wall-of-towers effect when viewed from the Yarra River, Lorimer Parkway, streets in Lorimer and the West Gate Freeway.</p> <p>Well-spaced slender towers that minimise overshadowing of the Sandridge Precinct.</p>

**2.5**

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**Building height**

**Built form outcomes**

Building heights that:

- Respond to the preferred precinct character and building typologies specified in Table 1 to this schedule.
- Contribute to a varied and architecturally interesting skyline.
- Contribute to a diversity of building typologies and avoid repetitive built form.
- Limit impacts on the amenity of the public realm as a result of overshadowing and wind.
- Share outlook to the north towards the Yarra River and access to sunlight and views by locating lower buildings north of Lorimer Parkway and taller buildings south of Lorimer Parkway along the West Gate Freeway.

**Built form requirements**

Buildings and works should not exceed the relevant height specified in Map 2 of this schedule.

The following elements may exceed the specified height:

- Non-habitable architectural features not more than 3.0 metres in height.
- Building services and communal recreation facilities setback at least 3.0 metres behind the building façade.

**2.6**

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**Overshadowing**

Buildings must not cast any additional shadow above the shadows cast by hypothetical buildings built to the Maximum street wall height and existing buildings over:

- The existing or proposed public open spaces or streets shown in Map 5 of this schedule for the hours specified in Table 2 to this schedule.

For the purpose of determining the shadow cast by the Maximum street wall height, the Maximum street wall height must be converted from storeys to metres using the following formula:

- $\text{Height in metres} = 3.8 \times \text{number of storeys} + 3.2$

These requirements do not apply to buildings and works constructed within the open space.

**Table 2: Overshadowing**

Area on Map	Hours and dates
A	11:00am to 2:00pm, 22 September
B	11:00am to 2:00pm, 21 June to 22 September
C	10:00am to 1:00pm, 22 September
D	10:30am to 1:30pm, 22 September

**2.7****Street wall height**05/10/2018  
GC81**Built form outcomes**

With the exception of street walls to the West Gate Freeway, the City Link overpass, and other elevated road structures street walls that:

- Deliver a distinct human scale street wall.
- Deliver appropriate street enclosure having regard to the width of the street, with lower street walls on narrower streets.
- Allow for views to the sky from the street or laneway.
- Do not overwhelm the public realm.
- Provide an appropriate transition to adjoining heritage places when viewed from the street.
- Enable adequate daylight and sunlight in streets and laneways.
- Make an appropriate transition back to the preferred street wall height from taller street walls on corner sites.
- Enable a high degree of sunlight access to the Lorimer Parkway.

Street walls along the interface with the West Gate Freeway, the City Link overpass, and other elevated road structures, that:

- Assist with mitigating noise impacts and visual impacts from the freeway.

**Built form requirements**

Buildings should include a street wall (built to the boundary) of the Preferred street wall height specified in Map 3 and Table 3 of this schedule.

A new street wall must not exceed the Maximum street wall height specified in Table 3 of this schedule, unless required to deliver a building typology other than tower-podium.

Where a new building is on a corner, the taller Maximum street wall height applies to the frontage with the lower Maximum street wall:

- On streets wider than 9 metres for a distance of 60 metres.
- On streets 9 metres wide or narrower for a distance of 25 metres.

The following elements may exceed the Maximum street wall height:

- Non-habitable architectural features not more than 3.0 metres in height.

**Table 3: Street wall height**

Location	Qualification	Preferred street wall height	Maximum street wall height
Type A		4 storeys	6 storeys
		6 storeys	
Type B		at least 4 storeys	8 storeys
Type C		at least 4 storeys	6 storeys
Type D	where the building height is ≤10 storeys	at least 4 storeys	8 storeys
	where the building height is >10 storeys	at least 4 storeys	6 storeys

**2.8****Setbacks above the street wall**05/10/2018  
GC81**Built form outcomes**

Setbacks above street walls that:

- Help deliver comfortable wind conditions in the public realm.

- Enable adequate daylight and sunlight in streets and laneways.
- Allow for views to the sky from the street or laneway.
- Do not overwhelm the public realm.
- Minimise visual bulk of upper floors when viewed from streets and laneways.

**Built form requirements**

Any part of the building above the Maximum street wall height specified in Table 3:

- Should be set back from the street wall at least the Preferred setback specified in Table 4.
- Must be set back from the street wall at least the Minimum setback specified in Table 4, unless a lesser setback is required to deliver a building typology other than tower-podium.

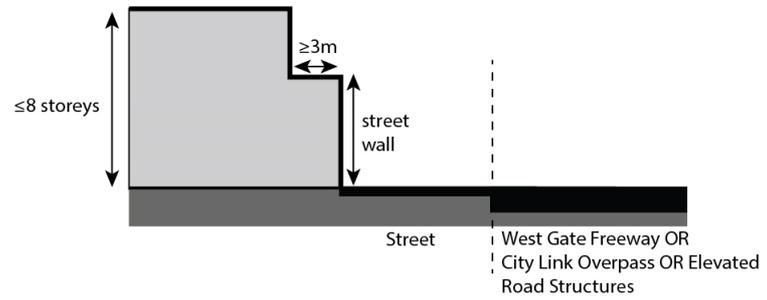
The setback from a street less than 9 metres wide must be measured from the centreline of the street. A negative value setback must be interpreted as a zero setback.

**Table 4: Setbacks above the street wall**

Location	Qualification	Preferred Setback	Minimum Setback
Where the building fronts a street that runs beside:	where building height is ≤ 8 storeys	5 metres	3 metres
<ul style="list-style-type: none"> <li>▪ the West Gate Freeway</li> <li>▪ the City Link overpass</li> <li>▪ an elevated road structure</li> </ul>	where building height is > 8 storeys	10 metres	5 metres
Other locations	where building height is ≤ 8 storeys	5 metres	3 metres
	where building height is > 8 storeys and ≤ 20 storeys	10 metres	5 metres
	where overall building height is > 20 storeys	10 metres	10 metres

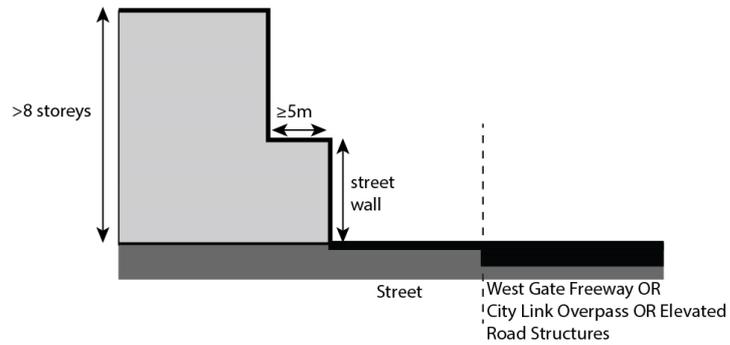
**Diagram 1**

**Building height  $\leq$  8 storeys, West Gate Freeway, City Link overpass, Elevated Road Structures**



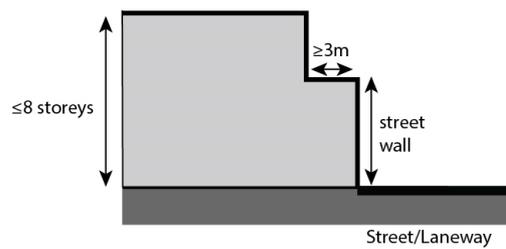
**Diagram 2**

**Building height  $>$  8 storeys, West Gate Freeway, City Link overpass, Elevated Road Structures**



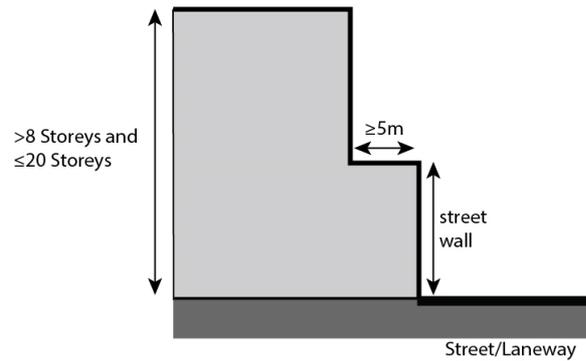
**Diagram 3**

**Building height  $\leq$  8 storeys, Other locations**



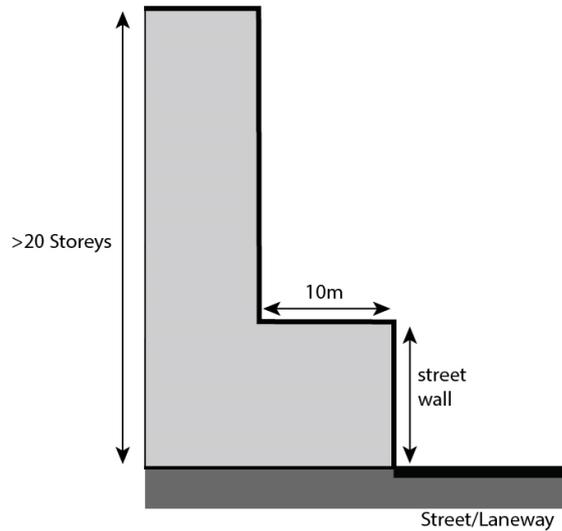
**Diagram 4**

**Building height > 8 storeys and ≤ 20 storeys, Other locations**



**Diagram 5**

**Building height > 20 storeys, Other locations**



**2.9**

**Side and rear setbacks**

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**Built form outcomes**

Side and rear setbacks that:

- Create a continuous street wall along streets and laneways.
- Enable adequate daylight and sunlight in streets and laneways.
- Allow sunlight and daylight to, and outlook from habitable rooms in existing and potential developments on adjoining sites.
- Mitigate wind effects on the public realm.
- Ensure tall buildings do not appear as a continuous wall when viewed from street level or northern side of the Yarra River.
- Allow for views to the sky between buildings.
- Minimise visual bulk.
- Achieve privacy by setbacks rather than screening.

- Provide opportunities for buildings in the south of Lorimer to have views to the Yarra River through building separation.

#### Built form requirements

That part of a new building below the Maximum street wall height should be built on or within 300 mm of a side boundary.

A new building not on or within 300 mm of a boundary:

- Should be setback at least the Preferred setback specified in Table 5 from the side or rear boundary.
- Must be setback at least the Minimum setback specified in Table 5 from the side or rear boundary.

The reference to the Maximum street wall height is a reference to the Maximum street wall height that applies on the nearest frontage to the side or rear boundary.

**Table 5: Side and rear setbacks**

Part of building	Building height	Qualification	Preferred setback	Minimum setback
Below the Maximum street wall height	none specified	if not within 300 mm of a side or rear boundary	9 metres	6 metres
Above the Maximum street wall height	≤ 20 storeys	where the building below the Maximum street wall height is built on the boundary	10 metres	5 metres
		other buildings	10 metres	10 metres
	> 20 storeys	where the building has direct interface with: <ul style="list-style-type: none"> <li>▪ West Gate Freeway</li> <li>▪ City Link overpass</li> </ul>	10 metres	5 metres
		other buildings	10 metres	10 metres

## 2.10

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### Building separation within a site

Built form outcomes

Building separation that:

- Delivers high quality amenity within buildings having regard to outlook, daylight, and overlooking.
- Offsets direct views between buildings within the same site.
- Achieves privacy by building separation rather than screening.
- Ensures tall buildings do not appear as a continuous wall when viewed from street level or the northern side of the Yarra River.

#### Built form requirements

Buildings within the same site:

- Should be separated from each other by at least the Preferred building separation specified in Table 6.
- Must be separated from each other by at least the Minimum building separation specified in Table 6.

Architectural features, but not balconies, may encroach into the Minimum building separation.

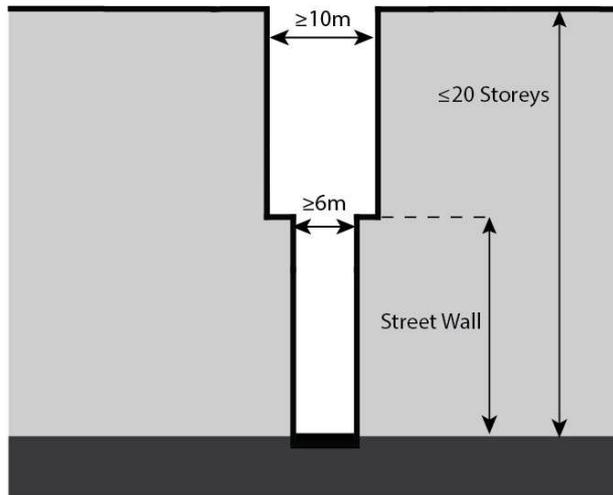
The reference to the Maximum street wall height is a reference to the Maximum street wall height that applies on the nearest frontage to buildings.

**Table 6: Minimum building separation within a site**

Part of building	Building height	Preferred building separation	Minimum building separation
Below the Maximum street wall height		12 metres	6 metres
Above the Maximum street wall height	≤ 20 storeys	20 metres	10 metres
	> 20 storeys	20 metres	20 metres

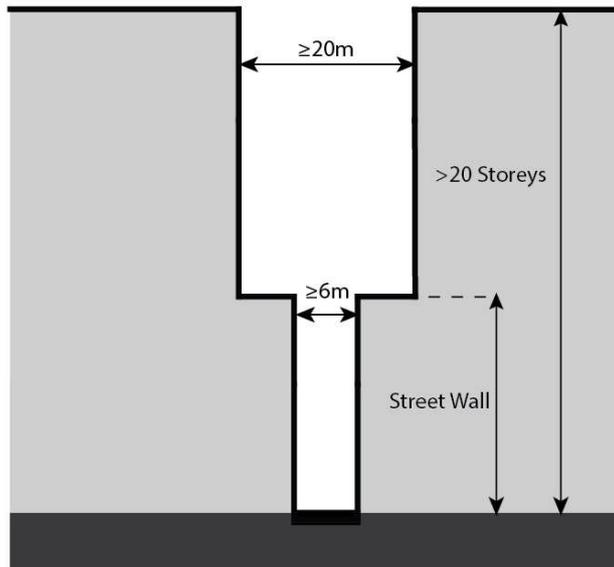
**Diagram 6**

**Building height ≤20 storeys**



**Diagram 7**

**Building height >20 storeys**



**2.11 Wind effects on the public realm**

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**Built form outcomes**

Local wind conditions that:

- Maintain a safe and pleasant pedestrian environment on footpaths and other public spaces for walking, sitting or standing.

**Built form requirements**

Buildings and works higher than 40 metres:

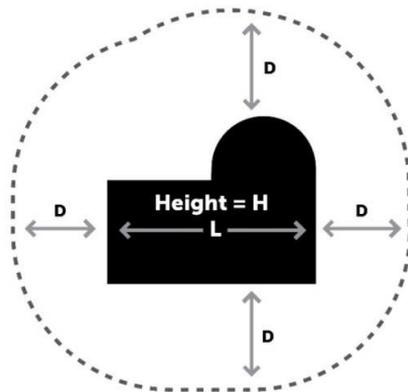
- Must not cause unsafe wind conditions as specified in Table 7 in publicly accessible areas within the assessment distance from all façades.
- Should achieve comfortable wind conditions as specified in Table 7 in publicly accessible areas within the assessment distance from all façades.

The assessment distance is shown in the figure below and is the greater of:

- Half the longest width of the building.
- Half the total height of the building.

**Table 7: Wind effects on the public realm**

Wind condition	Specification
<b>Comfortable wind conditions</b>	<p>The hourly mean wind speed from all wind directions combined with a probability of exceedance of 20 per cent, is less than or equal to:</p> <ul style="list-style-type: none"> <li>▪ 3 metres/second for sitting areas.</li> <li>▪ 4 metres/second for standing areas.</li> <li>▪ 5 metres/second for walking areas.</li> </ul> <p>Hourly mean wind speed is the maximum of:</p> <ul style="list-style-type: none"> <li>▪ The hourly mean wind speed.</li> <li>▪ The gust equivalent mean speed (3 second gust wind speed divided by 1.85).</li> </ul>
<b>Unsafe wind conditions</b>	<p>The hourly maximum 3 second gust from any wind direction considering at least 16 wind directions with the corresponding probability of exceedance percentage exceeds 20 metres/second.</p>



Assessment distance D = greater of:  
 L/2 (Half longest width of building)  
 OR  
 H/2 (Half overall height of building)

**2.12**05/10/2018  
GC81**Active street frontages****Built form outcomes**

Buildings that:

- Enhance connectivity to the Yarra River.
- Address and define existing or proposed streets or open space and provide direct pedestrian access from the street to ground floor uses.
- Address both street frontages if the building is on a corner.
- Create activated building façades with windows and legible entries.
- Consolidate services within sites and within buildings, and ensure any externally accessible services or substations are integrated into the façade design.
- Avoid unsafe indents with limited visibility.

Buildings with residential development at ground level that:

- Create a sense of address by providing direct individual street entries to dwellings or home offices, where practicable.

Car parking that does not detract from the public realm.

**Built form requirements**

All buildings should provide:

- Openable windows and balconies within the street wall along streets and laneways.
- Entrances that are no deeper than one-third of the width of the entrance.

Ground floor building services, including waste, loading and parking should occupy less than 40 per cent of the ground floor area of the building.

Buildings fronting the Primary and Secondary active streets on Map 4 of this schedule, should:

- Achieve a diversity of fine-grain frontages.
- Provide canopies over footpaths where retail uses are proposed.
- Deliver the Clear glazing specified in Table 8.

Car parking should:

- Be sleeved with active uses so that it is not visible from the public realm or adjoining sites.

**Table 8: Active street frontages**

Streets or areas on Map 4	Clear Glazing
Primary active frontages	At least 80 per cent clear glazing along the ground level frontage to a height of 2.5 metres, excluding any solid plinth or base.
Secondary active frontages (Type 1)	At least 60 per cent clear glazing along the ground level frontage to a height of 2.5 metres, excluding any solid plinth or base.

**2.13**05/10/2018  
GC81**Adaptable buildings****Built form outcomes**

Buildings that:

- Provide for the future conversion of those parts of the building accommodating non-employment uses to employment uses.

Car parking that:

- Can be adapted to other uses over time.

**Built form requirements**

The Building elements in Table 9 should incorporate the adaptability opportunities identified in the table.

**Table 9: Adaptable buildings**

Building element	Adaptability opportunity
Lower levels up to the height of the street wall	At least 4.0 metres floor to floor height at ground level. At least 3.8 metres floor to floor height for other lower levels.
Car parking areas	In areas not in a basement: Level floors. A floor-to-floor height at least 3.8 metres. Mechanical parking systems to reduce the area required for car parking.
Dwelling layout	The ability for one and two-bedroom dwellings to be combined or adapted into three or more bedroom dwellings.
Internal layout	Minimal load bearing walls to maximise flexibility for retail or commercial refits.

**2.14**

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**Building finishes****Built form outcomes**

Façade finishes that:

- Provide visual interest on all façades.
- Do not compromise road safety.

**Built form requirements**

Buildings should avoid blank façades.

Building walls facing a street or public place should be detailed to provide visual interest.

Buildings fronting main roads should use materials and finishes with a perpendicular reflectivity less than 15 per cent, measured at 90 degrees to the façade surface.

**2.15**

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**Exemption from notice and review**

An application for construction of a building or to 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.

**3.0**

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**Subdivision**

None specified.

**3.1**

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**Exemption from notice and review**

An application to subdivide land 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**

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**Advertising signs**

None specified.

**5.0**

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**Application requirements**

None specified.

**6.0**

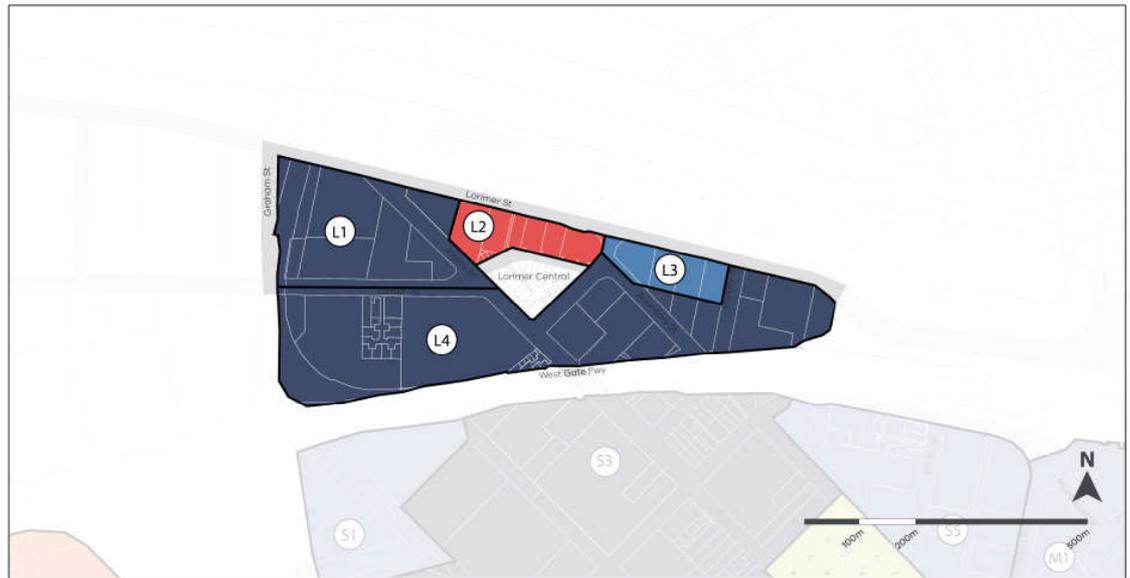
**Decision guidelines**

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The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Built form outcomes identified in this schedule.
- Whether the proposal delivers design excellence.
- The cumulative impact of the proposed development and any existing adjoining development.
- Equitable access to privacy, sunlight, daylight and outlook having regard to the proposed internal uses and the height of existing or proposed adjoining built form.

**MAP 1: Building typologies**



**LEGEND**  
■ Mid-rise    ■ Hybrid (predominantly mid-rise)    ■ Hybrid (predominantly high-rise)

**MAP 2: Building heights**



**LEGEND**  
■ 30m (8 storeys)    ■ 43m (12 storeys)    ■ 81m (24 storeys)    ■ New public open space  
■ 36m (10 storeys)    ■ 62m (18 storeys)    ■ None Specified

**MAP 3: Preferred street wall heights**



**LEGEND**  
 Type A (4 storeys)    Type B    Type D  
 Type A (6 storeys)    Type C    — New laneway - 6m wide (Location indicative)

**MAP 4: Active street frontages**



**LEGEND**  
 Active frontages  
 — Primary (80% permeability)    - - - - Secondary Type 1 (60% permeability)  
 ■■■■■ New laneway - 6m wide (Location indicative)

**MAP 5: Overshadowing**



**LEGEND**

- |  |   |
|--|---|
|  New and existing public open space<br>With overshadowing controls (refer to table 2) |  New and existing public open space<br>No overshadowing controls |
|--|---|

The open spaces shown on this Map are collectively referred to in this Schedule as the Lorimer Parkway