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## SCHEDULE 51 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO51**.

### BATMAN'S HILL PRECINCT

#### 1.0

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#### Design objectives

- To provide for a built form scale transition from the CBD towards Victoria Harbour and the Yarra River corridor.
- To ensure that any new development or redevelopment is compatible with the scale and character of adjoining buildings and the area.
- To provide for a major landmark tower development that integrates with the CBD and surrounding Docklands precincts and recognises the presence of historic buildings.

#### 2.0

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#### Buildings and works

#### 2.1

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#### Permit Requirement

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

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#### Exemption from notice and review

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 51**

Area	Maximum Building Height
DDO 51 Area 1	40 metres with the exception of towers to a height not exceeding 100 metres.
DDO 51 Area 2	180 metres
DDO 51 Area 3	40 metres, with the exception of: Towers not exceeding 60 metres. One tower in the south east portion of this area, which must not exceed a height of 90 metres.
DDO 51 Area 4	32 metres
DDO 51 Area 5	20 metres

#### 3.0

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#### Decision guidelines

Before deciding on an application the responsible authority must consider:

- 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.
- The cumulative impact of development particularly in terms of the number of tower elements proposed and the impact upon the public realm in terms of overshadowing, vistas and built form.
- The impact and relationship of any proposed structure on the significance of existing heritage places located within the Precinct.
- The use of innovative techniques, building forms and materials, in smaller and larger structures, particularly on prominent sites.

#### **4.0**

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#### **Subdivision**

A permit is not required to subdivide land.