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C309**SCHEDULE 72 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO72****WEST MELBOURNE – SPENCER PRECINCT****1.0****Design Objectives**--/20--
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- To create a mid-rise precinct (generally between three and eight storeys) with taller built form fronting Spencer Street, King Street and Dudley Street and with building typologies that respond to the characteristics of individual sites that is in contrast to the tower and podium built form character of the central city.
- To emphasise the character of Dudley and King Street as important boulevards into the City and to create an active interface along Dudley Street and improve its amenity and connections with Docklands.
- To ensure new development is adaptable and can accommodate different uses over time.
- To reference the industrial history of the precinct by supporting the adaptive reuse of special character buildings and encourage contemporary use of common industrial materials.
- To increase permeability and connectivity for pedestrians and cyclists, ensuring that development supports the provision of laneways and frames them as positive additions to the public realm.

2.0**Buildings and works**--/20--
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A permit is not required to construct a building or carry out work at ground level to provide access for persons with disabilities that comply with all legislative requirements.

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

- An application to construct a building or carry out works must not exceed a floor area ratio of 4:1. The calculation of the floor area ratio excludes any bonus floor area the development qualifies for, where the special character building has been successfully retained. A permit cannot be granted or amended to vary this requirement, unless the amendment does not increase the extent of non-compliance.
- An application to construct a building or carry out works must meet the Design Objectives specified in this schedule.
- An application to construct a building or carry out works must achieve the Built Form Outcomes in Table 1 to this schedule.
- An application to construct a building or carry out works should meet the Built Form Requirements specified in Table 1 to this schedule.
- An application which does not meet the Built Form Requirements specified in Table 1 to this schedule must demonstrate how the development will meet the relevant Design Objectives, and achieve the relevant Built Form Outcomes.

Table 1

BUILT FORM OUTCOMES	BUILT FORM REQUIREMENTS
<p>Building/Street Wall Height</p> <p>Building heights, including street wall heights, are variable to ensure a positive contribution to the specific character of the street.</p> <p>Larger sites are broken up into a series of smaller building forms to ensure they relate and contribute positively to their context and their historic urban grain.</p> <p>Development respects the scale of adjoining residential and heritage buildings.</p> <p>Development does not unreasonably reduce solar access to adjacent solar panels.</p>	<p>Preferred maximum building height of 6 storeys, unless:</p> <ul style="list-style-type: none"> ▪ fronting Dudley Street where the preferred maximum building height is 10 storeys ▪ fronting Spencer Street or King Street where the preferred maximum building height is 8 storeys. <p>Street wall heights between 3 and 6 storeys unless:</p> <ul style="list-style-type: none"> ▪ fronting Spencer Street or King Street where the street wall height range is between 3 and 8 storeys.
<p>Floor to Ceiling Heights</p> <p>Adequate floor-to-ceiling heights to ensure developments can be adapted to different uses.</p> <p>Fine grain adaptable tenancies within the lower levels of buildings.</p>	<p>Minimum floor-to-ceiling heights:</p> <ul style="list-style-type: none"> ▪ 4 metres for the ground floor. ▪ 3.3 metres for all non-residential uses on other floors.
<p>Eades Park</p> <p>Development positively frames the open space in Eades Park.</p>	<p>Provide active frontages on streets interfacing with Eades Park, particularly along King Street.</p>
<p>Active Street/Laneway Frontages</p> <p>Reinforce the role of Spencer Street as the active, safe and well-designed local high street of West Melbourne.</p> <p>Maximise activation of the public realm within main streets, streets and laneways.</p> <p>Minimise the impact of building services on the public realm.</p>	<p>Development that maximises opportunities for active frontages.</p> <p>Development with more than one street frontage positions entries, circulation and services to respond to the function of adjoining main streets, streets and laneways.</p> <p>Locate service areas away from main streets, local streets and public spaces, or within basement or upper levels.</p> <p>Co-locate service cabinets internal to loading, waste or parking areas where possible to avoid impact on the public realm.</p>

BUILT FORM OUTCOMES	BUILT FORM REQUIREMENTS
<p>Laneways, pedestrian and cycling connections</p> <p>Development to provide new, direct and convenient pedestrian and cycling connections where appropriate, that are aligned with other lanes or pedestrian and cycling connections on nearby sites.</p> <p>New laneways are provided through large sites where appropriate.</p>	<p>Provide new pedestrian connections where the average length of a street block exceeds 100 metres, except within 200 metres of a rail station where more frequent connections are desirable to manage high pedestrian volumes.</p> <p>For street blocks exceeding 200 metres in length, at least two pedestrian connections are provided.</p> <p>Pedestrian connections are located centrally within the street block and where possible, less than 70 metres from the next intersection or pedestrian connection.</p> <p>New laneways, pedestrian and cycling connections are:</p> <ul style="list-style-type: none"> ▪ Safe, direct, attractive, well-lit and provide a line of sight from one end of the connection to the other. ▪ Publicly accessible and appropriately secured with a legal agreement. ▪ At least six metres wide. ▪ Open to the sky. ▪ Lined by active frontages.

- **Special character building** means any of the buildings listed below (and identified in the West Melbourne Structure Plan 2018):
 - 512-542 Spencer Street, West Melbourne (two-storey brick building)
 - 82-86 Stanley Street, West Melbourne (single-storey brick building)
 - 67-85 Roden Street, West Melbourne (single-storey brick building)
 - 506 Spencer Street, West Melbourne (two-storey brick building)
 - Mansion House Lane, rear 67-69 Stanley Street, West Melbourne (single-storey brick building)
 - Mansion House Lane, 126 Rosslyn Street, West Melbourne (two-storey brick building)
 - 17 Stanley Street, West Melbourne (single-storey brick building)
 - Laneway off Stanley Street, rear 31-47 Stanley Street, West Melbourne (single-storey brick building).
 - 116-118 Rosslyn Street, West Melbourne (single-storey brick building)
 - 112 Rosslyn Street, West Melbourne (two-storey brick building)
 - 96-110 Rosslyn Street, West Melbourne (single-storey brick building)
 - The Kenshikan, 93-99 Rosslyn Street, West Melbourne (single-storey brick building)
- **Successfully retained** means that the three dimensional form and details of a special character building, as viewed from the street, have been preserved and incorporated into the development, and the existing interior finished floor and ceiling levels have been adopted to maintain the functional appearance of the building.

- **Bonus floor area** means 50% of the gross floor area of a special character building, where the special character building has been successfully retained.
- **Floor area ratio** means the gross floor area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies, minus any bonus floor area the development qualifies for, divided by the area of the site. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor.

3.0

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Subdivision

None specified.

4.0

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Advertising signs

None specified

5.0

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Application Requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban context report documenting the key contextual influences on the development and how the development addresses the Design Objectives, Built Form Outcomes and Built Form Requirements of this schedule.
- Diagrammatic demonstration of how the development addresses the Design Objectives, Built Form Requirements and Built Form Outcomes of this Schedule.
- Photographic and or diagrammatic study of prevailing materiality and architectural elements in the surrounding streetscape including any heritage elements.
- Photomontage studies of the proposal within its streetscape context from pedestrian eye level from street level. (Including relevant proposals and approvals for development).
- Analysis of the relationship between the proposal and adjacent buildings (including likely adjacent development envelopes) and open space in order to maximise the amenity of the public and private realm.
- Street elevations of the block showing how the development proposal sits and contributes to its context.
- Plan, elevation and section drawings (1:50 or 1:20) and written statement, showing and describing the design of the lower levels of the building including entries, shop front design, service areas, weather protection canopies and integrated signage elements.
- Where a special character building is proposed to be successfully retained, a retention and refurbishment plan, detailing all the building fabric to be retained and/or refurbished as part of a development. Diagrams, photomontages or three-dimensional renders should be used to demonstrate that any element of the development visible from a height of 1.7 metres above street level (including the roof) measured within a 45° viewing angle of the plane of the street alignment will be preserved.
- Where buildings and works above 20 metres in height are proposed, a three-dimensional model of the proposed development in accordance with relevant City of Melbourne guidelines.
- Where publicly accessible podium and rooftop spaces are proposed, landscape plans detailing hard and soft landscape elements and detail of any deep soil planting areas.
- Where on-site car parking is proposed plans and section drawings demonstrating the capacity to adapt to alternate uses.

- Where student housing, hotel or serviced apartments are proposed layout plans demonstrating the potential for conversion to alternative uses with an acceptable level of amenity.

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Decision Guidelines

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 extent to which the development addresses the Design Objectives, Built Form Outcomes and Built Form Requirements of this schedule.
- The effect of the development on solar access to existing solar panels on other sites.
- Whether the development enables sunlight to reach into the streets and lower levels of buildings.
- Whether the development is responsive to the local context, street hierarchy, varied subdivision patterns and site sizes and other characteristics of the Spencer precinct.
- Whether the development supports a high quality of pedestrian amenity in the public realm.
- Whether the development allows for the adaptive re-use of existing buildings.