

09/10/2014
C179**SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO1****TOWNSHIP DESIGN****1.0**19/01/2006
VC37**Design objectives**

- To ensure that new development has proper regard for the established streetscape and development pattern in terms of building height, scale and siting.
- To protect shared viewlines where reasonable and practical.
- To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets and properties.
- To ensure that subdivision proposals will enable new buildings to be integrated with their site and the surrounding area in terms of the relationship to existing buildings, open space areas and the coastal landscape.
- To ensure that subdivision and development proposals have proper regard to heritage values, including those of adjoining foreshore areas.
- To ensure that buildings do not encroach visually on foreshore areas or main roads.
- To ensure that the traffic generated by medium density residential development does not detrimentally affect the safety, efficiency or amenity of existing residential streets or main roads.
- To indicate residential areas adjacent to the foreshore and commercial centres of Rosebud and Dromana that will provide for a range of medium density residential living in conjunction with a limited range of service and leisure based commercial uses.

2.009/10/2014
C179**Buildings and works****No permit required**

A permit is not required to construct a building or construct or carry out works for any of the following, but only if the General requirements set out in this schedule are met.

- A single dwelling on a lot. This does not include a dwelling on a lot that adjoins Point Nepean Road.
- A dependent person's unit.

Note: The Mandatory requirements of this schedule also apply.

Permit required

An application to construct a building or construct or carry out works should meet the General requirements of this schedule.

Note: The Mandatory requirements of this schedule also apply.

In the General Residential Zone or Neighbourhood Residential Zone, an application to construct a building or construct or carry out works associated with one dwelling on a lot:

- Must comply with Clause 54.01.
- Must meet all of the objectives and should meet all of the standards of Clause 54.02, 54.03-3, 54.03-4, 54.03-5, 54.03-6, 54.03-7; 54.04-2; 54.04-3, 54.04-4, 54.04-5, 54.04-6, 54.05, 54.06-1.

- Must meet the objectives of Clauses 54.03-1, 54.03-2 and 54.04-1.

General requirements

- Buildings must be set back at least 10 metres from a Public Park and Recreation Zone, Public Conservation and Resource Zone or the Nepean Highway and the first 5 metres must be landscaped to the satisfaction of the responsible authority.
- No building may exceed a wall height of 5.5 metres or a building height of 6 metres.
- The difference between finished ground level and natural ground level as a result of excavation and filling must not exceed one metre, except for the purpose of constructing an in ground swimming pool, and all works must be properly battered or stabilised.

Mandatory requirements

The following requirements apply, as appropriate, to all buildings and works, whether or not a permit is required.

Maximum building height

A building must have a maximum building height of no more than 10 metres and must contain no more than 2 storeys above natural ground level. This does not apply to any of the following:

- A place of assembly building
- A leisure and recreation building
- A utility installation building
- A hospital
- An education centre
- A building that complies with height provisions specified in a plan approved under a schedule to the Development Plan Overlay.
- Alteration to or extension of a lawfully existing building but only if all of the following requirements are met:
 - The existing building has a building height of more than 8 metres or contains 3 or more storeys above natural ground level.
 - The maximum building height of the existing building is not exceeded.
 - The external bulk of the existing building is not significantly increased.
 - The footprint of the upper storey, existing at the approval date, is not increased by more than 10%.

These requirements cannot be varied with a permit.

3.0

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Decision guidelines

Before deciding on an application the responsible authority must consider:

- The design objectives of this schedule.
- Where an objective has been applied from Clause 54.02 to 54.06, inclusive, the relevant decision guidelines from that Clause.
- Whether any loss of amenity will result from a variation to the requirements of this schedule.
- Any relevant development plan, heritage study, code or policy relating to the protection and development of land in the area.

- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms, that follow the natural slope of the land and reduce the need for site excavation or filling.
- The effect of any proposed subdivision or development on the environmental and landscape values of site and of the local area, including the effect on streamlines, foreshores, areas of remnant vegetation, areas prone to erosion and on the amenity and accessibility of areas of public open space.
- The need to ensure that the design of development has adequate regard to fire risk and includes appropriate fire protection measures.
- The suitability of each lot to accommodate a dwelling.