

25/01/2018
C204**SCHEDULE 28 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO28**.

OCEAN BEACH ROAD COMMERCIAL PRECINCT**1.0****Design objectives**25/01/2018
C204

- To ensure that development makes a positive contribution to the low scale, coastal and historical character of the Ocean Beach Road commercial precinct.
- To ensure that development enhances the unique character of Ocean Beach Road and Point Nepean Road, including the scale, shape and rhythm of built form and the variety of building heights, roof forms, setbacks and building designs.
- To promote the creation of a high quality public spaces within the Precinct including the maintenance of visual connection between existing historic buildings and the street.
- To ensure the provision of safe and convenient pedestrian connections throughout the Precinct.
- To ensure the proper, safe and efficient functioning of the street network in providing access to the adjacent public car parks
- To ensure that new development addresses the Ocean Beach Road frontage.
- To ensure that the existing limestone buildings continue to be a major feature of the streetscape by maintaining the existing building line along Ocean Beach Road.
- To provide for a graduated change in building height from both the Ocean Beach Road and Morce Avenue frontages.
- To ensure that building additions and infill development achieves design and architecture excellence.
- To ensure that views of significant heritage buildings are protected.

2.0**Buildings and works**25/01/2018
C204

- An application for development within Ocean Beach Road commercial precinct (as defined in Map 1) must be accompanied by a planning report, site context analysis and design response report that demonstrates how the proposal achieves the design objectives and the requirements of this schedule and set out in the *Ocean Beach Road Commercial Precinct Sorrento Heritage Policy – For Planning Applications for Places in the Heritage Overlay – September 2015 by HLCD Pty Ltd.*
- An application for development exceeding 8m in height within Ocean Beach Road commercial precinct (as defined in Map 1) must be accompanied by a sightline diagram that demonstrates general compliance with the sightlines shown in Diagram 1.
- Detailed plans, including palette of materials and finishes.
- A perspective or photomontage detailing how the proposed development will sit within the streetscape.

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay.

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

- A building with a frontage to Ocean Beach Road, Point Nepean Road, Melbourne Road, Constitution Hill Road, Darling Road or Kerferd Road, must

not exceed the maximum height at road frontage specified in Column 2 of Table 1.

- A building must not exceed the maximum building height and the number of storeys specified in Column 3 of Table 1.
- A building must be setback at least the distance specified in Column 4 of Table 1 where it has a frontage to Ocean Beach Road, Point Nepean Road, Melbourne Road, Constitution Hill Road, Darling Road or Kerferd Road.
- The mandatory requirements in Table 1 do not apply to:
 - Architectural features, masts, building services (including lift overrun) or enclosed stairwells that do not exceed the required height limit specified in Column 3 by more than 4 metres. The combined floor area of these features must not exceed 10% of the gross floor areas of the top storey of the building.
 - Any building which is listed on the Victorian Heritage Register.
 - Alterations or additions to a lawfully existing building that exceeds the height limits set out in Column 3 of Table 1, provided the existing maximum building height is not increased and the development is consistent with the Design Objectives and decision guidelines of this Schedule.

TABLE 1:

Column 1 Sub Precincts	Column 2 Maximum building height at road frontage	Column 3 Maximum building height at the minimum building setbacks specified in Column 4	Column 4 Minimum building setback
East	8 metres (comprising no more than 2 storeys)	8 metres (comprising no more than 2 storeys)	Any first (ground floor) and second storey must: <ul style="list-style-type: none"> ▪ match the setback of the building on the adjoining lot or the average of the setback the buildings on either side of the lot.
Central	8 metres (comprising no more than 2 storeys)	11 metres (comprising no more than 3 storeys)	Any third storey must be setback: <ul style="list-style-type: none"> ▪ a minimum of 8 metres from the front building line of the second storey below; and ▪ where the site is on a corner with a named road or lane, a minimum of 3 metres from the side street building line or the second storey below.
North West	8 metres (comprising no more than 2 storeys)	11 metres (comprising no more than 3 storeys)	Any first (ground floor) and second storey: <ul style="list-style-type: none"> ▪ 5 metres from Ocean Beach Road. Any third storey must be setback: <ul style="list-style-type: none"> ▪ a minimum of 8 metres from the front building line of the second storey below; and ▪ where the site is on a corner with a named road or lane, a minimum of 3 metres from the side street building line or the second storey below.
South West	8 metres (comprising no more than 2 storeys)	11 metres (comprising no more than 3 storeys)	Any third storey must be setback: <ul style="list-style-type: none"> ▪ a minimum of 8 metres from the front building line of the second storey below; and

Column 1 Sub Precincts	Column 2 Maximum building height at road frontage	Column 3 Maximum building height at the minimum building setbacks specified in Column 4	Column 4 Minimum building setback
			<ul style="list-style-type: none"> ▪ where the site is on a corner with a named road or lane, a minimum of 3 metres from the side street building line or the second storey below.

Notes regarding Table 1:

- In Table 1, references to storeys do not include any basement.
- The Sub Precincts referred to in Column 1 Table 1 are the areas shown on Map 1 forming part of this Schedule.
- The maximum building heights referred to in Column 2 and 3 are to be measured from natural ground level to the ridge of the roof or top of the parapet.
- The setback of a third storey as defined under Column 4 is to be measured from the front wall of the second storey of the building.
- The setbacks do not apply to un-named lanes.
- The “*building*” (in the phrase ‘front *building* line’ under Column 4) has the same meaning as defined under *Section 3(1)* of the *Planning and Environment Act 1987*.

MAP 1: SUB PRECINCTS OF OCEAN BEACH ROAD

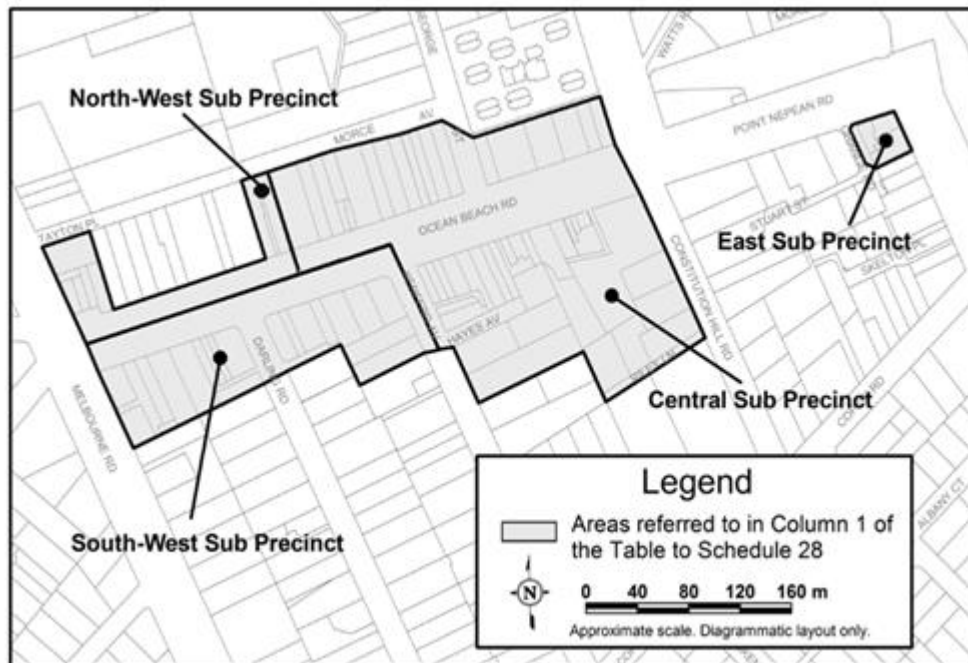
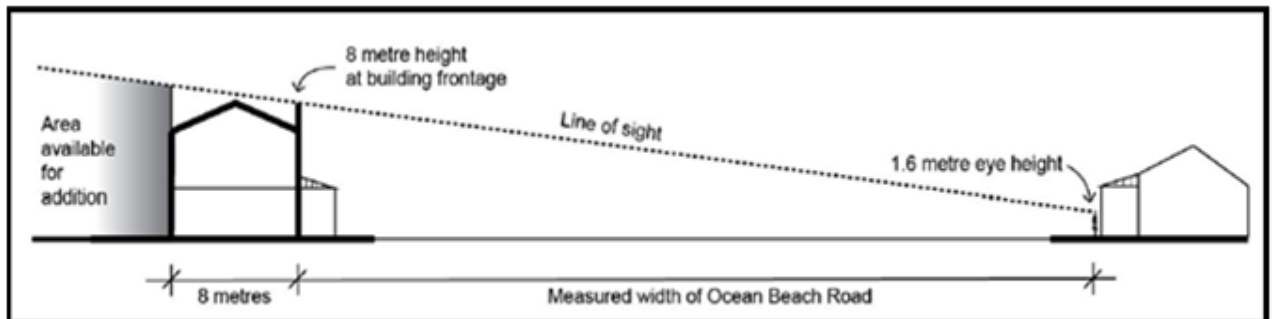


DIAGRAM 1: SIGHTLINES FOR DEVELOPMENT EXCEEDING 8M IN HEIGHT



3.0 Subdivision

25/01/2018
C204 None specified.

4.0 Advertising signs

25/01/2018
C204 None specified.

5.0 Decision guidelines

25/01/2018
C204 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 proposed buildings respect the preferred scale and form of development, particularly when viewed from the pedestrian network.
- Whether proposed buildings obscure view lines to the identified significant features within the Sorrento township, as detailed in the “*Ocean Beach Road*

Commercial Precinct Sorrento Heritage Policy – For Planning Applications for Places in the Heritage Overlay – September 2015 by HLCD Pty Ltd”.

- The extent to which the design responds to the design requirements for each Sub Precinct as set out in the “*Ocean Beach Road Commercial Precinct Sorrento Heritage Policy – For Planning Applications for Places in the Heritage Overlay – September 2015 by HLCD Pty Ltd*”.

Expiry

The requirements of this overlay cease to apply after 31 July 2019.