

04/02/2021  
C168bays

## SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO1**.

### BUILDING HEIGHT CONTROL-COASTAL

#### 1.0

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#### Design objectives

To protect and enhance the foreshore environment and views of Bayside from Port Phillip Bay.

To relate the scale and form of any new development to the landform of the coast.

To maintain a pedestrian scale along Beach Road.

To maintain consistency with urban design and development objectives in the *Bayside Coastal Strategy 1997* and the *Victorian Coastal Strategy 2014*.

To protect the foreshore from overshadowing.

To manage the increased pressure for higher buildings along the coast.

To protect the amenity and privacy of residential properties.

#### 2.0

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#### Buildings and works

##### Permit not required

A permit is not required to construct a building or construct or carry out works for any of the following:

- Navigational aids.
- A radio mast.
- A television antenna.
- A television mast associated with a building.
- A building with a building height of not more than 2 storeys\* provided that each storey is less than 3.5m measured from the floor level to the finished floor level of the floor above or if there is no floor above, to the ceiling (excluding staircases, architectural voids and light wells).
- Buildings which have a building height of not more than 6.0m.\*
- Buildings or works on land at 24 The Esplanade, Brighton (Certificate of Title 9363 Folio 812) that are within 48 metres of the frontage to The Esplanade and constructed to a building height not exceeding 12 metres provided the land is used only for accommodation.

*\*These exemptions do not include a roof deck located above the second storey of a building.*

##### Permit requirements

Buildings and works must be constructed in accordance with the following requirements:

- Building height must not exceed 2 storeys (excluding an attic or basement). A permit may be granted for buildings and works to a height of 3 storeys on land at:
  - 56 Beach Road, Hampton.
  - 170 – 171 Beach Road, Sandringham.
- Buildings and works constructed at 170-171 Beach Road, Sandringham, must be generally in accordance with the plans endorsed as part of Bayside City Council Planning Permit No. 2002/8190 to the satisfaction of the responsible authority.
- A roof containing an attic must match typical roof details of the surrounding neighbourhood in terms of roof pitch and form and any windows in the roof must be dormer windows, mounted flush to the roof, recessed or of minimal dimensions.

## BAYSIDE PLANNING SCHEME

A permit is required to construct a roof deck above the second storey of a building.

A roof deck must:

- Be designed and constructed of materials that integrate with the architectural style and form of the building.
- Be set back at least 2 metres from the roof edge immediately below on all sides to minimise the visual impact on the street, coastal environs and adjoining properties.
- Be designed to limit views into secluded private open space and habitable room windows of adjacent dwellings.
- Not include any structures or elements that exceed a height of 1.7 metres, apart from an access structure.
- Be accessed by a structure that is designed and located to have minimal impact on the street and adjoining properties, does not enclose any useable floor space and does not exceed 2.4 metres in height (measured from floor level at the point of access onto the roof deck).

For the purposes of this schedule a 'roof deck' means an area designed and used as private open space that is located above the upper storey of a building.

For the purposes of this schedule an 'attic' is identified as follows:

A space within a building, contained wholly within the roof pitch, that is not immediately enclosed by vertical external walls and may contain dormer windows, recessed windows, or skylights and does not contribute materially to the scale and mass of the building form.

For the purpose of this Schedule a 'dormer window' is identified as follows:

A projecting construction to provide natural lighting to attic spaces, comprising a vertical window with its own pitched roof, gable and side walls, framed into a larger sloping roof. Usually several dormers are used for balanced design.

For the purpose of this Schedule the following factors are indicative of an attic:

- A space which is wholly contained / enclosed within a roof space.
- A space which is not bordered by any vertical external walls except gable walls.
- A space which is relatively small in scale in relation to the scale of the remaining built form.
- The presence of dormer style windows or skylights.
- Does not contribute significantly to the building form.
- A space or series of spaces which in total occupy and area no greater than half the floor area of the storey below.

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with the above requirements except that a permit may be granted to replace a building or works existing before 24 February 2000 which does not meet the height requirements of this clause.

### 3.0

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#### Subdivision

None specified.

### 4.0

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#### 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 neighbourhood and site description and design response which demonstrates how the proposed building achieves the design objectives.

**6.0**

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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 neighbourhood and site description.
- The design response.
- Whether the proposed siting, height, design, building setbacks and landscaping will be in keeping with the character of the area.
- Whether replacement buildings or works meet the objectives of this schedule and improve the amenity of the area.
- The impact of the development on the coastal environment where appropriate.
- The background document *Bayside Coastal Strategy 1997*.

The following decision guidelines apply to an application for a permit to construct a roof deck 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 integration of the structure and form of the roof deck and associated access with the building.
- The visual impact of the roof deck and associated access when viewed from the street and surrounding area.
- Amenity impacts including overlooking into surrounding private open spaces, views into surrounding habitable room windows and overshadowing.
- Use of materials, finishes and colours.

**Background documents**

Bayside Height Control Study (Hansen Partnership, March 2000)

Bayside Urban Character Report (Ratio Consultants, 1999)

Bayside Coastal Strategy (Bayside City Council, 1997)

Victorian Coastal Strategy 2014