

27/05/2019  
C131surf**SCHEDULE 8 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO8**.

**BOSTON ROAD RESIDENTIAL PRECINCT****1.0**10/06/2010  
C37**Design objectives**

To facilitate an integrated medium density residential development that is reflective of the Boston Road streetscape, respecting its built and natural character.

To encourage building design that complements the cultural, environmental and landscape values of Torquay, comprising a diversity of materials, colours, heights and setbacks which achieves a general 'unity within diversity' philosophy.

To encourage the retention and establishment of native and indigenous vegetation that screens buildings from the street and from adjoining properties.

To encourage sustainable building design and construction methods which incorporate measures to reduce energy and water use.

To integrate garages and driveways within building designs to avoid their dominance within the streetscape.

To ensure that the style and height of fences reflect the preferred street character and retain a sense of openness between properties and to the street.

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C131surf**Buildings and works****Permit requirement**

A permit is not required to construct or extend the following buildings and works associated with one dwelling on a lot:

- Works normal to a dwelling.
- An outbuilding (other than a garage or carport) with a gross floor area that does not exceed 10 square metres and a maximum building height of no more than 3 metres above ground level.

A permit is required to construct a fence on or within 3 metres of a street boundary with Boston Road, Payne Street or Bristol Road.

**Requirements**

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

**Street setback**

Walls of buildings, including carports and garages, must be setback a minimum of 3 metres from the Boston Road frontage, provided that:

- At least 25 per cent of the length of a ground level façade is setback a minimum 4.5 metres.
- At least 30 per cent of the length of a second storey façade is setback a minimum of 4.5 metres.
- The full length of a third storey façade is setback a minimum of 1.5 metres from the dominant face of the second storey.

Walls of buildings, including carports and garages, must be setback a minimum of 6 metres from the Payne Street frontage.

Porches, pergolas and verandahs should not encroach into these setbacks.

### **Building height**

The maximum building height is 9 metres for three storey dwellings and 7.5 metres for two storey dwellings. Plant or equipment may exceed the height limit to a maximum of 1.2 metres provided it is:

- Appropriately screened
- Does not occupy more than 3.0 square metres in area (with the exception of solar panels); and
- Is not visible from the street kerbline directly opposite in Boston Road or Bristol Road.

### **Site coverage**

The site area covered by buildings must not exceed 80 per cent.

### **Fencing**

Fences forward of the building line must:

- not exceed a height of 1.5 metres and must be at least 35 per cent permeable.
- be of a contemporary, screen-like design and any gates should match the fence in height and permeability.

### **Exemption from notice and review**

An application for construction of a building or to 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.

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### **Subdivision**

#### **Exemption from notice and review**

An application to subdivide land into lots each containing an existing dwelling or car parking space 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.

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### **Signs**

None specified.

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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:

#### **Buildings and works**

- Details of the type and colour of all external building materials.
- A landscape plan that shows:
  - The location, species and height of existing vegetation that is to be retained and/or removed.
  - A detailed planting schedule using species predominantly selected from the Indigenous Planting Guide (2003) appropriate to the locality.

### **Subdivision**

An application for subdivision that creates a vacant lot must show a building envelope or be accompanied by development plans that demonstrate that the lot is capable of supporting a dwelling that will meet the design objectives of this clause.

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**Decision guidelines**

None specified.

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**Background Documents**

*Torquay Central Boston Road Residential Precinct Design Guidelines (2006)*