

06/02/2020
C128surf**SCHEDULE 13 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO13**.

COASTAL BOULEVARDS, TORQUAY-JAN JUC**1.0**06/02/2020
C128surf**Design objectives**

To encourage building design that complements the coastal landscape setting and the scenic and landscape values of the foreshore environs.

To ensure that development provides for spacing around buildings and visual permeability when viewed from foreshore areas and the street.

To minimise the visual impact of development when viewed from public areas, having regard to building size, height, bulk, siting, site coverage, car parking and external materials and colours.

To encourage retention and establishment of native and indigenous vegetation that enhances the softening of development, with emphasis on the establishment of vegetation that improves the interface with the foreshore areas.

To provide for the reasonable sharing of views of the foreshore, ocean and significant landscape features from properties affected by this Schedule.

To reinforce and/or establish a low fenced or unfenced open character along the coastal boulevards and reserves.

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C128surf**Buildings and works****Permit requirement**

A permit is not required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend 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 an outdoor swimming pool associated with a dwelling if the proportion of the site covered by buildings, hard surfaces and pools exceeds 50 per cent of the site area.

A permit is required to construct a fence that is more than 1.0 metre in height and located on or within:

- 6 metres of the front street boundary.
- 1 metre of a boundary abutting a public open space or foreshore reserve.

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 should be set back from streets at least:

- 6 metres from the front street.
- 3 metres from a side street on a corner lot.

Porches, pergolas, balconies and verandahs may not encroach into these setbacks.

Building height

Buildings should not exceed a height of 7.5 metres above natural ground level.

Site coverage / landscaping

At least 50 per cent of the site should be available for the planting of vegetation. The area available for the planting of vegetation cannot include driveways, paths, decks, terraces, patios, swimming pools and tennis courts (whether or not these areas are pervious).

Parking and access

Garages and carports should be set back at least 1 metre behind the main building façade and should be visually compatible with the development.

Only one single width vehicle crossover should be provided to each lot.

A driveway should be predominantly setback at least 1 metre from the side boundary it is closest to, to allow for a 1 metre landscaped buffer.

Garages should not exceed one third of the total building width as seen from the street.

Side and rear setbacks

A new building should be set back at least:

- 3 metres from one side boundary at ground floor level.
- 3 metres from both side boundaries at first floor level.
- 6 metres from a rear boundary abutting a public open space or foreshore reserve.

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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

Sign requirements are at Clause 52.05. All land within this schedule is in Category 4.

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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:

Subdivision

An application for subdivision that creates a vacant lot of less than 300 square metres 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.

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 remove
- A detailed planting schedule using species predominantly selected from the *Indigenous Planting Guide* (2003), with emphasis on the use of Coastal Dune, Coastal Shrubland and Coastal Heathland species, as appropriate to the locality.

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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:

Buildings and works

- Whether the siting, height, scale, architectural design and materials and colours of a proposed building have appropriate regard to:
 - the preferred neighbourhood, streetscape and vegetation character of the area as described in the *Torquay-Jan Juc Neighbourhood Character Study and Vegetation Assessment (2006)* and *Torquay-Jan Juc Neighbourhood Character Study Review (2012)*
 - the coastal landscape setting
 - the visual permeability of the built form when viewed from foreshore reserves and the street.
- Whether the height causes a building to dominate the foreshore reserve or streetscape and allows for a reasonable sharing of views of the foreshore, ocean and significant landscape features.
- Whether the area available for landscaping is sufficient to provide vegetation that will achieve the effect of:
 - softening the prominence of buildings in the streetscape and when viewed from the foreshore reserve; and
 - complementing the coastal landscape setting.
- Whether driveways and parking areas have been designed to be visually recessive in the streetscape.
- Whether provision has been made for accommodating future demand for undercover parking (if necessary) in a manner consistent with the objectives of this schedule.

Fencing

- Whether a fence on or within 6 metres of the front street boundary:
 - Is appropriate having regard to the streetscape character and the level of compatibility of the fence with the prevailing style, scale and materials of existing fencing within the streetscape.
 - Allows for openness / visual permeability between private and public areas.
- Whether a fence on or within 1 metre of a boundary abutting a public open space or foreshore reserve is:
 - Required for privacy needs.
 - Of a style and design that complements the adjacent public open space or foreshore reserve.

Subdivision

- Whether the subdivision of land at higher densities will encourage a diversity of housing types, in particular smaller dwellings.