

19/01/2006
VC37

SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2**.

LOGANS BEACH

1.0

19/01/2006
VC37

Design objective

To set design, subdivision and development parameters:

- To ensure the proper protection and management of the whale viewing area and its environs.
- To protect the local environment and significant views.
- To provide generous separation between dwellings to enable revegetation of the landscape.
- To limit intrusion on the skyline and ridgeline.

To encourage the designation of Appropriate Building and Access Areas at the time of subdivision.

To provide for a thorough permit application assessment process for buildings, particularly on the southern side of Hopkins Point Road in relation to landscape and environmental issues,, by using as appropriate the Logans Beach Urban Design Guidelines (including the associated computer model).

2.0

19/01/2006
VC37

Buildings and Works

An application to develop land for the purpose of a dwelling or any other building should meet the following requirements:

- Compliance with the Logans Beach Urban Design Guidelines.
- No buildings should be constructed within 3 metres of a side or rear boundary, 20 metres of Hopkins Point Road, or 10 metres of any other road, unless it can be shown that construction within these setbacks results in a preferred environmental outcome;
- Any buildings constructed in the area on the south side of Logans Beach Road, including any eastern extension of the road alignment shown in Map 1 to this schedule, should be contained within a single storey height limit of 5 metres above the ground level, as existing prior to the commencement of any works;
- Where the land has been subdivided and Appropriate Building & Access Areas identified, development is to be located within the Appropriate Building Area, unless it can be shown that construction outside this area results in a preferred environmental outcome; and
- No buildings are to be constructed within the Coastal Protection Area identified in Clause 22.01-9, Logans Beach Local Policy.

3.0

19/01/2006
VC37

Subdivision

An application to subdivide land should meet the following requirements:

- All lots in the proposed subdivision are required to have an average lot size of 10,000 square metres and minimum lot size of 6,000 square metres;
- Each lot should be capable of containing a rectangle measuring 40 metres by 60 metres;
- Appropriate Building & Access Areas are to be shown to the satisfaction of the responsible authority on the subdivision plan. Appropriate Building & Access Areas are to be located in recognition of the constraints affecting the land. Appropriate Building Areas are not to be located within 3 metres of any side or rear boundary, 20 metres of Hopkins Point Road and not within 10 metres of any other road, unless it can be shown that construction within these setbacks results in a preferred environmental outcome. Appropriate Building and Access Areas may be

limited to the area of a proposed dwelling, outbuildings and vehicle access ways, or may affect a larger area providing flexibility for the location of a dwelling in the future, dependent upon the constraints affecting the site.

A Development Plan is required to be submitted and approved by the responsible authority prior to subdivision of the land into more than two lots. The Development Plan should:

- Include a Site Analysis which shows the topography, and the location of any existing vegetation, drainage lines, existing buildings, sites of conservation, heritage or archaeological significance and other features on the land.
- Include a Soil and Water Report if reticulated sewerage infrastructure is not available. The Soil and Water Report must demonstrate that the lot sizes proposed are capable of adequately treating and retaining all wastewater within the boundaries of the lot, in compliance with the relevant State Environment Protection Policies namely Code of Practice - Septic Tanks (EPA 1996).
- Show the proposed subdivision layout including lots, roads, public open space and other features of the subdivision in a manner which is responsive to the features identified in the Site Analysis.
- In the area affected by this Overlay on the north side of Hopkins Point Road the provision of public open space should generally be consistent with the Logans Beach Local Plan which includes the provision of public open space adjacent to the southern bank of the Hopkins River, extending south-east around the designated limit of residential development, to provide an open space link to Hopkins Point Road.
- Identify the means by which sites of conservation, heritage or archaeological significance will be managed during the construction phase of the subdivision.
- Identify Appropriate Building and Access Areas on the site and within individual lots that are suitable for the construction of dwellings or other buildings, which are not affected by potential constraints such as slope, potential for inundation, presence of remnant vegetation. Appropriate Building Areas are not to be located with 3 metres of any side or rear boundary, 20 metres of Hopkins Point Road and not within 10 metres of any other road, unless it can be shown that construction within these setbacks results in a preferred environmental outcome. Appropriate Building and Access Areas may be limited to the area of a proposed dwelling, outbuildings and vehicle access ways, or may affect a larger area providing flexibility for the location of a dwelling in the future, dependent upon the constraints affecting the site. If there are no constraints affecting the site all lots on the Development Plan should be noted as Appropriate Building Areas.
- Include a Landscaping Plan showing the location of existing vegetation to be retained and proposed vegetation.
- Show suitable road and pedestrian linkages between the site and adjacent areas. In the area affected by this Overlay located on the north side of Hopkins Point Road, the layout of the road network should be generally consistent with Option 1 or Option 2a, identified in the Logans Beach Local Plan.
- Outline arrangements for the provision and funding of physical infrastructure.
- Identify the staging of the subdivision.

Where reticulated sewerage infrastructure is not available, all lots proposed should be shown to be capable of adequately treating and retaining wastewater within the boundaries of the lot by the submission of soil percolation tests, if required by the responsible authority. The responsible authority should require the submission of soil percolation tests in an area affected this Overlay. Should the soil percolation tests not correspond with information provided in the preparation of the Development Plan, the Development Plan should be amended accordingly.

All roads which provide direct access to the site should be sealed. Should such a road be identified as Road Zone Category 1 or 2, the responsible authority will determine the standard of road construction.

The location of a proposed building within an Appropriate Building or Access Area will not make the development exempt from the requirement to obtain a planning permit, unless the land is located on the north side of Hopkins Point Road, and a planning permit is not required by any other clause of this scheme.

A permit application for a building proposed to be located in an area which is not nominated as an Appropriate Building Area must be accompanied by supporting information which shows the proposed dwelling will not cause a significant impact on the local environment. This information may address management of remnant vegetation, soil stability, drainage disposal or similar matters as considered appropriate by the responsible authority.

4.0

19/01/2006
VC37

Decision Guidelines

Before deciding on an application the responsible authority will consider:

- Relevant decision guidelines listed in Schedules 1 & 2 to the Environmental Significance Overlay, and Schedule 1 to the Significant Landscape Overlay, where these overlays apply to the land;
- The Logans Beach Urban Design Guidelines
- The Local Planning Policy 22.01-9 Logans Beach;
- Any policies listed in the Local Planning Policy Framework which may be applicable to the land including:
 - Coastal Areas,
 - Rare & Threatened Species,
 - Potential for Groundwater Recharge,
 - Steep Land,
 - Hilltop and Ridgeline Protection, and
 - Building Construction in Low Density Residential and Rural Living Zones.

5.0

19/01/2006
VC37

Exemptions

A permit is not required for:

- Repairs and maintenance of existing buildings and works.
- Erection of fences not more than 1.5 metres in height.
- Informal outdoor recreation.