SCHEDULE 13 TO THE DESIGN AND DEVELOPMENT OVERLAY

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

MORNINGTON ACTIVITY CENTRE

In this Schedule any reference to the “ring road” refers to all of the roads comprising the “ring road” identified on Map 1 that forms part of this Schedule.

1.0

24/09/2009

C95

**Design objectives**

- To ensure that development makes a positive contribution to the low scale, coastal village character of the Mornington Activity Centre.
- To ensure that development enhances the unique character of Main Street between Esplanade and Cromwell Street, including the scale, shape and rhythm of built form and the variety of building heights, roof forms, setbacks and building designs.
- To ensure that development enhances the ‘gateway’ character of Main Street between Cromwell Street and the Nepean Highway, including the provision of generous landscaped setbacks.
- To ensure that buildings along the ring road provide a sympathetic interface with existing residential development on the opposite side of that road.
- To ensure that development is designed to maintain the safety and efficiency of the ring road in the long term.
- To ensure development optimises principles of environmentally sustainable design.

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**Buildings and works**

**No permit required**

A permit is not required for any of the following:

- The installation of an automatic teller machine.
- An alteration to an existing building façade but only if:
  - The alteration does not include the installation of an external roller shutter; and
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road, but only if it is authorised by the relevant public land manager.

**Permit required**

A permit is required to construct a fence.

The following general and mandatory requirements apply, as appropriate, to all buildings and works.

**General requirements**

- An application to construct a building that exceeds a building height of 7 metres should be accompanied by a representation of the building in an electronic format, suitable for inclusion in the ‘Simurban’ computer model for the Mornington Activity Centre to the satisfaction of the responsible authority.
- An application to construct a building that exceeds a building height of 7 metres should be accompanied by a site context and design response report that demonstrates how the proposal achieves the design objectives and the requirements of this schedule.
- Buildings should be of a high quality in terms of architecture and urban design, make a positive contribution to the coastal village character of Main Street and reinforce that character in all other streetscapes.

- Buildings in Main Street between Cromwell Street and the Nepean Highway should in addition make a positive contribution to the ‘gateway’ character of this section of Main Street in terms of generous landscaped setbacks and design.

- Buildings should be designed to demonstrate respect for the existing scale and character of streetscapes when viewed from the pedestrian network.

- Buildings should be designed to face all adjoining street and open space reserves and buildings should facilitate continuous active frontages at ground level and weather protection along key pedestrian links. Blank, inactive frontages should be avoided.

- Buildings should be designed to minimise visual bulk to the street, with adequate detailing and articulation of facades, as well as an adequate use of materials and colours.

- Buildings should be designed in a way that respects the view lines from the public realm to Port Phillip Bay, Mornington Harbour, Mornington Park, the foreshore and the Grand Hotel.

- Buildings should be designed to minimise the visual exposure of car parking facilities to adjoining land, street reserves and other reserves.

- Buildings should be designed to optimise opportunities for basement car parking and should not include car spaces at ground level that are exposed to the public realm.

- Buildings that only include multi-deck car parking should not contain more than three levels of car parking.

- Buildings along the ring road should be designed without vehicle access points to that road and should provide high quality landscaping within frontage setbacks.

- Buildings in Main Street, between Cromwell Street and the Nepean Highway, should be designed without or a minimal number of vehicle access points to that street.

- Buildings should be designed in a way that optimises principles of environmentally sustainable design.

- A “roof deck”, being an area that is located above the upper storey of a building and that is designed and used as open space for any use in the building, should:
  - be setback at least 2 metres from the roof edge on all sides;
  - 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 does not enclose any useable floor space (other than for the purpose of access) and does not exceed 2.4 metres in height (measured from floor level at the point of access onto the roof deck);
  - not be located above any fourth storey of a building.

**Height and setback requirements**

- A building must not exceed the maximum building height and the number of storeys specified in Column 2 of the Table to this schedule. This requirement cannot be varied with a permit. This does not apply to architectural features, masts, building services or enclosed stairwells that do not exceed any required height limit by more than 4 metres. The combined floor area of these features must not exceed 10% of the gross floor area of the top storey of the building.

- A building should be setback at least the distances specified in Column 3 of the Table to this schedule.
A building in Main Street located between the Esplanade and Cromwell Street must have a setback from Main Street that is at least the distance specified in Column 3 of the Table to this schedule. This requirement cannot be varied with a permit.

### Decision guidelines

Before deciding on an application the responsible authority must consider:

- Any representation of a building in an electronic format, included in the ‘Simurban’ computer model for the Mornington Activity Centre and any site context and design response report, submitted with the application.
- The extent to which proposed buildings respect the preferred scale and form of development, particularly when viewed from the pedestrian network.
- Whether proposed buildings are compatible with and respect the character of neighbouring buildings within the same streetscape.
- Whether proposed buildings on sites that are in the vicinity of a heritage place are respectful of that heritage place.
- Whether proposed buildings obscure view lines from the public realm to Port Phillip Bay, Mornington Harbour, Mornington Park, the foreshore or the Grand Hotel.
- The extent to which any roof deck is integrated with the architectural style and form of the building; minimises the visual impact on the street, coastal environs and adjoining properties and avoids views into secluded private open spaces and habitable room windows of dwellings on adjacent land.
- The extent to which the design of buildings optimises principles of environmentally sustainable design.

### Reference

- Mornington Activity Centre Structure Plan – A plan for a coastal town (MPSC July 2007).

### Table to schedule 13

In this Table references to storeys do not include any basement.

The Areas referred to in Column 1 of this Table are the areas shown on Maps 1 and 2 forming part of this Schedule, as specified in the legend of those maps.

<table>
<thead>
<tr>
<th>Column 1 Areas</th>
<th>Column 2 Maximum building height</th>
<th>Column 3 Minimum building setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>DDO13-1</td>
<td>11 metres, comprising up to 3 storeys</td>
<td>Any 3rd storey: 5 metres from Main Street 3 metres from any other street reserves</td>
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<td></td>
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<tr>
<td>DDO13-2</td>
<td>11 metres, comprising up to 3 storeys</td>
<td>Any 1st (ground floor) and 2nd storey: 6 metres from the ring road and from adjoining land in Murray Street. Any 3rd storey: 9 metres from the ring road and from adjoining land in Murray Street.</td>
</tr>
<tr>
<td>DDO13-3</td>
<td>14 metres, comprising up to 4 storeys</td>
<td>Any 1st (ground floor) and 2nd storey: 6 metres from the ring road</td>
</tr>
<tr>
<td>Column 1</td>
<td>Column 2</td>
<td>Column 3</td>
</tr>
<tr>
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<tr>
<td>Areas</td>
<td>Maximum building height</td>
<td>Minimum building setback</td>
</tr>
</tbody>
</table>
|          |                             | 6 metres from a common boundary with the Mornington Primary School. \  
|          |                             | Any 3\textsuperscript{rd} and 4\textsuperscript{th} storey: \  
|          |                             | 9 metres from the ring road \  
|          |                             | 9 metres from a common boundary with the Mornington Primary School. \  
| DDO13-4  | 11 metres, comprising up to 3 storeys | Any 1\textsuperscript{st} (ground floor) and 2\textsuperscript{nd} storey \  
|          |                             | 8 metres from Main Street \  
|          |                             | Any 3\textsuperscript{rd} storey: \  
|          |                             | 8 metres from Main Street \  
|          |                             | 9 metres from adjoining land in General Residential Zone or Neighbourhood Residential Zone |