

15/12/2016
C203**SCHEDULE 28 TO THE DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO28**.**Ocean Beach Road Commercial Precinct****1.0**15/12/2016
C203**Design objectives**

- To ensure that development makes a positive contribution to the low scale, coastal and historical character of the Ocean Beach Road commercial precinct.
- To ensure that development enhances the unique character of Ocean Beach Road and Point Nepean Road, including the scale, shape and rhythm of built form and the variety of building heights, roof forms, setbacks and building designs.
- To promote the creation of a high quality public spaces within the Precinct including the maintenance of visual connection between existing historic buildings and the street.
- To ensure the provision of safe and convenient pedestrian connections throughout the Precinct.
- To ensure the proper, safe and efficient functioning of the street network in providing access to the adjacent public car parks
- To ensure that any new development properly addresses the Ocean Beach Road frontage.
- To ensure that the existing limestone buildings continue to be a major feature of the streetscape by maintaining the existing building line along Ocean Beach Road.
- To provide for a graduated change in building height from both the Ocean Beach Road and Morce Avenue frontages.
- To ensure that development applications demonstrate that any built form exceeding 8m in height above natural ground level is generally not visible from eye level directly opposite the site on Ocean Beach Road.
- To ensure that building additions and infill development achieves design excellence.
- To ensure development optimises principles of environmentally sustainable design.
- To ensure that development has adequate regard the design requirements of the relevant Sub-Precinct, as set out within the *Ocean Beach Road Commercial Precinct Sorrento Heritage Policy – For Planning Applications for Places in the Heritage Overlay – September 2015* by *HLCD Pty Ltd*.

2.015/12/2016
C203**Buildings and works****Application requirements**

- An application for development within Ocean Beach Road commercial precinct (as defined in Map 1) must be accompanied by a site context analysis and design response report that demonstrates how the proposal achieves the design objectives and the requirements of this schedule.
- An application for development exceeding 8m in height within Ocean Beach Road commercial precinct (as defined in Diagram 1) must be accompanied by a sightline diagram that demonstrates general compliance with the sightlines shown in Diagram 1.

Mandatory requirements

- A building with a frontage to Ocean Beach Road or Point Nepean Road must have a setback from that road that is at least the distance specified in Column 4 of Table 1.
- A building must not exceed the maximum building height and the number of storeys specified in Table 1.

The mandatory requirements in Table 1 do not apply to:

- Architectural features, masts, building services or enclosed stairwells that do not exceed the required height limit specified in Column 2 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.
- Any building which is listed on the Victorian Heritage Register.
- Alterations or additions to a lawfully existing building that exceeds the height limits set out in Column 3 of the Table 1, provided the existing maximum building height is not increased and the development is consistent with the Design Objectives and decision guidelines of this Schedule.

TABLE 1:

Column 1 Sub Precincts	Column 2 Maximum building height at Ocean Beach Road frontage	Column 3 Maximum building height if setbacks in Column 4 are met	Column 4 Minimum building setback
East	8 metres (comprising no more than 2 storeys)	8 metres (comprising no more than 2 storeys)	Any 1 st (ground floor) and 2 nd storey: <ul style="list-style-type: none"> ▪ Must match the setback of the building on the adjoining lot or the average of the setback the buildings on either side of the lot.
Central	8 metres (comprising no more than 2 storeys)	11 metres (comprising no more than 3 storeys)	Any 3 rd storey: <ul style="list-style-type: none"> ▪ Must be setback 8 metres from the front and rear building line of the 2nd storey below.
North West	8 metres (comprising no more than 2 storeys)	11 metres (comprising no more than 3 storeys)	Any 1 st (ground floor) and 2 nd storey: <ul style="list-style-type: none"> ▪ 5 metres from Ocean Beach Road. ▪ 1 metre from each side boundary. Any 3 rd storey: <ul style="list-style-type: none"> ▪ Must be setback 8 metres from the front and rear building line of the 2nd storey below.
South West	8 metres (comprising no more than 2 storeys)	11 metres (comprising no more than 3 storeys)	Any 3 rd storey: <ul style="list-style-type: none"> ▪ Must be setback 8 metres from the front and rear building line of the 2nd storey below.

Notes regarding the Table 1:

- These requirements cannot be varied with a permit.
- In this Table, references to storeys do not include any basement.
- The Sub Precincts referred to in Column 1 of this Table are the areas shown on Map 1 forming part of this Schedule.

- The maximum building heights referred to in Column 2 and 3 are to be measured from natural ground level to the ridge of the roof or top of the parapet.
- The setback of a 3rd storey as defined under Column 4 is to be measured from the front and rear wall of the second storey of the building, not from the front and rear title boundary.
- “building” (in the phrase ‘front and rear *building* line’ under Column 4) has the same meaning as defined under *Section 3(1)* of the *Planning and Environment Act 1987*.

3.015/12/2016
C203**Decision guidelines**

Before deciding on an application the responsible authority must consider:

- The design objectives of this Schedule.
- 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 obscure view lines to the identified significant features within the Sorrento township, as detailed in the “*Ocean Beach Road Commercial Precinct Sorrento Heritage Policy – For Planning Applications for Places in the Heritage Overlay – September 2015 by HLCD Pty Ltd*”.
- The extent to which the design of buildings optimises principles of environmentally sustainable design.
- The extent to which the design responds to the design requirements for each Sub Precinct as set out in the “*Ocean Beach Road Commercial Precinct Sorrento Heritage Policy – For Planning Applications for Places in the Heritage Overlay – September 2015 by HLCD Pty Ltd*”.

4.015/12/2016
C203**Reference document**

- *Ocean Beach Road Commercial Precinct Sorrento Heritage Policy – For Planning Applications for Places in the Heritage Overlay - September 2015 – HLCD Pty Ltd*

5.015/12/2016
C203**Transitional provisions**

The requirements of this schedule do not apply to an application made before Amendment C203 came into operation. For applications made before Amendment C203 came into operation, the requirements of this scheme as they were in force immediately before the commencement of Amendment C203, continue to apply

The provisions of Schedule 28 to Clause 43.02 do not apply to an application under Section 69 of the Act to extend an approved planning permit.

6.015/12/2016
C203**Expiry**

This Schedule does not apply after 31 January 2018.

MAP 1: SUB PRECINCTS OF OCEAN BEACH ROAD

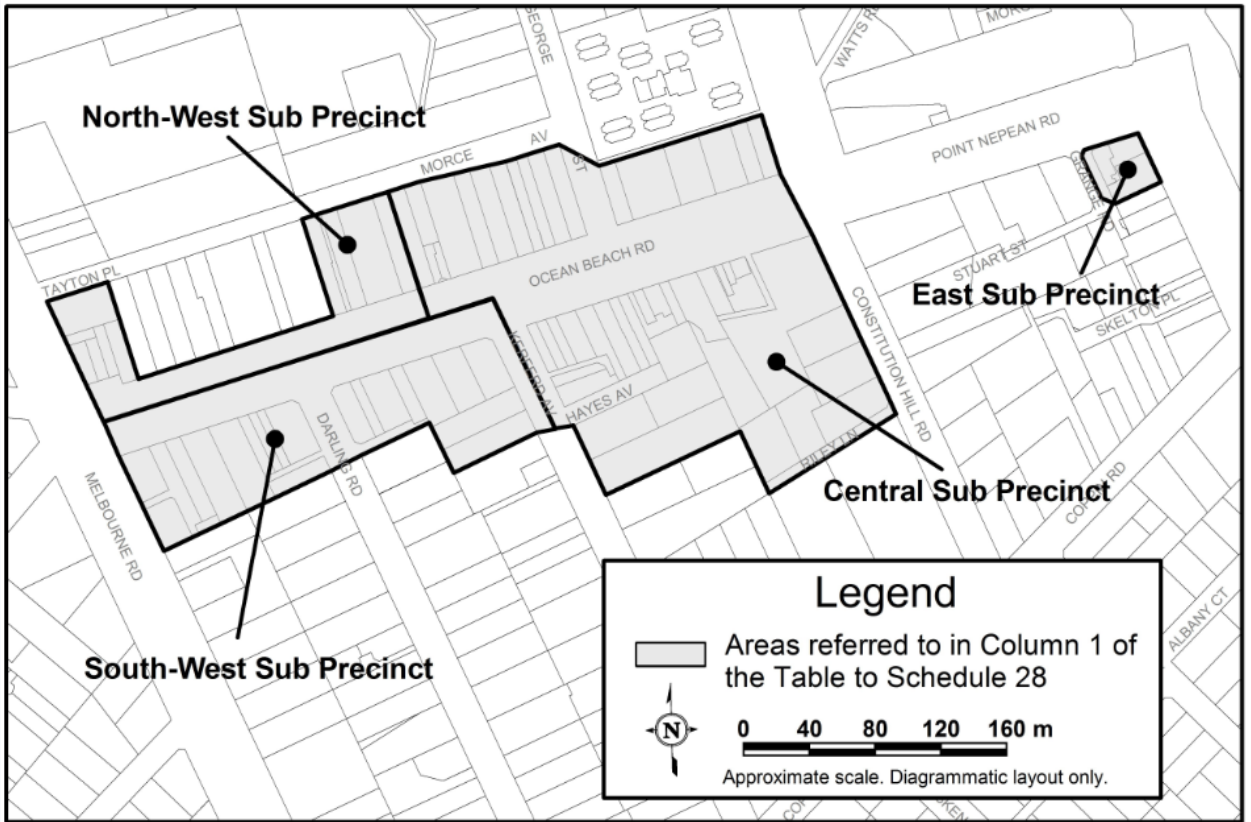


DIAGRAM 1: SIGHTLINES FOR DEVELOPMENT EXCEEDING 8M IN HEIGHT

