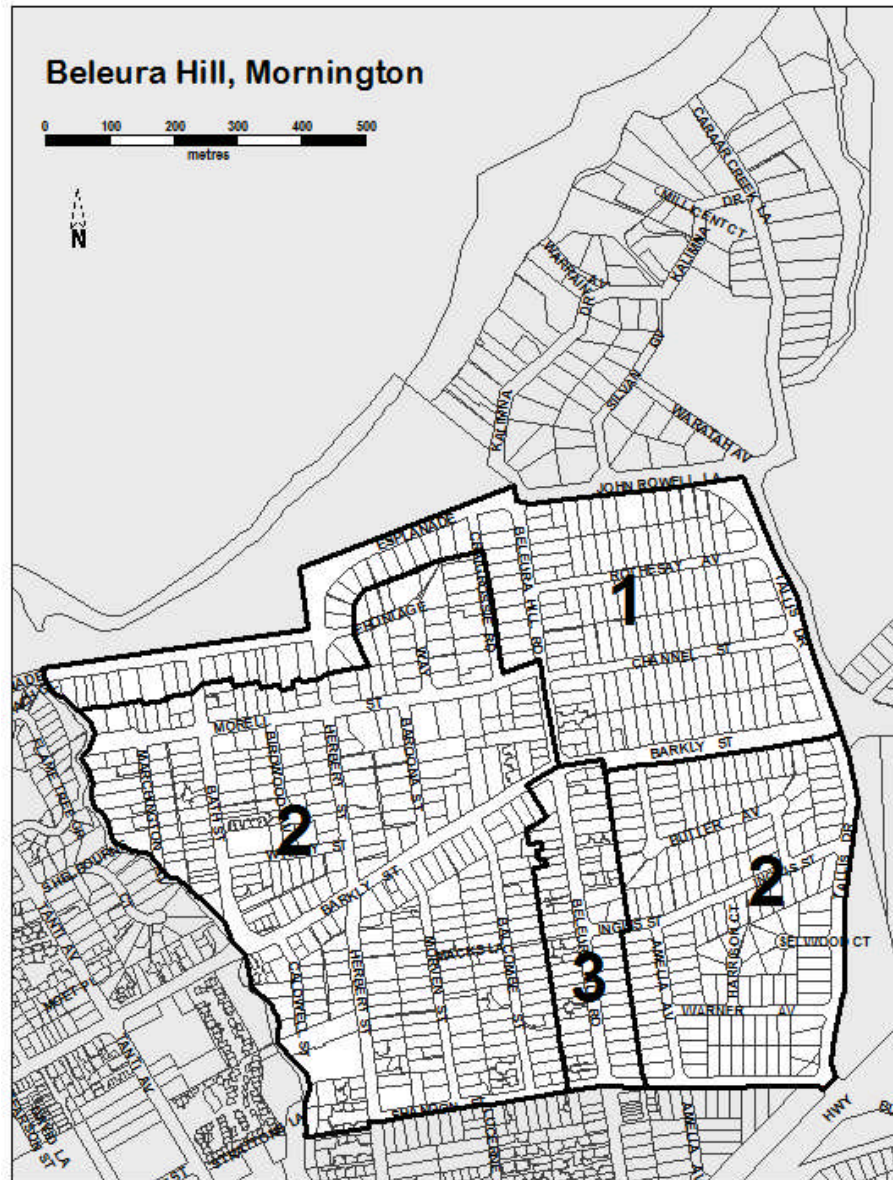


20/10/2016
C189

SCHEDULE 24 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO24**.

Beleura Hill, Mornington



MAP 1 – Beleura Hill Area with the Precincts referred to in Clause 2.0 of this Schedule.

1.0 Design objectives

20/10/2016
C189

To ensure that the design of subdivision and buildings and works is responsive to the existing and preferred character of the area as set out in the *Beleura Hill Design Guidelines – April 2015*.

- To recognise that Beleura Hill is an area where substantial vegetation cover is a dominant visual and environmental feature by ensuring site areas are large enough to accommodate development while retaining natural or established vegetation cover and providing for new landscaping and private open space.

- To maintain the landscape and ‘hillside’ character of the Beleura Hill area and its function as a landmark and green backdrop for Mornington.
- To ensure that new development has proper regard for the established streetscape and development pattern in terms of building height, scale and siting, by reflecting the existing rhythm of dwelling spacing and development density, and to promote the appearance of dwellings within a landscaped setting.
- To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets and properties.
- To protect shared viewlines where reasonable and practical.
- To ensure that subdivision proposals will enable new buildings to be integrated with their site and the surrounding area in terms of the relationship to existing buildings, open space areas and the hillside landscape.
- To maintain and enhance visual connection between the shared street space and private properties and between front yards, and enable the continuous flow of vegetation between roadsides and private space.

2.0 Buildings and works

20/10/2016
C189

No permit required

If all of the following conditions are met, a permit is not required to construct a building or construct or carry out works for the purposes of a single dwelling, dwelling extension, outbuilding or a dependent persons unit:

- All of the modified Clause 54 standards specified in Table 1 are met.
- The difference between finished ground level and natural ground level as a result of excavation and filling must not exceed one metre, except for the purpose of constructing an in ground swimming pool, and all works must be properly battered or stabilised

Note: The Mandatory requirements of this schedule also apply.

Permit required

A permit is required to construct a front fence within 3 metres of a street with a height of more than 1.5 metres.

Requirements

An application to construct a building or construct or carry out works must meet all of the Design Objectives of this Schedule and should meet all of the variations of Clause 54 or Clause 55 shown in Table 1.

Table 1 Modified Requirements of Clause 54 (One Dwelling on a Lot) and Clause 55 (Two or More Dwellings on a Lot and Residential Buildings) Standards

	Standard	Modified Requirement
<i>Integration with the street</i>	<i>Standard A2</i>	There should be no more than one single-width vehicular access point to the street.
	<i>Standard B5</i>	This does not apply to an application for the purpose of a dwelling extension or an outbuilding.

	Standard	Modified Requirement
<i>Street setback</i>	<i>Standard A3</i> <i>Standard B6</i>	The minimum setback from a front street should be at least 7.5 metres.
<i>Building height</i>	<i>Standard A4</i> <i>Standard B7</i>	The maximum building height should not exceed 8 metres (or 9 metres on a slope of 2.5 per cent).
<i>Site coverage</i>	<i>Standard A5</i> <i>Standard B8</i>	The site area covered by buildings should not exceed: <ul style="list-style-type: none"> ▪ In Precinct 1: 40 per cent; ▪ In Precincts 2 and 3: 50 per cent.
<i>Permeability</i>	<i>Standard A6</i> <i>Standard B9</i>	The site area covered by pervious surfaces should be at least: <ul style="list-style-type: none"> ▪ In Precinct 1: 40 per cent; ▪ In Precincts 2 and 3: 30 per cent.
<i>Side and rear setbacks</i>	<i>Standard A10</i> <i>Standard B17</i>	A new building should be setback the following distance from a side boundary: In Precincts 1 and 2: a total of 4 metres for both setbacks, with a minimum setback of 1 metre, plus 0.3 metre of setback for every metre of height over 3.6 metres up to 6.0 metres, plus 1 metre of setback for every metre over 6.9 metres. A new building should be setback the following distance from a rear boundary: <ul style="list-style-type: none"> ▪ In Precinct 1: at least 8 metres; ▪ In Precincts 2 and 3: at least 6 metres. A new building should be setback at least 10 metres from land in a Public Park and Recreation Zone.
<i>Private open space</i>	<i>Standard B28</i>	The construction of two or more dwellings on a lot should have private open space for each dwelling consisting of: <ul style="list-style-type: none"> ▪ In Precinct 1: secluded private open space at the side or rear of the dwelling with a minimum area of 60 square metres, a minimum dimension of 4 metres and convenient access from a living room. ▪ In Precincts 2 and 3: secluded private open space at the side or rear of the dwelling with a minimum area of 40 square metres, a minimum dimension of 3 metres and convenient access from a living room.

Mandatory Requirements

Maximum building height

A building must have a maximum building height of no more than 10 metres and must contain no more than 2 storeys above natural ground level.

This does not apply to any of the following:

- A place of assembly building
- A leisure and recreation building
- A utility installation building
- A hospital
- An education centre

- A building that complies with height provisions specified in a plan approved under a schedule to the Development Plan Overlay of Clause 43.04.
- Alteration to or extension of a lawfully existing building but only if all of the following requirements are met:
 - The existing building has a building height of more than 8 metres or contains 3 or more storeys above natural ground level.
 - The maximum building height of the existing building is not exceeded.
 - The external bulk of the existing building is not significantly increased.
 - The footprint of the upper storey, existing at the approval date, is not increased by more than 10%.

These requirements cannot be varied with a permit.

Number of dwellings

If there is more than one dwelling on a lot, then the maximum number of dwellings on a lot must meet the requirements of Table 2 of this Schedule. This does not apply to dwellings that comply with a plan approved under a schedule to the Development Plan Overlay of Clause 43.04.

Table 2 Maximum number of dwellings on a lot

Precinct shown on Map 1 to this clause	Maximum number of dwellings on a lot
Precinct 1	No more than one dwelling for every 700 square metres of the total area of the lot.
Precinct 2	No more than one dwelling for every 500 square metres of the total area of the lot.
Precinct 3	No more than one dwelling for every 400 square metres of the total area of the lot.

These requirements cannot be varied with a permit.

3.0

Subdivision

20/10/2016
C189

Mandatory Requirements

The average area of all lots within a subdivision must be no less than the area specified in Table 3 of this Schedule. These requirements do not apply to lots that are in compliance with a restructure plan under Clause 45.05 or a plan approved under a schedule to the Development Plan Overlay of Clause 43.04.

Land that is capable of further subdivision is excluded from the calculation of average lot area. The area of land set aside as common property or land that is to be transferred to Council for public open space and recreation, over and above that which may be required under Section 18 of the Subdivision Act 1988, may be included in the calculation of average lot area.

Battle-axe lots must have a minimum frontage of six metres, shared by up to four lots.

Table 3 Minimum average lot size for subdivision

Precinct shown on Map 1 to this clause	Minimum average lot size for subdivision
Precinct 1	700 square metres
Precinct 2	500 square metres

Precinct shown on Map 1 to this clause	Minimum average lot size for subdivision
Precinct 3	400 square metres

These requirements cannot be varied with a permit except if one of the following applies:

- The subdivision realigns the boundary between existing lots, provided no new lot or additional subdivision potential is created.
- Two or more dwellings have lawfully existed or been lawfully approved on a lot before the approval date and the subdivision proposes to create separate lots for each dwelling.
- The subdivision excises land for a utility installation or other public purpose.

4.0 Decision guidelines

20/10/2016
C189

Before deciding on an application the responsible authority must consider as appropriate:

- The design objectives of this schedule.
- Where an application does not meet a requirement in Table 1 to this Schedule, whether the departure from the requirement assists in attainment of the preferred character statement and design objectives for the relevant Precinct set out in the *Beleura Hill Design Guidelines – April 2015*.
- The extent to which the application responds to the *Beleura Hill Design Guidelines – April 2015*.

5.0 Transitional Provisions

20/10/2016
C189

The requirements of this schedule do not apply to an application made before the commencement of Amendment C189. For applications made before the commencement of Amendment C189 the requirements of this scheme, as they were in force immediately before the commencement of Amendment C189, continue to apply.

Reference documents

Beleura Hill Neighbourhood Character Study – November 2014

Beleura Hill Design Guidelines – April 2015