

12/02/2015  
C102**SCHEDULE 21 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO21**.

**OLD TORQUAY NORTH, WOMBAH PARK AND CHURCH ESTATE, TORQUAY****1.0**20/03/2014  
C66**Design objectives**

To encourage building design that respects and contributes to Torquay's coastal character and complements the streetscape with respect to building form, height, massing, setbacks, colours and materials.

To encourage building setbacks and areas of private open space that are sufficient to retain a sense of space around buildings and to provide sufficient room for landscaping.

To encourage a diversity of dwelling types and sizes, in particular smaller and/or adaptable dwellings, to cater for the emerging trend in smaller household size.

To encourage the retention and establishment of native and indigenous vegetation that serves to soften buildings from the street and from adjoining properties.

To ensure driveways and parking areas are designed to be visually recessive in the streetscape and complement the design of buildings.

**2.0**12/02/2015  
C102**Buildings and works**

A permit is not required to construct a building or construct or carry out works associated with one dwelling on a lot where the following apply:

- The height of the new building is not more than 7.5 metres above ground level.
- A new garage or carport is set back from the street at least 1 metre further than the wall of the dwelling (excluding porches, porticos, verandahs, pergolas, blade walls, decks, balconies, columns, piers and the like) - refer *Diagram 1*.

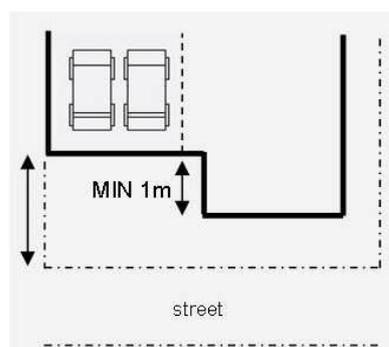


Diagram 1 - Garage setback

**Application requirements**

An application must be accompanied by the following information, as appropriate:

- A detailed report that shows how the design objectives of this overlay are met.
- 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 removed.

- A detailed planting schedule using species predominantly selected from the *Indigenous Planting Guide (2003)*, with emphasis on the use of Bellarine Yellow Gum, Messmate Stringybark, Ironbark, Manna Gum, Drooping Sheoak and Moonah Woodland community species, as appropriate to the locality.
- The removal of environmental weeds as listed in *Weeds of the Surf Coast Shire (2013)*.

## Requirements

All new dwellings (including medium density housing), buildings and works that require a permit should meet the following requirements, as appropriate.

### Building height

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

### Private open space

- An area of at least 60 square metres of private open space should be provided for each dwelling, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling with a minimum area of 40 square metres, a minimum dimension of 5 metres and convenient access from a living room.
- Secluded private open space within front setback areas should be avoided.

### Landscaping

- Sites, in particular the front and rear building setback areas, should be landscaped in a manner that softens the appearance of buildings in the streetscape and from adjoining properties and compliments the character of the town.
- On sites where a multi-storey development is proposed, at least two canopy trees should be planted within the front setback area.
- On sites where a single storey development is proposed at least one canopy tree should be planted within the front setback area.

### Car parking and access

- Garages and carports should be set back from the street at least 1 metre further than the wall of the dwelling and should be visually compatible with the development.
- Garages and carports should not exceed 50 per cent of the total building width as seen from the street.
- Only one single width vehicle crossover should be provided to each dwelling fronting the street.
- A landscape strip should be provided on either side of a driveway capable of supporting a variety of shrubs and small trees, with a minimum width of 0.5 metres adjacent to the side boundary and a 1 metre width adjacent to the dwelling. Where retention of an existing dwelling is considered to be consistent with neighbourhood character, the above minimum width can be reduced.
- Driveways on battle-axe lots or common property should be curvilinear to create visual interest and avoid a gun barrel effect.

## 3.0

20/03/2014  
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### Subdivision

A permit is not required to subdivide land.

**4.0**20/03/2014  
C66**Advertising signs**

Advertising sign requirements are at Clause 52.05-8, Category 4.

**5.0**12/02/2015  
C102**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 43.02-5, the responsible authority must consider, as appropriate:

**Building height**

- Where a new building exceeds a height of 7.5 metres above natural ground level:
- Whether a building height over 7.5 metres is reasonable due to the physical constraints of the site and would not cause the building to be visually prominent within the streetscape or when viewed from adjoining properties.
- The extent of building that exceeds a height of 7.5 metres above natural ground level.
- Whether canopy trees have been retained or will be planted to soften the appearance of the building.

**Building design and siting**

- Whether the design of buildings adopts architectural forms and rooflines which convey a lightweight, contemporary coastal image and avoids a suburban appearance or historic replication.
- Whether the setback of buildings from front, side and rear boundaries is sufficient to:
  - maintain a vegetated front garden setting consistent with the streetscape
  - enable the retention and establishment of mature vegetation that softens the visual appearance of buildings within the streetscape and from adjoining properties.
- Whether any upper storey element of a dwelling has been designed and scaled to minimise visual bulk through articulation, disaggregation, materials, roof forms and reduced floor area.
- Whether the development provides for a diversity of dwelling types and sizes, in particular dwellings with no more than two bedrooms, and a diversity of built form, materials and colours.
- Whether dwellings, in particular side-by-side developments, have been designed to have a visual interconnection with the street rather than presenting merely as garages and front doors only.
- Whether dwellings have been designed and sited to avoid the excessive application of screen devices required to minimise overlooking.
- Whether the placement of roof top structures such as solar panels, hot water systems, air conditioning units and the like avoids detrimental impact on the streetscape or adjoining properties.
- Whether the retention of an existing building is considered consistent with neighbourhood character.

**Car parking and access**

- The extent to which driveways and parking areas have been designed to be visually recessive in the streetscape by:
  - avoiding, as appropriate, undercover or enclosed car parking forward of the dwelling façade
  - sharing driveways where appropriate

- softening driveways and parking areas with vegetation
- limiting the number and width of vehicle crossovers.
- The extent to which driveways on battle-axe lots or common property have been designed to create visual interest and avoid a gun barrel effect.
- Whether the width of garages and carports is proportional to the total building width as seen from the street.
- Whether provision has been made for accommodating future demand for undercover parking (if necessary) in a manner consistent with the objectives of this schedule.

**Private open space**

- Whether the provision of private open space is sufficient to create a sense of space around buildings and to allow for the retention or planting of vegetation, including canopy trees.
- Whether the provision of secluded private open space has been located to the rear or side of dwellings to avoid the requirement of high fencing within the building's front setback.
- Whether a larger area of secluded private open space should be provided for large dwellings with three or more bedrooms (including studies).
- The appropriateness of reducing the area of secluded open space for one and two bedroom dwellings which are within 400 metres of a Neighbourhood Activity centre, to an amount commensurate with Standard B28 of ResCode.
- Where a reduced area of secluded private open space is proposed, whether an increased level of landscaping has been provided within front setback areas and along driveways, to offset the loss of planting opportunities in private gardens.

**Landscaping**

- The extent to which the landscaping of the site will achieve the effect of:
  - softening the appearance of buildings in the streetscape and from adjoining properties
  - complementing the landscape character of the town.
- The extent to which excavation, retaining walls, paths and other ancillary works reduce the ability to appropriately vegetate the site.