SCHEDULE 7 TO THE DESIGN AND DEVELOPMENT OVERLAY

Showed on the planning scheme map as DDO7

LOW DENSITY - ENVIRONMENTAL

1.0 Design objectives

- To ensure that the design of low density subdivision and housing is responsive to the environment, landform, site conditions and character of areas. These are areas, generally on the periphery of townships, where more intensive settlement would adversely affect environmental features including streamlines, wetlands and bushland habitat areas or where other land use factors, including proximity to extractive industry sites, require a limited population density.
- To prevent the overdevelopment of sensitive areas resulting in environmental and landscape degradation.
- To ensure that development densities are compatible with the environmental and infrastructure capacities of the area, including the capacity of local streets, drainage systems and sewerage systems. Where reticulated sewerage is not available, particular consideration must be given to the ability to contain all waste water onsite and the impact of development on ground water conditions. Particular attention must be given to the impact of development on streamlines, water ways and wetlands and to avoiding the development of land susceptible to stream erosion or flooding.
- To recognise areas where substantial vegetation cover is a dominant environmental and landscape feature, by ensuring site areas are large enough to accommodate development while retaining natural or established vegetation cover and to provide substantial areas for new landscaping and open space.
- To ensure that new development has proper regard for the established streetscape and development pattern in terms of building height, scale and siting, and 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 landscapes.
- To maintain lots of sufficient area to provide for racehorse training establishments in association with residential use and to provide additional protection to the Balcombe Creek.
- To maintain the existing open landscape, which defines the Bittern township boundaries.

2.0 Buildings and works

No permit is required to construct a building or construct or carry out works associated with a single dwelling, dwelling extensions, an outbuilding or a fence provided the following requirements are met:

- The maximum building height of new development is no more than 8 metres and contains no more than 2 storeys above natural ground level.
- All buildings and works, including tennis courts and dams, are sited at least 50 metres from the south side of Bungower Road, Somerville, at least 50 metres from the west side of Lower Somerville Road, Somerville between Bungower Road and Golf Links Road, at least 25 metres from any other road frontage and at least 10 metres from any other boundary.
- No dwelling is located within 200 metres of an extractive industry site.
- No building containing more than one storey provides access to a roof area, deck, verandah or the like which has a level higher than the floor level of the upper storey.

- Buildings and works, including tennis courts and dams are sited at least 50 metres from the south side of Bungower Road, Somerville, at least 40 metres from the north side of Eramosa Road West, Somerville, 25 metres from any other road frontage and 10 metres from any other boundary.

- More than half of the external wall cladding of any dwelling consists of brick, masonry, timber, simulated weatherboards or other materials approved by the responsible authority.

- All cladding and trim is coloured and maintained in muted tones of green, brown, beige or other colours approved by the responsible authority. The external finish of all buildings must be of a low reflectivity to minimise glare and reflection of light. This requirement includes roofing materials, unless the pitch of the roof is 5% or less and is not overlooked from any adjoining buildings, land or roadways. Solar panels are exempted.

- The building does not consist of relocated buildings and moveable structures, including tramcars and the like.

A permit may be granted to vary these requirements provided the responsible authority is satisfied that compliance is unreasonable or unnecessary and no loss of amenity will result from approval of the variation.

An application for permit must be accompanied by:

- A site layout plan, showing existing and proposed buildings and outbuildings with overall dimensions, setbacks, easements and vehicular access ways clearly marked.

- Elevations of the proposed buildings including a street elevation, clearly indicating the external building materials and finishes to walls, roofs, windows, doors, balustrading and fences.

- A plan of the site and the adjacent premises, including setbacks of existing buildings from all property boundaries.

- A landscape plan, clearly indicating existing vegetation on the site, the extent of proposed vegetation removal and the type, density and location of trees and other vegetation to be planted.

These requirements do not apply to a dwelling for which there is a valid building approval at the approval date.

All new dwellings must be connected to:

- A reticulated sewerage system or an alternative approved by the responsible authority.

- A reticulated drainage system or an alternative approved by the responsible authority.

These requirements cannot be varied with a permit.

### 3.0 Subdivision

The average area of lots within a subdivision must be at least 2 hectares except that:

- The average area of lots within a subdivision between Frankston Flinders Road and Stony Point Road, north of Woolleys Road, Crib Point must be no less than 8 hectares.

- The average area of lots within a subdivision between Roberts Road and the Balcombe Creek, Mornington must be no less than 4 hectares.

- The average area of lots within a subdivision between Baldock Road, Bungower Road and the railway reserve, Mornington must be no less than 4 hectares.
Each lot must be able to contain a rectangle with a minimum dimension of 100 metres. Each lot must have a minimum area of 1 hectare. These requirements do not apply to lots that are in compliance with a restructure plan under Clause 45.05 or a development plan under Clause 43.04.

Battle axe lots must have a minimum frontage of 20 metres; shared by up to 4 lots with reciprocal access rights, unless the responsible authority is satisfied that safe and appropriate access can be achieved with a lesser frontage.

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 density.

These requirements cannot be varied with a permit unless any of the following requirements are met:

- 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 on a lot since the approval date and the subdivision proposes to create separate lots for each dwelling.
- The subdivision excises land for a road, utility installation or other public purpose.

These requirements cannot be varied with a permit.

### 4.0 Decision guidelines

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

- The design objectives of this schedule.
- Any relevant development plan, heritage study, code or policy relating to the protection and development of land in the area.
- The effect of any proposed subdivision or development, including demolition, on the heritage values of the site and of the local area.
- The effect of any proposed subdivision or development on the environmental and landscape values of site and of the local area, including the effect on streamlines, foreshores, areas of remnant vegetation, areas prone to erosion and the amenity and accessibility of open space.
- In areas where reticulated sewerage is not available, the responsible authority must be satisfied that the proposed subdivision or development will be able to treat and contain all effluent onsite and will not result in the contamination of ground water, in accordance with State Environment Protection Policies. Applicants may be required to submit a report from a suitably qualified person to demonstrate the ability of the proposed subdivision or development to meet this requirement.
- The need to ensure that the design of development has adequate regard to fire risk and includes appropriate fire protection measures.
- The comments of any relevant coastal management or soil conservation authority.
- The maintenance of an appropriate separation between housing and extractive industry sites in accordance with buffer distances recommended by the Environment Protection Authority or Department of Natural Resources and Environment.