

08/07/2021  
C162port

## SCHEDULE 7 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO7.

### MARINE PARADE AND ORMOND ESPLANADE

#### 1.0

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#### Design objectives

To protect and enhance the environment of the Elwood foreshore as a natural and recreational asset of local and metropolitan significance.

To ensure that the built form of new development supports the important strategic role of Marine Parade and Ormond Esplanade in providing a location for high quality, low rise residential development that enhances one of the major boulevards and gateways to the City.

To ensure that new development reinforces the diversity in built form and is also of a height, setback and design that is compatible with the existing architectural and streetscape character of the Elwood foreshore.

To ensure that new development includes features that enhance the appearance of the Elwood foreshore and environs, or contribute to the area character or sense of identity.

To protect the setting, appearance and significance of heritage places by:

- Ensuring that the height of new development on sites adjoining a heritage place provides a transition between the height of the heritage place and any higher surrounding buildings.
- Ensuring that frontage setbacks of new development complement the frontage setbacks of a heritage place on the same site or an adjoining site.

#### 2.0

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#### Buildings and works

##### Height

Buildings and works are considered to meet the design objectives for height if:

- They do not exceed the absolute maximum height specified in the table to this schedule.
- Architectural features such as domes, towers, masts and building services do not exceed the maximum height by 4 metres and do not exceed 10 per cent of the gross floor area of the top building level.
- They do not exceed the maximum height of the tallest heritage place located on the land, nor exceed the median height of any heritage place on adjoining land and the absolute maximum height. If there is more than one adjoining heritage place the median is to be calculated from the lowest adjoining heritage place.

##### Setbacks

Buildings and works are considered to meet the design objectives for setbacks if:

- They are no less than the distance from boundary specified in the table to this schedule.
- Setbacks of any heritage place adjoining the land are matched. If the land adjoins more than one heritage place then the setback should be not greater than the largest setback and no less than the smaller setback.

Minor buildings and works, such as verandahs, architectural features, balconies, shelters, sunshades, art works, street furniture, fences and also basements which do not project above ground level, may be constructed within the setback areas specified in the table to this schedule.

A permit may be granted to vary the setback distances specified in the table to this schedule where it can be demonstrated to the satisfaction of the responsible authority that the variation will:

- Achieve the design objectives.

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- Allow the retention of a heritage place on the site, or have less impact upon the significance of a heritage place on the site or on an adjoining or nearby property.
- Allow the retention of any other significant feature of the site such as vegetation.
- Be consistent with the context of the surrounding urban form.

### Overshadowing

All buildings and works should be designed to avoid casting shadows beyond the south or west side of the kerbline of Marine Parade adjoining the Port Phillip Bay foreshore between the hours of 10:00am and 4:00pm on 22 June (the winter solstice).

### Reconstructed or replacement buildings

A permit may be granted to replace a building or works existing on the approval date but which does not meet the height or setback requirements of the table to this schedule if:

- The responsible authority is satisfied that an increased height or reduced setback improves the amenity and enhances the urban character of the area.
- The building or works is not higher than the building being replaced.
- The building or works is to be constructed no closer to a boundary than the building being replaced.

### Building design

Buildings and works are considered to meet the design objectives for building design if new buildings include a pitched roof form where this is part of the character of the area where the site is located.

**Table 1 to Schedule 7 to Clause 43.02**

Area	Distance from boundary	Absolute maximum height	Outcome
DDO7	Less than 3m from a front boundary	Setback area - no buildings or works to be constructed	The setbacks of new development are consistent with the prevailing setbacks in the area.
	3m or more from a front boundary	9m*	The height of new development is consistent with the predominant scale created by heritage places in the area and does not result in adverse amenity impacts due to overshadowing, overlooking, visual bulk or impacts upon identified heritage places.  The roof form of new development contributes to a visually interesting roofscape, that includes predominantly pitched roofs in many areas.

*Note* \* This is based on approximately two storeys plus a pitched roof form where this is part of the character of the area or three storeys where the roof forms are more varied.

### 3.0

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### Subdivision

None specified.

### 4.0

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### Signs

None specified.

**5.0**

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**Application requirements**

None specified.

**6.0**

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**Decision guidelines**

None specified.