SCHEDULE 18 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO18.

MARTIN STREET NEIGHBOURHOOD ACTIVITY CENTRE

1.0 Design objectives

To preserve and enhance the neighbourhood scale, valued heritage character and village atmosphere of the Martin Street Neighbourhood Activity Centre.

To ensure the scale and form of new development is compatible with the future role of the centre and provides an appropriate transition to existing low scale residential areas.

To retain the amenity of existing low scale residential areas that adjoin the centre by minimising visual bulk, overshadowing and overlooking impacts.

To ensure new development in the commercial area contributes to an enhanced pedestrian environment by providing for active street frontages and limited vehicle access from Martin Street.

2.0 Buildings and works

Buildings and works for which no permit is required

A permit is not required to construct a building or construct or carry out works for any of the following:

- Navigational beacons and aids.
- A radio mast.
- A television mast associated with a building.
- Alterations to an existing building façade provided:
  - the alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road is authorised by the relevant public land manager.
- A permit is not required to construct or extend one dwelling on a lot, or construct or carry out works associated with one dwelling on a lot (except for a roof deck), if any of the following apply:
  - The building height is no more than 9 metres.
  - The building height is no more than 10 metres, if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

Meaning of terms

For the purposes of this schedule, an ‘attic’ means a space within a building contained wholly within the roof pitch, which is not immediately enclosed by vertical external walls and may contain dormer windows, recessed windows, or skylights and does not contribute materially to the scale and mass of the building form. The following factors are indicative of an attic:

- A space which is wholly contained / enclosed within a roof space.
- A space which is not bordered by any external walls except gable walls.
- A space which is relatively small in scale in relation to the scale of the remaining built form.
- The presence of dormer style windows or skylights.
• A space that does not contribute significantly to the building form.

• A space or series of spaces which in total occupy an area no greater than half the floor of the storey below.

For the purposes of this schedule, a ‘dormer style window’ is defined as a projecting construction designed to provide natural lighting to attic spaces, comprising a vertical window with its own pitched roof, gable and side walls, framed into a larger sloping roof.

For the purposes of this schedule, a ‘roof deck’ means an area designed and used as private open space that is located above the upper storey of a building.

**Buildings and works requirements**

The following buildings and works requirements apply to an application to construct a building or construct or carry out works.

**Building height**

Development (including roof decks and their associated structures) in a commercial zone should not exceed the preferred maximum building heights specified Table 1.

**Table 1: Preferred maximum building heights in a commercial zone**

<table>
<thead>
<tr>
<th>Precinct on Map 1</th>
<th>Preferred maximum building height</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>17 metres (5 storeys)</td>
</tr>
<tr>
<td>B</td>
<td>14 metres (4 storeys)</td>
</tr>
<tr>
<td>C</td>
<td>11 metres (3 storeys)</td>
</tr>
<tr>
<td>E</td>
<td>9 metres (2 storeys)</td>
</tr>
</tbody>
</table>

**Building setback**

Where the site is in a Heritage Overlay, a set back of 5 metres from the frontage should be provided:

• At second storey and above for existing single-storey buildings.

• At third storey and above for existing double-storey buildings.

Development in a commercial zone should not exceed the preferred street and side setbacks specified in Table 2.

**Table 2: Preferred street and side setbacks in a commercial zone**

<table>
<thead>
<tr>
<th>Storey</th>
<th>Preferred street setback</th>
<th>Preferred side setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Third storey and below</td>
<td>0 metres</td>
<td>0 metres</td>
</tr>
<tr>
<td>Fourth storey and above</td>
<td>3 metres</td>
<td>0 metres</td>
</tr>
</tbody>
</table>

**Siting and amenity**

Where the site abuts land in a residential zone, the relevant Objectives and Standards of Clause 55 should be met.

**Building frontages**

Development in a commercial zone should:

• Present a fine grained, human scale to streets.

• Provide active street frontages with shopfronts at street level.
- Protect and enhance the heritage significance of commercial areas by recessing upper levels and ensuring that the design detail and materials.
- Ensure corner sites are designed to address both street frontages with shopfront windows at street level.

**Vehicle access**

Development should:
- Design and locate vehicle access to avoid or minimise disruption to pedestrian movement along a street.
- Locate vehicle access to a property from an existing laneway or a secondary street frontage.
- Provide for key laneways to be widened to 5.5 metres if new buildings are constructed abutting the laneway.

**Landscape and environment**

Development should:
- Contribute to an improved streetscape and pedestrian amenity along Martin Street and Nepean Highway.
- Provide signage that respects the building style and scale, and the character of the street.
- Ensure that signage fits within architectural forms along the street and is appropriately integrated with the design of the building.

**Roof decks**

Roof decks in a residential zone should:
- Be designed and constructed of materials that integrate with the architectural style and form of the building.
- Not include any permanent or moveable structure or element that will increase the visual bulk of the building, including pergolas, verandahs, shelters and storage areas.
- Be designed to limit views into secluded private open space and habitable room windows of adjacent dwellings.
- Not include any structures or elements that exceed a height of 1.7 metres, apart from an access structure, measured from floor level at the point of access onto the roof deck.
- Be accessed by a structure that is designed and located to have minimal impact on the street and adjoining properties, does not enclose any useable floor space and does not exceed 2.4 metres in height (measured from floor level at the point of access onto the roof deck).
- Be constructed so that the deck floor level is no greater than 1 metre above the lower ceiling face of the storey immediately below.

**Subdivision**

None specified.

**Signs**

None specified.
Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A neighbourhood and site description and design response which demonstrates how the development meets the requirements of this schedule.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the design and layout of a building supports provision of shop top housing above ground floor level.
- Whether the amenity impact on any existing dwelling on an abutting property in a Residential Zone and/or Heritage Overlay is acceptable, particularly daylight access, solar access, overshadowing, overlooking and visual bulk.
- Whether the impact of upper levels of the building on surrounding residential land is acceptable.
- Whether the impact of development on the heritage significance of the area is acceptable.
- Whether the development provides the required rate of car parking and bicycle facilities without compromising the streetscape.
- Whether the development impacts on the potential to widen or enhance existing key laneways.
- Whether the development provides a high standard of architectural design and an exemplary design response to the site context and design objectives.
- Whether the development demonstrates innovative environmental design.
- Whether the impact of overshadowing to adjoining streets, public spaces and residential properties is acceptable.
- Whether the development provides appropriate transitions in scale to lower building forms.
Map 1: Martin Street Structure Plan Built Form Plan