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## SCHEDULE 5 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO5**.

### WHEELERS HILL NEIGHBOURHOOD ACTIVITY CENTRE

Note: In this Schedule the terms:

- 'Natural Surface Level' means the surface of the site from boundary to boundary without regard to any excavation or fill that has modified the site surface.
- 'Existing Surface Level' means the surface of the site as at June 2005 including any excavation or fill that has modified the site surface.
- 'Finished Surface Level' means the final surface of the site following any excavation or fill required as part of the development of the site.

#### 1.0

#### Design objectives

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- To ensure that development, including setbacks and landscape treatment, is in keeping with and contributes to the Garden City Character as set out at Clause 21.03-3 in the Municipal Strategic Statement.
- To ensure that development conforms with the design objectives and requirements of the Wheelers Hill Neighbourhood Activity Centre Structure Plan - 2007.
- To ensure that the building scale and form in terms of height, bulk and setbacks is compatible with the character of the Wheelers Hill Neighbourhood Activity Centre.
- To ensure that development has minimal impact on residential amenity in terms of visual bulk, height, over looking and over shadowing.
- To ensure that car parking, vehicle access and service areas do not visually impinge on setbacks, adversely affect streetscapes or detrimentally impact on the amenity of adjacent residential properties.

#### 2.0

#### Buildings and works

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A permit cannot be granted to vary the building height or setback requirements in this Schedule except for architectural elements, including parapets and roof forms, that enhances the articulation of the built form and improve the appearance of the building.

Mechanical plant and/or equipment must be screened from view from the front street frontages and abutting properties.

An application for a permit for development must be accompanied by:

- A Plan of Survey prepared by a Licensed Surveyor that shows existing features and occupation, the extent of any fill or excavation, site levels, levels of adjoining properties adjacent to common boundaries, adjacent footpath and kerb levels, all to Australian Height Datum (AHD).

Level Datum to AHD - Mulgrave PM 1091 with a stated level of RL 121.415.

- A Plan that shows how the proposed development satisfies the building height and setback requirements of this Schedule.

Design requirements:

- Architecture of contemporary excellence that is energy efficient and sustainable is encouraged.
- Building design should minimise the number of blank walls that are visible from outside the site.
- The visual mass of buildings must be minimised by articulation in both the horizontal and vertical planes so that long or high walls in a single plane are eliminated.

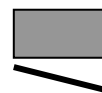
- Development should feature articulation of facades, rooflines, variable colours and materials. Highly reflective building materials should not be used.
- Streetscape elements should create an identity with the use of design elements including lighting and art works.
- Development must maintain the “Boulevard” character of Ferntree Gully and Jells Roads.
- Development should be framed and softened by vegetation when viewed from any point in the public realm.
- Landscaping materials within the activity centre should be consistent with the existing vegetation of Wheelers Hill.

**Development within 18 metres of a designated boundary**



*Land affected by this provision*

*Designated boundary where this provision applies*



The designated boundary is the title boundary between the land affected and the abutting residential development.

Development must not dominate residential development adjacent to a designated boundary:

- Development must be setback a minimum of 3 metres from a designated boundary and this setback area is to be used as a landscaped buffer between the properties (with the exception of a covered walkway between the sites at 161-169 and 171-191 Jells Road, Wheelers Hill).
- Between 3 metres and 12 metres from a designated boundary, development must not exceed a height of 7 metres above natural surface level.
- Between 12 metres and 18 metres from a designated boundary, development must not exceed a height of 10.5 metres above natural surface level.
- Site coverage within 18 metres of a designated boundary must not exceed 60%.

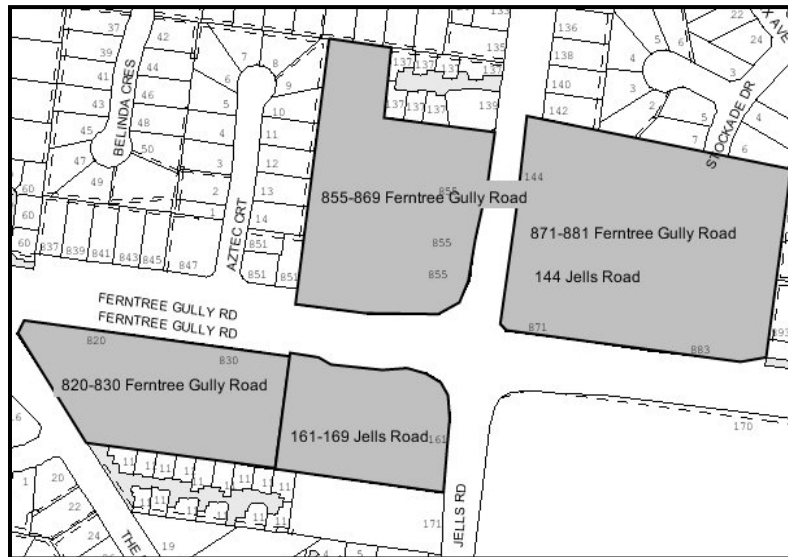
Development must be designed to respect the built form, prevailing scale and massing, and reflect the articulation of adjoining residential areas.

Building design must ensure that direct views, from habitable room windows, balcony and terrace areas, towards the secluded open space or habitable room windows of existing residential properties are restricted by:

- Reduced ground floor levels so that normal height fencing limits direct views.
- Designing window, balcony and terrace locations so that they are orientated to face away from adjoining residential development.
- Designing screens that form an integral component of the building design.

The provision of trellis or other forms of fence top screening is not an acceptable design solution for restricting direct views.

**Development within The Ridge Precinct**



**Building heights**

In addition to the Development within 18 metres of a designated boundary requirements detailed above:

- Development on 871-881 Ferntree Gully Road and 144 Jells Road (Wheelers Hill Hotel) must not exceed a height above existing surface level of:
  - 10.5 metres on the frontages to Jells Road and Ferntree Gully Road.
  - 14 metres at any other part of the site.
- Development on 855-869 Ferntree Gully Road (Wheelers Hill Health and Fitness) must not exceed a height above the natural surface level of:
  - 10.5 metres on the Jells Road and Ferntree Gully Road frontage.
  - 14 metres at any other part of the site.
- Development on 820-830 Ferntree Gully Road (Sofia’s restaurant) must not exceed a height above the natural surface level of :
  - 10.5 metres on the Ferntree Gully Road frontage.
  - 7 metres on The Deviation frontage.
  - 10.5 metres at any other part of the site.
- Development on 161-169 Jells Road (Mobil petrol station) must not exceed a height of:
  - 14 metres above the existing surface level on the frontages to Jells Road and Ferntree Gully Road.
  - 14 metres above the natural surface level (excluding fill) at any other part of the site.

**Setback to front boundaries**

- Development, other than vehicle or pedestrian access, landscaping and fencing, abutting Jells or Ferntree Gully Roads must have a minimum setback from the street boundary of at least 10 metres.
- Development on 820-830 Ferntree Gully Road (Sofia’s restaurant), other than pedestrian access, landscaping and fencing, must have a minimum setback from The Deviation of:
  - 7.5 metres.
  - 10 metres for buildings between 7metres and 10.5 metres in height.

**Development within The Shopping Centre Precinct**



In addition to the Development within 18 metres of a designated boundary requirements:

**Building heights**

- Development on part of 190 Jells Road (Wheelers Hill Shopping Centre), 212-216 Jells Road (Petrol Station) and part of 210 Jells Road, must not exceed a height of 14 metres above the existing surface level site at any other part of the site.
- Development on 218-242 Jells Road (Wheelers Hill International Motel), part of 210 Jells Road and part of 190 Jells Road, must not exceed a height of:
  - 7 metres on the Grandview Road frontage.
  - 10.5 metres above the existing surface level at any other part of the site.
- Development on 171-191 Jells Road (west side of Jells Road) must not exceed a height of 7metres above the existing surface level at any part of the site.

**Setback to front boundaries**

- Development on 190-242 Jells Road (east side of Jells Road), other than vehicle or pedestrian access, landscaping and fencing, must have a minimum setback of 10 metres from Jells Road.
- Development on 171-191 Jells Road (west side of Jells Road), other than vehicle or pedestrian access, landscaping and fencing, must have a minimum setback of 7.5 metres from Jells Road.
- Development on 218-242 Jells Road (Wheelers Hill International Motel), other than vehicle or pedestrian access, landscaping and fencing, must have a minimum setback from Grandview Road of:
  - 7.5 metres.

- 13.5 metres for buildings between 7-10.5 metres in height.

**3.0 Subdivision**

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None specified.

**4.0 Advertising signs**

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None specified.

**5.0 Decision guidelines**

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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::

- Existing Surface Levels of the site and abutting properties to AHD.
- Finished Surface Levels of the site and development to AHD.
- The Wheelers Hill Neighbourhood Activity Centre Structure Plan – September 2007
- The design objectives and directions of Clause 21.16 of the Municipal Strategic Statement.
- The design objectives and directions of The Wheelers Hill Neighbourhood Activity Centre Policy at Clause 22.06.
- The design objectives and directions of this Schedule.
- Whether the location, appearance, scale, bulk, design, form, layout, and proportion and scale of any proposed buildings and works will:
  - Be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
  - Have minimal impact on the amenity of adjacent residential properties in terms of visual bulk, height, over looking and over shadowing.
- Whether any proposed landscaping will be in keeping with the Garden City Character objectives and the appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking.