

Help plan our future

TORQUAY/JAN JUC



neighbourhood character study &
vegetation assessment

September 2006

Reference Document

The Torquay Jan Juc Neighbourhood Character Study and Vegetation Assessment is a reference document of the Surf Coast Planning Scheme. As a reference document it provides background information to assist in understanding the context within which a particular policy or provision has been framed. This document is not part of the Surf Coast Planning Scheme and has no legislative status under the *Planning and Environment Act, 1987*.

Surf Coast Shire Council, 2008.

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Executive Summary

This Study examined the elements within the physical and natural environment of Torquay and Jan Juc that make up neighbourhood character. It has established that the natural environment and the close proximity and easy access to natural features such as the beaches, coastline, creeks and environs highly contribute to the liveability and attraction of both living in and visiting Torquay and Jan Juc. The Study found that although there are some variations in character across different precincts in the town, the character elements which make up the **preferred character** are consistent across the towns. These character elements include discreet, low scale buildings, reflective of the towns' origins as a popular seaside destination with mature vegetation scattered between and around buildings. The presence of native and indigenous vegetation to soften and screen buildings is considered to be very important to neighbourhood character. Other key factors which are consistent with neighbourhood character are:

- Adequate building setbacks that allow the retention of mature trees and the planting of vegetation around buildings, screening them from the street and adjoining properties.
- Low profile building height and simple built forms constructed from natural looking materials, with houses generally not exceeding two storeys.
- Classic 'Australian' older beach style homes or modern lightweight coastal designs.
- Small narrow driveways, preferably constructed of natural looking materials with recessed garages.
- Low or no front fencing.
- Close proximity of most residential land to nature reserves, crown land and open spaces which may have high environmental and / or aesthetic value.

Buildings and developments considered to detract from the town's coastal character were found to exhibit the following attributes:

- Lack of vegetative screening
- 'Boxy' and bulky forms with little surface articulation and minimal or no eaves
- Large scale of building form relative to the size of the allotment
- Minimal front and side setbacks making developments look too dense
- Constructed of certain building materials, such as brick veneer, which have a 'suburban appearance'
- Painted in strongly contrasting or harsh colours
- High and / or solid front fences or walls
- Visually dominant garages with double concrete or asphalt driveways
- Houses in a row that display a repetition and uniformity of design

The **preferred character** or vision for the two townships is generally consistent across the study area. What will be important is to ensure that the elements that contribute to this character are encouraged in all new development. It will be important that future residential subdivisions, including those within the designated growth areas, continue to provide access to natural features and create sufficient open space for recreation, consistent with the coastal, outdoor living lifestyle that characterises the two townships.

The Planning Scheme provisions will be reviewed taking into account the findings of this Study, with the following key recommendations:

- Protect vegetation of environmental significance, including the Moonah & Bellarine Yellow Gum communities.
- Protect mature vegetation that adds to the vegetated character of the townships.

- ❑ Develop performance criteria that address front, side and rear setbacks, building height, maximum site coverage, maximum hard surface coverage and plot ratio controls across Torquay and Jan Juc which establish minimum standards to be met.
- ❑ Develop performance criteria that address front boundary fencing that seek to encourage no or low front fencing.
- ❑ Support the use of 'Surf Coast Style' principles to discourage suburban forms of development and bulky, dominating buildings.
- ❑ Develop a policy for new residential subdivisions which emphasises the need to balance the need to maintain and enhance the coastal character of the area and allowing for more intense development focusing higher density around activity nodes and recreation areas.

Other recommendations outside of the planning system include:

- ❑ Consider implementing a street planting program particularly in areas of low vegetation cover.
- ❑ Prioritise the proactive enforcement of planning provisions.
- ❑ Give priority to the education of both existing and new residents of the environmental values of the area, environmental weeds, and preferred indigenous planting (ie Planting Guide).
- ❑ Consider prohibiting the planting of environmental weeds by way of a local law.

The Great Ocean Road Region Strategy, the Victorian Coastal Strategy and the Municipal Strategic Statement (MSS) of the Planning Scheme all state that future residential development on the coast should be focussed in growth centres with suitable infrastructure such as Torquay and Jan Juc in order to preserve the environmental sensitivities of the smaller settlements further along the coast to the west. The MSS recognises however that Torquay and Jan Juc has a unique coastal character that could be adversely affected by unconstrained development. The objective of this Study is to implement this strategic direction by accommodating growth in the two townships while strengthening the capacity of the planning controls to more appropriately guide development that will enhance the preferred character. The controls will encourage infill development which is respectful of the preferred character, and new subdivisions which have a strong focus on the provision of open space with active walking and cycling linkages and significant street landscaping themes.

The Study was placed on public exhibition from May – June 2006 and feedback was received from the community. Council adopted the report in October 2006.

1. Context

What is Neighbourhood Character?

Neighbourhood character is described in the Victorian Planning Provisions (VPP) Practice Note as follows:

“Neighbourhood character is essentially the combination of the public and private realms. Every property, public place or piece of infrastructure makes a contribution. It is the cumulative impact of all these contributions that establishes neighbourhood character. The key to understanding character is being able to describe how the features of an area come together to give that area its own particular character.”

The key to understanding character is being able to describe how the features of an area come together to give that area its own particular identity. In the Surf Coast Shire, neighbourhood character is derived not only from its built form, but also from its natural, demographic, social and cultural characteristics. These come together to create “patterns” that distinguish one area from another and together shape the character of the town generally.

Why a Neighbourhood Character Study in Torquay-Jan Juc?

The Study area covers the adjoining coastal settlements of Torquay and Jan Juc. Both towns abut spectacular coastline to the south and east, and open grazing land to the north and west.

Due to their coastal location, Torquay and Jan Juc have always been an attractive and popular destination for surfers, tourists, non permanent residents and the retirement market. More recently however, particularly in the last ten years, Torquay/Jan Juc has become more and more popular as a permanent settlement. It is within short commuting distance of Geelong and is already regarded as being within acceptable commuting distance of Melbourne. Recent infrastructure decisions to improve access to the region - the new three lane highway to Melbourne, the proposed western bypass of Geelong, the new fast train to Melbourne and the recently constructed railway station in Marshall - will only reinforce this perception and increase development pressures within the township and Region.

The Municipal Strategic Statement (MSS) of the Surf Coast Planning Scheme (drafted in 1997) identifies Torquay as the main administrative centre of the Shire and the fastest growing urban area outside Metropolitan Melbourne. Recent (2004) population forecasts estimate that the present population will double by the year 2021 and reach in excess of 20,000. In line with State Government policy outlined in the *Great Ocean Road Region Strategy (2004)* the MSS recognises Torquay’s capacity for long term growth by designating Torquay-Jan Juc as a future growth node area for the Shire and a gateway to the south western region.

This growth trend is further acknowledged in the *Victorian Coastal Strategy (2002)*. It identifies that coastal areas like Torquay-Jan Juc are under pressure to increase housing densities due to demographic and lifestyle changes. Land and property prices have escalated, compared with non-coastal areas, and increasing numbers of applications are being made to Council to subdivide and redevelop the older established areas that have larger allotments, particularly in the area of ‘old Torquay’ between the Surf Coast Highway and the foreshore.

There have been negative perceptions and feedback from some parts of the community about the impact of recent development and change on the coastal character of Torquay and Jan Juc. This concern is two fold. Firstly, particular concern has been expressed in relation to redevelopment and subdivision of land in the older, established areas of the towns for medium density development, involving removal of vegetation from the site and the replacement of small holiday homes with larger, bulkier houses, often of a ‘suburban’ character. Secondly, new residential subdivision in the town’s designated growth corridors is more “suburban” in appearance, lacking a tree canopy cover and containing many dwellings that lack a coastal character. *The Victorian Coastal Strategy* provides an important context for consideration of neighbourhood character in Torquay and Jan Juc, containing a vision that:

“Townships will no longer grow like ‘topsy turvy’. They will be recognisably coastal in character and grow within planning frameworks which respect the environments within which they’re built”.

An overarching objective of the Strategy is “to ensure that any future built form is sensitively located, ecologically sound and respects visually sensitive landscapes so that loss of habitat, loss of amenity and potential erosion is minimised”. The following specific objectives are of relevance:

- “5.2 Provide direction for the location and scale of use and development on the coast.
- 5.3 Improve design outcomes for buildings and structures in foreshore and coastal areas.
- 5.4 Ensure sensitive sites are identified to protect against inappropriate development and use.
- 5.6 Protect, improve and utilise the historic buildings and features along the coast.”

To achieve the above objectives, the *Victorian Coastal Strategy* outlines a number of actions which are relevant to this Study:

“5.2.1 Opportunities will be actively sought to ensure that Municipal Strategic Statements take account of the special nature and character of the coast and the characteristics and role of the coastal cities, towns, villages and bayside suburbs.

5.2.2 The essential character of coastal settlements, undisturbed areas between settlements and the developed populated coast will be protected through mechanisms such as the development of local guidelines and planning scheme overlays, for the siting and design of structures on the coast.

5.2.10 The application of planning scheme overlays to manage development in visually sensitive and prominent areas as determined in the ‘Landscape Setting Types for the Victorian Coast’ will be encouraged.

5.3.1 Siting and design outcomes will be improved on the coast by applying local guidelines which will have regard to the ‘Landscape Setting Types for the Victorian Coast’ and ‘Siting and Design Guidelines for Structures on the Victorian Coast’.

5.6.1 A priority is to identify historic buildings and places and ensure an appropriate level of statutory protection on both public and freehold land will be actively sought.

The Victorian Coast Strategy also emphasises the need to protect significant environmental features in coastal environments. The following objectives are important to note:

- “2.1 Protect and improve the condition of coastal biological diversity.
- 2.4 Protect coastal habitats and associated native flora and fauna.
- 2.5 Improve conservation outcomes on freehold land.”

These objectives are to be achieved via the following actions:

2.5.3 Planning schemes will be the primary mechanism to identify significant conservation values on freehold land and restrict development on or disturbance to these valuable sites. Planning scheme should also be used to address threats from future development proposals on freehold and adjacent public land.”

The above actions contained within the Strategy highlight the role of local government to ensure that Municipal Strategic Statements (MSS) take account of the special nature and character of coastal towns and protect their character through mechanisms such as local guidelines and planning scheme overlays.

The *Great Ocean Road Region Strategy* (2004) (GORRS) designates Torquay as a gateway to the region, and directs urban growth to it because it is better able to accommodate population growth than many of the other coastal townships in the region.

GORRS outlines a number of directions and strategies which are relevant to this Study. In particular, Strategy 2.1 states:

“Respect the character of coastal towns and promote best practice design for new development.”

GORRS response to this strategy is to highlight the importance of neighbourhood character studies for settlements such as Torquay, which are experiencing development pressure, to provide “an effective way of ensuring that development respects the character of coastal towns.”

GORRS goes on to state:

It is essential that neighbourhood character is considered in the context of broader strategic issues such as the provision of housing. The application of new neighbourhood character

provisions can affect the provision of housing in an area and, consequently, the extent to which future housing demands will be met.”

Unlike other coastal settlements in the Shire such as Aireys Inlet, Lorne, Fairhaven and Anglesea, Torquay is not constrained on all sides by natural barriers to outwards expansion, and is identified in *The Great Ocean Road Strategy (2004)* and the MSS as being one of the locations where future residential growth in the Shire will be directed.

The purpose of this Study is to determine how best to manage this growth and associated change so that valued aspects of the character of Torquay and Jan Juc are protected and enhanced, and that undervalued or de-valued areas are modified and improved. It is therefore about balancing the need to accommodate future growth, and achieving sustainability objectives – economic, environmental and social, with protecting and enhancing valued characteristics of the township. Thus aesthetic outcomes, whilst important, must be balanced with the critical need to accommodate future growth and promote Ecologically Sustainable Development, particularly in terms of the provision of solar access and correct solar orientation.

The Council introduced a suite of new controls for Torquay and Jan Juc with the new Victorian Planning Provision (VPP) format Planning Scheme in October 2000 which focus on development on freehold land. Limited residential development controls were applied across Torquay and Jan Juc. The Neighbourhood Character Study provides an opportunity to review these planning controls after almost 4 years of operation with the view to determining whether they are adequate in maintaining the coastal character that is valued by the community.

Objectives

The objectives of this study are to:

- Identify the attributes that represent the preferred neighbourhood character for Torquay-Jan Juc.
- Maintain and enhance the distinctive coastal character and features of Torquay and Jan Juc. This will involve consideration of homogenous characteristics and areas of diversity across the townships.
- Facilitate the provision of a diversity of housing to meet the needs of a variety of household types including both permanent and non-permanent residents.
- Provide greater certainty for the community and the development industry in terms of what development, and development attributes, may be compatible with the preferred character.
- Establish a methodology for the ongoing monitoring of planning decisions and review of planning controls to achieve the above objectives.

The outcome of the Study will be:

- Identification and assessment of the neighbourhood character within the two townships.
- Preparation of precinct descriptions.
- Mapping of vegetation types and significance.
- Review of development controls in the Surf Coast Planning Scheme as they relate to the outputs of the Study.
- Recommendation of actions for implementation

The Study relates to the area within the township boundaries, and focuses on Residential zoned land and to a lesser extent land zoned Low Density Residential, but does not include commercial or industrial areas or the Torquay Sands development. Refer to **Map 1** for an aerial view of the study area.

Although the primary focus of the Study is to provide recommendations which will result in planning scheme controls which influence neighbourhood character outcomes of private land in terms of their impact on streetscapes, there is also an opportunity to influence neighbourhood character and design outcomes for public land within the townships. The Study is aimed at:

- Recommending changes to the Planning Scheme to provide improved Neighbourhood Character Outcomes for private land

- Influencing other Council studies, reports, policies and actions that impact on the character of the public realm.
- Balancing the desire for improved neighbourhood character outcomes with the need to promote Ecologically Sustainable Development.

2. Methodology

Neighbourhood character studies have traditionally been undertaken by professionals through data collection and analysis. The approach taken in this Study and that undertaken for other coastal towns in the Surf Coast Shire differs in that as well as conducting a physical analysis of character elements, it taps into the community's perception of their neighbourhood. The following is a brief description of the process followed in the Study.

Community Reference Group

A newsletter explaining the Study was sent to landowners at the outset, inviting them to participate on a Community Reference Group (CRG) which would have the dual purpose of providing feedback to the Shire on different tasks being undertaken as part of the Study, as well as feeding information to and educating the wider community on the project. Following receipt of nominations, Council appointed twelve community representatives. The Reference Group met four times during the Study and their feedback has been incorporated into this report.

Community Perceptions Analysis

Dr. Ray Green, Head of Landscape Architecture, Faculty of Architecture, Building and Planning, at the University of Melbourne, was engaged to undertake a study of community perceptions of neighbourhood character. This study used a similar methodology to his research into town character in the nearby coastal towns of Lorne, Apollo Bay, Anglesea and Aireys Inlet to Eastern View, and drew on a perceptually based town character assessment methodology he has developed through past research.

The methodology and results of this component of the Study are summarised in a report by Dr. Green titled "*A Study of Resident Perceptions of Neighbourhood Character: Torquay/Jan Juc (October 2003)*" which is appended as [Appendix 1](#). The key outcomes are discussed in Chapter 3. This analysis, as well as contributions from the Reference Group, has informed the Study as to elements of "**preferred character**" that new planning controls will seek to achieve.

Vegetation Assessment

Mark Trengove of Geelong Indigenous Nurseries was engaged to:

- Identify and classify vegetation communities within the study area;
- Identify the conservation significance of the vegetation communities and any significant plant species; and
- Make recommendations on the protection of significant vegetation communities or particular species.

A report by Mr Trengove titled: "*Torquay/Jan Juc Neighbourhood Character Study: Vegetation Report*" (2003) outlines the methodology and the results of his assessment and is appended as **Appendix 2**. The results are discussed in Chapters 3 and 4.

Indigenous Planting Guide

Surf Coast Shire officers have produced an 'Indigenous Planting Guide' for urban coastal areas within the Surf Coast Shire. The study area is contained within '*Precinct 1 – Torquay-Jan Juc*' and provides a list of plant species that are indigenous to the area for the purpose of assisting land owners to select plants for their gardens which are adapted to local soil types and conditions and provide habitat and food for local wildlife. A copy of the Plant List is appended at **Appendix 3**.

Precinct Description and Analysis

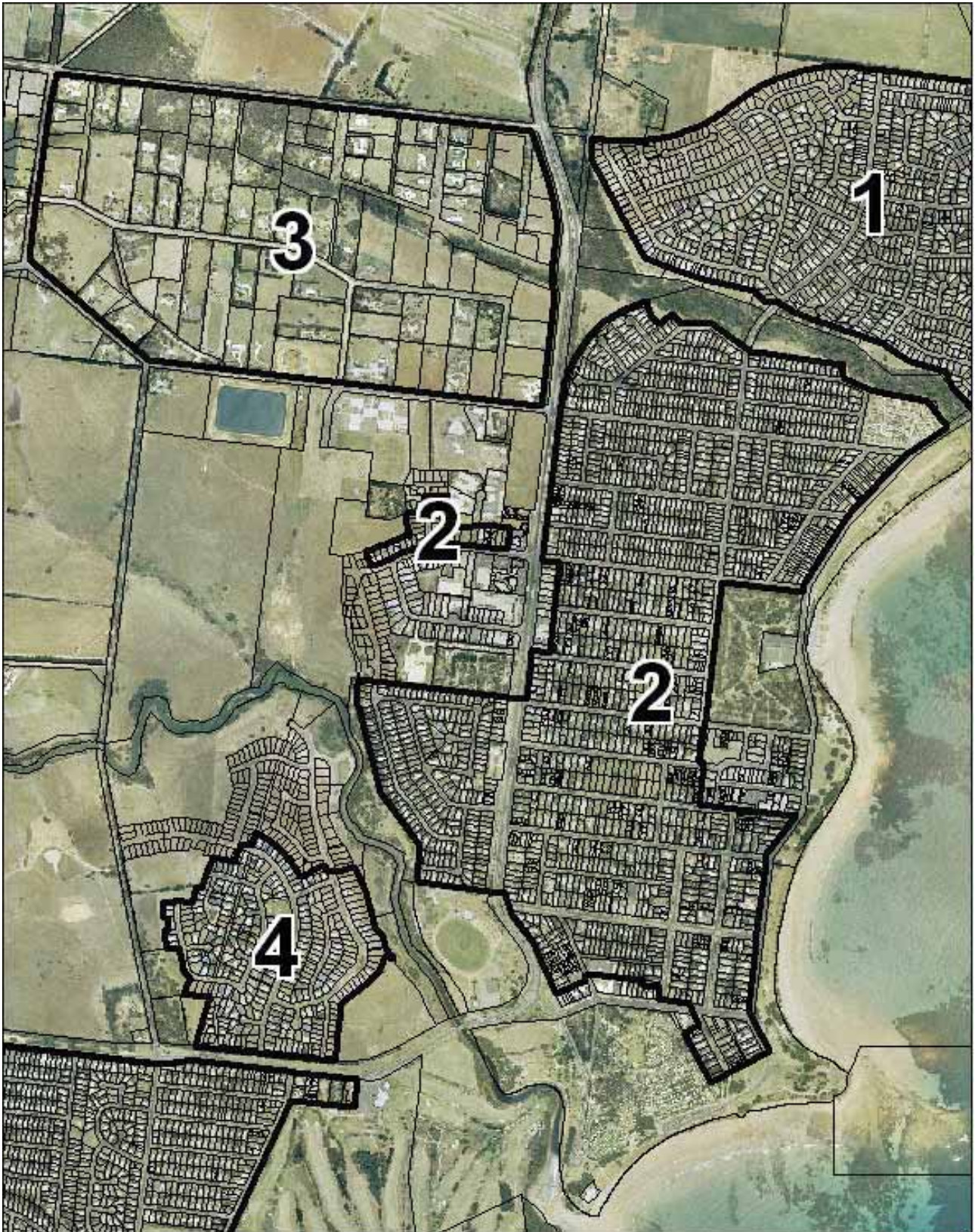
Isis Planning, Land Use Planning Consultants, surveyed the physical features of the town in order to identify the existing characteristics of the built form and natural features within the town. All areas within Torquay and Jan Juc were surveyed and the data recorded in a spread sheet. Details of the features surveyed and the collected data are appended as **Appendix 4**. The data has been analysed to

determine areas where these characteristics are common and/or vary from one another. The results of this analysis are shown on **Map 1**, with detailed Precinct Descriptions appended as **Appendix 5**.

Study Report

The Study Report draws together the work undertaken by the consultants Dr. Ray Green, Mark Trengove and Isis Planning. The following chapters analyse the key features that have been identified as being important to the character of Torquay and Jan Juc. Chapter 5 reviews development controls in the Planning Scheme taking into account the preferred character outcomes identified, assisted by a detailed examination of case study developments. Developments chosen as case studies were drawn from those rated as being incompatible with character at the community workshop held as part of the perception analysis exercise, as well as other developments selected by Shire officers which exhibit similar characteristics. Case studies have given added capacity to make a link between current planning tools and the character outcomes which result from them – refer **Appendix 6**.

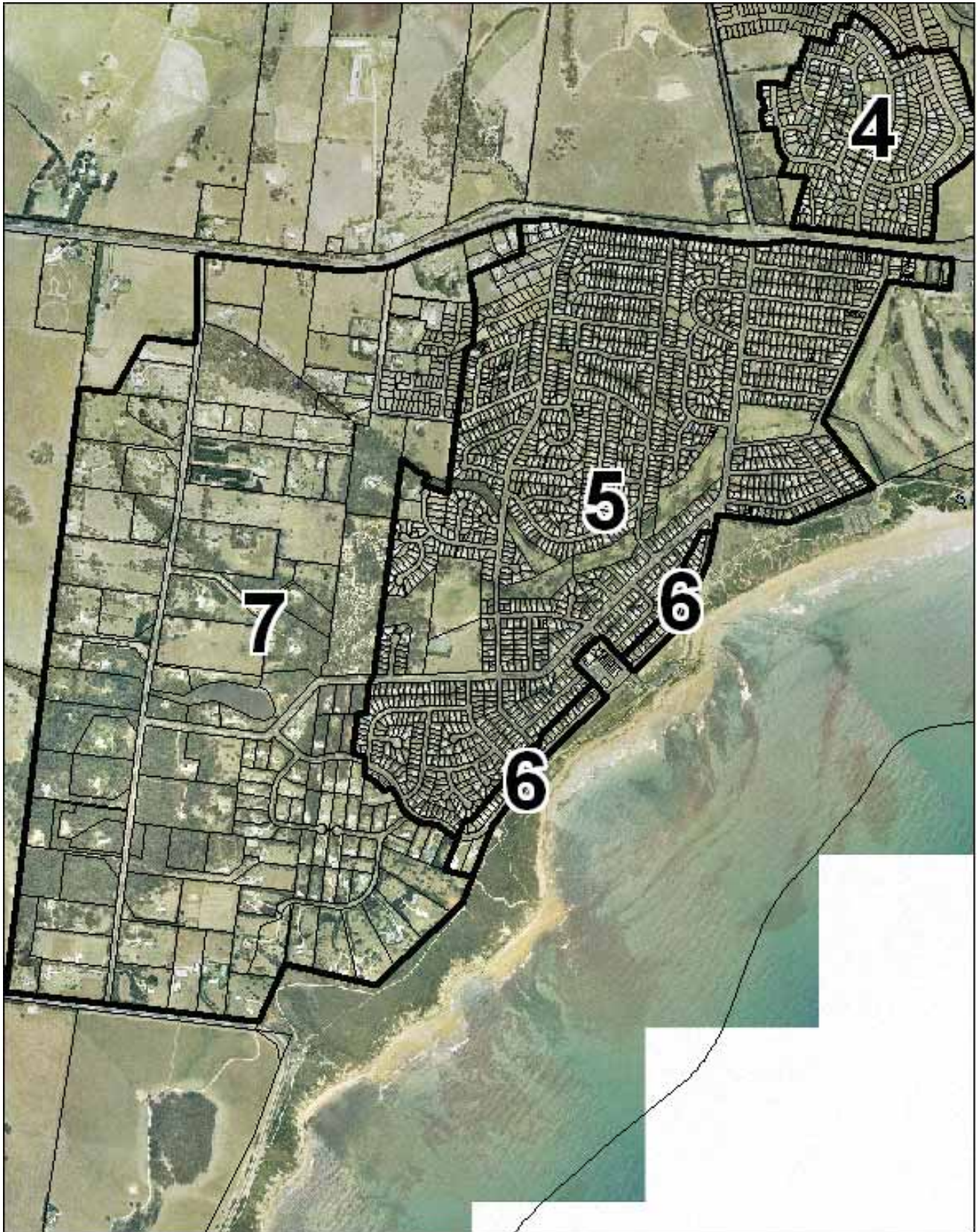
Map 1A
Neighbourhood Character Precincts – Torquay
(Aerial Photo)



Map 1B
Neighbourhood Character Precincts – Torquay
(Aerial Photo)



Map 1C
Neighbourhood Character Precincts – Jan Juc
(Aerial Photo)



3. Assessment of Key Character Elements

PREFERRED CHARACTER

The community perception analysis conducted by Dr Green (**Appendix 1**) established six neighbourhood precincts that the respondents to the survey indicated represented 'their neighbourhood'. The physical survey undertaken by ISIS Planning and the Surf Coast Shire (**Appendix 4**) further analysed these precincts and identified seven distinctive neighbourhood precincts across Torquay and Jan Juc that shared similar characteristics. These are shown on **Maps 1 (a to c)** in the previous chapter. The following precinct discussion refers to the seven precincts identified by the physical survey undertaken by ISIS Planning.

Central Torquay (which includes the area locally known as "old Torquay") and central Jan Juc (Precincts 2 and 5) contain numerous older more established houses, classic beach houses with contemporary buildings as well as suburban style houses. These two precincts contain a good coverage of indigenous and mature vegetation and often feature larger setbacks, giving an overall appearance of an established sea-side town.

Torquay North, Great Ocean Views and Ocean Boulevard in Jan Juc (Precincts 1, 4 & 6) feature more prominent development with a mix of contemporary and suburban style housing, smaller setbacks and minimal vegetation cover, particularly of mature trees, giving these areas a more 'suburban' feel. The key attribute of these three precincts is the location of infrastructure underground, the lack of front fencing in the Great Ocean Views estate and the availability of ocean views from Ocean Boulevard, Great Ocean Views and some parts of the Wombah Park Estate (Precinct 1).

The tallest buildings are generally located adjacent to the foreshore in Torquay Central, Torquay North (along The Esplanade), and along Ocean Boulevard in Jan Juc (Precincts 1, 2 and 6), where land owners have sought to maximise ocean views.

Larger lots are located on the outskirts of the two townships in the Low Density Residential Zone to the north-west of Torquay and west of Jan Juc (Precincts 3 and 7). These areas are more rural and vegetated in appearance with buildings being recessive due to large setbacks, and are sometimes barely visible from the street. The low density residential areas rated as being the most compatible with the preferred character whilst the other precincts, all located in the Residential 1 zone, received a rating which ranged from slightly compatible, to slightly to moderately incompatible. These latter areas were deemed to exhibit both positive and negative character attributes.

The outcomes of the community perception analysis carried out by Dr. Green is consistent with the findings of the physical survey undertaken by ISIS Planning, in that both studies identify an existing character which is varied across all precincts. Dr Green found that the characteristics of development that the community perceived to be consistent with or detracting from the local character were the same characteristics throughout the study area. The **preferred character** therefore, is consistent across Torquay / Jan Juc despite some variations in **existing** character. This distinction between preferred character and existing character is important to note as it is the preferred character identified by the community which future planning controls will seek to achieve.

The key attributes or elements perceived to be *compatible* and *incompatible* with the local (or preferred character) that emerged from the Perceptual Analysis and collated by Dr Green are listed in the following table:

ATTRIBUTES PERCEIVED TO BE COMPATIBLE WITH LOCAL CHARACTER	ELEMENTS PERCEIVED TO BE MOST INCOMPATIBLE WITH LOCAL CHARACTER.
VEGETATION / NATURAL FEATURES	
<p>Retained indigenous vegetation or indigenous vegetation used in the landscape</p> <p>Sufficient landscaping.</p> <p>Mature trees and vegetation.</p> <p>Rooflines that are broken up by mature canopy vegetation.</p> <p>Buildings set below the tree canopy line.</p> <p>The natural environment including:</p> <ul style="list-style-type: none"> • beaches, • access to and walking tracks through vegetated natural open space areas, • bodies of freshwater including creeks and ponds. 	<p>Inadequate landscaping.</p> <p>Lack of mature trees.</p> <p>No indigenous vegetation or vegetation cleared from site for construction.</p> <p>“Suburban” looking exotic vegetation.</p> <p>Over manicured gardens and lawns.</p> <p>Roofs visible above tree line.</p>
BUILDING FORM	
<p><i>Building Height</i></p> <p>Not too tall – at most two storey.</p> <p>Built to maximise and share views.</p>	<p>Height – too high, particularly three storey and more developments.</p> <p>Too vertical in orientation.</p> <p>Obstructs views.</p>
<p><i>Style / Materials</i></p> <p>Built with natural materials such as stone, weatherboard and other types of timber that look natural, lightweight and are reflective of the area.</p> <p>Conveying a sense of nostalgia and historic value reflective of old Torquay and Jan Juc.</p> <p>Unique and innovative architectural design.</p> <p>Interesting mix of houses of different forms and colour – moderate complexity – within a given neighbourhood area.</p> <p>Roof forms that reflect old beach houses, some having shallow pitched roofs, or other peaked roof types and those with gables.</p> <p>Balconies that articulate building form.</p> <p>Driveways constructed of natural looking</p>	<p>Brick veneer with “suburban” appearance.</p> <p>“Queensland style” houses.</p> <p>Buildings that do not “fit” with street and adjoining lots.</p> <p>Not reflective of the area or have no connection with local area.</p> <p>Windows that are out of scale.</p> <p>Repetition and uniformity of architectural forms.</p> <p>“Suburban” and “urban looking” houses.</p> <p>Roofs that strongly contrast with their surroundings such as brightly coloured tile roofs.</p> <p>Flat roofs, particularly those without eaves.</p> <p>Lack of verandas.</p> <p>Concrete and asphalt driveways that look too</p>

materials. Narrow/Single driveways. Unobtrusive garages	dominant. Double driveways Dominance of garage over house.
<i>Building Bulk / Articulation / Site Coverage</i>	
Small footprints. Small in scale. Unobtrusive and understated in design. On large blocks. Low density development. Good articulation – moderately complex. Right solar orientation.	High site coverage. Bulky in appearance. Domination of building – imposing, too big, fortress-like and “unfriendly looking”. Too large in mass. Poor proportions of building elements. Too complex in form. Front walls that are large, flat, imposing and unarticulated. Buildings that lack surface articulation. Lots too small for the size of the house. High density. Inappropriate siting and unresponsiveness to site. Not responsive to environment - solar orientation.
<i>Colour</i> Colours that are subtle, neutral, muted, receding and unobtrusive, thus reducing the visual prominence of buildings from the street and/or that are reflective of the colours of the area.	Colours – contrasting, not matching, overwhelming, too strong, too pastel, black or too dark. Aggressive, harsh looking.
<i>Building Setbacks</i> Have generous setbacks.	Minimal setbacks – on side, front and/or rear boundaries.
FENCING	
No front fences/low open style fencing.	Front fences that are too high, solid and lacking integration with house design.

In summary, based on the community perception modelling and physical survey, the preferred neighbourhood character of the Torquay / Jan Juc Township might be described as follows:

Neighbourhoods of modest dwellings reflective of older style beach houses and other classic Australian style houses, or of more contemporary design that are balanced in terms of their articulation, form and colour. Set in well landscaped streetscapes, with large front setbacks and spaces between buildings, incorporating mature, indigenous vegetation which filters the visual presence of dwellings. Streetscapes are predominantly free of front fencing or have low open style fencing with recessive garages accessed by drives of natural looking surfaces.

The key character elements that have been identified in the table above are discussed in more detail in the balance of this chapter. These elements are discussed in relation to the whole of the study area, with reference to the identified seven neighbourhood precincts and differences between them.

Recommendations are included at the end of the chapter which provides direction how best to achieve the 'preferred character' across all of the precincts, in future development proposals.

VEGETATION COVER AND NATURAL FEATURES

Vegetated Character

Although there is considerable variation in the extent of vegetation cover across the study area, the perceptual analysis conducted by Dr Green confirms that property owners in all precincts consider vegetation, and the use of vegetation to soften and screen buildings, to be an important element of the preferred character. Vegetation cover is highest in Precincts 2, 3, 5 and 7 with limited cover in Precincts 1, 4 and 6.

Developments perceived by the community as being highly compatible with the local character were those that had retained mature trees and planted vegetation within setback areas so that they were predominantly screened from the street and neighbouring properties. The photos that rated least compatible with local character showed buildings with little space or vegetation around them.

The extent of 'native bush' cover is one of the primary character elements that differentiates the areas zoned Low Density Residential from the areas zoned Residential 1. Likewise the existence or otherwise of established vegetation is one of the primary character elements that differentiates the more established areas of Torquay and Jan Juc from more recently subdivided residential estates.

The low density, large lots on the outskirts of the townships, at Jan Juc West and Torquay North West (Precincts 2 & 7) contains the highest cover of vegetation within the study area. These areas feature large vegetated setbacks, and post and wire fencing. The built form is often either not visible from the street or recessive in the landscape, and the vegetation in these areas is predominantly indigenous giving a 'native bush' character. As a result of the presence of these characteristics, precincts 2 and 7 rated as the most compatible with the 'preferred neighbourhood character'.

Central Torquay and Jan Juc (Precincts 2 & 5) contain a cover of both native and exotic vegetation with many mature trees within the streetscape. The existence of mostly small buildings with large open yards creates an established vegetated character. Buildings are more visible in central Torquay than in Jan Juc due to the higher cover of vegetation in Jan Juc. This vegetation cover, whilst largely introduced (non-indigenous), is highly contributory to the character.



Native bush block located in the Low Density Residential Zone



Established vegetated character



Recently subdivided grazing land with little significant vegetation

The above precincts are distinctly different from Torquay North and Great Ocean Views (Precincts 1 and 4). These areas have been developed for housing since the 1990s and contain little in the way of established or indigenous vegetation cover. In both cases the land was formerly used for cropping and grazing and was historically cleared of all significant vegetation. Dwellings in these precincts are much more visible in the streetscape as a result and the establishment of large canopy trees has been further restricted due to large building footprints and small setbacks off property boundaries.

Several photos in Dr Green's perceptual analysis rated as moderately or highly incompatible with the coastal character. Most of these had high site coverage, minimal setbacks off property boundaries and hence limited room for the establishment of significant landscaping. Multi-dwelling developments or houses constructed close together that have little space around them for landscaping, particularly canopy trees, prevents them from integrating satisfactorily with the streetscape. As a result, the building elements appear more dominant in the streetscape.



Unit development with no landscaping



Unit development with landscaping

Torquay and Jan Juc will continue to grow given the townships' status as a growth node for the Surf Coast Shire. Growth will be directed both to broad hectare subdivisions in the two designated growth corridors in Torquay North and Torquay West, as well as to in-fill development within the existing residential areas.

All existing residential areas within Torquay and Jan-Juc have the capacity to cater for some in-fill development. However, central Torquay due to the large lot sizes and the close proximity to shops and community facilities will be better suited to more intense development. Given the environmental and social imperatives to maximise the efficient use of land in areas which are close to existing services such as shops and community facilities, in-fill development should predominantly occur in locations which are within walking distance from such facilities.

It is important given the inevitability of future in-fill development and broad-hectare subdivision in and around the townships, to ensure that future development and subdivisions are complementary to and respectful of the preferred neighbourhood character.

Within the existing residential areas, developments and subdivisions should be designed to provide for adequate space between and around buildings to enable vegetation to be retained and established. Such areas should be large enough that a mix of shrubs and canopy trees can be planted and retained into the future, without conflicting with the requirements of the occupants of the dwelling.

For broad hectare subdivisions, residential areas should also be respectful of the aforementioned preferred neighbourhood character as well as the predominant grid pattern of road network. However, in areas which have been designated for more intense or higher density development within the Torquay Jan Juc Structure Plan, a different approach may need to be taken in terms of neighbourhood character in order to achieve the objectives associated with Ecologically Sustainable Development. Vegetation and open spaces should remain a key character element within these areas; however, elements of the built form which shall be discussed in due course may need some modification.

In both in-fill development and broad hectare subdivision, an emphasis should be put on the retention of mature trees currently on development sites, and their integration into the design of the development (ensuring that buildings and driveways will not compromise the capacity of the trees to be retained beyond the short term). In terms of broad hectare subdivisions, areas of significant remnant vegetation should be incorporated into open space networks with adequate buffers to prevent edge effects from adjoining residential land uses. This issue will be discussed in more detail in chapter 4.

Consideration will need to be given to the mechanisms to best achieve the above outcomes. The important elements in relation to the preferred neighbourhood character are:

- retention of existing mature trees;
- informal landscaping with an emphasis on indigenous and native vegetation; and
- vegetation that scales and filters the visual presence of buildings, particularly as viewed from the street and other public places.

Addressing these elements will involve:

- having control over the removal of existing mature vegetation;
- the provision of quality areas (in terms of their size and location) for landscaping, to ensure the long term health of remnant vegetation and the establishment of mature trees that can provide the desired scaling and screening; and
- the ability to influence landscaping, particularly within site frontages.

A number of planning tools are available which will provide varying degrees of success in actioning these elements to achieve the preferred neighbourhood character in relation to vegetation and landscaping. The more direct is the prescription of minimum building setbacks from front and side boundaries, the requirement for minimum landscape areas and the enactment of vegetation removal controls. Other tools include prescribed minimum lot sizes, maximum building footprints and associated hard surfaces such as driveways and patios, and the requirement for landscaping plans.

The use of prescribed minimum lot sizes in order to retain and re-establish vegetation would appear to conflict with other competing requirements, such as the need to increase residential densities throughout Torquay to maximise accessibility to community infrastructure and services, and the need to provide for a diversity of affordable housing stock. Further, the specification of minimum lot sizes is not considered particularly effective in isolation, other than for lots of a size found in low density residential zones such as on the outskirts of Torquay and Jan Juc. For the smaller coastal towns in the Shire a minimum lot size with other siting and site coverage controls has been important to protect the more extensive vegetation that exists in these towns, which has high ecological value as well as important amenity or character value. For Torquay / Jan Juc the vegetation is more generally of an amenity value, with the emphasis placed on its role in the streetscape and public places. Having regard to the role of Torquay / Jan Juc as a growth centre, it would be more difficult to argue or justify a minimum lot size, which can limit the opportunity for the provision of a diversity of dwelling types, when other controls are able to adequately address the key neighbourhood character issues.

This leaves the specification of landscape areas in enlarged frontages, as well as the control of building site and hard surface coverage areas as planning tools to promote landscaped areas. A combination of these tools would appear to be the most effective in addressing the vegetation character elements whilst still providing reasonable opportunity for medium density developments. These requirements would promote the retention / provision of adequate space to retain and re-establish sufficient vegetation to frame and/or screen development from public and private viewing areas. Landscape plans would then be required as part of development proposals to ensure that the setback areas are then adequately landscaped. The use of performance criteria is recommended for all Residential 1 zoned precincts which set minimum standards in terms of building site and hard surface areas, as well as setback areas to allow for enough space to establish indigenous landscaping. Planning permits should be required where minimum standards are not met.

In new subdivisions, emphasis should be placed on retaining existing trees, particularly remnants, and establishment of new vegetation on both private and common land, with a preference for the use of indigenous and native species. Landscape design should be a key feature of any new

subdivision proposal, in order to link the character of newly subdivided areas with the rest of the township.



Sections of nature strips have been extensively planted with indigenous vegetation in this street in Torquay's Wombah Park,

Education is a further tool important in encouraging the retention and planting of native vegetation. Education of both existing and future land owners should be given priority in order to complement policy objectives in the Planning Scheme and regulatory mechanisms. This applies to the removal of indigenous vegetation as well as revegetation using indigenous species.

The importance of landscaping within the road reserve should also be emphasised in terms of its contribution to neighbourhood character. The road reserve is an important element within every streetscape and its contribution to overall neighbourhood character is significant. As such it is important that, in conjunction with improvements in the private realm, Council undertake extensive street planting projects in order to increase the overall vegetation cover, particularly in areas of low vegetation cover.

It is also considered that the current requirement for a planning permit for buildings and works on lots below 450sqm does not add any value in its own right in terms of contributing to the preferred landscaped neighbourhood character. As discussed above, a given lot size does not in its own right result in development which is incompatible with the preferred neighbourhood character. As such, it is recommended that this planning permit requirement be removed. However, should new lots of this size or less be created through subdivision, then it should be a requirement to provide development plans in order to demonstrate that the new lot is capable of development which is consistent with neighbourhood character objectives.

Vegetation type and cover

As detailed in the *Torquay/Jan Juc Neighbourhood Character Study Vegetation Report 2003* by Mark Trengove (**Appendix 2**), the study area has a considerable mix of vegetation types and cover. This vegetation report, particularly concentrating on environmental values, is discussed in greater detail in Chapter 4. The variation in canopy cover is evident from the aerial photography shown on **Map 2** located in the previous chapter. Given the importance of indigenous vegetation to the preferred neighbourhood character, this map highlights the desirability to extend and enhance vegetation cover across the study area. Hence, it is important that future development across all precincts in the first instance be responsive to retaining existing native vegetation, particularly indigenous vegetation. Where vegetation is



Environmental weeds such as agapanthus are seen to detract from neighbourhood character



Moonah rated as being highly compatible with neighbourhood character

unable to be retained a mandatory requirement to provide adequate replacement planting should be pursued. Finally, all development should be designed and sited to make provision for the planting of new vegetation that will assist in integrating development into the landscape. Emphasis in particular should be placed on increasing the vegetation cover on sites in areas that currently have a low tree canopy cover, such as in the newer developed areas of Torquay and Jan Juc.

Landowners should be encouraged to use species listed in the Surf Coast Shire's Indigenous Planting Guide, 2003, when replanting or landscaping generally, selecting a combination of grasses, shrubs and trees. However, there may be instances

such as where solar access plays an important role, to broaden the species selection. Species, however, should always be selected for their drought tolerance.

The vegetation report highlights that there is a greater proportion of exotic and non-indigenous natives found within the residential areas, compared with the areas zoned Low Residential. While most vegetation is considered to be significant in terms of the landscape character value, the results of Dr. Green's work indicates that indigenous and to a lesser extent native species are of greater value to the community than exotic species. This is particularly evident in terms of environmental weeds that are identified as *detracting* from the neighbourhood character.

The planting of exotic vegetation should not be encouraged over indigenous or other native vegetation, unless site conditions warrant it, for example, where solar access is required. Furthermore, the planting of environmental weeds should be actively discouraged due to their invasive nature, and the evidence cited by Dr Green's study which indicates that the community perceives such plants to detract from neighbourhood character. Any such prohibition is considered to be best pursued through a local law mechanism.

It is also considered important for Council to have appropriate educational material and expert advice available for residents to help them with species selection, siting, design and plant stock sourcing. This should cover a broader selection of appropriate canopy trees, given the narrow selection of trees which are endemic to Torquay and Jan Juc. The selection of canopy trees should be determined for their suitability for use on residential blocks and take into account issues which may impact on safety and amenity requirements such as canopy size, tree height, root structure, leaf and limb litter, to name a few. Such advice should aim to support residents in selecting the most suitable tree species and planting these in the most appropriate location, and to therefore avoid potential conflicts in the future regarding trees which have been poorly sited and selected.

An additional issue which could be addressed within the planting guide is information about wild fire risk and management.

Despite the lesser value attributed to non-indigenous plant species, in areas of relatively low indigenous vegetation cover, most mature trees are considered to be of significance to the streetscape character, hence their protection through appropriate planning controls is warranted. This is particularly the case through central Torquay and Jan Juc where there are only pockets of indigenous vegetation remaining but a good cover of other mature trees. Consideration will need to be given to the mechanisms to best protect the remaining isolated stands of mature native as well as non-native vegetation throughout the established parts of the town.

Consideration will also need to be given to the mechanisms to best protect new indigenous and native vegetation being planted in the new parts of the town, in order to ensure their survival in the longer term. The isolated stands of Moonah and Bellarine Yellow Gums scattered throughout parts of the study area, identified on **Map 2** (located in Chapter 4) not only have a high aesthetic value but high environmental significance which needs to be recognised through appropriate planning controls. Refer to Chapter 4 for a more detailed discussion of indigenous vegetation.

Natural Features, historical buildings and the public realm

The proximity of many residential areas to public land is important in creating a sense of living within a natural coastal environment such as Torquay / Jan Juc. Natural features such as the beaches, creeks and open space areas were found to be central to the neighbourhood character in the perceptual analysis. An expansive open space network is therefore a significant component of the liveability of the town, and road reserves can be a significant component of this network in terms of linking areas of open space. The importance of the remaining historical buildings was also highlighted.



One of the few remaining historic buildings in Torquay, which is rated as highly contributory to neighbourhood character

Dr Green states that:

“What the findings of this study suggest is that natural environments and associated natural features, and views of such features, specifically the beach, creeks and ponds, open space areas such as the golf course and nature reserves and the few remaining historic built features are vitally important to the character of Torquay and Jan Juc. These features need to be conserved if the framework of the town’s character is to be retained in the face of continuing development pressure. Any development that results in disturbance to these features should be discouraged through appropriate planning controls.”

and

“...It is important to consider these attributes in formulating planning controls that aim to encourage development that will be perceived as compatible with local character and discourage attributes associated with incompatible development. If such planning mechanisms can be successfully implemented and enforced there may be hope that the areas outstanding environmental and residential character might not be lost or seriously degraded in the future even in the face of continuing and rapid development and town growth” (Green, 2003, P19-22).

In response to the above, it is considered necessary to expand planning control requirements for areas which abut foreshore areas such as The Esplanade in Torquay and Ocean Blvd in Jan Juc, with the intention of minimising their intrusiveness in the landscape and their negative impact on the amenity of public reserves. In addition to these, the land within the southern part of the Low Density Residential Zone west of Jan Juc is within a natural landscape setting and is visible from Bells Beach. As such it is considered that a planning permit should be required for all buildings and works in this area in order to control the appearance of development within the landscape.

Extending the above logic would also imply that areas which are highly visible within Torquay also impact on the character of the township, and as such should have separate planning controls apply to them. In particular given that properties that front the Great Ocean Road are highly visible, landscape and design outcomes should require special attention.

Secondly, it will be important for new residential subdivisions to incorporate adequate vegetated public areas into their designs and provide vegetated links between new estates, the central areas of Torquay and Jan Juc, and of public reserves to help build on this positive aspect of the town.

Thirdly, the design and layout of the road network is an important component of neighbourhood character and should be an important consideration when examining broad hectare subdivision applications, as well as a key component of the Shire’s management of public infrastructure. The surface treatment of local roads, the management of stormwater and resultant design of curb and channels or integration of Water Sensitive Urban Design measures, the design and surface treatment of footpaths and the type and design of street planting all contribute to neighbourhood character within the public realm.

Finally, it is considered important to apply heritage controls over the remaining historic buildings and sites within the town in order to ensure their ongoing protection.

BUILDING FORM

Style/Materials

There is a considerable variation in the age and style of housing across the study area. Central Torquay and Jan Juc have a relatively low occurrence of typical suburban building forms. Instead, most houses are clad with timber weatherboards, fibro cement sheet or other light-weight wall materials with galvanised iron or colourbond roofing. Many of the older buildings have skillion or gentle pitched roofs, typical of the Australian



Older style beach house which rated as compatible with neighbourhood character

beach house.

More recently developed residential areas such as Torquay North, Great Ocean Views and Jan Juc – Ocean Boulevard (Precincts 1, 4 and 6) comprise a diversity of housing styles. There is a mix in these areas of contemporary architecture, including curved, flat and pitched colourbond roofs, rendered blockwork, weatherboard and other forms of wall cladding. A fairly consistent feature is large areas of glazing and expansive decking.

Scattered through all of the precincts are the more typical suburban style brick veneer homes with tiled roofs. In the community perception analysis both the older beach houses and many of the contemporary buildings were rated as being more compatible with local character than the suburban form of dwelling that is more associated with Melbourne and Geelong suburbs.

Despite the variation in existing housing style, Dr Green’s community perception analysis identified consistent elements of building form which were considered compatible with the preferred character. Thus in order to preserve and enhance this character emphasis should be placed on the integration of buildings with the landscape, as well as the external materials and colours, height, setback, size and articulation of buildings. More than building style, these design elements will most often be deciding factors on whether a development is compatible with the coastal character or not. Suburban looking houses using face brickwork and tile roofs with sealed surfaces surrounding the building should be discouraged, and land owners encouraged to use timber and other light-weight and contemporary building materials. Council should produce design guidelines for Torquay and Jan Juc to assist people to achieve good design outcomes. In addition to addressing the above design elements which are

considered consistent with neighbourhood character, the design guidelines should address key aspects of Ecologically Sustainable Design such as orienting housing correctly in order to maximise solar access. The importance of sustainable development could also be explored through a local policy in the Surf Coast Planning Scheme, which would also take into account the broader issues of sustainability such as affordability and housing diversity. Good design could also be promoted through a Council based design advisory committee.

The Surf Coast Design and Colours policy in the Planning Scheme (Clause 22.05) refers to a range of preferred design principles titled ‘Surf Coast Style’. This policy is consistent with the preferred character described by Dr Green, and is an appropriate tool for the assessment of development proposals. However, this assessment can only take place when a planning permit is required.

Under the current controls, only multi-unit dwellings, dwellings which exceed 7.5m in height, or which are constructed on lots less than 450sqm, require planning approval. Hence, where no planning permit is required, no opportunity exists to influence the building design. Given the significance of building appearance to the character of the area, and the large number of



Contemporary beach house



Suburban style homes using face brickwork and tiled roofs rated as being incompatible with neighbourhood character



Recent unit development considered inconsistent with neighbourhood character



Units, repetitious in design

dwellings which have been constructed without the need for planning approval which are inconsistent with the preferred character, it is considered important to introduce some form of control relating to building design. However, it is considered unnecessary to introduce permit requirements for all buildings and works. Instead, controls which specifically target elements of development which are inconsistent with the preferred character, should become planning permit “triggers”, requiring planning approval. Hence, such proposals can be assessed on their overall merit and consistency with the preferred neighbourhood character outcomes.



Dominant garage with wide sealed driveway

The character of central Torquay and parts of Jan Juc are particularly vulnerable to significant change due to ageing housing stock and large lot sizes. Lots in these areas are being re-developed for multi-unit developments or more substantial homes.

A number of the photos that rated poorly by the community were multi-unit developments that were repetitious in design and visually more prominent. Current planning controls relating to multi unit developments fail to give enough weight to elements of neighbourhood character. As a consequence of the lack of adequate planning controls, there have been a number of unit developments particularly in central Torquay, which have been considered by the community to be incompatible with the predominant coastal character. It is desirable that developments incorporating more than one dwelling utilise a mix of building forms, siting, styles and colours in order to maximise the individuality of the buildings, and that compatible elements of neighbourhood character, such as identified by Dr Green, are incorporated. In addition multi-unit developments should contain a range of building heights, incorporating a mix of single and two storey dwellings, to provide for diversity in housing choice and to make buildings visually different. Multi-unit developments should also respect the open backyard character of adjoining properties, where this is a character feature of the adjoining properties, and be substantially setback off rear boundaries. Double storey units should be limited to the front of properties.

In addition to the visual appearance of multi-unit developments, amenity concerns were also raised. It was perceived that some multi-unit developments do not adequately address basic amenity standards in terms of overlooking and overshadowing. This has been exacerbated by the construction of roof-top decks.

Another common feature, identified by Dr Green in the perceptual analysis, which detracts from the character of the area is visually prominent garages. This seems to be exacerbated where the garage is set forward of the building line and where the garage is wide in relation to the overall dwelling width. Wide sections of sealed driveway also contribute to this visual dominance as do lighter coloured driveways as opposed to those in recessive shades. As such, performance criteria should be developed which encourage recessive garage and driveway designs, and planning approval where these criteria are not met. In addition to the appearance of driveways, driveway construction should also be encouraged which utilises pervious construction materials.

Building Bulk and Articulation

Dr. Green’s analysis of community perceptions identifies that all of the buildings considered by residents to be incompatible with the character (across all precincts) were bulky and dominating in form with characteristics such as:

- Boxy and bulky forms
- Tall buildings, particularly three storey developments
- Fortress like buildings that are big and imposing
- Minimal setbacks and a lack of vegetative screening which makes buildings look bigger



Boxy, sheer blank walls, flat roof with no eaves

- Walls fronting the street that are flat, large and imposing
- Overwhelming or strong colours
- High site coverage, large scale of building relative to the size of the allotment
- No verandas
- Lack of eaves
- Dominant garages



High site coverage, large scale building

Photos that rated as incompatible with the character in the perceptual analysis were large houses that seemed to take up most of the site. In most cases it is the lack of landscaping, particularly canopy trees around them which prevents them from integrating satisfactorily with the streetscape and adjoining

properties. Large, dominating housing looks particularly out of place in Jan Juc where most housing is partially obscured by vegetation and in central Torquay where the lots are particularly large containing older housing stock which have small footprints with large open areas to the rear. This aspect of the existing character in central Jan Juc and central Torquay is considered to be the preferred character for the entire study area, despite the newer estates lacking in most part in these qualities.

Council's Surf Coast Style policy is particularly relevant to addressing the concerns raised in relation to building bulk and articulation. Relevant elements of Surf Coast Style in relation to the design and siting of buildings include:

- Architecture that has a 'coastal' character complementing local culture or natural features rather than buildings with a typical 'suburban' appearance or period style replicas.
- Buildings that have a lightweight image rather than an appearance of mass and weight.
- Disaggregated structures with interesting spaces and projections rather than solid bulky structures with blank walls.
- Architectural form and rooflines which convey a combination of simplicity and distinction without fussy detail and decoration.
- Facades that utilise light, shade and texture, rather than smooth, uninterrupted, single coloured surfaces.

Building bulk can also be influenced through more prescriptive tools such as site coverage and plot ratio controls. In this regard, a plot ratio control would be more effective in that it can limit the upper floor area which has a greater impact on building bulk. As such, performance criteria should be established to reflect this, and planning permits should be required if minimum standards are not met. These standards should only be varied where community benefit is established.

External Building Colours

The external colour of buildings varies considerably throughout the study area, with no definable colour theme across any of the precincts. Nevertheless, the community perception analysis identified colours as one of the key attributes in determining if a development is compatible or not with neighbourhood character. However, the interpretation of the role of colours did not appear consistent, with similar colours being rated as compatible in one development and incompatible in another. It might be reasonable to conclude from this that as long as colours are not visually obtrusive or dominant, the other elements that contribute to built form will become more important in determining whether a building is compatible or not.



Units, incorporating different designs, which is emphasised by the use of different colours and heights

This is supported by Dr. Green's analysis of the role colour plays in developments perceived to be compatible with neighbourhood character, which is described as: *"colours that are subtle, neutral, muted, receding and unobtrusive thus reducing the visual prominence of buildings from the street and/or that are reflective colours of the area"* (p. 20). Colours that rated compatible included light sea-side colours, such as creams, light blues and white as well as darker muted colours such as browns, greys, and blues. Bright yellow and brown brick with green tiles rated incompatible, as did very dark colours or colours typical of urban heritage buildings.

At present approval for external colours is restricted to areas covered by the Significant Landscape Overlay (The Esplanade and Ocean Boulevard). Requiring approval across the town for external colours is considered unnecessary and onerous in a town that is known for its vibrancy and diversity, especially as the perception analysis was inconclusive as to what colours were incompatible. At the same time, it is considered justifiable to consider external colour as an element of a proposal should planning approval be required for development, and to promote subdued and recessive colour schemes compared with bold or dominant ones. In particular, in multi-unit developments, it is important to require a diversity of colours to minimise the homogeneity of the buildings within the streetscape.



Older single storey

Building Height

Buildings in the Residential 1 Zone across the study area are mostly a mix of single and two storey dwellings with a limited number of three storey dwellings.

Most single storey housing is located in Central Torquay (Precinct 2) featuring the older beach houses, although this area also contains many infill unit developments of recent years which are two storey. The height of dwellings in the study area has generally been restricted to a maximum of 7.5 metres by existing and past planning controls, which has maintained the low building height throughout the town.

There is a higher incidence of two storey dwellings in Torquay North and Great Ocean Views (Precincts 1 and 4) due to these being newer estates and because land owners have sought to capture distant ocean views. There are very few occurrences of three storey dwellings across the study area with the exception of along the sea front in Torquay (Precincts 1 and 2) and Ocean Boulevard in Jan Juc (Precinct 6), again due to the ocean views that are available.

The analysis of community perceptions by Dr Green indicates that three storey dwellings are generally considered to be too high. However it would appear that the height of the building alone does not determine whether a building is consistent with the coastal character or not, especially given that Case study 7 (Appendix 6) was rated as being compatible with neighbourhood character. Instead the preferred character seems to incorporate a variety of factors including the height, setback, scale, landscape setting and general appearance of the building.



Contemporary two storey



This three storey development rated as being incompatible with neighbourhood character



This three storey development rated as being compatible with neighbourhood character

Across the study area the availability of ocean views has potential to create competition amongst land owners and it is therefore desirable that a consistent maximum building height be established which is compatible with the low scale of development that is prevalent in the town. Retention of the current preferred maximum building height of 7.5m is recommended. Performance criteria for allowing buildings to exceed this height should only be considered where small sections of roof exceed 7.5m for design considerations, and which consequently does not increase the visual bulk of the building, or where an increased height has some demonstrated community benefit. Where benefit is established for an increase in height, consideration should be given to introducing a view sharing policy such as currently exists in other coastal townships in the Shire, in order to afford neighbouring properties some rights in terms of maintaining part of their view.

In the Low Density Residential Zones of Torquay North-West and Jan Juc West (Precincts 3 and 7) buildings are constructed to a range of heights, though for the most part limited to a maximum of two storeys. Precinct 7 contains a higher number of multi-storey dwellings due to the ocean views available from elevated sites. Building height in the Low Density Residential Zone has not been an issue in the past due to the larger allotment size and the ability of buildings to be screened from roads. Hence the introduction of a building height control would not appear to be warranted in these areas. Nevertheless, there are some properties west of Jan Juc that are visually prominent from Bells Beach and some height control should be considered in this area to prevent the built form from dominating this iconic landscape.

Height and plot ratio controls should also be reviewed in greenfield subdivision areas, where it may be more appropriate to establish new precincts suitable for more intense development, subject to their compatibility with other valued aspects of neighbourhood character.

A planning permit is currently required for relocatable dwellings. Simply because a dwelling is relocatable, does not preclude it from being consistent with the preferred neighbourhood character in terms of its building form. This will be much more a result of other elements discussed within this chapter. As such, it is recommended that this planning permit requirement be removed from future planning controls.

BUILDING SETBACKS

Street setbacks

Dwellings throughout the study area have a variety of setbacks from the road. Where the lots are larger, in Torquay North-West and Jan Juc West (Precincts 3 and 7), buildings are well setback and are predominantly screened by vegetation. By comparison dwellings in the newly subdivided areas of Torquay North and Great Ocean Views (Precincts 1 and 4) and along Ocean Boulevard in Jan Juc (Precinct 6) have a variety of setbacks, but houses are generally located closer to the road frontage.

Building setbacks in central Torquay and central Jan Juc (Precincts 2 and 5) are generally larger than in the newly subdivided areas, ranging from 5m to 10m (and exceeding 10m in some instances in central Torquay). A lack of front fencing or the existence of low fencing combined with

vegetation within the front setback contributes to a feeling of space between buildings and the road. Dr. Green's report revealed that developments that were adequately setback from the street (especially those that were screened by vegetation) were rated as compatible with the character while those that were constructed close to the street frontage, particularly those with little if any vegetated screening, rated least in compatibility.



This dwelling is set further back from the road and partially obscured by vegetation



Buildings with a minimal front setback and no vegetation appear more dominant in the

From this and much of the earlier discussion, it is reasonable to conclude that achieving the preferred character across all precincts relies heavily on maintaining front setbacks that are capable of being vegetated. Applying the standard front setback provisions of ResCode has proved to be unsuccessful in replicating the preferred character in the newer estates of Torquay/Jan Juc as identified in the community perception analysis. There is a strong desire, evident from Dr Green's work, to differentiate the suburbs of Torquay and Jan Juc from the more suburban areas of Metropolitan areas. The application of greater front setbacks, with emphasis placed on encouraging planting within this area to soften the visual appearance of buildings, will be a critical element in achieving the preferred character. As such performance criteria should be developed which outline minimum siting standards to be met. If these standards are not met, then the development proposal should be assessed through the planning approval process. It should, however, be noted that given the existing difference between predominant front setbacks between different precincts, it may be necessary to modify these requirements somewhat for the different precincts, depending on what type of development is proposed.



Side and rear boundary setbacks

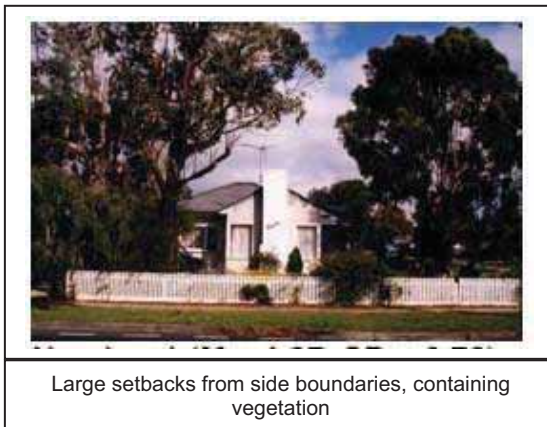
As with street setbacks, development on the larger lots, in Torquay North-West and Jan Juc West (Precincts 3 and 7), are well setback from side and rear boundaries and setbacks are generally well vegetated, obscuring buildings from adjoining properties and the road.

Dwellings in the newly subdivided areas of Torquay North and Great Ocean Views (Precincts 1 and 4) and along Ocean Boulevard in Jan Juc (Precinct 6) have minimal side and rear setbacks with many buildings built on the boundary. Side and rear boundary setbacks in central Torquay and Jan Juc (Precincts 2 and 5) are generally larger. In these areas older houses tend to be smaller with greater separation between the boundary and the building due to the relative size of the building footprint to the lot area.



Dwellings or multi-dwellings that stretch across the width of the site with no room along the boundary for landscaping were identified in the perception analysis conducted by Dr Green as detracting from the character. The existence of or lack of side setbacks featured prominently in the analysis as being either a key positive or negative attribute.

Priority should be placed on avoiding the construction of buildings and multi-dwellings across the entire width of the site. If two units share a party wall down the middle of a block, then the front setback for each unit should vary in order to break up the building line. Additionally, the building should then be set off the remaining side boundaries, in order to allow room for landscaping. Performance criteria should be developed to reflect this requirement.



Also, open backyards are considered an important element of neighbourhood character worthy of protection. The construction of two storey units adjacent to people's open back yards was considered out of character and intrusive. As such rear setbacks are important to maintain this sense of spaciousness and privacy.

Lack of space between and around buildings adds to the dominance of the built form in the streetscape. Hence, as with front setbacks, encouragement should be given to the provision of enough space between buildings and side boundaries to enable the planting of vegetation. This should also apply to the construction of single dwellings. Minimum standards should apply, and a planning permit should be required to assess any variation of these, provided that overall neighbourhood character objectives are met.

FENCING

Fencing styles vary considerably within the different precincts across the study area. Side and rear boundary fencing are predominantly timber paling throughout the Residential 1 Zone area and all fencing is generally restricted to post and wire throughout the Low Density Residential Zone.

Front fencing varies across the different precincts in the residential areas ranging from either no or low fencing to high front fences. Great Ocean Views is the only precinct within the residential area that more commonly has no front fences. High solid front fencing was identified by Dr. Green's community perception analysis as being incompatible with the local character. Low and open front boundary treatments were considered to be more consistent with the character as they facilitate better integration with the street.

It will be important to discourage high, solid front fencing and instead encourage the use of vegetation within front setback areas for screening and the provision of privacy. Where higher front fences may be considered appropriate, such as adjacent to busy roads, they should be at least 25% permeable. It will be necessary to introduce planning controls with clear performance criteria to assess applications for front fences where they exceed a maximum height.



High, solid front fence



Low, permeable front fence

OTHER ISSUES

The impact of the long term storage of items such as caravans and building materials on vacant lots has been raised as an issue which impacts on neighbourhood character. As such, it should be investigated how best to deal with this issue.

RECOMMENDATIONS:

Vegetation

- Expand the vegetation removal controls to provide adequate protection to all existing mature vegetation throughout the study area (excluding environmental weeds).
- Require replacement planting preferably with indigenous or native species of a similar type if the removal of vegetation is unavoidable.
- The use of indigenous and native species should be emphasised in landscape plans. However, appropriate use of deciduous trees where solar access and control is required should also be encouraged.
- Sites in areas of low vegetation cover should be revegetated with native tree and indigenous understorey species as development occurs, even if vegetation is not being removed. Expanded permit requirements for building and works throughout the study area will be required in order to achieve this.

- ❑ Give priority to the education of landowners on environmental weeds and preferred indigenous planting, as well as increased resourcing for enforcement of permit conditions that require vegetation to be retained and/or planted.
- ❑ Develop educational material for landowners which details siting, design and plant sourcing information for different species, as well as a broadened canopy tree list to include non-indigenous species which are suitable for residential locations. An expanded list of problem plants should be devised to assist in appropriate species selection for landscape plans.
- ❑ Include within the proposed expanded planting guide relevant information about wild fire risk and management.
- ❑ Investigate the issues surrounding the supply of indigenous plants.
- ❑ Investigate the inclusion of the LDRZ areas north of Torquay in any future vegetation removal controls.

Development on small lots

- ❑ Remove the planning permit requirement for building and works on lots below 450sqm in the Residential 1 Zone. Development plans should still be required where lots are created of this size or less to demonstrate that they are able to achieve neighbourhood character objectives.

Public realm

- ❑ Investigate alternative footpath designs which are more sympathetic to a coastal environment and which provide equal access for all.
- ❑ Develop street planting schemes for areas of low vegetation cover to complement strategies applied to private land in the Planning Scheme, particularly in newly subdivided areas in consultation with affected residents.
- ❑ Introduce planning permit requirements for all buildings and works for properties in the southern part of the Low Density Residential Zone west of Jan Juc which are visible from Bells Beach.
- ❑ Develop performance criteria for building height exceeding 7.5m in the southern part of the Low Density Residential Zone west of Jan Juc to minimise visual prominence of buildings visible from the Bells Beach coastal reserve.
- ❑ Introduce more stringent planning permit controls for dwellings on The Esplanade, Ocean Boulevard, and on the Great Ocean Road, particularly with regard to colours, materials, and landscaping requirements given their prominent location.

Heritage

- ❑ Consider implementing heritage controls over the remaining significant historical buildings in the townships.

Building design and siting

- ❑ Develop performance criteria that encourage an adequate building setback from the front, side and rear boundary to allow for vegetation retention and the establishment of new vegetation, including canopy trees. Planning permits should be required when minimum standards are not met.
- ❑ Develop performance criteria that discourage construction of buildings to both side boundaries of a site in favour of space between buildings for effective landscaping. Where minimum standards are unable to be met, then a planning permit should be required.
- ❑ Investigate applying different front setback standards depending on the type of development and the precinct in which it occurs.
- ❑ Develop performance criteria that control building site and hard surface coverage, so that space is retained around buildings to provide for the protection of remnant vegetation and room for the establishment of new vegetation, including canopy trees to assist in the scaling / screening of development. Planning permits should be required when minimum standards are not met.
- ❑ Hard surface areas should be defined in terms of areas which are incapable of being landscaped.

- Develop performance criteria to establish minimum standards to be met in relation to building plot ratio. Planning permits should be required where these standards are not met. Plot ratio standards should not be varied unless community benefit is established.
- Where planning approval is required, develop neighbourhood character objectives which must be met, in particular relating to the availability of space for landscaping and screening of buildings.
- The current permit “trigger” for buildings that exceed 7.5m building height in the Residential 1 Zone should be retained. Buildings that exceed two storeys in height should be discouraged unless community benefit or architectural merit can be established.
- The performance criteria for variations to this height should be related to the achievement of the character objectives identified in the study.
- Develop performance criteria that ensure a garage and driveway are not the prominent visual element of a dwelling and are visually recessive in the streetscape. Planning permits should be required where these performance criteria are not met.
- Apply the principles of Surf Coast Style and Colours policy as an assessment tool for development applications and widely circulate the Surf Coast Style Guide as an educative tool.
- Encourage sustainable building design and construction methods.
- Investigate the development of a Sustainable Development policy for Torquay and Jan Juc which also takes into account issues of affordability and housing diversity.
- Produce design guidelines for Torquay and Jan Juc to assist people to achieve good design outcomes.
- Remove the planning permit requirement for buildings and works for relocatable dwellings in the Residential 1 Zone.
- Investigate the use of a design advisory committee.

Multi-unit development

- Develop performance criteria that encourage a diversity of building styles, heights (single and two storey) and colours in multi-dwelling developments. Planning permits should continue to be required for all multi-unit developments.
- Develop performance criteria for multi unit development to encourage single storey construction in the back half of lots where single storey structures or open back yards exist on either side of the development site.

Broad hectare subdivision

- Develop a policy for the design of new residential subdivisions to ensure they incorporate adequate vegetated public land with vegetated strategic links to other areas of open space and community facilities, incorporate measures to enhance stands of remnant vegetation, protect vegetated public land and establish strategic vegetated / open space corridors linking significant pockets of vegetation.
- Include with the broad hectare subdivision policy the importance of traffic management and calming measures, road design and layout, footpath design and street planting, to achieving preferred character outcomes.
- Water Sensitive Urban Design Measures should also be incorporated in new subdivisions.
- Encourage developers who wish to undertake greenfield subdivisions to introduce design controls based on preferred neighbourhood character elements.
- Encourage areas within new housing estates in greenfield subdivisions where more intense development with increased height limits is permitted within walking distance of community facilities, and where valued aspects of neighbourhood character are maintained.
- Maintain a green wedge between Torquay/Jan Juc and Geelong as an important character element of the town.

Amenity & view sharing

- Investigate having Rescode’s overlooking standards considered in planning permit applications.

- ❑ Introduce a policy to discourage roof top decks on two storey structures.
- ❑ Investigate having overshadowing standards based on the winter solstice considered in all planning permit applications.
- ❑ Introduce a view sharing policy to afford neighbouring properties rights where the building height exceeds 7.5m.

Fencing

- ❑ Develop performance criteria for the consideration of planning permit applications for high front fencing. Low and open style front boundary treatments with complimentary landscaping should be encouraged rather than high solid fencing. Consideration should be given to justifiable exemptions in the form of clear criteria, such as for properties abutting noisy main roads.
- ❑ Discourage the provision of private open space in the front of a dwelling (in multi-dwelling developments) as this inevitably leads to the construction of high, solid front fencing.

Storage on vacant lots

- ❑ Investigate how best to deal with the long term storage of items such as caravans and building materials on vacant lots in order to minimise their negative impact on neighbourhood character.

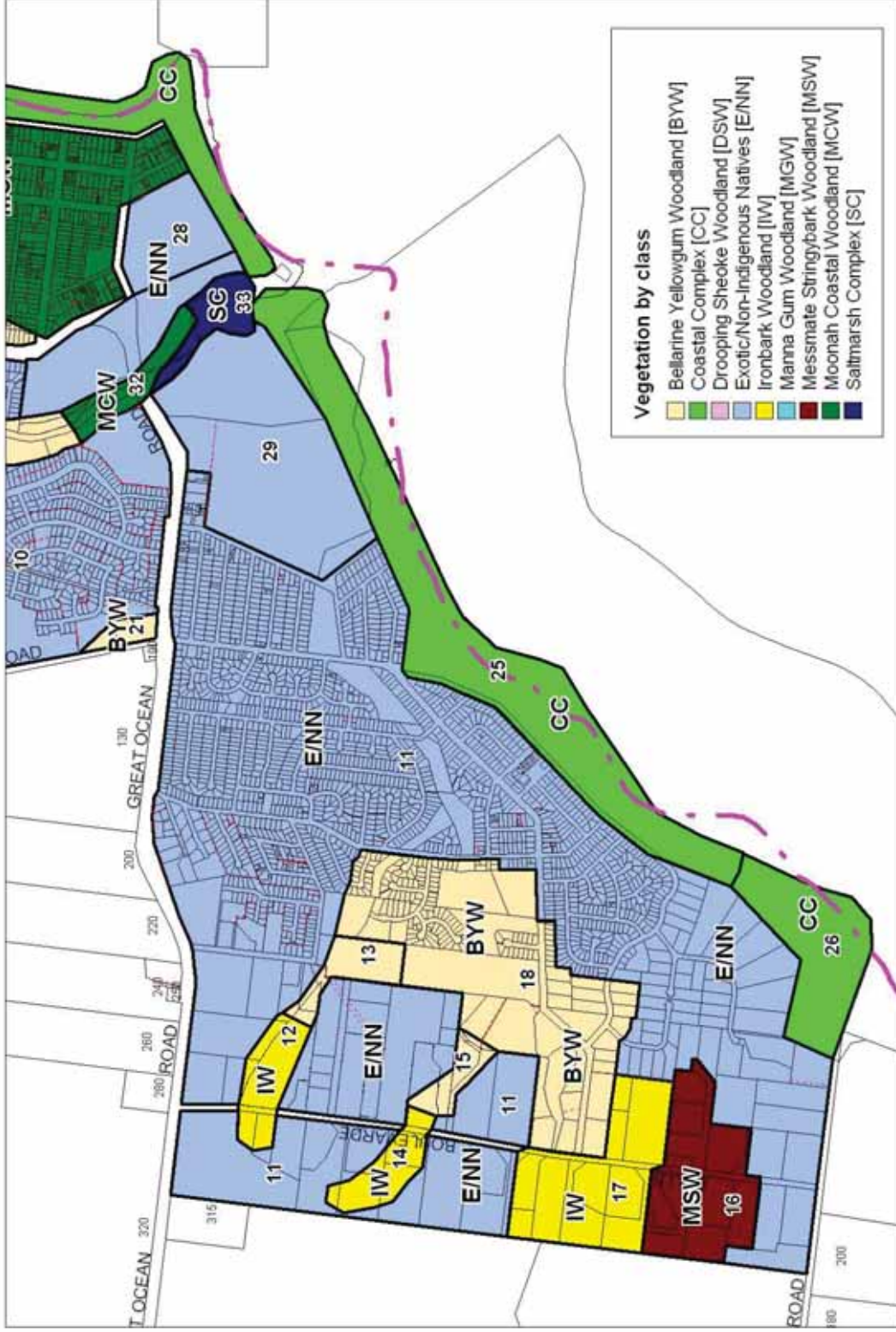
4. Vegetation assessment

The vegetation assessment by Mark Trengove (refer **Appendix 2**) complements other work undertaken as part of the Neighbourhood Character Study, enabling both the environmental and character value of vegetation in the town to be considered together. Mark Trengove identified eight indigenous vegetation communities across the study area, on both public and private land, as shown on **Map 2** Table 1 describes these communities, indicating the degree of conservation significance associated with each site identified, based on the rarity of the species combined with the level of disturbance that has occurred.

Table 1 **Vegetation Types**

Vegetation Community & Ecological Vegetation Class (EVC)	Assessment
<p>Messmate Stringybark Woodland</p> <p>EVC 48 ‘Heathy Woodland’</p> <p>Open woodland dominated by Messmate Stringybark (<i>Eucalyptus obliqua</i>) with scattered occurrences of other gums such as:</p> <ul style="list-style-type: none"> • Manna Gum (<i>Eucalyptus viminalis</i>) • Swamp Gum (<i>Eucalyptus ovata</i>) • Narrow Leaf Peppermint (<i>Eucalyptus radiata</i>) <p>Understorey of small heathland shrubs such as Sweet Wattle (<i>Acacia suaveolens</i>) with Grass Trees (<i>Xanthorrhoea australis</i>, <i>X. minor</i>), grasses, sedges & herbaceous species.</p>	<p>Locations</p> <ul style="list-style-type: none"> • Located towards the southern end of Bells Boulevard. Site – Bells Boulevard/Bones Rd (ref 16). • Located at the eastern end of Messmate Road, between Grossmans Road and Coombes Road. Site - Messmate Rd (ref 9) <p>Level of Significance</p> <ul style="list-style-type: none"> • Both examples of this community are relatively intact and are rated as being of High Regional Significance. <p>Issues</p> <ul style="list-style-type: none"> • Dominant environmental weed is Bluebell Creeper (<i>Sollya heterophylla</i>)
<p>Ironbark Woodland</p> <p>EVC 21 ‘Shrubby dry Forest’</p> <p>Open woodland dominated by Ironbark (<i>Eucalyptus tricarpa</i>) with scattered occurrences of other gums, such as:</p> <ul style="list-style-type: none"> • Messmate Stringybark • Bellarine Yellow Gum (<i>Eucalyptus leucoxylon ssp bellarinensis</i>) <p>Understorey dominated by a range of shrubs with some grasses, sedges and herbaceous species.</p>	<p>Locations</p> <ul style="list-style-type: none"> • This community has a relatively limited distribution in the Geelong/Otway region. • Confined to south western parts of the study area where it occurs in gullies and on higher ground near Woodbank Rise. • Sites – Bells Boulevard North (ref 12), Bells Boulevard/Toadhall (ref 14) and Bells Boulevard/Sunset Strip (ref 17). <p>Level of Significance</p> <ul style="list-style-type: none"> • All sites are relatively intact with understorey and have a conservation rating of High Regional Significance. <p>Issues</p> <ul style="list-style-type: none"> • Dominant environmental weed is Bluebell Creeper (<i>Sollya heterophylla</i>)

Map 2a
Vegetation Types –
Ecological Vegetation Class (EVC) & site reference numbers



Map 2b
Vegetation Types –
Ecological Vegetation Class (EVC) & site reference numbers

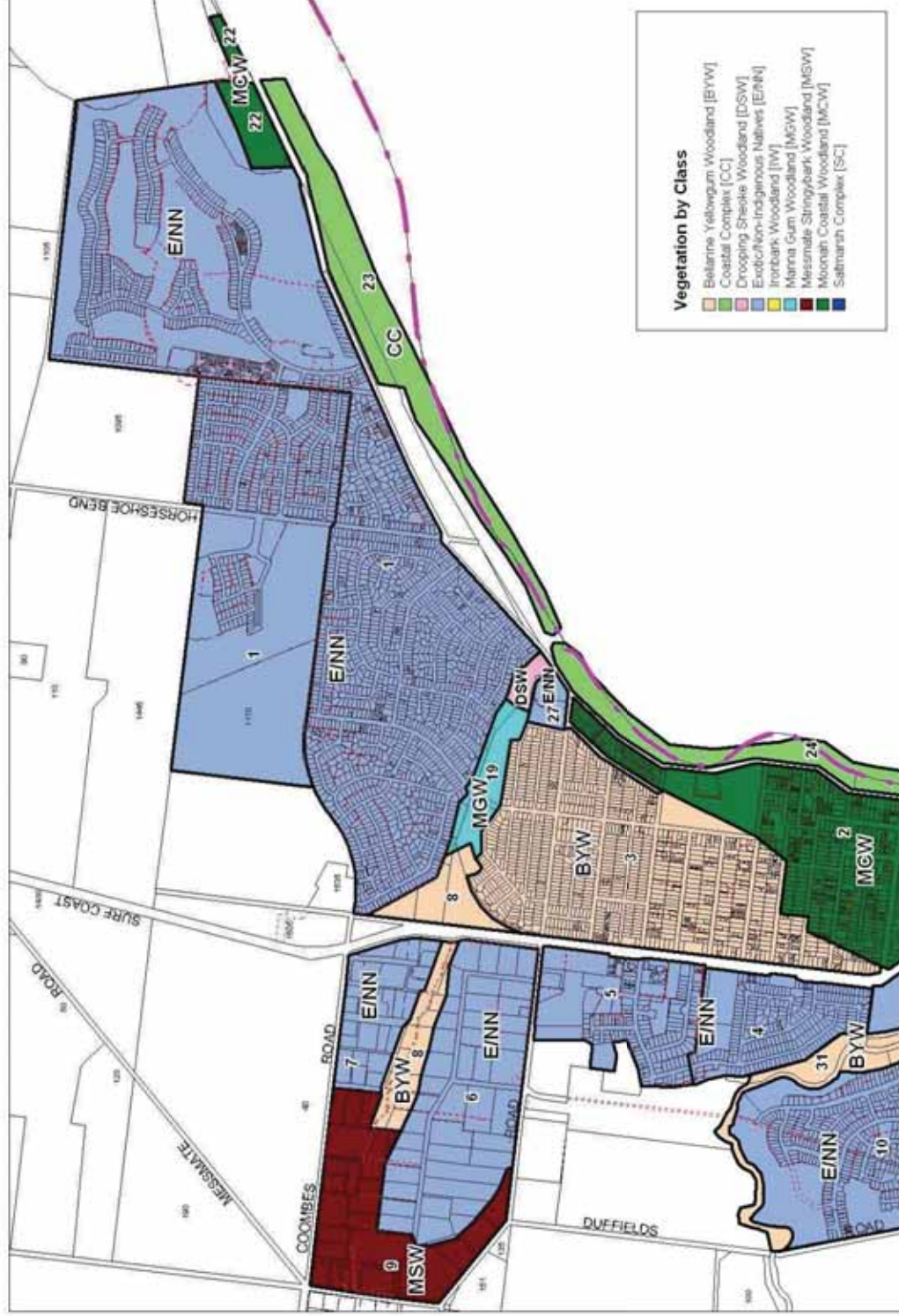


Table 1 (cont) Vegetation Types

Vegetation Community & Ecological Vegetation Class (EVC)	Assessment
<p>Bellarine Yellow Gum Woodland EVC 175 “Grassy Woodland” Open woodland dominated by Bellarine Yellow Gum with scattered occurrences of other gums, such as:</p> <ul style="list-style-type: none"> • Manna Gum • Ironbark • Moonah (<i>Melaleuca lanceolata</i>) • Drooping Sheoke (<i>Allocasuarina verticillata</i>) <p>Understorey is mostly open and dominated by a range of shrubs with some grasses, sedges and herbaceous species.</p>	<p>Locations</p> <ul style="list-style-type: none"> • Sites – Jan Juc Central (ref 18), South of Strathmore Drive (ref 13), Duffields Road (ref 21), Toadhall Lane (ref 15), Spring Creek Upper (ref 31), Deep Creek Upper (ref 8) and Torquay Central (ref 3). <p>Level of Significance</p> <ul style="list-style-type: none"> • This community has a very limited distribution in Victoria and is only found on the Bellarine Peninsula and in the Torquay/Jan Juc area. The Bellarine Yellow Gum is listed as a protected species on the Victorian Flora and Fauna Guarantee Act 1988. • ‘Grassy Woodland’ is considered an endangered community in the Otway Plain bioregion, Zone 3 Gherang. • The populations across Torquay/Jan Juc are relatively large populations with relatively intact understorey and regeneration, and are rated of State Conservation Significance. • The population at site Torquay Central (ref 3) consists of more scattered trees with less intact understorey and is rated of High Regional Significance
<p>Moonah Coastal Woodland EVC 1 ‘Coastal dune Scrub Mosaic’ Open to closed woodland or shrubland dominated by Moonah. Associated trees and shrubs include:</p> <ul style="list-style-type: none"> • Drooping Sheoke • Boobialla (<i>Myoporum insulare</i>) • Coast Rice-flower (<i>Pimilea serpyllifolia</i>) <p>Understorey consists of succulent shrubs and climbers such as:</p> <ul style="list-style-type: none"> • Sea-berry Saltbush • Bower Spinach • moss beds <p>The more inland occurrences of Moonah tend to merge with the Bellarine Yellow Gum, Ironbark and Messmate Stringbark Woodlands.</p>	<p>Locations</p> <ul style="list-style-type: none"> • Distribution confined to near coastal Torquay between Darian Road and Bell Street (ref 2), the Moonah Reserves at ‘The Sands’ (ref 22) and Spring Creek (ref 32). <p>Level of Significance</p> <ul style="list-style-type: none"> • This community is listed under Schedule 2 of the <i>Flora and Fauna Guarantee Act (1988)</i>. As such all remnants of this community are of conservation significance. • Sites of State Conservation Significance are Spring Creek Middle (ref 32) and Reserves 1 & 2 at ‘The Sands’ (ref 22). Both of these populations are relatively intact with a predominantly indigenous understorey. • Torquay Coastal (ref 2) is rated as being of Regional Conservation Significance. This site contains a mosaic of stands of individual trees with areas of non-indigenous natives and exotics. Limited indigenous understorey such as Sea-berry Saltbush and Bower Spinach remain.

Table 1 (cont) Vegetation Types

Vegetation Community & Ecological Vegetation Class (EVC)	Assessment
<p>Drooping Sheoke Woodland EVC 175 'Grassy Woodland' Open to closed woodland dominated by Drooping Sheoke. Associated trees include:</p> <ul style="list-style-type: none"> • Golden Wattle • Sweet Bursaria <p>Understorey consists of grasses, sedges, ground covers and shrubs such as: Hop Goodenia (<i>Goodenia ovata</i>)</p>	<p>Locations</p> <ul style="list-style-type: none"> • Confined to the banks of the lower reaches of Deep Creek, upstream of the Esplanade. <p>Level of Significance</p> <ul style="list-style-type: none"> • Relatively intact population with understorey species rated of High Regional Significance at Deep Creek Lower (ref 20)
<p>Manna Gum Woodland EVC 55 'Plains Grassy Woodland' Open to closed woodland dominated by Manna Gum. Associated trees include:</p> <ul style="list-style-type: none"> • Drooping Sheoke • Silver Banksia (<i>Banksia marginata</i>) • Golden Wattle • Sweet Bursaria <p>Understorey consists of grasses, ground covers and shrubs such as:</p> <ul style="list-style-type: none"> • Austral Grass-trees • Hop Goodenia <p>Black-anther Flax-lily.</p>	<p>Locations</p> <ul style="list-style-type: none"> • Confined to the banks of the middle reaches of Deep Creek. <p>Level of Significance</p> <ul style="list-style-type: none"> • Relatively intact population rated of High Regional Significance – Deep Creek Middle (ref 19)
<p>Coastal Complex EVC 1 'Coastal dune Scrub Mosaic' EVC 48 'Heathy Woodland' Consists of a complex of coastal vegetation including:</p> <ul style="list-style-type: none"> • Coastal Dune Complex including shrubland and grassland • Coastal Cliff Shrubland • Coastal Heathland 	<p>Locations</p> <ul style="list-style-type: none"> • Confined to the coastal verge of Torquay/Jan Juc <p>Levels of Significance</p> <ul style="list-style-type: none"> • The site Coastal Heathland (ref 26) is relatively intact and has a limited and now reduced distribution within Victoria and is rated of State Conservation Significance. • The sites Coastal Dune Complex, Coastal Cliff and Coastal Heathland Complex (ref 23 and 25) include areas of relatively intact indigenous vegetation including a population of Coast Wirilda and some scattered Moonah, both distributions rate as High Regional Significance. • The sites Coastal dune, Coastal cliff Complex (ref 24) contain some indigenous vegetation, including scattered Moonah and areas of modified and exotic vegetation and is rated as Regional Conservation Significance.

Table 1 (cont) Vegetation Types

Vegetation Community & Ecological Vegetation Class (EVC)	Assessment
<p>Saltmarsh Complex EVC 52 'Coastal Saltmarsh Complex' Saltmarsh and saline herbfield dominated by low halophytic shrubs and succulents</p>	<p>Locations</p> <ul style="list-style-type: none"> • Confined to the lower tidal reaches of Spring Creek. <p>Level of Significance</p> <ul style="list-style-type: none"> • Spring Creek Lower (ref 33) contains areas of relatively intact indigenous vegetation and is rated of High Regional Conservation Significance.
<p>Exotic and Non-indigenous Native Vegetation Garden vegetation or grazing land consisting of exotic pasture grasses</p>	<p>Locations</p> <ul style="list-style-type: none"> • The majority of Torquay/Jan Juc is covered by exotic and non-indigenous vegetation. • Sites are North of Deep Creek (ref 1), Grossmans Road/Coombes Road (ref 5, 6 & 7), Rocklea Drive (ref 4), Beach Road West (1), Spring Creek South (ref 10), Jan Juc (ref 11), Zeally Bay Caravan Park (ref 27), Torquay Caravan Park (ref 28), Torquay Golf Club and Torquay Sports Reserve (ref 30). <p>Levels of significance</p> <ul style="list-style-type: none"> • All sites are rated of No Conservation Significance.

Source: Mark Trengove 2003 – Torquay/Jan Juc Neighbourhood Character Study – Vegetation Report

State Native Vegetation Framework

The primary goal for native vegetation management in Victoria is to achieve, 'A reversal, across the entire landscape, of the long-term decline in the extent and quality of native vegetation, leading to a Net Gain' (DSE, 2002). 'Victoria's Native Vegetation Management – A Framework for Action' establishes the framework to achieve a Net Gain. The framework adopts a three-step process when considering on-ground proposals to manage or clear native vegetation which identifies that the priority in native vegetation management is firstly protecting intact indigenous vegetation. The three-step approach is to be applied as follows:

1. Avoid adverse impacts, particularly through vegetation clearance.
2. If impacts cannot be avoided, minimise impacts through appropriate consideration in planning processes and expert input to project design or management.
3. Identify appropriate offset options.

The implication of this framework is that greater emphasis is placed at a State, Catchment and Local level on the protection and enhancement of existing native vegetation, focusing primarily on private land where the critical issues of past clearing and fragmentation have taken place. The framework ensures that where vegetation removal cannot be avoided a process exists for determining requirements for the protection or management of other stands of remnant native vegetation or the planting of replacement indigenous vegetation.

The framework recognises that a holistic approach to vegetation management must be applied and that vegetation management will be based on bioregions, or sub-units within the Catchment Management Authority region. The framework sets the strategic goals at a State level to ensure a consistent approach across the state to land, water and vegetation management. The framework is complemented at a bioregion and regional catchment level by the draft Biodiversity Action Plan and the Corangamite Native Vegetation Plan (soon to be released) which sets priorities for the bioregion and the Corangamite Catchment.

The Otway Plain Bioregion covers a large area extending from Princetown to the Bellarine Peninsula. This bioregion is divided into 6 landscape zones within which common features of landscape and biota are identifiable. The Gherang landscape zone encompasses the area of coast and hinterland between Eastern View and Connewarre, which includes the Torquay and Jan Juc area.

Biodiversity Action Plan (BAP) – Otway Plains Bioregion

The draft *'Biodiversity Action Planning - Landscape Plan for Zone 3 Gherang, Otway Plain Bioregion'* (DSE, 2003) states that 'the Otway Plain is of high conservation value due to its remaining native vegetation cover (about 30%) and important wetland habitat. It has a high requirement for land protection and restoration work, particularly along degraded waterways,' (DSE, 2003).

Major environmental issues raised in the Otway Plain bioregion include:

- Clearing of remnant vegetation.
- Degradation of waterways and wetlands through increased nutrients, sedimentation, bank destabilisation and salinity.
- Residential subdivisions and tourism development in ecologically sensitive areas.
- Weed invasion.
- Predation of native wildlife by foxes and cats.
- Lack of regeneration in remnant vegetation due to grazing.
- Drainage of wetlands.
- Alterations of natural flow regimes.
- Inappropriate fire regimes.
- Fragmentation of habitats through incremental clearing.
- Loss of mature and hollow bearing trees.
- Impacts from recreational use of forests, wetlands and coastal areas.
- Cinnamon Fungus.

Particularly relevant to the study area, the BAP states that:

"Subdivision and urban development, particularly along the coast are placing enormous pressure on the biodiversity. Connective remnants have become fragmented, disturbance of existing populations has increased and additional threats to species/communities have arisen. Stronger municipal planning controls are therefore required in areas of significant biodiversity."

The BAP identifies the following threatened flora within the Torquay / Jan Juc study area::

- Yellow Gum (endangered Vic)
- Yellow Star (inadequately known Vic)
- Hoary Sunray (endangered Vic / Aust EPBC Act 1999)

The BAP identifies the following threatened fauna within the Torquay / Jan Juc study area:

- Pacific Gull (near threatened, Vic)
- Shy Albatross (vulnerable Vic / Aust, EPBC Act 1999)
- Great Egret (vulnerable Vic)
- Nankeen Night Heron (near threatened Vic)
- Lewin's Rail (vulnerable Vic)
- Royal Spoonbill (vulnerable Vic)
- Australasian Shoveller (vulnerable Vic)
- Musk Duck (vulnerable Vic)

- Growling Grass Frog (vulnerable Aust, EPBC Act 1999, endangered Vic)
- Baillon's Crake (vulnerable Vic)

The BAP provides a structured set of priorities for biodiversity conservation in the Gherang landscape zone which encompasses the study area. Actions recommended in the BAP for private land that are relevant to the study area include:

1. Encourage protection of remnants on freehold land and apply voluntary programs, incentives, management agreements and/or planning controls, as appropriate. Investigate the possibility of land purchase by Government to be managed by Parks Victoria. Give priority attention to the private remnants close to public land, forest blocks and threatened EVCs including the *Grassy Woodland* remnants.
2. Encourage landowners to adopt a Best Management Practice (BMP) approach and utilise tools such as the Corangamite Risk Mitigation Protocol, the Corangamite Seed Framework, the Corangamite EVC Guide and the *Surf Coast Shire Indigenous Planting Guide, 2003*.
3. Ensure that Shire staff is aware of the locations and importance of freehold remnants that have high biodiversity values.
4. Update the Environmental Significance Overlays and Vegetation Protection Overlays within the Surf Coast Shire Planning Scheme, as further information is now available on sites which provide critical habitat to threatened species.
5. Protect and enhance the status of unreserved stream frontages. Encourage and assist landholders to provide maximum protection for existing values by fencing off the riparian zone, excluding or reducing grazing where possible and retaining woody debris in streams. Priority should be given to the Spring Creek threatened EVC remnants between Bellbrae and Bellbrae West.
6. Fence remnants on private land to exclude stock from grazing understorey and ringbarking mature trees, and to allow natural regeneration.
7. Encourage landowners adjacent to high-value roadsides to build boundary fences at least 5m inside their boundary line. This will allow roadside vegetation to regenerate naturally and thus extend the width, and lessen edge effects of significant roadside corridors. Also encourage landowners to create firebreaks inside their properties rather than along roadsides.
8. Increase community education on both noxious and environmental weeds, including their identification and removal techniques. Provide new residents to the area with a booklet on the weeds found in the area.
9. Educate the community and developers/contractors on Cinnamon fungus. Emphasise the importance of good hygiene to prevent the spread of the pathogen.
10. Supplement habitat for native fauna by restoring understorey, conserving fallen tree debris, enhancing connectivity and retaining mature, hollow-bearing trees.
11. Supplement habitat for Great Egret, Baillon's Crake and Growling Grass Frog by improving quality and extent of riparian vegetation.
12. Enhance flow regimes in streams and wetlands to improve habitat for Growling Grass Frog, Great Egret and Australasian Shoveller.
13. Encourage the exclusion of stock, to reduce physical disturbance, or understorey loss or damage, affecting Southern Brown Bandicoot.
14. Control and reduce firewood and fallen timber collection from areas where Southern Brown Bandicoot occur (Coombes Road).
15. Control erosion by stabilising stream banks, controlling stock access or undertaking engineering works where necessary. This will help to reduce saltation and excessive nutrient loads from entering waterways and thus improve the habitat for Growling Grass Frog, Great Egret and Australasian Shoveller.
16. Encourage landscape gardeners to use indigenous species in their designs and ensure restoration and revegetation of blocks and linkages is based on pre-1750 EVCs.

17. Encourage private landholders that adjoin foreshore vegetation to remove Coast Tea-tree and Coast Wattle from their properties and replace with indigenous species.
18. Develop and maintain adequate buffer zones on freehold land protecting existing remnant patches from disturbance, weed and pest infestation.

Vegetation of State Conservation Significance

The majority of the residential land within the study area contains only exotic or non-indigenous native vegetation as much of the original indigenous vegetation has historically been cleared. However, substantial patches of indigenous vegetation and isolated trees are scattered throughout the study area, all of which range from Regional to State significance.

The vegetation with the highest conservation value (State Conservation Significance) is located on both public land and private land and includes the Coastal Moonah Woodland community and the Bellarine Yellow Gum. The sites on public land are along the foreshore, in reserves and adjacent to Deep Creek and Spring Creek. On private land the sites are located on rural, residential and larger residential lots. (Refer to table 1 and map 1 for site location and description details).

- Coastal Moonah Woodland community

Action Statement No. 141 under the Act states that the Coastal Moonah Woodland community:

“has a restricted distribution in the state due to the reliance on soil type and coastal influences, and is in a demonstrable state of decline which is likely to result in its extinction”.

The Action Statement acknowledges:

- The significant loss of the community due to residential development, and its likely continued decline under current planning arrangements.
- That residential development often results in the retention of a proportion of the large shrub and tree components of the community, but almost total loss of the smaller shrub and ground layer components. Regeneration of the taller components is rare within residential areas.
- The existence of a number of vulnerable and endangered flora and fauna species found within the vegetation community, and that conservation of the Moonah Woodland has potential to significantly contribute to the conservation of these taxa.



Remnant Moonah Woodland in Torquay

- Bellarine Yellow Gum

The draft Statement for the Bellarine Yellow Gum under the *Flora and Fauna Guarantee Act 1988* recognises that:

- There are few extant populations and those remaining exhibit many trees with canopy dieback and have inadequate regeneration.

- Most occurrences are of scattered mature individuals on the outskirts of developing townships, where clearing for residential development, infrastructure and agricultural activities have left remnants on roadsides, small nature reserves and farms.
- Most remnants are not reserved and are threatened by residential development.
- Recruitment is insufficient to adequately replace senescence of mature trees. (In the Surf Coast Shire 86% of sites are without regeneration - Trengove 2001).
- Existing mature plants are suffering from defoliation and dieback, the causes of which are unknown (SAC 1998). The abundance of pest plants and animals and the degraded nature of the tree's habitats may be contributing factors.
- The frequent planting of specimen trees of *Eucalyptus leucoxylon* (almost invariably not subspecies *bellarinensis*) on roadsides and in private and public gardens has led to hybridisation between subspecies. Swamping of the relatively small genepool is therefore a major threat.



Remnant Bellarine Yellow Gums in
Torquay – 'Grassy Woodland'

The following discussion draws together biodiversity priorities from the draft BAP and the results of Mark Trengove's Vegetation Assessment, and makes comment about implications for residential development and vegetation management in the study area.

Protection of indigenous and native vegetation

Consistent with the principles of the State Native Vegetation Framework (NVF) referred to above, removal of indigenous vegetation should be avoided, particularly given that the remaining patches of indigenous vegetation across the study area range between State and Regional Conservation Significance. In order to protect remnant stands of Moonah and Bellarine Yellow Gums, which are classified as being of high ecological conservation value, appropriate overlays which trigger the need for a planning permit for the removal of indigenous vegetation should be applied across the study area. Local controls are necessary as most lots in the Residential 1 Zone are less than 0.4ha and are therefore not protected by the State Native Vegetation provisions (Clause 52.12) of the Planning Scheme.

When sites are developed, buildings should be sited and designed to have minimal impact on indigenous vegetation. This should include consideration to the impact of anticipated disturbance from any ancillary works such as underground infrastructure, as well as balancing fire protection requirements where land is affected by a Wildfire Management Overlay. Where removal is unavoidable vegetation that has been highly modified should be removed in preference to intact remnant patches that include the ground, shrub and canopy layers.

Likewise, where subdivision occurs on land which contains significant remnant vegetation, adequate measures should be taken in order to ensure its protection. Subdivision design should carefully reflect the location of the significant vegetation, in terms of the placement of lot boundaries, lot sizes, infrastructure, and the creation of reserves.

Vegetation corridors should be retained and enhanced where possible in order to provide habitat for fauna and consideration should be given to whether development and activities on private land would have any adverse impact on the environmental values of adjoining public lands, particularly adjacent to Deep Creek and Spring Creek. Adequate buffers should be retained next to waterways.

Any vegetation removed should be replaced with indigenous species (trees and understorey) at a ratio appropriate to the size of the allotment. Replacing vegetation reinforces the concept of 'Net Gain' advocated by the State NVF and at the same time acknowledges the importance of native

vegetation in contributing to neighbourhood character. Planting of Bellarine Yellow gum, Messmate Stringybark, Ironbark, Manna Gum, Drooping Sheoke and Moonah will be encouraged as these are the predominant tree species that naturally occur in the study area. These should be targeted in the areas they would naturally occur and be complimented with the relevant associated understorey where appropriate. Use of a local seed source should also be encouraged.

Vegetation Communities contain a wide range of species, including overstorey (trees), understorey (shrubs) and ground layer species (grasses and herbs). Protection and enhancement of the entire community will improve the quality of the remnant vegetation and over time will increase privacy between lots. Mark Trengove noted in his report that the main degradation of these communities was the highly modified understorey and lack of natural regeneration.

The removal of environmental weeds listed in the Surf Coast Shire's "Environmental Weeds: Invaders of our Surf Coast" (2002) should be encouraged by continuing to exempt these species from permit requirements. Environmental weeds such as Coast Wattle and Coast Tea-tree have potential to overcrowd and eventually take the place of other plant species.

To make effective gains in the control of environmental weeds on private land, consideration should be given to adoption of a local law that prohibits the planting of these species. Such a law would require resourcing due to the substantial education, monitoring and enforcement that would be involved, particularly in the years following its implementation. The use of weed species in landscaping plans associated with new development would not be approved.



Photo of Buebell Creeper – problem weed in the Torquay / Jan Juc area

Relationship of Vegetation to the Built Environment

Retention and replanting of vegetation is greatly dependent on lot size and site coverage. This is discussed in more detail in Chapter 3 in relation to achieving a preferred neighbourhood character. For existing subdivisions and estates, consideration needs to be given to the prioritisation of protection of significant indigenous vegetation, as identified in this chapter, against any other controls or aims, whether these are related to achieving neighbourhood character or other aims of the planning scheme. Due to the relative vulnerability of much of the remnant vegetation remaining in the study area its protection should be given a high priority. Thus, for instance, if compliance with a minimum recommended frontage setback would still result in the removal of significant indigenous vegetation on the site, then further measures should be pursued over and above meeting the minimum setback requirement to ensure the protection of the vegetation.

Disturbance to vegetation should be avoided where possible and where it is unavoidable should be limited to building envelopes and the provision of services, in order to protect and enhance both the canopy and understorey vegetation across the balance of a site. Retention of indigenous vegetation should be given priority, whilst recognising the value of other native vegetation for its contribution to the neighbourhood character. In areas covered by the Wild Fire Management Overlay appropriate management of ground fuels around dwellings will be required for fire prevention purposes.

The development of new residential estates within the study area should be designed to enhance the value of remnant vegetation and habitat, and to make these key features of any development that has the dual benefit of reversing decline of these species and securing the framework of the preferred neighbourhood character.

Education

It is important that regulatory controls on residential development be supplemented by enhanced education of the community to achieve desired outcomes such as:

- Removal of environmental weeds from private land.

- Planting of indigenous plant species on private land as opposed to exotic, weed or non-indigenous native species.
- An appropriate balance between management of indigenous vegetation for fire protection as well as environmental outcomes.
- Adoption of land management techniques that protect and enhance the environmental values of adjoining nature reserves and/or crown land.

This information should be communicated through the Shire's web site in addition to other forums such as the new resident information kit which should include a copy of the publications *Environmental Weeds: Invaders of our Surf Coast, 2002*, and *Surf Coast Shire's Indigenous Planting Guide, 2003*.

Recommendation

- ❑ Apply appropriate overlays to require planning permits for the removal of indigenous vegetation of local, regional and state significance, as identified in the Vegetation Assessment report, including isolated species of Moonah and Bellarine Yellow Gum, throughout the study area. Develop appropriate performance criteria and policies for the protection and enhancement of these species.
- ❑ Develop performance criteria for new residential subdivisions to ensure they incorporate measures to enhance and feature stands of remnant vegetation, protect vegetated public land and establish strategic vegetated / open space corridors linking significant pockets of vegetation.

5. Review of Planning Controls

EXISTING PLANNING CONTROLS

The Surf Coast Shire introduced a new planning scheme in October 2000 based on the Victoria Planning Provisions (VPPs). A Residential 1 Zone (R1Z) was applied to the residential areas in Torquay and Jan Juc and the Low Density Residential Zone to larger residential/small rural allotments adjacent to the townships. The residential areas were covered by the Design and Development Overlay – Schedule 1 (DDO1), with the exception of the Geelong Road, Torquay, which was covered by a Design and Development Overlay – Schedule 2 (DDO2), part of which has recently been replaced by a Design and Development Overlay – Schedule 7 (DDO7). The Significant Landscape Overlay – Schedule 1 (SLO1) was applied to the Low Density Residential Zoned land along the cliff top of Jan Juc through to Bells Beach. In addition, the Significant Landscape Overlay - Schedule 2 (SLO2) was applied to residential land along The Esplanade in Torquay and Ocean Boulevard and Carnoustie Avenue in Jan Juc.

The Vegetation Protection Overlay – Schedule 1 (VPO1) and the Wildfire Management Overlay (WMO) was applied to pockets of land along Coombes Road and Bells Boulevard, although the two overlays do not always cover the same land. More recently a VPO3 was applied to a stand of Bellarine Yellow Gums on the north east side of Coombes Road. The current zone and overlay controls are shown on **Maps 3 and 4**.

Policies for future growth and development for Torquay and Jan Juc were summarised and incorporated in the Scheme as a Municipal Strategic Statement (MSS). The following is a summary of the controls in the Planning Scheme that have relevance to land use and development within the study area.

State Planning Policy Framework (SPPF)

The SPPF includes state policy to which all local planning provisions must conform. It encourages consolidation of existing urban areas whilst respecting neighbourhood character and landscape values and refers the Planning Authority to the 'Great Ocean Road Region – A Land Use and Transport Strategy' (DSE, 2004) for future planning for the Great Ocean Road area. The strategy identifies Torquay/Jan Juc as a growth node for residential growth within the Surf Coast Shire due to availability of social and physical infrastructure, access to major roads and public transport and being unrestricted by park land. The strategy seeks to balance the need to accommodate future growth in the township with the desire to maintain valued aspects of neighbourhood character

The SPPF also recognizes the importance of Victoria's natural resources and states that areas of environmental significance are to be protected. It refers to a range of state and national environment strategies, including the 'Victorian Coastal Strategy' (2002), any relevant coastal action plan approved under the *Coastal Management Act 1995* and any regional catchment strategy approved under the *Catchment and Land Protection Act 1994*. 'Action Statements' under the *Flora and Fauna Guarantee Act 1988*, must also be considered and the SPPF states that decision making by Councils should assist the conservation of the habitats of threatened and endangered species and communities as identified under the Act, as well as addressing potentially threatening processes.

Local Planning Policy Framework (LPPF)

The LPPF section of the Scheme includes the Municipal Strategic Statement (MSS) and a number of local policies. Those that are relevant to the study area are described below. The Torquay Jan Juc Strategy is particularly relevant and this Neighbourhood Character Study will provide the basis for the review of parts of this strategy.

Torquay-Jan Juc Strategy (Clause 21.10)

This Strategy is a summary of a number of studies compiled during the late 1990's, and identifies Torquay/Jan Juc as the key residential growth area for the Surf Coast Shire, which is consistent with the 'Great Ocean Road Region – A Land Use and Transport Strategy' (DSE, 2004). The Torquay/Jan Juc Strategy notes that population in the two towns grew 4.5%pa between 1996 and 2001, and describes the following strategies for future residential growth:

- *“Accommodate demand for housing at conventional densities in Torquay West and Torquay North with limited medium density development dispersed throughout the areas to maintain the suburban character of these areas.*
- *Establish South Beach Road and the land immediately east of Horseshoe Bend Road as the long term boundary for future urban and residential development in the Torquay North area.*
- *Acknowledge that the eastern lowlands (east of Horseshoe Bend Road abutting the Breamlea Wetlands) is an area of good quality agricultural land and is to be protected by establishing a clear limit to north-eastern residential expansion.*
- *Establish Duffields Road as the western boundary for residential development until such time as Torquay West is almost fully developed.*
- *Retain land west of Duffields Road in rural use and discourage uses incompatible with future urban development to preserve its potential for long term urban development.*
- *Facilitate and complement a process of change occurring in Old Torquay by promoting urban consolidation and quality medium density development, especially in the immediate surrounds of the Torquay Town Centre.*
- *Promote urban consolidation in Jan Juc by exhausting remaining infill opportunities and allowing medium density development that is dispersed through established areas.”*

The Strategy makes specific references to coastal character as follows:

“Torquay is valued for its distinctive coastal township character and traditional role as a seaside holiday resort that the community considers should be maintained and enhanced.

The siting and design of future development is a matter of great concern to the Shire. Torquay-Jan Juc has developed as a traditional seaside resort and its built environment is distinctly different from that which might be seen in conventional suburban areas. Traditional street layouts follow a grid style pattern rather than a maze of anonymous crescents and culs-de-sac. Houses and lots sizes are varied in size and design. A range of colours and materials and fencing types have been used which create interesting variations in different residential areas.

This diversity contributes to the distinct character of Torquay-Jan Juc. The Shire will promote the concept of Surf Coast Design to reinforce valued aspects of coastal character whether or not a planning permit is required for a particular development.

Torquay-Jan Juc has a relatively low rise character which, historically, was reinforced by planning controls. There is potential for this character to be destroyed as new, taller buildings compete for ocean views. This would be to the detriment of the amenity of views from existing dwellings and would adversely impact on the established coastal and streetscape characters of the area.

Questions of architectural style, siting, design and landscaping are even more important in relation to medium density housing and buildings in highly visible areas of the town such as the Surf Coast Highway and the foreshore boulevards. Special attention will be given to massing and articulation of buildings, materials and colour schemes, solar

orientation, landscaping and siting generally to maintain and enhance the character of these areas. This will particularly apply to visually prominent sites along the Highway and to land on the corner of Surf Coast Highway and Grossmans Road which have the potential to make a high quality and outstanding entrance statement to the town.

It is therefore proposed to apply appropriate overlays along coastal boulevards and the Surf Coast Highway in order to invoke the Surf Design policy and, in the case of land on the western side of the Highway, to maintain the existing building line which has already created a distinctive streetscape image in the Surf City precinct.”

The following strategies are listed to achieve these objectives:

- *“Develop a ‘Surf Coast Design’ manual and conduct a program of community education to encourage residents to consider and take up Surf Coast Design elements when planning and designing their houses.*
- *Apply a building height limit in Torquay-Jan Juc to retain the low rise coastal character of the landscape.*
- *Develop landscaping and thematic tree planting programs to improve the character of streetscapes and encourage property owners to undertake similar programs on private property.*
- *Ensure future design and landscaping of development along the Surf Coast Highway and coastal boulevards evoke a seaside, coastal and surf culture character and a depth of view where the town’s surfing, commercial and civic functions can be recognised at a glance. In particular, ensure that land on the corner of Surf Coast Highway and Grossmans Road is developed with buildings that are architecturally superior, make a high quality outstanding entrance statement to the town and build on the emerging Surf Coast Design theme.*
- *Implement streetscape and landscaping plans in the Stuart Avenue retail centre in Jan Juc designed to address current symptoms of urban blight such as dominance of the motor vehicle, poor condition of buildings and lack of vegetation.”*

The Strategy further acknowledges the significance of the environment to the character of Torquay and Jan Juc and that protection and enhancement of the indigenous flora and fauna will be paramount to the long term uniqueness and significance of the area. Key strategies to protect the environment are:

- *Improve the appearance and amenity of the urban areas of Torquay through theme landscaping on major roads and entries, landscaping in new residential subdivisions and enhancement of visual links between urban areas and the foreshore.*
- *Support the upgrading and improvement of Taylor Park.*
- *Maintain and enhance the character and vitality of the Bell Street commercial area and create stronger links between Bell Street and the beach.*
- *Provide only essential beach and cliff access on Jan Juc foreshore and continue to support its ongoing revegetation.*
- *Recognise the strong 19th Century feel landscape design of Point Danger area and seek to minimise the impact of vehicles.*
- *Enhance the Yellow Bluff area by implementing erosion control measures and creating viewsheds between Gilbert Street and the ocean to integrate the Town Centre and foreshore activities.*
- *Extend the character of Yellow Bluff at least to Deep Creek and the sand dunes commencing at Whites Beach through strategic roadside and other minor plantings to convert an excessively open and windswept area into a green and shady coastal environment.*
- *Acknowledge the strong dune system in the Whites Beach area and take advantage of road closures and limitations on vehicle access by creating extensive planting.*

- *Extend, protect and enhance the Breamlea Wetlands by adopting strong boundaries and buffers from urban areas.*
- *Recognise that the visually prominent ridgeline (running from the Anglesea/Grossmans Road intersection through to Horseshoe Bend Road/South Beach Road area) effectively shields the Torquay urban area from southerly directed views and ensure that the rural character of the Mt Duneed corridor is retained through the use of large minimum lot sizes.*
- *Ensure that future development makes best use of limited land available for future rural residential purposes on the fringe of the township.*
- *Protect the qualities of the Spring Creek Valley through enhancement of the valley drainage system as a key part of the future open space system and by identifying suitable areas for long term recreational use.*
- *Acknowledge the sensitive and unique environmental qualities of the Bells Beach hinterland and Ironbark Basin by preventing further rural residential or small lot subdivision and by developing and implementing clear guidelines for future use and development in the area.*

Environment Strategy (MSS)

This Strategy recognises that the decline and fragmentation of indigenous vegetation and loss of biodiversity is a major environmental and land degradation issue in the Shire, and that this decline should be reversed. It states that the design of new subdivisions and new developments should take into account the protection, conservation and management of natural features, including remnant indigenous vegetation, including old trees, wetlands and streams. It also highlights the threat to native flora and fauna posed by environmental weeds, and that the planting of these pest plants should be actively discouraged.

Coastal Development Policy

This policy applies to most residential land within the study area, however many of the provisions only apply to the land covered by the Significant Landscape Overlay (SLO). The SLO only affects a small portion of the two townships. The policy covers the following key elements:

- Development densities and subdivision lot size
- Vegetation cover
- Building scale, including siting, height, site coverage, size and view sharing.
- Building design.
- Fences.

This study provides a platform upon which to review how the above elements are applied and controlled across Torquay and Jan Juc and whether or not further application is required in order to protect community values.

Surf Coast Style and Colours Policy

This policy applies to all land within the study area and encourages the use of architectural designs, features and colours in new buildings that complements the character of the coastal towns, avoiding typical urban forms usually found in built-up areas. The policy includes factors to be taken into account when assessing the colour schemes of external materials, namely the coastal and landscape character of the adjoining streets. However in most cases throughout the study area, a planning permit is not required for a single dwelling and therefore the majority of new developments are not assessed against this policy.

Streetscape and Landscape Policy

This policy applies to all land within the study area and sets out requirements for landscape plans to be submitted with development applications of various types, as well as discouraging planting of environmental weeds, and requiring the payment of a bond to ensure the retention of significant vegetation in some circumstances.

ZONES AND OVERLAYS

Residential 1 Zone (R1Z) and Design and Development Overlay - Schedule 1 (DDO1)

Under the requirements of the R1Z, a permit is required to construct a single dwelling if the lot is less than 300sqm. The development is then required to be assessed against Clause 54 of the Planning Scheme (ResCode).

Where the R1Z is combined with the DDO1 (applying to most of the residential areas of Torquay and Jan Juc), a permit is not required for residential development, except where the following apply:

- The building height exceeds 7.5 metres
- The lot has an area less than 450sqm
- There is a change in ground level of more than 2m resulting from cut or fill.
- The building is being relocated from another place
- More than one dwelling is proposed

Where a permit is required, proposals must comply with the performance standards of Clauses 54 of the Planning Scheme (ResCode) (if the lot is smaller than 300sqm), Clause 55 (where units are proposed) and Clause 56 (where a subdivision is proposed). Proposals must also comply with any local policy as required.

Residential 1 Zone (R1Z) and Design and Development Overlay - Schedule 2 (DDO2)

Where the R1Z is combined with the DDO2 (applying to one lot only - 120 Surf Coast Highway, corner of Beach Road) a permit is required for development, with the exception of a fence or an outdoor swimming pool.

Where a permit is required, proposals must comply with the performance standards of Clauses 54 of the Planning Scheme (ResCode) (if the lot is smaller than 300sqm), Clause 55 (where units are proposed) and Clause 56 (where a subdivision is proposed). Proposals must also comply with any local policy as required.

Residential 1 Zone (R1Z) and Design and Development Overlay - Schedule 7 (DDO7)

Where the R1Z is combined with the DDO7 (applying to the remaining residential lots fronting the Surf Coast Highway) a permit is required for development, with the exception of an outdoor swimming pool.

Where a permit is required, proposals must comply with the performance standards of Clauses 54 of the Planning Scheme (ResCode) (if the lot is smaller than 300sqm), Clause 55 (where units are proposed) and Clause 56 (where a subdivision is proposed). Proposals must also comply with any local policy as required and also meet the standards of the Surf Coast Highway Urban Design Guidelines.

Residential 1 Zone (R1Z) and Significant Landscape Overlay – Schedule 2 (SLO2)

Where the R1Z is combined with the SLO2 (The Esplanade, Ocean Boulevard and Carnoustie Avenue), a permit is not required for residential development, except where any of the following apply:

- The building height exceeds 5m.
- The site coverage of buildings exceeds 200m² or 35% of the site area.
- The lot has an area below 450sqm.
- There is a change in ground level greater than 2m resulting from cut or fill.
- The building is being relocated from another place.
- A side or rear fence is proposed that exceeds 1.6 metres in height and is to be constructed of brick, stone, masonry or sheet metal.

Approval is also required for external colours and materials and the removal of native vegetation in most cases.

Where a permit is required, proposals must comply with the performance standards of Clauses 54 of the Planning Scheme (ResCode) (if the lot is smaller than 300sqm), Clause 55 (where units are proposed) and Clause 56 (where a subdivision is proposed). Proposals must also comply with any local policy as required.

Low Density Residential 1 Zone (LDRZ)

Where the LDRZ is applied with no overlays (parts of Bells Boulevard and the Briody Drive Estate) a permit is not required for a single dwelling. Where a permit is required, proposals must comply with any local policy as required. A permit is also required for removal of native vegetation on lots greater than 0.4ha.

Low Density Residential 1 Zone (LDRZ) and Significant Landscape Overlay – Schedule 1 (SLO1)

Where the LDRZ is combined with the SLO1 a permit is required for all residential development, except for a timber post and wire fence up to 1.5 metres in height. A permit is also required for removal of native vegetation, except where exemptions apply (such as environmental weeds).

Approval is required for external colours and materials. Proposals must comply with any local policy as required.

Low Density Residential 1 Zone (LDRZ) and Significant Landscape Overlay – Schedule 2 (SLO2)

Where the LDRZ is combined with the SLO2 (Strathmore Drive and Camrose Court), a permit is not required for residential development, except where the following apply:

- The building height exceeds 5m.
- The site coverage of buildings exceeds 200m² or 35% of the site area.
- The lot has an area below 450sqm.
- There is a change in ground level greater than 2m resulting from cut or fill.
- The building is being relocated from another place.
- A side or rear fence is proposed that exceeds 1.6 metres in height and is to be constructed of brick, stone, masonry or sheet metal.

Approval is also required for external colours and materials and the removal of native vegetation except where exemptions apply (such as environmental weeds).

Low Density Residential 1 Zone (LDRZ) and Vegetation Protection Overlay – Schedule 1 (VPO1)

Where the LDRZ is combined with the VPO1 (parts of Bells Boulevard and Coombes Road) a permit is required to remove native vegetation except where exemptions apply (such as environmental weeds).

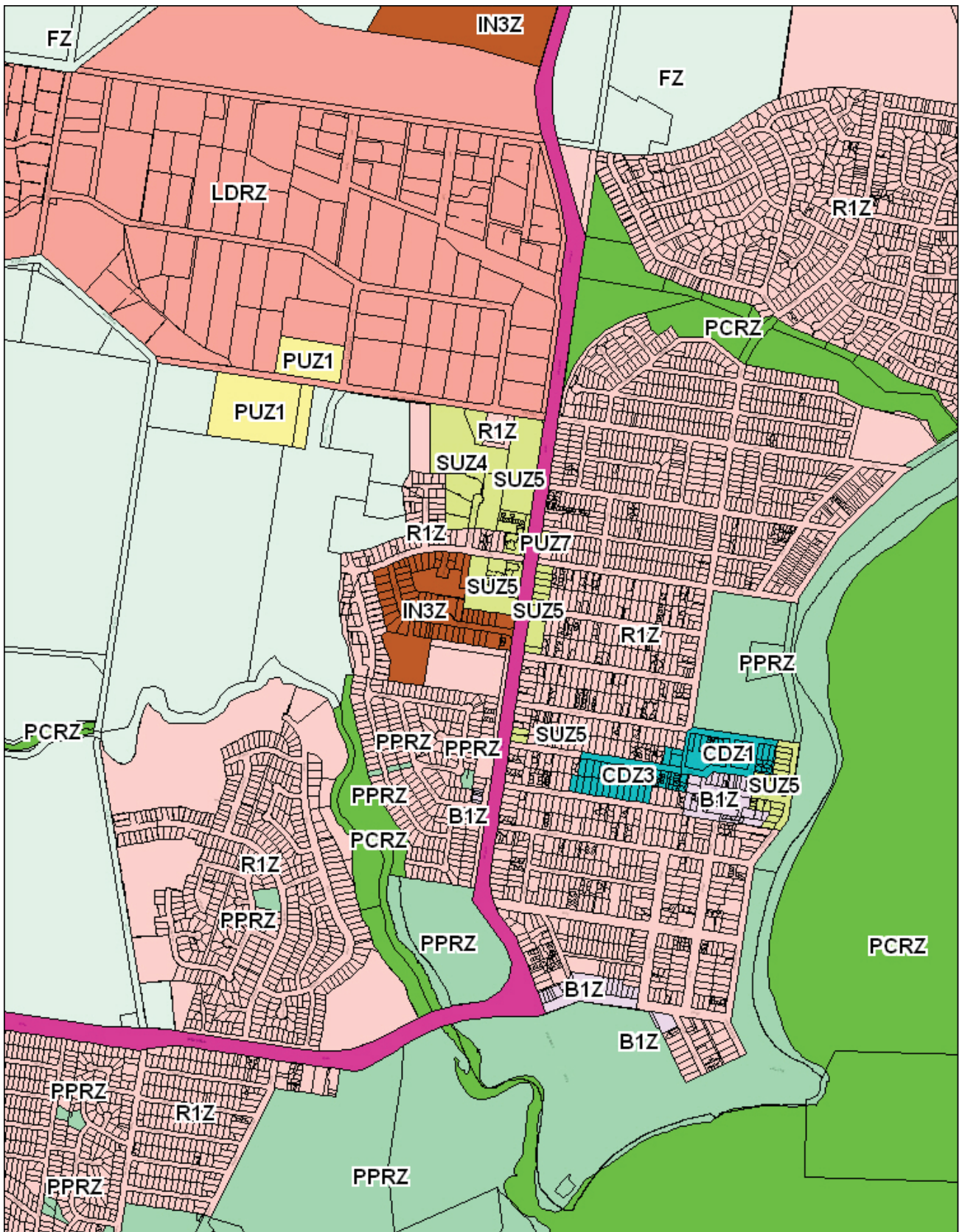
Where a permit is required applications must be referred to the Department of Sustainability and Environment for consent.

Low Density Residential 1 Zone (LDRZ) and Wildfire Management Overlay (WMO)

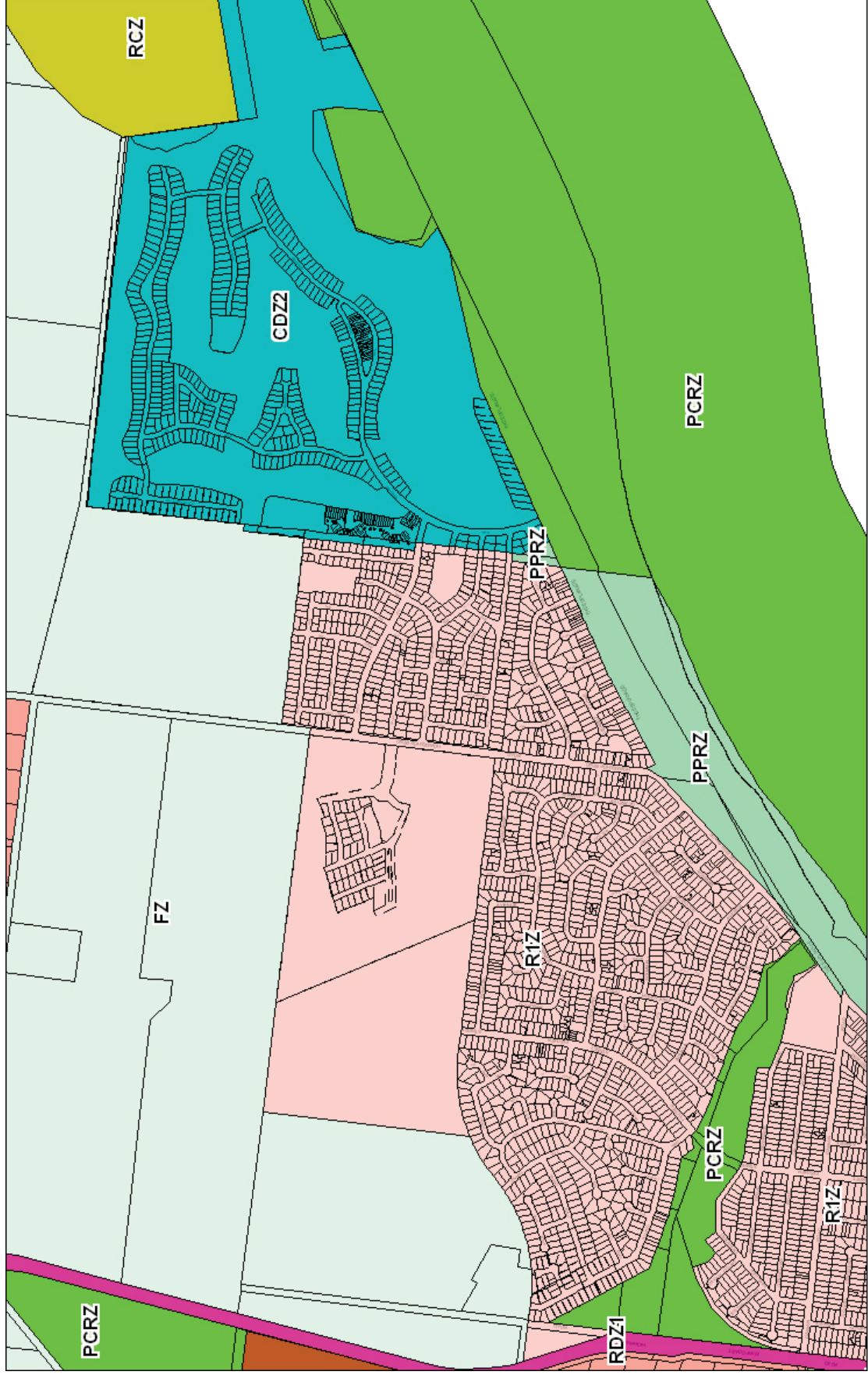
Where the LDRZ is combined with the WMO (parts of Bells Boulevard and Coombes Road) a permit is required for residential development except for minor dwelling additions.

Where a permit is required applications must be referred to the Country Fire Authority for consent.

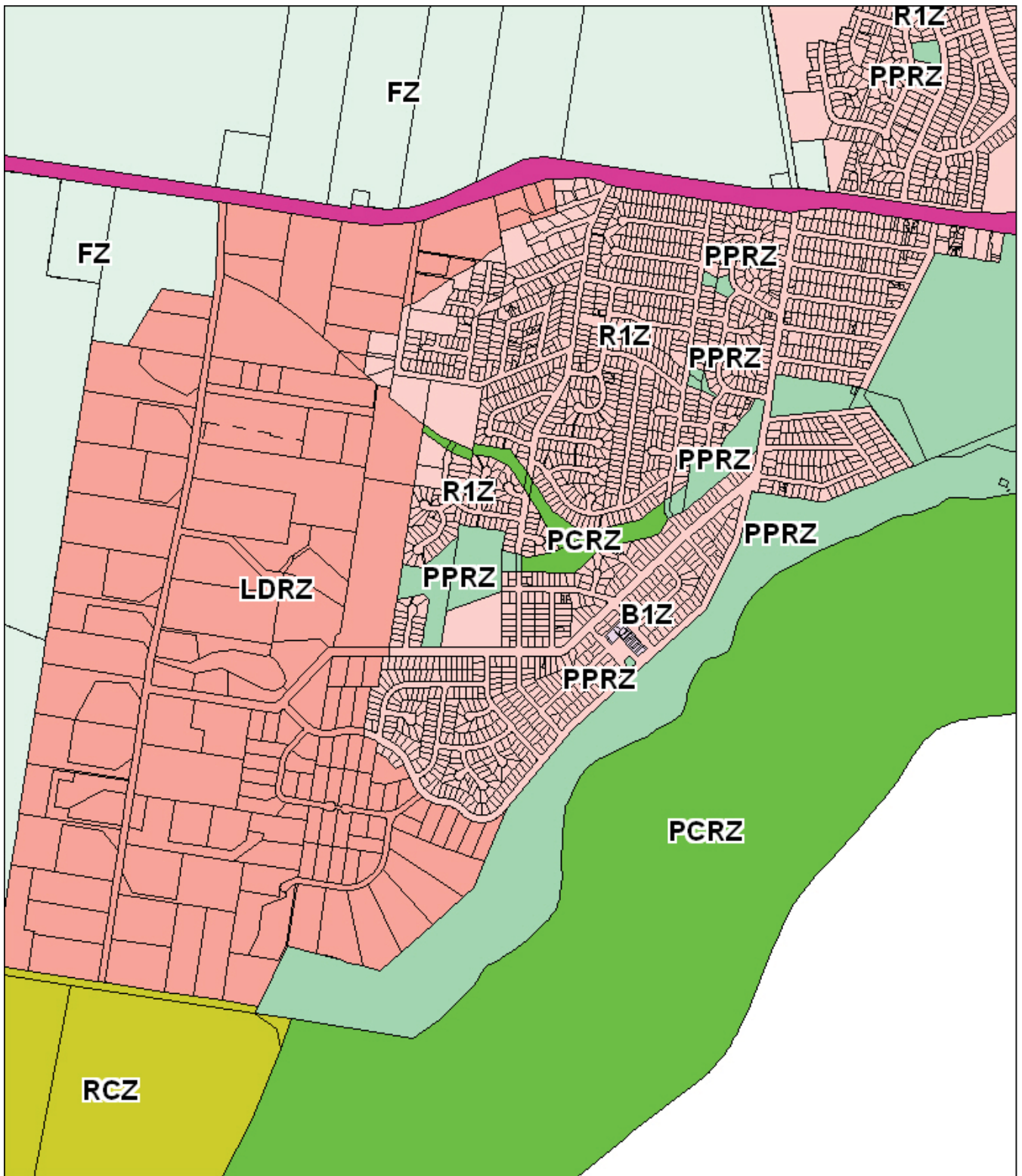
Map 3A
Surf Coast Planning Scheme – Zones
(Torquay)



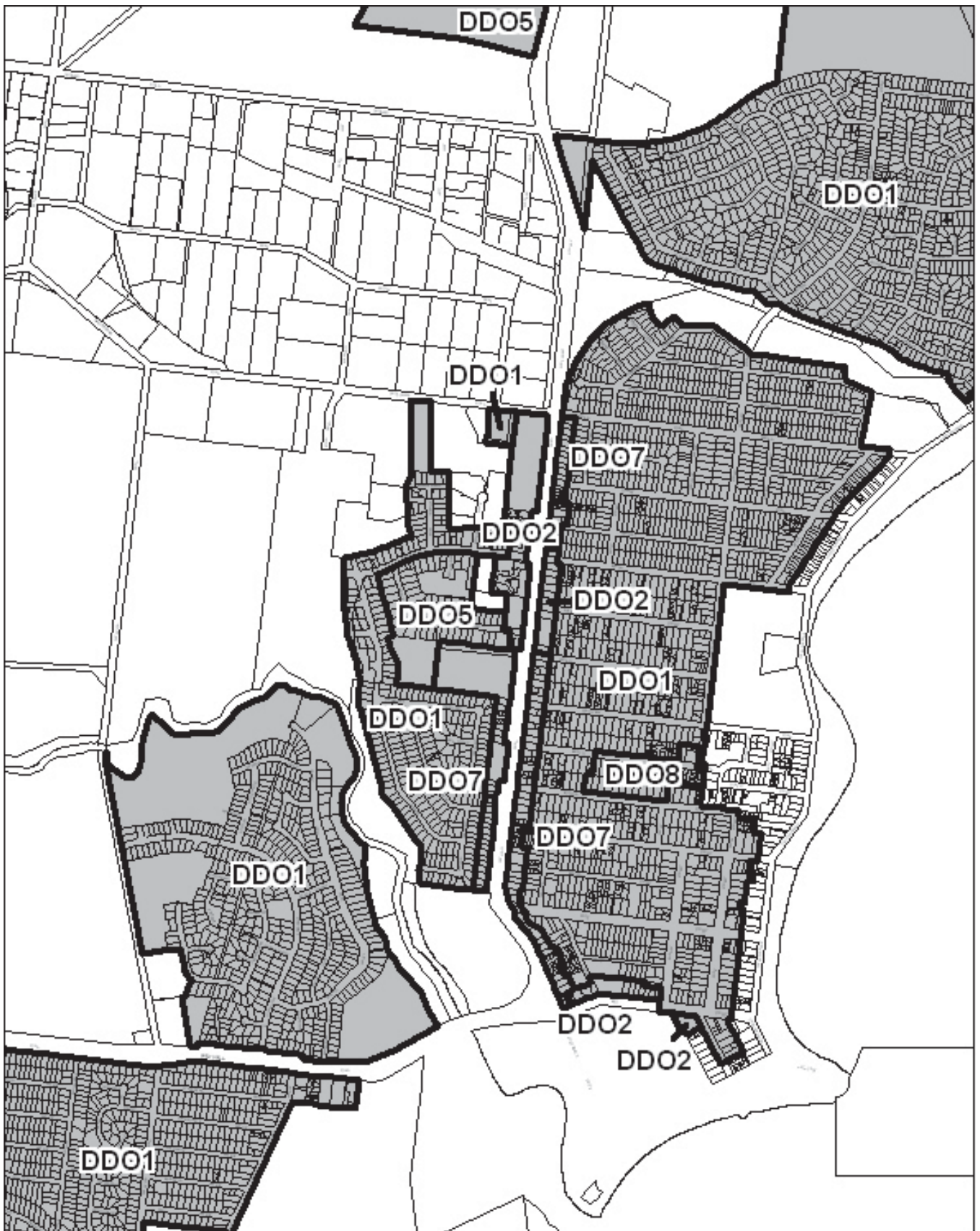
Map 3B
Surf Coast Planning Scheme – Zones
(Torquay)



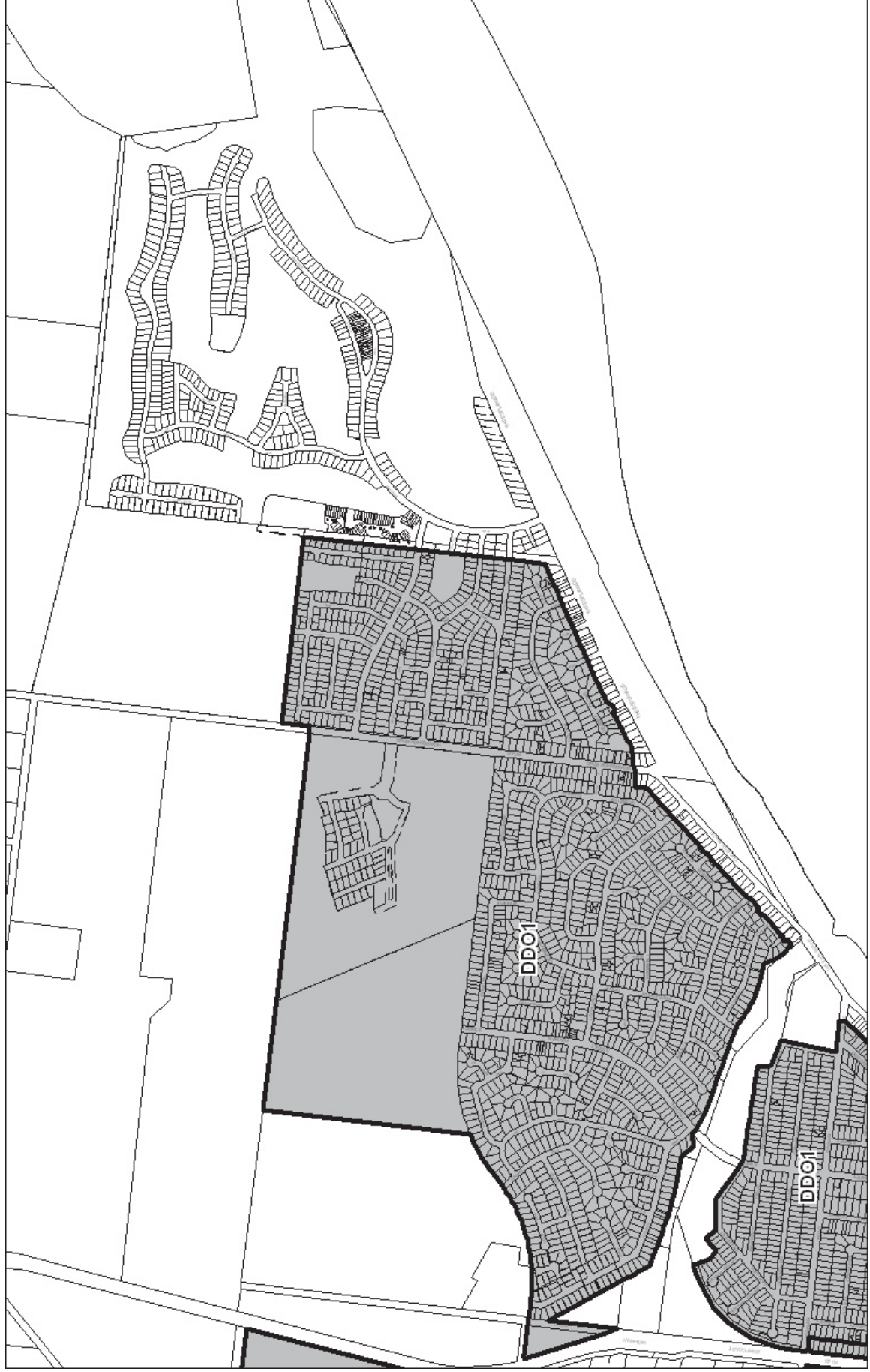
Map 3C
Surf Coast Planning Scheme – Zones
(Jan Juc)



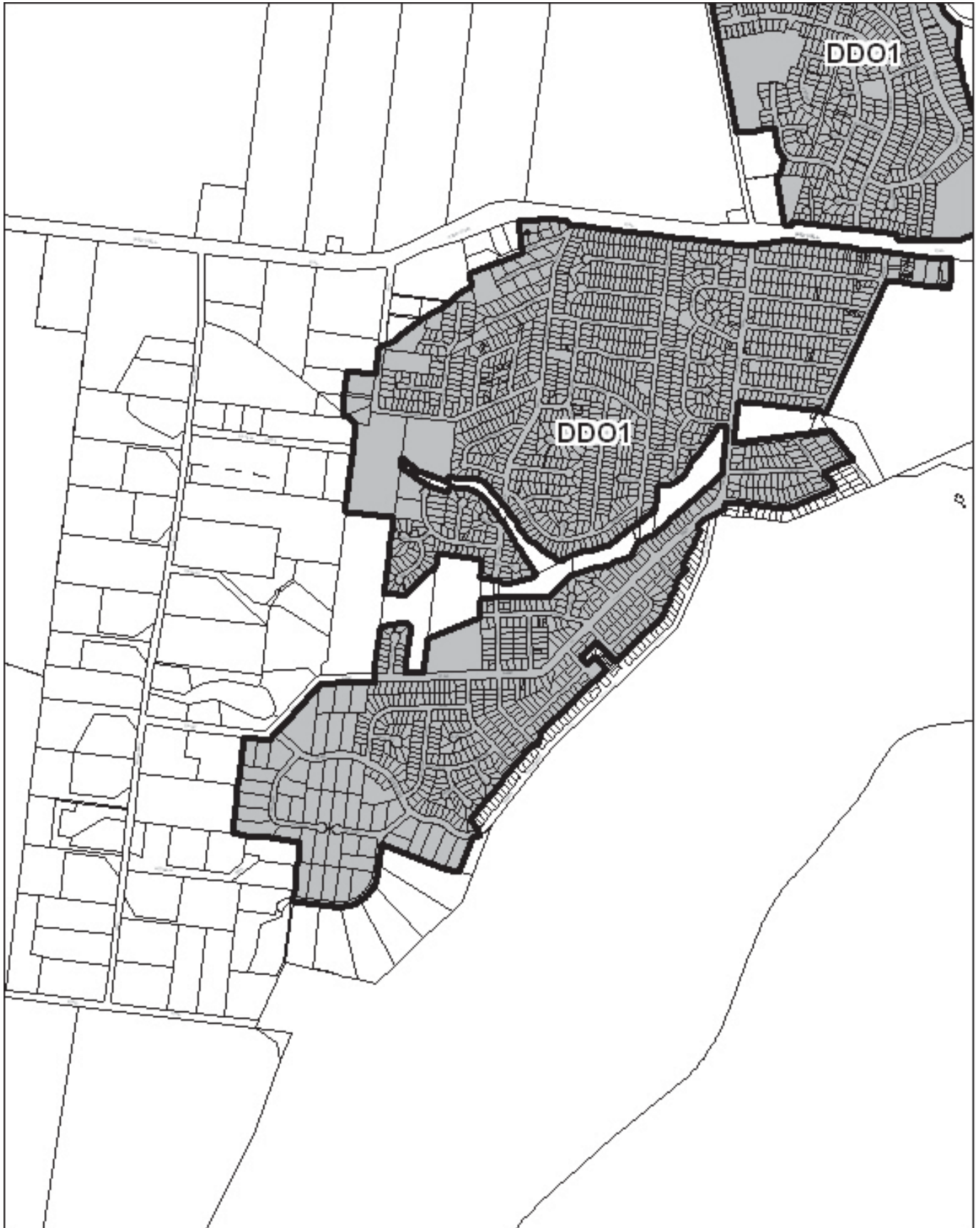
Map 4A
Surf Coast Planning Scheme – Design and Development Overlay
(Torquay)



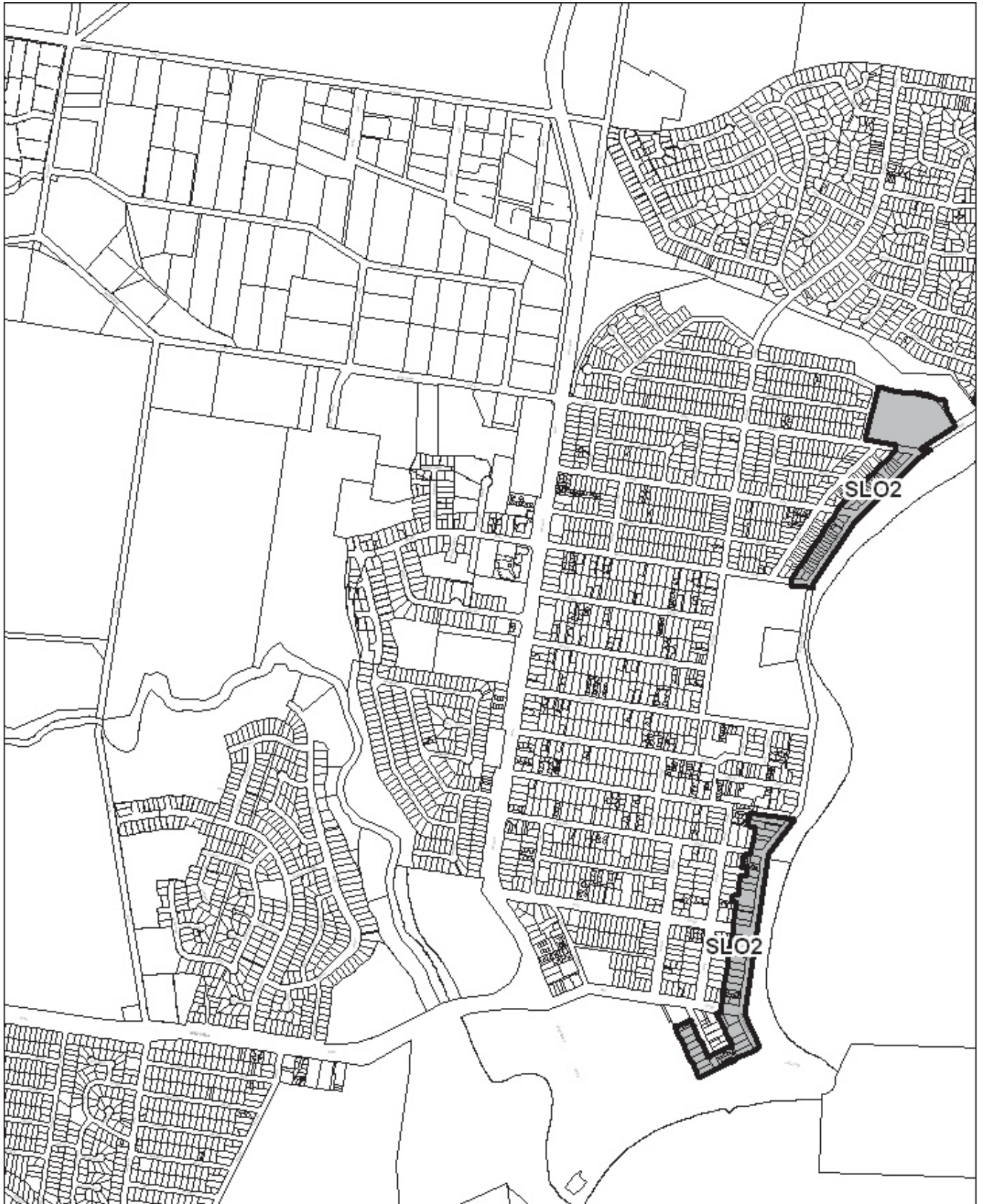
Map 4B
Surf Coast Planning Scheme – Design and Development Overlay
(Torquay)



Map 4C
Surf Coast Planning Scheme – Design and Development Overlay
(Jan Juc)



Map 4D
Surf Coast Planning Scheme – Significant Landscape Overlay
(Torquay)



Map 4E
Surf Coast Planning Scheme – Significant Landscape Overlay
(Torquay)



Map 4F
Surf Coast Planning Scheme – Significant Landscape Overlay
(Jan Juc)



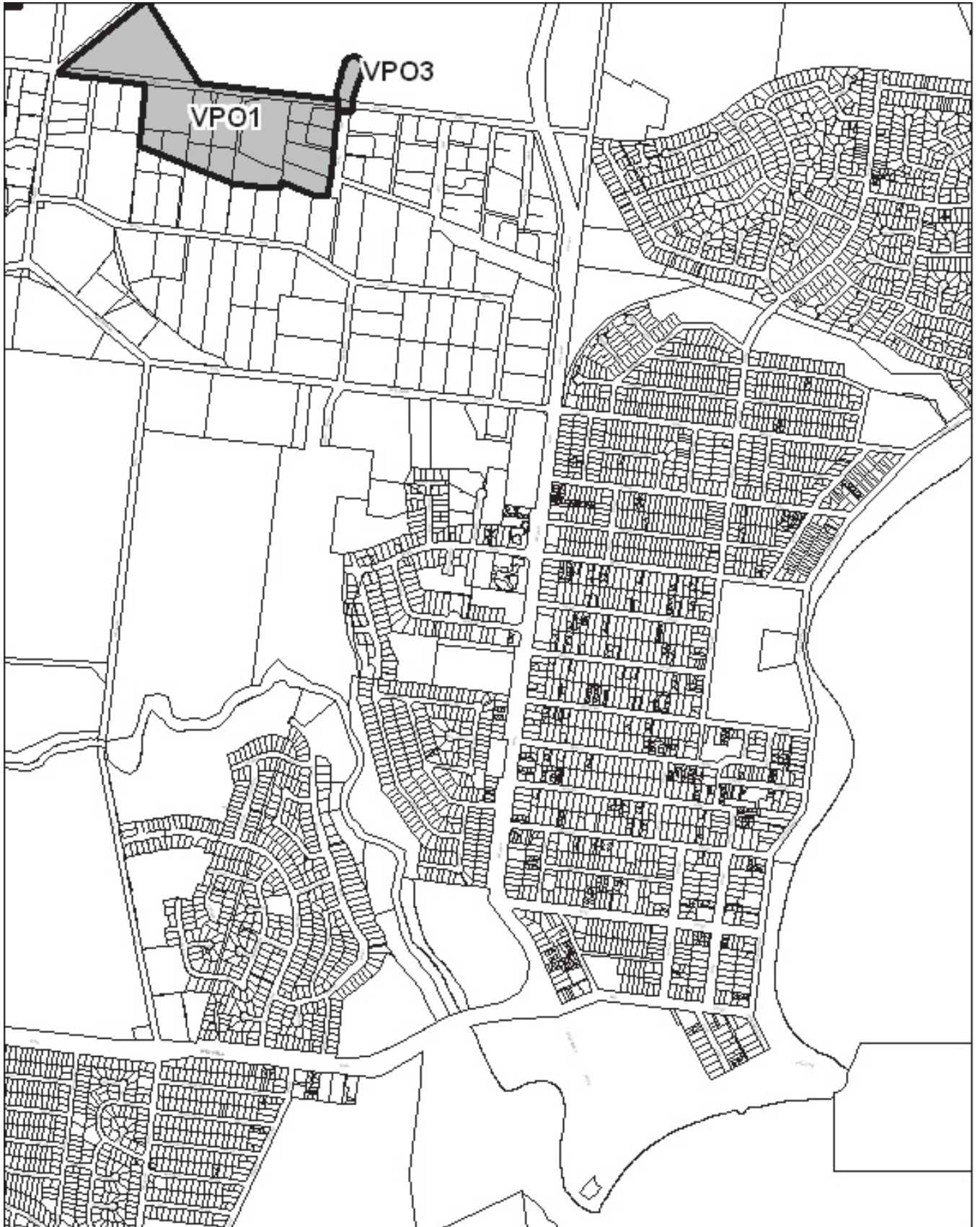
Map 4G
Surf Coast Planning Scheme – Environmental Significance Overlay
(Torquay)



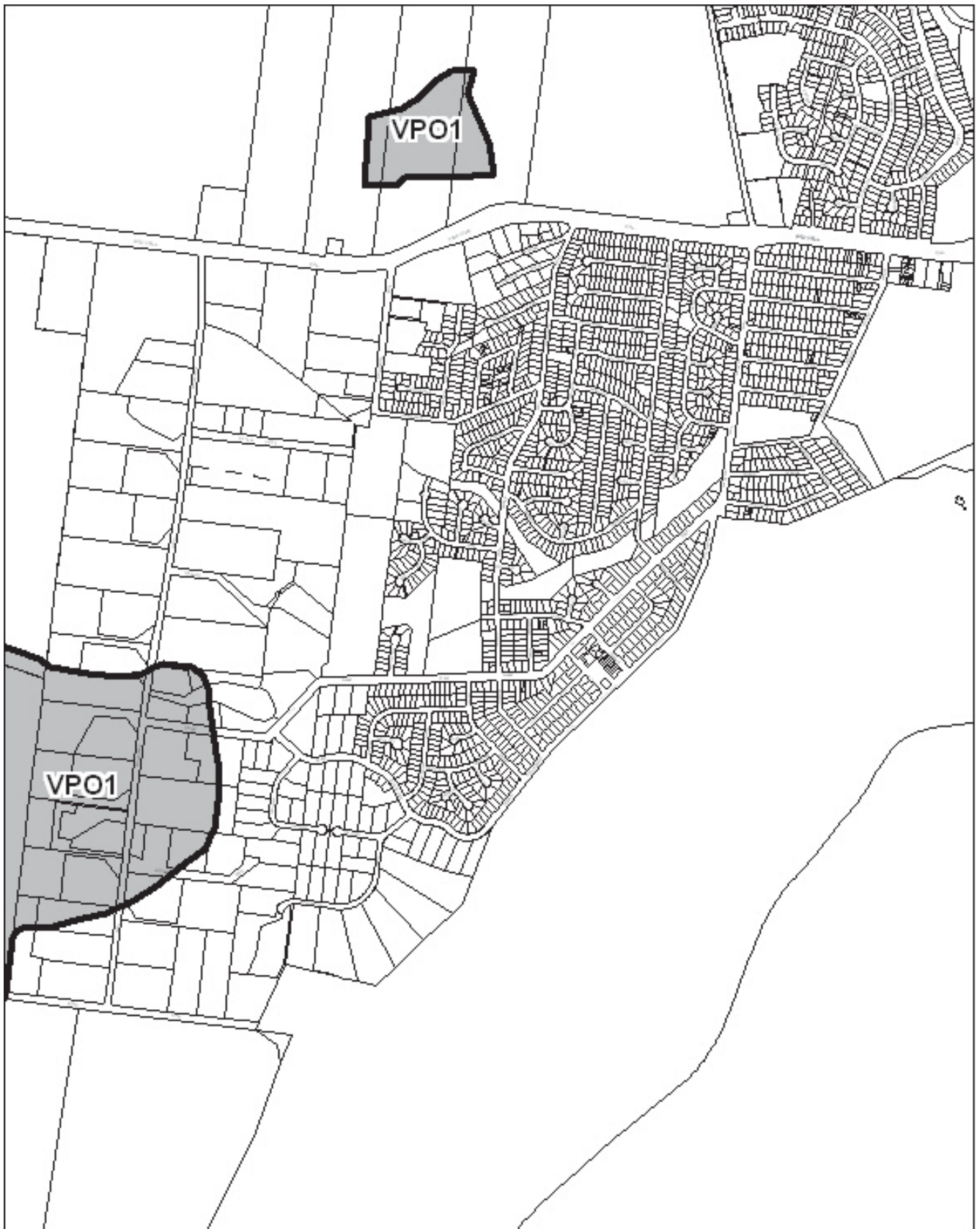
Map 4H
Surf Coast Planning Scheme – Environmental Significance Overlay
(Torquay)



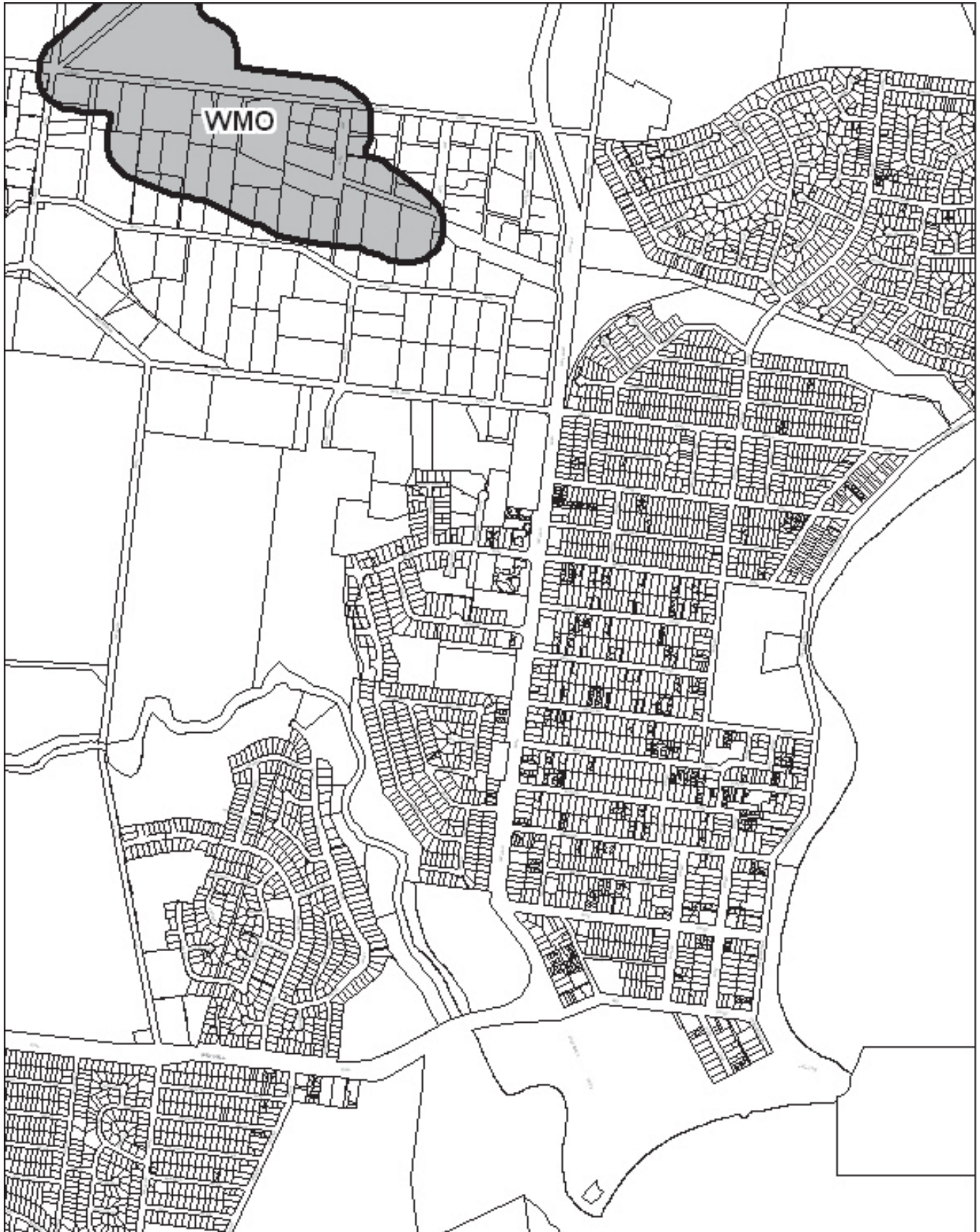
Map 41
Surf Coast Planning Scheme – Vegetation Protection Overlay
(Torquay)



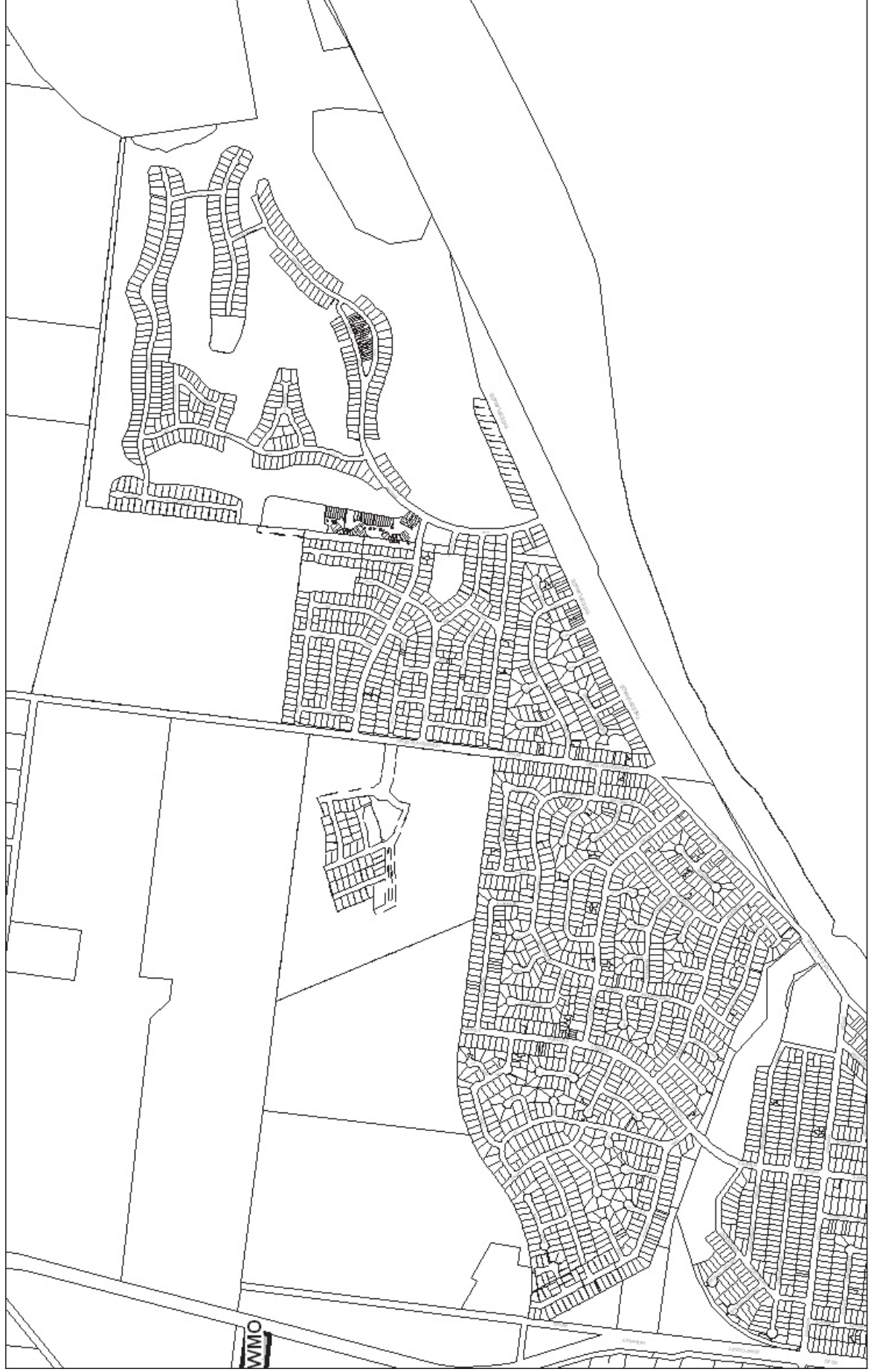
Map 4J
Surf Coast Planning Scheme – Vegetation Protection Overlay
(Jan Juc)



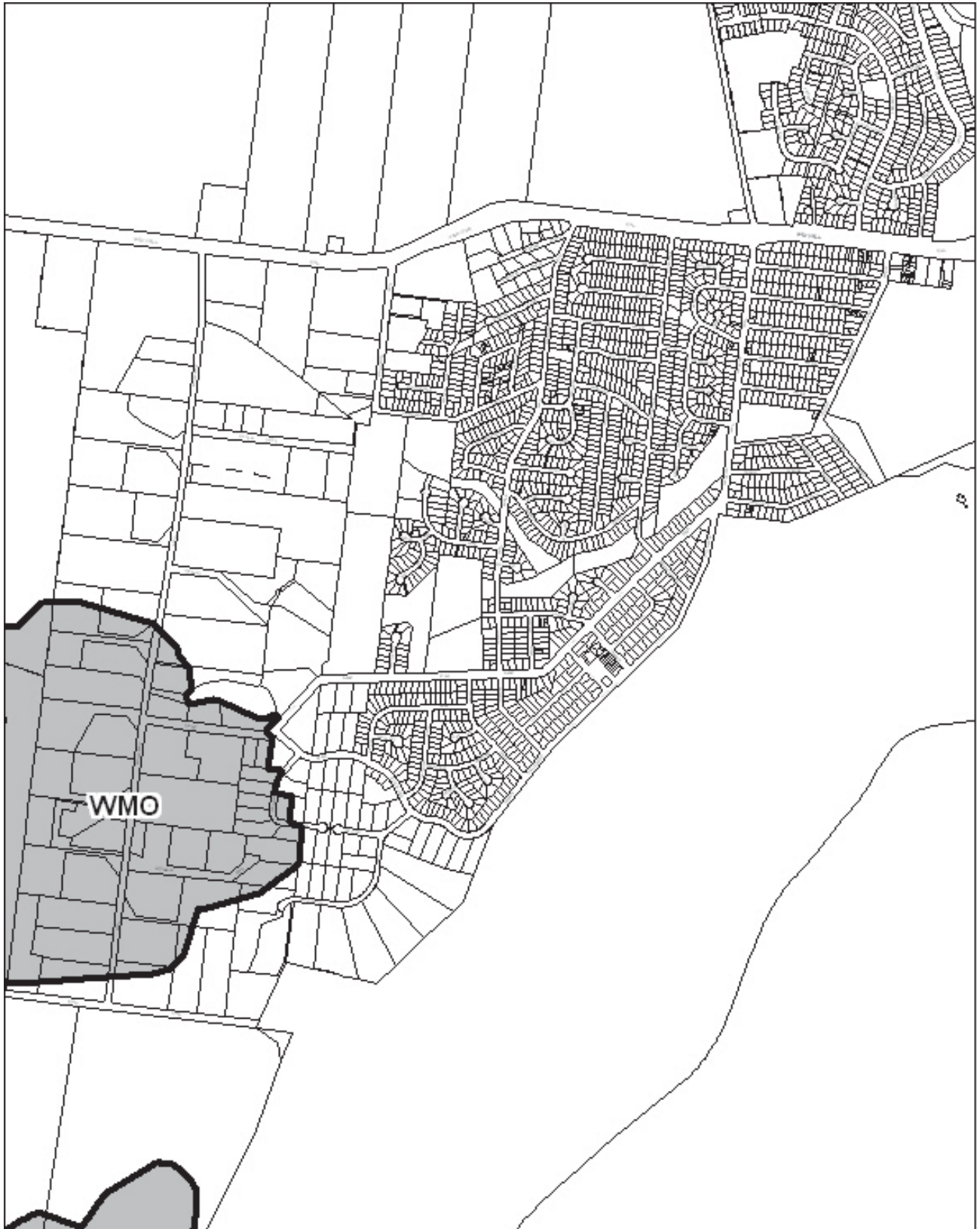
Map 4K
Surf Coast Planning Scheme – Wildfire Management Overlay
(Torquay)



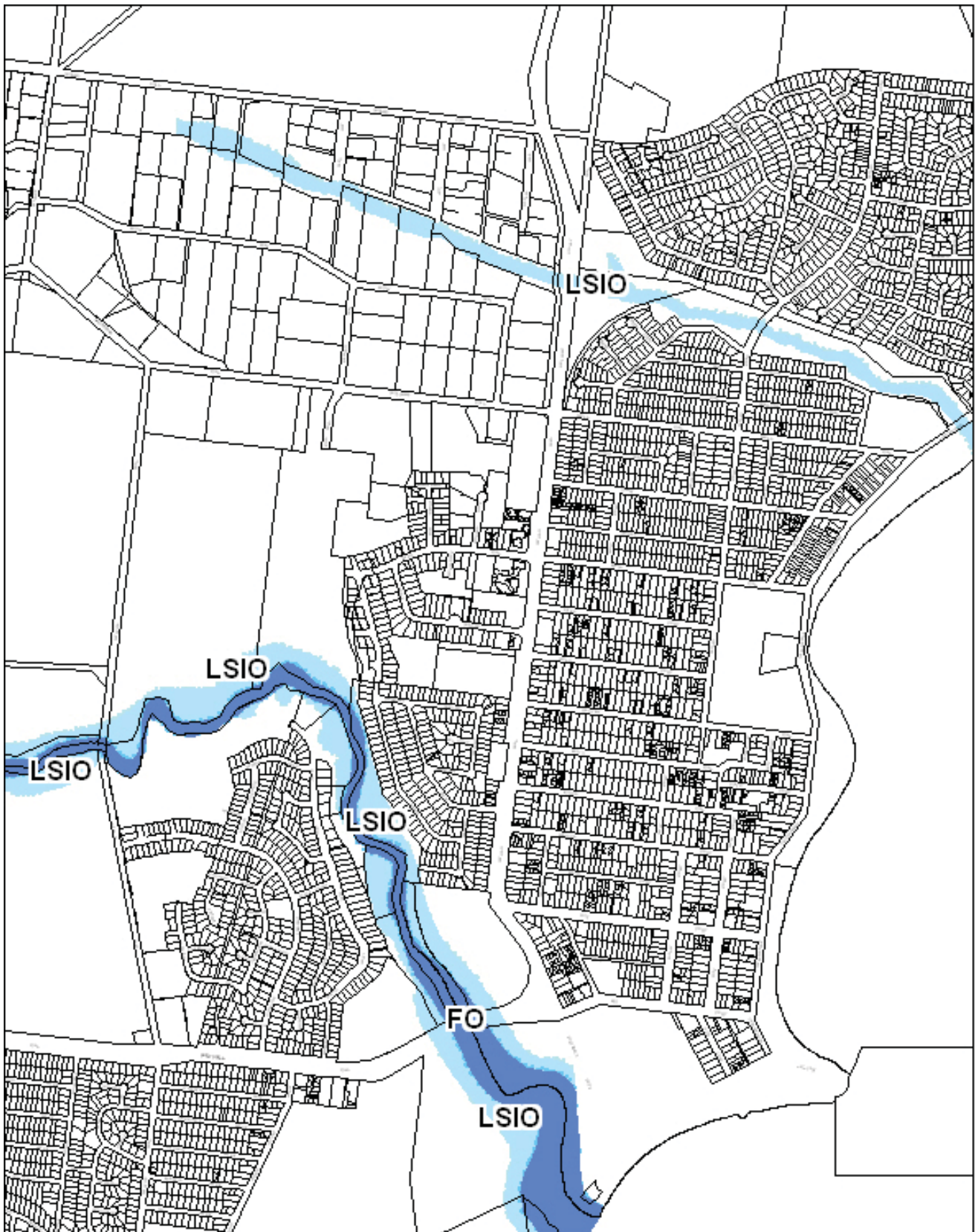
Map 4L
Surf Coast Planning Scheme – Wildfire Management Overlay
(Torquay)



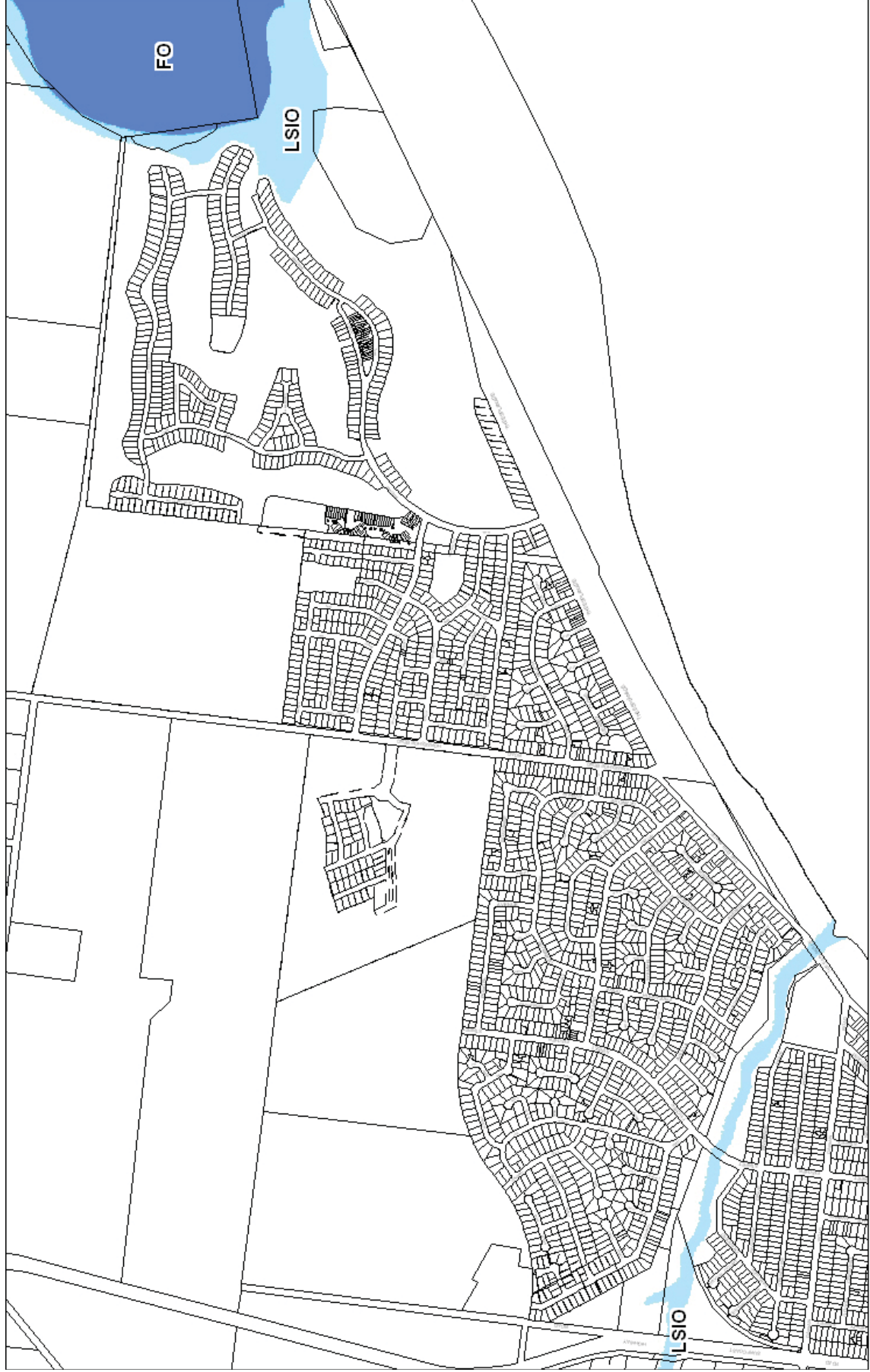
Map 4M
Surf Coast Planning Scheme – Wildfire Management Overlay
(Jan Juc)



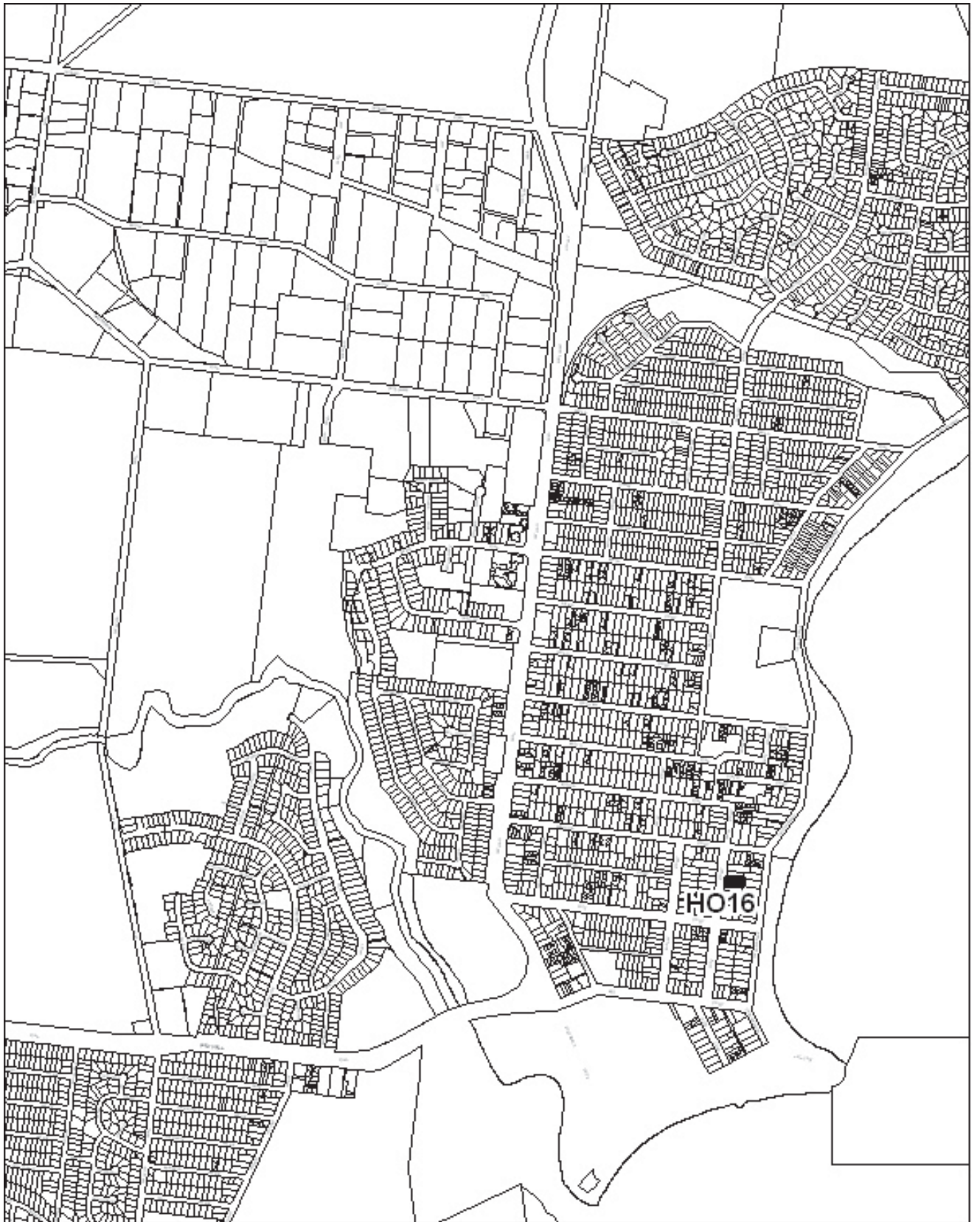
Map 4N
Surf Coast Planning Scheme – Land Subject to Inundation and Floodway Overlay
(Torquay)



Map 40
Surf Coast Planning Scheme – Land Subject to Inundation and Floodway Overlay
(Torquay)



Map 4P
Surf Coast Planning Scheme – Heritage Overlay
(Torquay)



Map 4Q
Surf Coast Planning Scheme – Development Plan Overlay
(Torquay)



Map 4R
Surf Coast Planning Scheme – Environmental Audit Overlay
(Torquay)



ANALYSIS OF EXISTING CONTROLS

The community perception analysis conducted by Dr. Green found that numerous new developments across the study area exhibited features that were perceived to be incompatible with the preferred character. It can therefore be assumed that the current controls are not achieving the community's vision for development in Torquay / Jan Juc and therefore need to be reviewed and strengthened, with special focus being given to encouraging all development to incorporate the characteristics that make development compatible with the preferred character.

To assist in focussing on the elements that appear to be creating the problems and those that appear to best work in meeting the community's expectations, a number of case studies were undertaken and analysed against the existing controls and the identified elements previously discussed.

It is acknowledged that the selection of case studies is only a 'snap shot' of existing development, however when combined with all other aspects of this study, it provides an analysis of the current planning provisions not otherwise available.

Twenty case studies were examined. 13 were identified as not meeting neighbourhood character expectations and 7 houses were chosen because they were considered compatible. Six of the twenty case studies are covered by the current Significant Landscape Overlay – Schedule 2 which includes tighter controls for development than the standard ResCode provisions. The remainder of the case studies are affected by the DDO1. Individual analysis of the case studies is contained in **Appendix 6**.

Case Studies – Not in Character

A number of the case studies which required a planning permit (predominantly those affected by the Significant Landscape Overlay Schedule 2) and which were considered incompatible with neighbourhood character, fail to comply with at least one aspect of the current planning provisions. However, it should be noted that over half of these developments were approved prior to the new format planning scheme being introduced in October 2000. The most common areas of non-compliance are:

- Five of the case studies (1, 2, 14, 15, & 18) exceed the maximum building height of 7.5m in the SLO2 and DDO1.
- Five of the case studies (1, 2, 11, 12, & 15) exceed the maximum plot ratio of 0.5 in the SLO2.
- Four of the case studies (1, 2, 11, & 12) fail to comply with the maximum building site coverage of 35% and the maximum total hard surface area of 50% in the SLO2.
- Most of these developments have minimal front and side setbacks with negligible landscaping within the setback areas.

While these case studies would have been improved through compliance with the current provisions, it is unlikely that compliance would have resulted in vastly improved neighbourhood character outcomes. The basis for this conclusion is that at present there is a lack of emphasis provided in the current provisions regarding retention and enhancement of indigenous vegetation. In some cases there is inadequate area within the front and side setbacks to accommodate indigenous trees and shrubs that would facilitate screening of the development. It is therefore concluded that the significance of retaining and enhancing indigenous vegetation cover should be the starting point for all developments.

Of the remaining cases where planning permits were required and issued, it is important to note that case studies 13, 16, & 17 generally comply with the current provisions, even though they are considered to be 'out of character' through the community perception modelling undertaken by Dr. Green. Furthermore, case studies 3, 4, 5 were also considered incompatible but required no planning permit. These cases were therefore only subject to the requirements under the Building Act.

The ResCode provisions, which provide the primary decision making tool for planners assessing applications currently affected by the Design and Development Overlay Schedule 1, allow a building site coverage up to 60% and a minimum of 20% site area as permeable surface. Based on the case studies assessed against ResCode, even though they are generally not developed to the maximum intensity that is possible under the current provisions, the developments are considered to be inappropriate for the character of Torquay and Jan Juc. The key issue with most developments is the ability, or lack thereof, to retain and enhance the vegetation cover, as well as the visual dominance of buildings in the streetscape, that is, building bulk.

To facilitate enhanced vegetation cover, it is therefore recommended that the building site coverage and permeable surfaces (hard surface area) provisions be revisited to ensure there is adequate area for vegetation. To reduce the visual bulk of buildings the introduction of plot ratio controls is recommended.

Using the information from the case studies it is possible to determine minimum requirements for future development. However, precise figures should be established as part of the planning scheme amendment process. The average area of permeable surfaces for the case studies is 44% of the site, which is deemed inadequate to retain and enhance the preferred character of Torquay and Jan Juc. Increasing the minimum area of permeable surfaces would provide additional area for landscaping. However, this needs to be balanced against being reasonable in terms of allowing future development.

The calculation of permeable surface area should not include common property in unit developments, or driveways given that the purpose of permeable surfaces (ie the opposite of hard surface) is to provide for an area to be landscaped. This is opposed to pervious surfaces as defined within ResCode which deals with the ability of a surface to be able to absorb water. Driveways can not be landscaped and can therefore not contribute their area towards the vegetated character of a development. They should therefore be excluded from any calculation of hard surface.

Similarly, the calculation for hard surface and site coverage for multi-unit developments and subdivisions should ensure that the relevant development standards are met for each dwelling, and are not averaged across all dwellings. This is necessary, as is evident from case study 1, to ensure that developments which comply with provisions at the time of construction which are subject to subdivision proposals at a later date are still compliant with development standards.

Hard surface area includes building site coverage and hard surfaces such as paving and driveway. It is important to define a maximum building site coverage to accommodate enough space for hard surfaces such as driveways and paving. Consistent with the definition of a building as defined in s. 3 of the Planning and Environment Act (1987), a building includes:

- “(a) a structure and part of a building or a structure; and
- (b) fences, walls, out-buildings, service installations and other appurtenances of a building...”

Based on the above definition, decking, even at ground level, is considered part of a building, and should be calculated as part of building site coverage. There should be an adequate allowance for an area of the site to be developed by driveways and other paved areas. As such, the maximum building site coverage should be proportionately below the maximum hard surface area. Although a prescriptive approach is recommended, there should be room for discretion to be exercised in each case by relating the outcome to the landscape character objectives in the overlay. Hence, there may be some room to vary the overall building site coverage if this does not impact on the maximum hard surface area and landscaping outcomes. It is also suggested that one of these objectives emphasises the siting of buildings to allow enough room around the development to adequately screen the building using vegetation.

As with site coverage it is recommended to introduce plot ratio controls which reduce the visual bulk of buildings by controlling the size of upper storeys. Percentages should be arrived at by studying the case studies to determine the impact of different building sizes on different sized allotments.

The case studies also highlighted the need for adequate front and side setbacks. The buildings which were perceived to be out of character had little separation from one another and from property boundaries, with the result being a dominance of built form in the landscape, and little

capacity for integration into the surrounding vegetated environment, or reestablishment of vegetation. Narrow setbacks do not provide adequate area to establish planting of new indigenous trees that are characteristic of the preferred character due to their proximity to buildings. Setback controls should be introduced to ensure there is adequate space around buildings to plant shrubs and trees. Setback areas should be arrived at by using templates of different vegetation types to ensure that adequate area is available on a site for the planting of indigenous canopy trees and shrubs following development of a dwelling.

It is also noted from the case studies the importance of the positioning of the garage and the width of the driveway on the appearance of the dwelling and its compatibility with the preferred character. Case 10 highlighted a development where the bulk of the dwelling is extensively screened from the street, however, a double garage and wide light coloured driveway dominates the building's appearance. Garages located well behind the main building line, which are serviced by narrow recessively designed driveways, are more compatible with the preferred character. As such, controls should be introduced to address this issue.

REVIEW OF PLANNING CONTROLS

The Study has identified a range of features in Chapters 3 & 4 which combine to create an overall low rise coastal character across the townships of Torquay and Jan Juc, even though various developments throughout the township exhibit features that are incompatible with the preferred character. Central Torquay and Jan Juc vary from the newly subdivided areas due to the established vegetation and built form however all precincts contain attributes seen to be both positive and negative by the community. The identified preferred character is consistent with current references to coastal character referred to in the Torquay-Jan Juc Strategy of the MSS, however it has become evident that the current planning controls are inadequate if this character is to be maintained and enhanced into the future, and that modifications need to be made to the current planning controls.

The current policy is to cater for future residential growth by encouraging in-fill development as well as directing development to growth corridors to the north and west of Torquay. The lot sizes across most of the study area are capable of supporting substantial in-fill development, however the study has identified that it will be important to ensure that the coastal character is not compromised. Encouraging infill development and facilitating the development of the growth corridors, whilst respecting the neighbourhood character, is consistent with the 'Great Ocean Road Region – A Land Use and Transport Strategy' and the overall policy for Housing and Settlement in the State Planning Policy Framework and the Torquay Jan Juc Strategy in the Local Planning Policy Framework of the Planning Scheme.

The Study has further highlighted in Chapter 4 priorities for vegetation and habitat protection.

In order to achieve the preferred character for the towns and appropriately respond to vegetation and habitat protection issues, the following need to be given consideration:

- Greater priority to protection and enhancement of indigenous vegetation and trees with landscape value.
- Increased emphasis on integration of development with the existing low density environment by way of reduced building bulk, maintaining a 7.5m height limit and increased emphasis on landscaping to enhance the vegetation cover.
- Discouragement of developments that are constructed across the width of a property and reduction in site and hard surface coverage.
- Discouragement of high front fencing and encouraging materials and colours that are compatible with the coastal character.
- More consistent controls across the entire study area to ensure that all new development is compatible with the preferred neighbourhood character.

Although there are some variances between precincts within the two townships the preferred character is consistent across the entire study area. The assessment of character elements at Chapter 3 provides the strategic basis for application of revised controls across the study area,

including triggers for requiring a permit where buildings and works exceed certain criteria which would make them incompatible with the preferred character. Chapter 4 provides the strategic basis for application of controls across the study area for requiring a permit for native vegetation removal.

Although such controls exist at present in parts of Torquay and Jan Juc, the extension of more specific controls across the entire study area will apply a more consistent approach to the enhancement of the neighbourhood character.

It is not necessary at this stage of the process to detail precisely which planning tools will best achieve the desired preferred character outcomes. However, as part of the planning scheme amendment process to follow the adoption of this study, it will be necessary to make a detailed assessment of the planning tools available within the Victorian Planning Provisions (VPPs) before devising any specific planning controls. As required by the Planning and Environment Act (1987) this process will be subject to a period of further public consultation and scrutiny.

6. Other Matters

Monitoring and Review

It is recommended that a review of the effectiveness of revised planning controls introduced as an outcome of the study is conducted after five years of operation. In this way there can be monitoring of whether preferred character outcomes specified in the Scheme are being met in new development.

A preferred method of review would be to consult the community about developments approved and constructed within the review time frame, which are considered to be favourable to or detracting from the character of the town. The process should be based in principle on the process used by Dr. Green in the current study, with particular attention given to review of specific developments mentioned most frequently. This information can be the basis for a review of the development controls.

Planning Enforcement

Concerns were raised regarding inadequate enforcement of planning scheme provisions, which has in the past resulted in high levels of non-compliance, particularly in relation to retention and planting of vegetation required by permit conditions. Council has in the interim increased funding for a Planning Enforcement Officer and changed internal practices with regards to the requirement of a bond payment when landscaping is a significant component of development. Anecdotal evidence suggests that this has resulted in improved levels of compliance. Emphasis should also be given to pro-active enforcement, and education of the community in relation to planning controls that are in place, or changes that are proposed in the future.

Other Issues

A range of related issues were raised during the progress of the study that can not be dealt with under the planning controls, but are important to the long term retention of the Torquay and Jan Juc character and should be considered by the relevant parties.

- **Domestic pets** – containing domestic pets is considered to be a problem within the study area, in addition to the cleaning up of dog droppings from public open spaces. This issue should be dealt with under the appropriate Council Local Law.
- **Foreshore and public open space beautification and revegetation** – the community suggested that beautification should be extended to include all foreshore areas and the creek network throughout the study area. In addition, improvements to the stormwater management within these areas have been suggested.
- **Pedestrian access** – pedestrian access to public areas, including beaches is considered to be poor and could be improved to facilitate pedestrian movement throughout the study area. Linked walking tracks should be considered in the future planning of public areas. Additional planning controls are proposed that would apply to new residential subdivisions that would require additional linear parks to facilitate pedestrian and cyclist access, as well as to create vegetation corridors. In addition, Council's recently adopted Pathways Strategy provides a mechanism for the systematic ongoing improvement of pathways and linkages throughout the Surf Coast Shire.
- **Nudist beach** – due to growth of Torquay further north, residents are concerned about retention of the nudist beach along White's Beach.
- **Beach safety** – concerns were raised regarding the safety issues associated with swimming, jet skis, boats, sail boards etc. within close proximity to each other.

7. Actions

The following are recommended actions for Council to pursue in response to the issues raised by this study:

	Action	Agent	Timing
1	Prepare new Planning Scheme controls that address and implement the findings of this study.	Strategic Planning Unit	Immediately following adoption of this study
2	Prepare and implement a street planting scheme in areas of Torquay and Jan Juc that currently have a low native vegetation cover.	Parks & Gardens Unit	2007/08
3	Review the effectiveness of any modified planning controls introduced as an outcome of the Study after five years of operation.	Planning & Development Unit	Within 3 years of approval of new planning controls
4	Prepare an information dissemination package to educate the community about neighbourhood character and indigenous planting.	Strategic Planning Unit & Environment Unit	Immediately following adoption of the Planning Scheme Amendment.