

# LORNE



**neighbourhood character study**

November 2006

Reference Document

The Lorne Neighbourhood Character Study 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

The Lorne Neighbourhood Character Study (November 2006) applies to all land in the residential areas of Lorne. It is largely derived from neighbourhood character discussion and findings in the Lorne Strategy Plan Review (revised February 2004), primarily Chapter 3 'Neighbourhood Character' and Appendix C 'Urban Character and Vegetation Analysis Background Information'. The purpose of the Study is to provide the strategic direction and justification for Amendment C34 to the Surf Coast Planning Scheme.

The Lorne residential urban area is located on the natural amphitheatre that sweeps around Loutit Bay and commands excellent views over the ocean. This natural setting is appreciated by visitors and residents alike. More specifically, the character of Lorne when viewed from the Great Ocean Road and the beach is created by:

- Sandy beaches in the foreground.
- Vegetated hills that form an amphitheatre surrounding Loutit Bay which reduce the visual impact of existing development on the slopes.
- Conversely views from the elevated developed areas provide a:
  - View of the ocean for many dwellings.
  - Sense of enclosure provided by the amphitheatre and the native vegetation.
  - Feeling of 'naturalness' with the tall gums providing canopy cover and filtered views to the ocean.

The retention and enhancement of these assets is considered to be the main priority for the neighbourhood character amendment, and in turn the foundation for the future planning and development control framework for Lorne.

Surf Coast Shire Council resolved on 1 March 2005 to proceed with a planning scheme amendment in order to protect Lorne's coastal townscape character, based on the recommendations of Chapters 1 and 3 of the Lorne Strategy Plan Review (LSPR) but subject to the modifications outlined below:

- Vegetation and views to be given equal priority.
- Retain the principle relating to view sharing.
- No increase in the preferred maximum height of 7.5 metres.
- The maximum height of buildings above natural ground level should not exceed 7.5 metres. Exceptions may be granted where:
  - The applicant can demonstrate that there will be no impact on views from neighbouring properties or public viewing places.
  - The applicant can demonstrate that there will be no impact on the amenity of neighbouring properties with regards to sunlight and privacy.
  - The applicant can demonstrate that there will be no impact on the visual amenity of the streetscape.
- Other changes following extensive testing of controls through case studies.

The Surf Coast Planning Scheme, the Victorian Coastal Strategy (2002) and the Great Ocean Road Region Strategy (2004) all state that future residential development on the coast should be focused into growth centres such as Torquay in order to preserve the low density character of the smaller settlements and to reflect the environmental sensitivities of those towns. The outcomes of this Study will implement this strategic direction and strengthen the capacity of planning controls to more appropriately guide development in Lorne.

The preferred character for Lorne is consistent across the township. The key elements which make up the preferred character include discrete, low scale buildings that are subservient to the landscape and reflective of the towns' origins as a popular seaside destination. Other factors that are consistent with neighbourhood character are:

- A low density of development that allows for the retention and enhancement of the landscape character so as to maintain a sense of houses in a bushland setting.
- Adequate building setbacks that allow the retention of mature trees and planting of vegetation around buildings, screening them from the street and adjoining properties.
- Low profile building heights, generally not exceeding two storeys.
- Classic older beach house style buildings or modern coastal designs utilising simple built forms that, in combination with the selection of materials, exhibited a light weight appearance.
- Views of the ocean, coast and hinterland from public and private spaces.
- No fencing or open fences that maintain a sense of space and openness around buildings.
- Driveways and car parking that is recessive in the streetscape.

A planning scheme amendment will be prepared to implement the recommendations of this study.



## Introduction

### What is Neighbourhood Character?

Neighbourhood character is described in the Victoria Planning Provisions (VPP) Practice Note as being:

*“..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.”*

In the Surf Coast Shire, neighbourhood character is derived from natural, demographic and social characteristics as well as the built form environment.

### Why is a Neighbourhood Character Study required for Lorne?

Lorne is long established as the premier tourist resort town on the Great Ocean Road. The popularity of Lorne means there is continuing pressure for development within the township and for it to expand its boundaries. There is also continuing pressure on the town in its role as a coastal resort to cater for the needs of visitors. This trend is reflected in the rapid growth of property prices and the amount of new development and redevelopment that has occurred over the last 10 years.

Community concern has been expressed about ongoing development pressures and the impact that this could potentially have on the environmental and scenic qualities of Lorne. Views and tree canopy are qualities that are highly valued and contribute to the residential amenity in Lorne. It is some of these features that are at risk of being eroded through inappropriate development to accommodate future growth.

The current Lorne Strategy at Clause 21.11 of the Surf Coast Planning Scheme identifies the need to review the strategy, specifically including *“an urban and vegetation character study which identifies built form and vegetation character precincts and recommends measures for their protection and enhancement.”*

### Lorne in a State and Regional Context

#### Victorian Coastal Strategy 2002

The objectives of the Victorian Coastal Strategy are based on the concepts of ecologically sustainable development and integrated coastal zone planning and management. The hierarchy of principles in the Victorian Coastal Strategy are:

1. Protection of significant environmental features
2. Sustainable use of natural coastal resources
3. Direction for the future
4. Suitable development on the coast

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*“Views and tree canopy are qualities that are highly valued and contribute to the residential amenity in Lorne.”*

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It should be noted that these principles have been framed in a hierarchical manner, with number one the most important principle down to 4. The implications of this for planning in the Surf Coast Shire are to direct growth and development away from areas of environmental significance.

The Strategy at Clause 5.2 provides direction for determining what constitutes suitable or appropriate development on the coast.

*“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.” (P39).*

The Strategy establishes that the use of township boundaries in planning schemes will determine growth of coastal townships and in regards to coastal townships directs that the provisions of the Great Ocean Road Region Strategy will be given priority.

The Strategy provides an important context for consideration of neighbourhood character in Lorne, containing a vision that:

*“Coastal villages will retain their seaside and village character”*

And that:

*“Townships will no longer grow like ‘topsy’. They will be recognisably coastal in character and grow within planning frameworks which respect the environments within which they’re built. Ecologically, culturally, aesthetically.” (P6).*

An objective is stated in the Strategy as being:

*“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. Urban development also presents challenges, in terms of aesthetics, waste disposal and sewage treatment.” (P38).*

The Strategy encourages 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, within a State and Regional context.

It is important to determine how best to manage change so that the valued qualities of Lorne are protected and enhanced. Existing residential controls in Lorne cover aspects of development such as development density, site coverage, built form and colours, fencing and vegetation removal. The Lorne Neighbourhood Character Study provides an opportunity to review these controls.





### Great Ocean Road Region Strategy

This Strategy is one of the most important regional planning documents for the Great Ocean Road Region. DSE, in preparing the Strategy, notes that:

*“Victoria has one of the most publicly accessible coasts in the world. The Great Ocean Road Region benefits from this accessibility making it Victoria's most popular visitor destination outside Melbourne...”*

*Unplanned growth is not an option. At stake are the natural assets that form the basis for much of the region's tourism and natural resource-based industry.*

*To answer this challenge, the Victorian Government has prepared the Great Ocean Road Region Strategy to manage the land use and transport growth demands for the next 20 years. The strategy provides direction for the State Government, each of the region's councils, the community, businesses and other government agencies to plan for the region's future, set priorities and make decisions.” (www.dse.vic.gov.au)*

The Strategy is built around four key directions:

1. Environment – protect the landscape and care for the environment.
2. Settlement – manage the growth of towns.
3. Access – improve the management of access and transport.
4. Prosperity – encourage sustainable tourism and resource use.

It acknowledges that the Victorian Government recognises that the Great Ocean Road Region needs a long-term strategy for managing and integrating development and providing an appropriate level of supporting infrastructure. The Strategy states that:

*“A failure to manage growth sustainably would result in:*

- *environmental damage*
- *reduced visitor satisfaction*
- *potential loss of natural assets*
- *unsustainable growth in some towns and communities*
- *loss of township character, with inappropriate development*
- *growing congestion on the Great Ocean Road and a further reduction in road safety*
- *reduced quality of life in many towns and communities*
- *increased fire risk and the need for emergency management” (P4)*

For all coastal townships the Strategy asserts the need to respect the character of these towns and promote best practice design for new development (Strategy 2.1) and supports planning for the identification and protection of neighbourhood character.



The Strategy designates two townships in the Surf Coast Shire as residential growth nodes, Torquay and Winchelsea, and directs urban growth to these areas which are considered best able to accommodate more development (Strategy 2.2). Elsewhere growth is to be limited.

The Strategy incorporates the Great Ocean Road Region Landscape Assessment Study (GORRLAS) 2003. GORRLAS places Lorne within Precinct 4.1 – Otway Ranges Forest and Coast and describes the distinctive qualities of this precinct as follows:

*“The Otway Forest and Coast landscape character type consists of the main area of the Otway Ranges and coast, containing large areas of dense, tall forest cover in hilly terrain, extending to the sea with high, rugged cliffs in places. In some coastal locations the vegetation is sparser and smaller in scale...”*

*Precinct 4.1 covers most of the Otway Forest and Coast Landscape character type, encompassing all of the characteristics just described. While the entire forest is a significant part of the region’s landscape character, particular parts have greater significance. The Great Ocean Road hugs the coastline from Lorne to Kennett River, offering some of the most dramatic cliff and ocean scenery able to be viewed from a car or bus anywhere in the world and is a landscape of National Significance.” (Precinct Package – Precinct 4.1, P2)*

For the precinct the GORRLAS includes the following landscape objectives:

*“To protect the indigenous vegetation and sense of openness and exposure that characterises the coastal areas of the precinct.*

*To retain a vegetation dominated outlook from the Great Ocean Road and other main road corridors throughout the precinct.” (Precinct Package – Precinct 4.1, P3)*

The GORRLAS recommends reviewing and strengthening the MSS, including the Lorne Strategy (Clause 21.11) and introducing the development principles of the precinct.

#### Coastal Spaces Initiative

The Coastal Spaces Initiative has been established by the Victorian Government *“to consider issues relating to planning for and managing pressures associated with increasing urban development in coastal regions.”*

The Coastal Spaces Steering Committee released a Recommendations Report in April 2006. One of the recommendations, R1, acknowledges the need to *“Reaffirm the Government’s commitment to direct urban development to existing settlements. Continue to promote a network of regional and local settlements” (P4)*. This recommendation is to be implemented through a number of actions including:

*“A2 Finalise and support implementation of Settlement Plans such as Urban Design Frameworks and Structure Plans in relevant planning schemes.” (P4)*

The Report identifies that a review of the Lorne Framework Plan (the LSPR) has been finalised but needs to be implemented.

*The Great Ocean Road hugs the coastline from Lorne to Kennett River, offering some of the most dramatic cliff and ocean scenery able to be viewed from a car or bus anywhere in the world and is a landscape of National Significance.”*

### **Study Objectives**

The objectives of the Lorne Neighbourhood Character Study are to:

- Identify the attributes that represent the distinctive coastal character and features of Lorne.
- Provide greater certainty for the community and the development industry in terms of what development, and development attributes, may be compatible with the character of different areas and neighbourhoods within Lorne.
- Establish a systematic methodology for the ongoing monitoring of planning decisions and review of planning controls to achieve the above objectives.

Specifically, the Study comprises:

- Identification and assessment of neighbourhood character within Lorne.
- Precinct descriptions.
- Mapping of vegetation types and significance.
- A list of indigenous plants suitable for Lorne (ie Surf Coast Shire Indigenous Planting Guide, 2003).
- A review of development controls in the Surf Coast Planning Scheme as they relate to the outputs of the Study.

The Study relates to the area within the township boundaries - land zoned for residential purposes - and does not include land zoned for commercial or industrial purposes. An aerial view of the study area is shown on Map 1.



**Map 1—Lorne Neighbourhood Character Study Area**

## Methodology



Neighbourhood character studies have traditionally been undertaken by professionals through data collection and analysis. The approach taken in this Study, and in studies for other coastal townships in the Surf Coast Shire, differs in that in addition to 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 inputs used to prepare the Lorne Neighbourhood Character Study (November 2006):

### Lorne Strategy Plan Review (revised February 2004)

The key input into the Lorne Neighbourhood Character Study (November 2006) is the neighbourhood character discussion and findings in the 'Lorne Strategy Plan Review' (LSPR), primarily Chapter 3 'Neighbourhood Character' and Appendix C 'Urban Character and Vegetation Analysis Background Information'. The LSPR was prepared by consultants Maunsell Australia P/L and Environmental Resources Management Aust P/L (ERM). The LSPR was intended to provide a framework for the future land use and development of Lorne over the ensuing 20 years. The LSPR was placed on public exhibition between 1 April and 28 May 2004 and 38 submissions were received. Due to the broad spectrum of issues covered in the LSPR and the length and detail of public submissions, Council decided to consider the recommendations of the LSPR and associated submissions in stages. The neighbourhood character components of the LSPR were considered and adopted by Council on 1 March 2005 subject to some modifications (outlined in detail below).

To understand the nature of the existing character of Lorne a number of steps were undertaken:

- A review of the outcomes of the Study of Resident Perceptions of Neighbourhood Character in Lorne (Green 2002). This report is discussed below.
- A review of the outcomes of the heritage studies undertaken for the Surf Coast Shire in 2002.
- A vegetation analysis which defined the pre-settlement vegetation and the extent of existing canopy cover and the significance of the existing vegetation communities.
- A quantitative analysis of the slopes, built form, aspect and other siting characteristics of residential development.
- A qualitative analysis of streetscape settings.

The findings of these tasks were used to define neighbourhood precincts with distinct characteristics. Following the definition of neighbourhood precincts, the LSPR:

- Reviewed the existing Lorne Strategy and its success in assisting the development within these precincts to strengthen their characteristics and achieving desirable outcomes.
- Recommended changes to the policies and development controls relevant to Lorne in the Planning Scheme.

As noted above, this Study is based on and thus contains significant extracts from the LSPR. Sections have been modified however in accordance with the Council resolution of 1 March 2005, outlined below:

- Vegetation and views to be given equal priority.
- Retain the principle relating to view sharing.
- No increase in the preferred maximum height of 7.5 metres.
- The maximum height of buildings above natural ground level should not exceed 7.5 metres. Exceptions may be granted where:
  - The applicant can demonstrate that there will be no impact of views from neighbouring properties or public viewing places.
  - The applicant can demonstrate that there will be no impact on the amenity of neighbouring properties with regards to sunlight and privacy.
  - The applicant can demonstrate that there will be no impact on the visual amenity of the streetscape.
- Other changes following extensive testing of controls through case studies.

Neighbourhood precincts have also been refined following physical analysis by officers and this has resulted in greater physical continuity in the precincts. Detailed descriptions of the precincts can be found in Appendix 1.

The LSPR is available as a background document should interested persons wish to view the original material.

#### Public Exhibition of the Lorne Strategy Plan Review

Extensive community consultation was undertaken during development and public exhibition of the LSPR, including two public workshops. The LSPR was exhibited for eight weeks in April and May 2004 and received thirty eight written submissions, with fourteen of those relevant to Neighbourhood Character. There was general support by submitters for implementing development controls in order to protect and enhance neighbourhood character. The main comments, relevant to neighbourhood character, were in relation to:

- importance of maintaining existing vegetation, especially the tree canopy;
- overly complex draft revegetation controls;
- conflict between vegetation retention and views;
- high density not supported;
- whether building height should be discretionary.



### Resident Perceptions Study

Dr. Ray Green, Head of Landscape Architecture, Faculty of Architecture, Building and Planning, University of Melbourne, was engaged to undertake a study of community perceptions of neighbourhood character for Lorne to assist the consultants who prepared the LSPR in defining preferred character elements within the township. The purpose of this additional step was to assist in understanding how members of the local community define the character of their neighbourhoods, in terms of both environmental and built form features. This information, despite having been collected from a fairly small sample base, was considered adequate to augment the data collection of the townships' physical features carried out by Council officers.

The methodology and results of community perceptions analysis are summarised in a report by Dr. Green titled 'A Study of Resident Perceptions of Neighbourhood Character in Lorne' (December 2002) which is attached as Appendix 2. The key outcomes are discussed in Chapter 3. This Study, as well as contributions from the Reference Group, has informed the Study as to elements of 'preferred character' that planning controls should seek to achieve.

The assessment of community perceptions conducted by Dr Ray Green for the purpose of the Study found that views of natural features such as the ocean, coastline and areas of indigenous bush are highly contributory to the character of the Study area, and that buildings considered incompatible with this character exhibit the following attributes:

- 'Boxy' and bulky forms
- Buildings with little surface and mass articulation
- High density unit development
- Views blocked by rooftops
- Suburban looking and replica type buildings

### Surf Coast Places of Cultural Significance Study – Selected Lorne/Deans Marsh Heritage Assessments, 2003 and Amendment C15 to the Surf Coast Planning Scheme

The gazettal of Amendment C15 represented the final stage of an extensive review and assessment of heritage places in and around the Lorne and Deans Marsh townships. An additional thirty six individual places are now covered by a Heritage Overlay, many of which are in Lorne, plus the area along the coast generally between the Lorne Hotel and the Pacific Hotel known as the Mountjoy Parade Heritage Area. The Resident Perceptions Study found that historic buildings were typically found to positively contribute to neighbourhood character.

### Vegetation Assessment

The draft 'Biodiversity Action Planning - Landscape Plan for the Otway Zone, Otway Region Bioregion' (BAP) produced by the Department of Sustainability and Environment in 2003, provides a recent set of priorities for biodiversity conservation in the Study area, complementing survey work undertaken in the LSPR in respect of vegetation. Priorities identified in the draft BAP have been used in developing an appropriate planning response to vegetation in the Study area.

### Surf Coast Shire Indigenous Planting Guide, 2003

Surf Coast Shire officers have produced the Surf Coast Shire Indigenous Planting Guide, 2003, for urban coastal areas within the Surf Coast Shire. The study area is contained within Precinct 3 – Lorne and provides a list of common plant species that are indigenous to the area for the purpose of assisting landowners to select plant species which are complimentary to the indigenous environment.

A copy of the Plant List is appended at Appendix 4.

### **Study Report**

The Study report draws together the work undertaken by the consultants Maunsell Australia P/L, Environmental Resources Management Aust P/L and Dr. Ray Green. Chapter 3 provides an analysis of the key character elements that define neighbourhoods and the existing and preferred neighbourhood character. A detailed assessment of vegetation types and values is undertaken in chapter 4 and the existing planning controls are outlined in Chapter 5.

In Chapter 6, development controls in the Planning Scheme are reviewed 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 Council 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 5.



## Assessment of Key Character Elements

### Defining Neighbourhoods

The Lorne residential urban area is located on the natural amphitheatre that sweeps around Loutit Bay and commands excellent views over the ocean. This natural setting is appreciated by visitors and residents alike.

To better plan for the urban areas of Lorne it is necessary to understand the urban environment and to preserve and enhance desirable qualities while improving local amenity.

Across the existing hilly amphitheatre that forms the Lorne residential area, there are variations in orientation, of landform, topography, built form and the extent and type of vegetation that create different neighbourhoods. These 'neighbourhoods' can provide a basis for guiding future urban development of Lorne by retaining and building upon those attributes that are most valued.

There are a number of factors that can assist to define neighbourhoods in Lorne and they include:

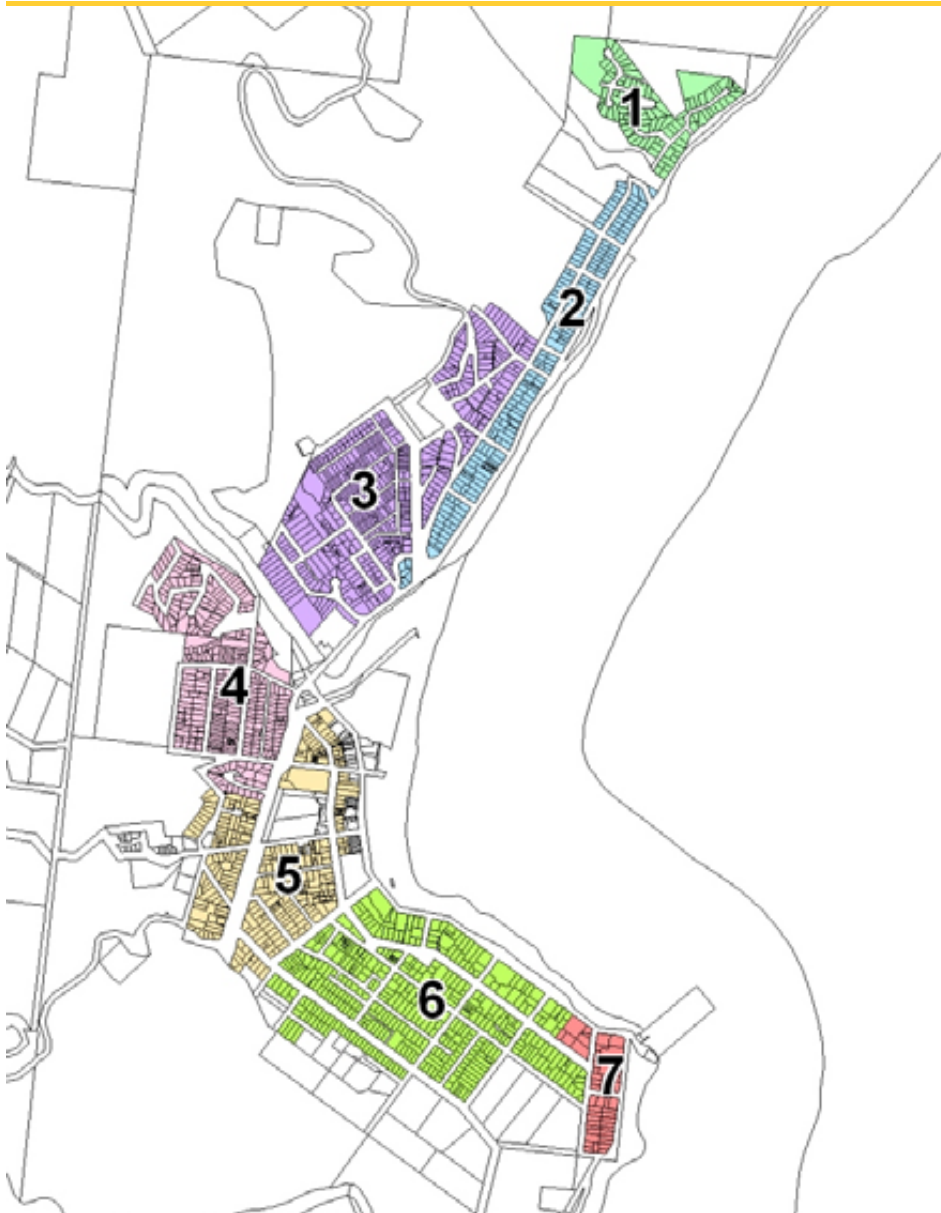
- Community perceptions of existing neighbourhood boundaries. This has been based on the work undertaken by Dr Ray Green in 2002, titled 'A Study of Resident Perceptions of Neighbourhood Character in Lorne' (Resident Perception Study) as well as community participation in public meetings at Lorne during the course of this study
- The results of the heritage study and changes to the Heritage Overlay in Lorne made through Amendment C15 on 1 December 2005
- The following elements that are drawn from the LSPR:
  - A vegetation analysis of type, cover and canopy
  - Differing topographical characteristics which includes attributes such as the aspect (views and solar orientation) and slope of landform
  - Features of the existing built environment. This includes aspects of subdivision design such as lot frontages, depths and areas, as well as architectural elements such as building styles and heights. Some of these attributes are reflected in the heritage assessments
- Landscape analysis undertaken by site visits during the course of this study.

This assessment has identified seven precincts within Lorne where the character varies to some degree, as shown on Map 2, and detailed in Appendix 1. These precincts vary somewhat from those defined in the LSPR, which gave most weight to vegetation types. There are any number of ways to define precincts, this study has sought to build on the basis in the LSPR but lent more weight to the community perceptions study and created greater spatial contiguity.



For the most part however, there are common character elements that make it difficult to distinguish clearly defined areas, particularly in relation to the dominance of vegetation cover over the built environment, the influence of topography and the importance of views. Many features such as vegetated streets, lack of fencing both to the street and between properties, low rise building scale and a mixture of older and more modern buildings are common across Lorne.

This corresponds with the outcomes of Dr Green's community perception analysis, which identifies that despite some differences between parts of Lorne, many features considered to contribute or detract from the character of an area are common across the town. The **preferred character** therefore, is on the whole consistent across Lorne 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 and through this study which planning controls will seek to achieve.



**Map 2—Neighbourhood Precincts**

**Key Attributes**

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
<b>VEGETATION / NATURAL FEATURES</b>	
<ul style="list-style-type: none"> <li>• Tree covered hillsides</li> <li>• Continuous tree canopy</li> <li>• Houses screened by native vegetation specifically gum trees</li> <li>• Houses in bush setting</li> <li>• Retention of trees within development</li> <li>• Vegetated and informal roadsides</li> <li>• Exotic vegetation where it contributes to the heritage values of a building</li> <li>• The natural environment, particularly public and private views of these features, including:                             <ul style="list-style-type: none"> <li>▪ Beach, Loutit Bay and coastline</li> <li>▪ Erskine River</li> <li>▪ Great Otway National Park</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Loss of tree canopy</li> <li>• Inadequate landscaping and screening of buildings</li> <li>• No vegetation between buildings</li> <li>• Removal of bushland and buildings not set into the vegetation</li> <li>• Large expanses of lawn</li> </ul>
<b>BUILDING FORM</b>	
<p><u>Building Height</u></p> <ul style="list-style-type: none"> <li>• Buildings that sit below the tree canopy</li> <li>• Single storey buildings</li> </ul>	<ul style="list-style-type: none"> <li>• Apartment developments of three or four storeys</li> <li>• Tall buildings that are visually prominent</li> <li>• Buildings that obstruct views</li> </ul>
<p><u>Style</u></p> <ul style="list-style-type: none"> <li>• Older ‘beach house’ and ‘fisherman’s cottage’ style buildings</li> <li>• Maintenance of existing heritage places</li> <li>• Modern architecturally designed buildings that incorporate elements of traditional buildings, such as simple forms, with good articulation, and a lightweight appearance</li> <li>• Peaked, sloping or curved roofs, especially with projecting eaves</li> </ul>	<ul style="list-style-type: none"> <li>• ‘Boxy’ building forms</li> <li>• Repetitive forms, particularly for multi-dwelling developments</li> <li>• Suburban looking buildings</li> <li>• Historic replicas – ‘Mock’ style</li> <li>• Flat roofs with parapet walls</li> </ul>

<p><u>Building Bulk / Articulation / Site Coverage</u></p> <ul style="list-style-type: none"> <li>• Small footprints and scale</li> <li>• Surface articulation, including balconies</li> <li>• Recessive building scale/bulk</li> <li>• Fenestration that matches the scale of the facade</li> <li>• Driveways and car parking that is recessive</li> </ul>	<ul style="list-style-type: none"> <li>• Large structures with unarticulated surfaces and expanses of blank walls</li> <li>• Mismatched fenestration – small windows in large walls</li> <li>• Large footprints that do not allow vegetation retention or replacement</li> <li>• Expansive concrete driveways that are dominant in the streetscape</li> <li>• Garages that are dominant of the building form and in the streetscape</li> </ul>
<p><u>Building Setbacks</u></p> <ul style="list-style-type: none"> <li>• Large street setbacks that allow screening vegetation</li> <li>• Setbacks from boundaries that allow space around and between buildings</li> </ul>	<ul style="list-style-type: none"> <li>• Small setbacks from all boundaries where this creates prominence and a sense of dense development</li> </ul>
<p><u>Materials and Colours</u></p> <ul style="list-style-type: none"> <li>• Diverse use of materials, in particular lightweight or natural materials such as timber, fibre cement sheet, corrugated metal and stone</li> <li>• Extensive use of glass</li> <li>• Colours that are subtle, neutral, muted, receding and unobtrusive, thus reduce the visual prominence of the building and blend with vegetation</li> </ul>	<ul style="list-style-type: none"> <li>• Materials that create a suburban appearance</li> <li>• Colours that are garish, strong and bold or contrasting</li> <li>• Highly reflective and light coloured roofs</li> </ul>
<p><b>FENCING</b></p>	
<ul style="list-style-type: none"> <li>• Unfenced boundaries</li> </ul>	<ul style="list-style-type: none"> <li>• Fences that front the street or are visible from the street, particularly high or solid fencing</li> </ul>
<p><b>OTHER</b></p>	
<ul style="list-style-type: none"> <li>• Roads that curve through retained vegetation</li> </ul>	<ul style="list-style-type: none"> <li>• Power lines that interrupt views or are prominent in the landscape</li> </ul>

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.

## Vegetation and Natural Features

### Low Density Vegetated Character

Vegetation cover is highest in Precincts 3 and 6, particularly in terms of tree canopy coverage. Precincts 1 and 4 have a moderate cover of vegetation, whilst cover is low in Precincts 2 and 5. Native vegetation is dominant in all of these precincts and especially the tree canopy is principally indigenous species. Precinct 7 is unique in having minimal native vegetation cover with a high degree of exotic plantings and lawns.

Although there are variations in the extent of vegetation cover across Lorne, the perceptual analysis conducted by Dr Green confirms that property owners in all precincts consider vegetation, and the use of vegetation to screen buildings, to be one of the most important elements in determining whether development is compatible with the local character.

Other features such as a lack of formal fencing, space between and around buildings and lack of definition between private and public land further contribute to the sense of being in a natural bush environment. It is only Precinct 7, and to a lesser degree Precinct 5, where this is not as consistent – development in these precincts is in contrast to more heavily vegetated precincts around them.

The existence of indigenous vegetation in road reserves, and the proximity of residential areas to areas of bush land, whether on private or Crown land, is important in creating the sense of a natural bush environment, even where there is a lower cover of vegetation relative to other areas (eg Precincts 5 and 7).

Areas of indigenous vegetation, especially tall canopy trees and when in combination with views of the ocean or rivers, were found to be highly supportive of town and neighbourhood character in the perceptual analysis, with seven of the ten highest rated photos at the public workshop being of vegetation and natural features as opposed to the built form.

Dr Green concludes that:

*“Vegetation in general was found to be highly supportive of neighbourhood character and existing established vegetation, nature reserves and views of such vegetation, need to be protected if the valued character of Lorne is to be preserved for the future. In general, development that is screened from the road by vegetation rated higher than did buildings with minimal or no screening. This finding suggests that through the careful use of landscaping, and the siting of new development in such a way as to minimise disturbance of existing vegetation, even development that might itself be perceived as being out of character may be made to appear to be more compatible with neighbourhood character than it otherwise might be. In particular built features associated with, or that are adjacent to, areas of indigenous vegetation, should, during their development, minimise destruction of site vegetation. In an effort to maximise the perceived character compatibility of new residential development in such situations, landscape design should be directed at encouraging the built form to appear to blend with the surrounding setting while compatible plant types and planting arrangements should be employed to accentuate this effect” (Green, 2002, P15).*



**Figure 1- The tree canopy cover and buildings being recessive in the landscape is important to the character of Lorne**

Roads, whether sealed or unsealed, that have an informal appearance (narrow pavement, meandering alignment) and lined by vegetation were also rated as highly compatible, with a photograph in Precinct 6 showing a view of a steep tree lined street looking out to the ocean and coast, the highest rated of all the photos. Tree lined streets also featured in two other photos of the ten highest rated. Another common element in these streetscapes is that buildings are not visible. Roads that are formal, where buildings are prominent and power lines are conspicuous were perceived to be highly incompatible. The photos rated least compatible with local character showed buildings with little space between them and a lack of vegetation around them.

It is therefore important that future development across all precincts is responsive to this by firstly retaining existing native vegetation, particularly indigenous vegetation and tall canopy trees, and secondly allowing for the planting of vegetation in areas with a lower cover that will assist in the medium term to make development more recessive in the landscape. Hence residential development and subdivision 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.

An emphasis should be put on the retention of mature trees currently on development sites, and their integrated design in the development (ensuring that buildings and driveways will not compromise the capacity of the trees to be retained beyond the short term).

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

- retention of existing mature trees;
- informal landscaping with an emphasis on indigenous vegetation and tall canopy trees; 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 native 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.

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*It is therefore important that future development...is responsive to this by firstly retaining existing native vegetation, particularly indigenous vegetation and tall canopy trees, and secondly allowing for the planting of vegetation”*

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**Figure 2- Precinct 3 is highly visible from the Great Ocean Road**

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A number of planning tools are available which will provide varying degrees of success in implementing these elements to achieve the preferred neighbourhood character in relation to vegetation and landscaping. Such controls may include development densities, site coverage limits, minimum setbacks and mandatory landscaping requirements. It is likely that a combination of these tools will be required to achieve the desired outcome, rather than reliance on only one control.

There are old subdivisions of land in Precinct 3 that have been identified where the lot configuration is substantially different to the predominant lot size and layout and with houses built over a number of lots. Where development of these lots has already occurred within Precinct 3, the community perception study identified this development as being incompatible with the preferred neighbourhood character, because of the high density of development, lack of vegetation between buildings and minimal setbacks. Future redevelopment which results in narrow lots being re-subdivided or developed individually by houses, has significant potential to detract from the low density character and vegetation cover of the area. This Precinct is highly visible from the Great Ocean Road and further loss of the tree canopy will result in development being visually prominent. Controls to limit the extent to which these lots are developed should be implemented.

#### Vegetation Type and Cover

The distribution of indigenous native vegetation, in particular the tall tree canopy, across all precincts contributes strongly to the vegetated character of the town. Despite exotic forms of vegetation existing across all precincts to varied degrees (greatest in Precincts 2, 5 and 7) this vegetation is not a positive attribute of the neighbourhood character. This is reflected in the community perception analysis of Dr Green, which finds a high correlation between the aesthetic landscape value of native vegetation and the environmental value of that vegetation.

Shrubby Foothill Forest is the predominant Ecological Vegetation Class (EVC) across the residential areas of the township, along with small areas of Shrubby Wet Forest, Coastal Headland Scrub, Coastal Dune Mosaic and Grassy Dry Forest. Tall gum trees (Blue Gum, Manna Gum, Messmate and Mountain Grey Gum) that are representative of these vegetation classes are represented in photos rated highest in terms of neighbourhood character compatibility. Formal landscaping dominated by exotic species and large expanses of lawn are identified as detracting from the neighbourhood character.

There are a couple of examples of exotic vegetation that was found to positively contribute to neighbourhood character in the resident perceptions study. One was a Canary Island Palm in Precinct 2, the other Cypress Pine Trees along the foreshore adjacent Erskine House, both of these are seen to have cultural and historical significance. Each of these has protection under existing Heritage Overlay controls.

Planning mechanisms should be used to control the removal of native vegetation and give priority to the retention and planting of indigenous native vegetation with any new development. Controlling the removal of only indigenous species is problematic as species identification and mapping for the town has not been exhaustive and could raise confusion about the scale of reference (ie indigenous to what area?). It is appropriate to use the State definition of 'native' vegetation contained in the Planning Scheme, being vegetation that is native to Victoria.

The exception to controlling native vegetation removal is environmental weeds, which may be native species. The publication 'Environmental Weeds – Invaders of our Surf Coast' (Surf Coast Shire, 2002) identifies environmental weeds within the Surf Coast Shire. However any proposal to prohibit weed or exotic species can not be achieved through the Planning Scheme, and should be considered through a local law. Education of both existing and future land owners should be given priority in order to complement regulatory mechanisms and increase the likelihood of behavioural change.

Landowners should be encouraged to use species listed in the 'Indigenous Planting Guide' (Surf Coast Shire, 2003) when replanting or landscaping generally.

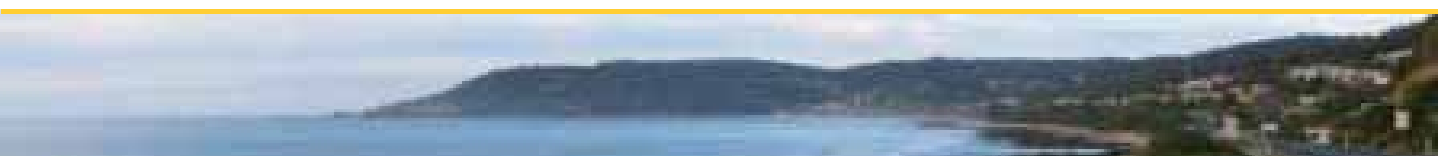
#### Landscape Vistas

Large expanses of Lorne are visible from the public realm due to the topography of the hillside wrapped around Loutit Bay. Key vistas from public vantage points, as shown on Map 3, include:

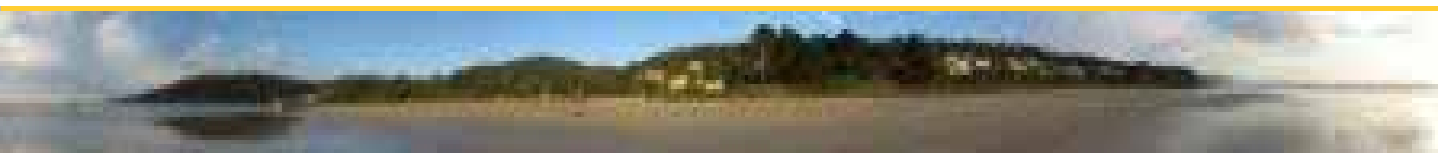
1. *Northern entry to Lorne* – the township is visible from a number of locations along the Great Ocean Road, as far north as Aireys Inlet. Whilst distant, the town is clearly visible in views of the coastline and becomes more prominent as vehicles draw closer to the town. On entry to the town at North Lorne (Precinct 1) the expanse of the town becomes visible sitting in the panoramic vista of forested ranges to the south and west and ocean to the east.



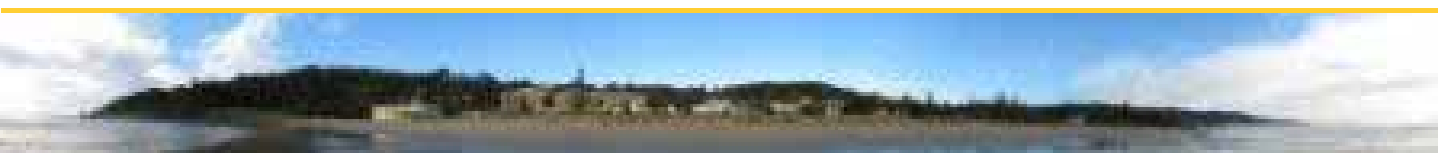
**Map 3- Key Public Viewing Points**



2. *Erskine river mouth* – views west up river valley and to residential areas on hillside, north to residential areas and east to the ocean. Views to the south and south east along beach to Point Grey.



3. *Main beach and foreshore* – views of the township to the north through to the west and south out along Point Grey. Coastal and ocean views north and east.



4. *Point Grey / Lorne Pier* – views to the west of the township and forested ranges extending along the coastline to the north as far as Split Point Lighthouse. Ocean views north and around to the south.



5. *Southern entry to Lorne* – limited township views to the west and north, ocean views to the north around to the south east and coastal headlands to the south.



As well as public vistas, many views of these same areas are available from dwellings on private land and from road reserves where they are elevated.

A key feature of the landscape views is that much of the town appears well vegetated with buildings not highly dominant. For the most part, views of land within the township are of vegetation interspersed with the tops of buildings visible in front of a tree canopy back drop. The exception is some development within Precincts 2, 5 and 7, which corresponds directly with the level of tree canopy cover. The balance of the land in the town as seen from public viewing points has a high canopy cover that dominates the built form.

The perceptual analysis of Dr Green identifies that landscape views within the town are highly valued by the community:

*“The scenes that were rated most highly in terms of neighbourhood character compatibility depict natural landscape features or views of natural features. What this finding suggests in terms of town planning is that natural features and views of natural features, specifically views of the beach, the river, the surrounding hills and vegetated areas, should be preserved where possible.” (Green, 2002, P15)*

These findings reinforce the importance of indigenous vegetation and canopy trees in particular, to the visual character of the town, and the need to preserve the vegetation cover and control the size and height of buildings in order to avoid increased visibility of built form in the natural landscape. It is important that buildings not protrude above the canopy of vegetation and from a distance should be viewed against a backdrop of vegetation around the building. Roof colours should be in subdued tones to minimise reflectivity and avoid contrast against the muted tones of the tree canopy.

**Character Objectives:**

- To retain and enhance the cover of indigenous vegetation, with particular emphasis on the tall tree canopy.
- To maintain and enhance the landscape quality of significant public vistas, especially as viewed from the Great Ocean Road and the coast.
- To maintain and enhance the sense of buildings being visually recessive in the landscape.



**Strategies:**

- Require sufficient space to be provided around buildings, unencumbered by hard surfaces that will support the preservation and re-establishment of vegetation.
- Require the retention and establishment of landscaping that enhances screening of the development from adjoining properties, the street and other public areas.
- Restructure inappropriate old subdivisions that threaten the low density character of the township.
- Require new buildings to be coloured to blend with the surrounding landscape.

**Building Form**Style, Bulk and Articulation

There is a high degree of variation in the age and style of housing across the study area. Even in the more newly developed areas of Precincts 1, 3 and 4, where there are a greater proportion of modern contemporary architectural designs, there is still a large diversity of styles.

Notable is the paucity of typical suburban style, brick veneer homes with tiled roofs, more associated with Melbourne and Geelong suburbs. These urban style buildings, including 'Mock' type houses, were perceived to be incompatible with neighbourhood character in the analysis of Dr Green.

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 forms with flat roofs and parapet walls
- Visually prominent because of height and or lack of vegetative screening
- Minimal setbacks with little or no landscaping
- Flat single plane walls with no or disproportionate fenestration
- Bright or bold colours
- Repetitive building forms
- High density
- Garages and driveways that dominate the street

Photographs that rated as incompatible with the character in the perceptual analysis were mostly where development is dominant over the landscape, which is usually a product of a combination of the above negative characteristics.



**Figure 3- Suburban/historic replica style buildings and large bulk buildings are perceived as detracting from neighbourhood character**



**Figure 4- Highly articulated buildings in landscaped settings are preferred**

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Similarly it was found, through the community perception analysis, that those houses rated as strongly to moderately compatible with neighbourhood character, whether older more historic buildings or contemporary houses, feature common design attributes including smaller scale in terms of mass and height, peaked and convex roofs rather than flat roofs and articulation of building mass and surfaces.

A number of photographs that were rated poorly by the community were multi-dwelling developments that were repetitive in design and more visually prominent. It is desirable that developments of 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. Importantly space should be provided between dwellings in this type of development to facilitate landscaping.

The Surf Coast Style and Colours Policy in the Planning Scheme (Clause 22.05) refers to a range of preferred design principles intended to encourage a coastal style of architecture. The policy is supported by a 'Surf Coast Style Guide'. This policy is consistent with the preferred character described by Dr Green, and is an appropriate tool for the assessment of development proposals.

The Surf Coast Style and Colours 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 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 facades.

Apart from articulation of a particular building, an important element of building bulk is the proportion of building and hard surface coverage and total building area to site area and the density of buildings. Many of the photographs rated as moderately or highly incompatible with Lorne character were of medium density developments or subdivisions which are characterised by a number of dwellings constructed close together with little space around them.

Recent developments in Lorne have been controlled by performance measures, through the Coastal Development Policy, for density, building and hard surface site coverage and plot ratio. The results of the community perception analysis indicate that these performance measures have not been entirely successfully in achieving development that is complementary to the preferred neighbourhood character. A review of the existing performance criteria through case studies is undertaken in Chapter 6.

To ensure future development is complementary to the preferred character, the density of subdivision/medium density development should be more limited to enable space between buildings for vegetation. The scale of development, both in footprint and total area, also needs to be more constrained to ensure that buildings have an appropriate relationship to the size of the site and so that buildings do not dominate the landscape. Sufficient area needs to be maintained, unencumbered by buildings and hard surfaces, for the successful retention of existing vegetation and re-establishment of native vegetation, especially tall canopy trees.

#### **Character Objectives:**

- To encourage building styles that complement the cultural, environmental and landscape values of Lorne.
- To avoid design repetition and minimise the visual prominence of buildings.
- To encourage development that is well designed with a lightweight coastal image.
- To maintain a small coastal scale of development, where the built form is recessive in the landscape.

#### **Strategies:**

- Encourage new development that references the attributes of classic beach houses and displays a coastal style of architecture, in line with the principles of Surf Coast Style.
- Seek to achieve a diversity of building forms, style and colours across all development.
- Strongly discourage typically suburban style buildings and historic replicas.

#### **Building Height**

Building height throughout the town is a mix of one and two storey buildings, with no identifiable pattern. There are only a limited number of three storey houses. Some developments of three and four storeys are found in the Tourist Accommodation Precinct located in Precincts 5 and 7.

For the most part where buildings are of two storeys, the height is relatively consistent, being 7.5m or lower, reflecting the current policy of limiting height to no more than 7.5m. Some exceptions can be identified in areas of steep topography, across all precincts, where the constraint of slope has resulted in buildings projecting above 7.5m in height. In most parts of Lorne, this consistent low rise height results in buildings that are below the height of the prevailing tree canopy, or marginally above. Buildings are more prominent in areas of low vegetation cover (eg Precincts 2, 5 and 7).

The analysis of community perceptions by Dr Green indicates that the community does not perceive two storey development itself as detracting from the neighbourhood character, rather it is the visual impact of large sized dwellings which present as being out of scale with the site and surrounding area that is considered incompatible with local character (ie three storey and large two storey buildings).

To ensure the height of future development does not adversely affect the low rise character, buildings should generally be limited to two storeys and constructed to a height that is consistent with the prevailing height of two storey development (ie 7.5m). Approval for a greater height should only be granted where the characteristics of the site present a significant constraint on achieving the preferred height (ie steep slope) and where the applicant can demonstrate that there will be no impact on:

- Views from neighbouring properties or public viewing places;
- The amenity of neighbouring properties with regards to sunlight and privacy;
- On the visual amenity of the streetscape.

Inversely, a lower building height may be required to achieve landscape and character objectives, such as where the site is visually prominent when viewed from the public realm; to achieve a sharing of views with adjoining properties and where the prevailing tree canopy is low.

The exception to the current policy of a 7.5m height limit is the Tourism Accommodation Precinct where a maximum height of 8.0m is imposed (under DDO4). As previously noted this has resulted in a number of three storey buildings within these small areas of Precincts 5 and 7. Two of these developments within Precinct 7 were found in the community perception study to be slightly incompatible (Kalimna Apartments) and moderately incompatible (Pacific Apartments) with neighbourhood character. In the case of the Pacific Apartments, which are four storeys, building height was listed as a negative attribute.

An 8.0m high limit is not out of keeping with maintaining a low rise building scale, and does provide greater opportunity for a higher intensity of development in the Tourism Accommodation Precincts where this is encouraged.

**Character Objectives:**

- To maintain and enhance a well vegetated township landscape, characterised by an indigenous tree canopy.
- To maintain, to a reasonable level, the residential amenity (views, privacy, sunlight) of private properties.

**Strategies:**

- Ensure that development maintains a low rise building height and is generally contained below the tree canopy.
- Ensure that the height of buildings does not unreasonably reduce the residential amenity of private properties caused by screening views, overshadowing or overlooking.

### Building Setbacks

Building setbacks from the street are often consistent within a street, but are varied across the study area. The greatest influence on building siting is the slope of the land. The topography of the township enables most properties to obtain ocean views, this often results in buildings being sited on the highest point of a property in order to maximise the view obtained. Therefore many streets, particularly those that run parallel to the ocean, have a pattern of buildings located closer to the street on the low side of the road and on the high side buildings sited at the rear. Topography can also play a role in terms of access. In the steepest areas parking and therefore the dwellings are located closer to the street because the land is too steep to gain vehicle access any further into the site.

Overall it is characteristic for setbacks from the street to be considerable and provide sufficient area for landscaping within the front setback that screens the building from the street. Many of the photographs that rated negatively in the community perception analysis showed buildings with small street setbacks and commensurately have little landscaping, whereas those that were rated as most compatible with neighbourhood character were of buildings with large setbacks and substantial landscaping.

From this it is reasonable to conclude that achieving the preferred character across all precincts relies on maintaining front setbacks that are capable of being vegetated. Under present controls performance criteria for front setbacks are only applied for properties on the Great Ocean Road and Mountjoy Parade, otherwise the ResCode standards are applicable.

A common characteristic of all precincts is that buildings are setback from side and rear boundaries with few developments having boundary walls. This feature contributes to the feeling of low density development and sense of space around buildings. Usually the space between buildings is vegetated, contributing to landscape values, softening the appearance of buildings from both public and private spaces and creating privacy between properties.

Current planning policy does not include specific controls or performance criteria for side or rear boundary setbacks, with ResCode standards, which allow substantial boundary walls, applicable. Priority should be placed on avoiding buildings constructed to boundaries and setback areas being landscaped.

The application of front and side setback standards with emphasis on these areas being vegetated will be an important element in achieving the preferred character. As such performance criteria should be developed for all residential areas.



**Figure 5- Buildings setback from the street with screening vegetation contribute positively to neighbourhood character**



**Figure 6- Buildings located close to the street and without screening vegetation are perceived as being negative to neighbourhood character**

#### **Character Objectives:**

- To maintain and enhance a sense of housing in a bushland setting.

#### **Strategies:**

- Require effective landscaped space to be provided around and between buildings.
- Discourage large expanses of hard surface.
- Discourage the construction of walls on boundaries

### Heritage Significance

The Lorne township has 28 individual places of heritage significance and one heritage precinct (refer Map 4) that are covered by the Heritage Overlay, following the introduction of Amendment C15 to the Planning Scheme. These heritage places are found across all precincts, other than Precinct 2 and 4, but with the greatest concentration in Precincts 5 and 6.

Historic buildings were typically found to be highly compatible with neighbourhood character in the resident's perception study of Dr Green, even though some of these buildings possess characteristics that were found to be incompatible with neighbourhood character in modern development – lack of vegetative screening, tall building height, and visual prominence – with the Pacific Hotel as an example. This dichotomy can perhaps be attributed to the iconic status these buildings have as a physical record of the historic development of the township.

However there is also a strong commonality of elements amongst the historic buildings that have been distilled by Dr Green:

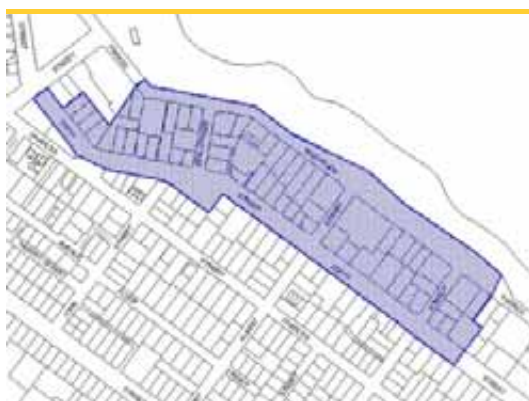
*“Likewise, design attributes exhibited by older, more historic buildings, and those contemporary houses rated as strongly to moderately compatible with neighbourhood character, should, where possible, be echoed in new development. This includes encouraging smaller, rather than larger scale of development (in terms of mass and height), an emphasis on peaked and convex roofs rather than flat roofs and greater articulation of building massing and surfaces.” (Green, 2002, P15)*

It is not necessary, nor appropriate, to replicate heritage buildings, and in fact modern interpretations of historic buildings styles were generally found to be incompatible with neighbourhood character. It is important to continue to recognise the contribution of historic buildings to neighbourhood character, as well as their cultural and scientific values, and ensure that new development is respectful of these buildings.

An integral aspect of the heritage value of the Mountjoy Parade Heritage Area is the landscape setting created by large lot sizes and retained tree canopy. The Mountjoy Parade Heritage Precinct Policy at Clause 22.10 of the Surf Coast Planning Scheme states that:

*“The Mountjoy Parade Heritage Precinct, Lorne, represents a significant and predominantly intact 19<sup>th</sup> and 20<sup>th</sup> century cultural heritage landscape which also contains a number of significant individual heritage dwellings and other buildings. The area is especially characterised by a seaside and bushland setting primarily created by indigenous blue gum trees...In addition to the native blue gums are substantial private gardens having terraced and/or sloping native and exotic landscapes.”*

*“The residential development between the Lorne and Pacific Hotels established a prestigious stretch of holiday homes nestled in the bushland setting...Varying from small to large scale, the location and subdued finishes of most of the dwellings on sloping sites allows the landscape to dominate.”*



**Map 4- Mountjoy Parade Heritage Area**

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The objectives of the policy include:

- *To conserve and enhance the highly significant landscaped and elevated bushland setting, and particularly the blue gums and other dominant trees throughout the precinct, the scattering of agapanthus contained within the Mountjoy Parade Road Reserve and grassed and gravelled road verges in Mountjoy Parade and Smith Street.*
- *To conserve and enhance the substantial private gardens containing terraced and/or sloping native and exotic landscapes.*
- *To conserve and enhance the broad allotment configuration.*
- *To conserve the substantial front and side setbacks and building separation throughout the precinct.*

To aid in the achievement of these objectives and to protect the landscape significance of this particular location of Lorne it is recommended that a larger lot size be applied to this heritage precinct, so as to safeguard the existing subdivision pattern and maintain the landscape setting and separation of buildings.



**Figure 7- Heritage places contribute positively to neighbourhood character**

#### **Character Objectives:**

- To preserve historic places and landscapes that contribute to the character and history of Lorne.

#### **Strategies:**

- Ensure that historic places, including buildings, gardens, landscapes and setting, are protected.

#### **Views**

The community perception analysis of Dr Green identifies that views of key natural features, such as the ocean, coastline and forested ranges, are highly compatible with neighbourhood character. Views of some or all of these features are available almost universally across all precincts because of the amphitheatre setting of the township, but with variation from property to property due to particular characteristics of orientation, topography, vegetation and existing development.

As identified by Dr Green, the community attaches importance to views of natural features. The conclusions of the study states:

*“What this finding suggests in terms of town planning is that natural features and views of natural features, specifically views of the beach, the river, the surrounding hills and vegetated areas, should be preserved where possible.” (Green, 2002, P15)*

It is therefore important that future development in Lorne occurs in a way which enables a ‘reasonable sharing of the views’ to be achieved.



**Figure 8- Views of landscape features are important to neighbourhood character and residential amenity**

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Although view sharing is a broad principle to apply, it is one which has been supported in the current Planning Scheme and in decisions of the Victorian Civil and Administrative Tribunal (VCAT) over a number of years. In these decisions, both within the Surf Coast Shire and other municipalities, VCAT has defined a set of principles that should be considered in assessing view sharing, which have been most completely stated in *Healy v Surf Coast SC [2005] VCAT 990*:

- (a) *there is no legal right to a view;*
- (b) *views form part of the existing amenity of a property and their loss is a relevant consideration to take into account;*
- (c) *the availability of views must be considered in the light of what constitutes a reasonable sharing of those views;*
- (d) *in addressing the concept of “reasonableness”, it is relevant to consider:*
  - (i) *the importance of the view to be lost within the overall panorama available; and*
  - (ii) *whether those objecting have taken all appropriate steps to optimise development of their own properties.*
- (e) *added emphasis will be placed on principles (b) and (c) above if the issue of views is specifically addressed in the planning scheme.*

Assessment of view issues requires planning control over development, in particular the height, siting and design of dwellings, and an assessment of the view impact of a development on a case by case basis.

The LSPR identified the potential conflict between vegetation retention/enhancement and view sharing. It made the recommendation that vegetation retention objectives should be given explicit precedence over view sharing objectives, however Council has made the resolution (1 March 2005) that vegetation and views should be given equal priority.

The retention and enhancement of vegetation is not necessarily in conflict with the achievement of views and in fact vegetation is often an important element of views. From the residents perception study, some of the highest rated photographs were of ocean and coastal views framed by native vegetation, in particular the tall canopy of gum trees, and these photographs rated more highly than those where the tree canopy was not evident in the view. In Precinct 6 where the upper tree canopy has been retained, many properties enjoy panoramic views that are filtered through the trunks of the gum trees.



The reconciliation of conflicting objectives in the Planning Scheme is a matter of balancing the weight of these objectives in the individual circumstances. In most circumstances the only influence that views will have over vegetation is in locating new plantings. The removal of native vegetation for the purpose of obtaining views will not be supported.

Often vegetation that screens a view will not be located on the property from which the view is obtained, but will be on another property, road reserve or other public land and therefore out of the control of a property owner with a view. This has on occasions lead to the practice that is colloquially known as 'Lorne Rot', the illegal removal, lopping or poisoning of vegetation for the benefit of views. This is an action that is difficult to enforce as often no direct evidence is available, but it will be important to maintain appropriately resourced planning enforcement to penalise and deter. Similarly, the planting of vegetation is not controlled by the Planning Scheme; therefore there is no mechanism to ensure owners don't plant species that will block views.

Views over buildings can be degraded by light coloured and reflective roof materials that stand out in the landscape or cause glare. It is appropriate to require use of materials that are not highly reflective (i.e. zinalume and metallic finish Colorbond) and subdued roof colours.

#### **Character Objectives:**

- To protect the residential amenity derived by the availability of views of landscape features.
- To balance the reasonable maintenance of views from individual properties with the protection of the landscape character of the town and the visual appearance of the town from public viewing points.
- To protect the quality of the vegetated amphitheatre vista of the Lorne township as viewed from the public realm.

#### **Strategies:**

- Provide for a reasonable sharing of views from private land, with particular emphasis on significant landscape features, including views of the ocean and coastal shoreline, the Erskine River and natural bushland in the hinterland.
- Protect vegetation and prevent building intrusion in the tree canopy.

## **Fencing**

The general absence of solid fencing across all precincts, other than Precincts 5 and 7, is an important feature which contributes significantly to the open, non-urban character of the town. Together with vegetation cover, this feature creates an informal streetscape where the vegetation dominates.

Front fencing is on the whole absent across all precincts, other than some isolated examples such as some streets in Precinct 5. One notable exception is those properties in Precinct 2 fronting the Great Ocean Road where many of these lots have high front fences. The form of fencing in this section varies, including timber paling, picket, brush and iron rod, whilst many properties remain unfenced. Whilst it could be concluded that the occurrence of high



**Figure 9- High front fences are uncommon in the town and detract from neighbourhood character**

front fences coincides with high traffic volumes, other areas with frontage to the Great Ocean Road (Precincts 6 and 7) do not feature high front fences.

It will be important to the maintenance of non-urban character that front fences be discouraged throughout the entire town. This is reinforced in the community perception analysis of Dr Green which identifies front fences as being incompatible with the local character. Where front fences do form a consistent element of the streetscape, new fences may be appropriate but should be limited to low open styles to maintain a sense of openness to the street. The incidence of solid side and rear boundary fences is closely matched to areas of low vegetation coverage, as can be seen in Precincts 5 and 7 and parts of Precinct 2, and may be attributed to a desire to achieve privacy where this isn't provided by screening vegetation. It may also be associated with the creation of more formal gardens/open space and development at higher densities in Precinct 5.

Timber paling fences, and other forms of high solid fences, have the effect of increasing the sense of 'urbanisation'. The further establishment of this form of fencing in Lorne therefore has the significant potential to detract from the current character in all precincts, particularly where visible from the street, although more so in those areas that have a relatively low incidence of such fencing at present.

It will be important that the informal open landscape character is maintained by discouraging solid fencing in favour of open style fencing such as post and wire and the use of natural vegetation between dwellings for privacy. The exception is Precinct 5 because of the high incidence of such fencing at present, but side fencing should not extend to the street. Precinct 7 also has high levels of solid boundary fencing but because of the prominence of this precinct from the Great Ocean Road it is considered appropriate to require new fencing to be consistent with the preferred neighbourhood character and replaced over time.

**Character Objectives:**

- To retain a sense of openness between properties and to the street.

**Strategies:**

- Discourage the fencing of property boundaries.
- Minimise the use of solid fencing, encouraging the use of vegetation and open style fencing where appropriate.

**Streetscape**

Roads within Lorne that have an informal appearance, whether gravel or sealed, characterised by meandering alignments, swale or table drains and vegetated verges rated highly in the community perception analysis.

There is no predominant character of roads across the township, though most roads are sealed many with kerb and channel. More recently developed roads are more likely to follow the contours of the land and therefore have curving alignments, whereas the majority of the town is set out on a fairly

regular grid layout. Nevertheless, there are some older streets, like Smith Street along Point Grey, where the road pavement is wound through the trees.

The informal appearance of roads should be maintained, and enhanced where possible. Importantly this requires the retention of vegetation, with road pavements curving to avoid vegetation, and informal edge treatments such as grassed swale drains as opposed to kerb and channel.

Constructed footpaths also have potential to reduce the informal character of roadsides. Similarly to roads, informal paths along the coast and within reserves rated highly in the perception study. Pedestrian paths are important in encouraging non-car based movement within the town, but where required should be constructed to maintain an informal appearance by meandering through vegetation and use of surface materials, other than bitumen and concrete, that have a natural appearance.

The photograph rated least compatible with neighbourhood character in the community perceptual analysis of Dr Green was a view of Hall Street in Precinct 2, with the dominant element being the overhead power lines and poles. This feature was identified as being 'industrial looking' and dominates the streetscape and disrupts views. Power lines were also noted as a negative element in other photographs.

Overhead power lines can be replaced with aerial bundled cable (a single thick cable) or by undergrounding. Currently, the State Government provides a subsidy through the Powerline Relocation Committee of up to 50% for the undergrounding of power lines in high profile locations. When there is substantial support for a project, it is Shire policy to undertake the facilitation of power line relocation through the preparation of a special charge scheme.

Any additional subdivision or development within the township requiring new power supply lines should be required to provide power and telephone cables underground.



**Figure 10- Meandering road alignments and vegetated verges are preferred**



**Figure 11- Overhead power lines and poles impact on views and are perceived to be a negative attribute**

#### **Character Objectives:**

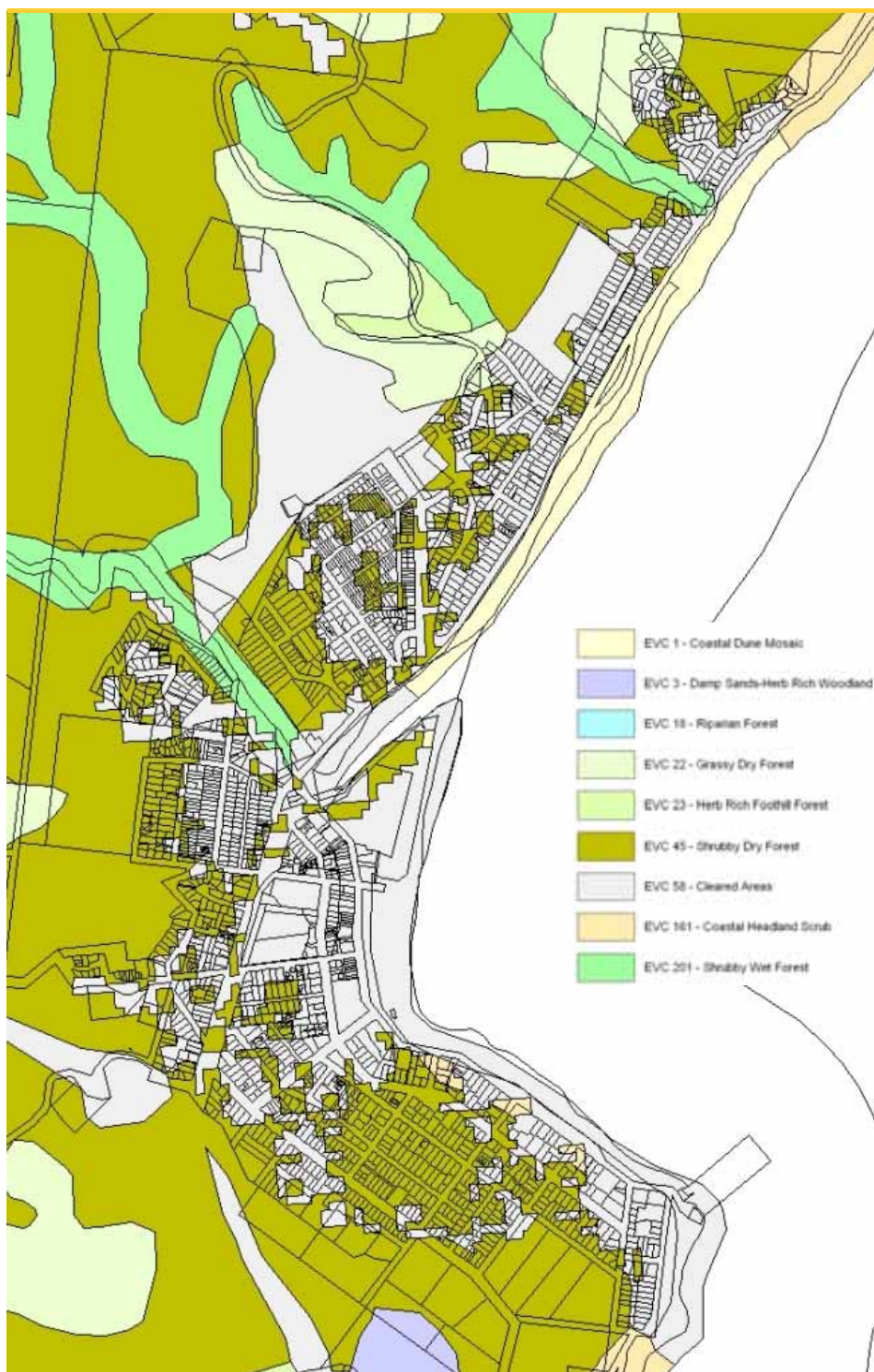
- Preserve and enhance the informal coastal character of Lorne.

#### **Strategies:**

- Encourage new roads to be designed and constructed to achieve an informal appearance, with an emphasis on retaining vegetation within road verges and alternatives to concrete kerb and channel drainage.
- Encourage new footpaths to be constructed in ways which retain the informal appearance of roadsides.
- Require the undergrounding of power supply lines, telephone cables and other service infrastructure in new developments.

## Vegetation Assessment

The vegetation assessment undertaken by ERM as part of the LSPR 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. Six Ecological Vegetation Classes (EVC) have been identified in the study area as shown on Map 5. It should be noted that the EVC mapping is not necessarily representative of vegetation cover, but whether the existent vegetation is identifiable as a particular vegetation community. Table 1 describes these communities, including conservation status.



**Map 5- Ecological Vegetation Classes**

**Table 1- Ecological Vegetation Classes****EVC 1 – Coastal Dune Mosaic**

Coastal Dune Scrub occurs on exposed foredunes or on more protected secondary dunes. The mosaic is predominantly treeless, with occasional Swamp Gum (*Eucalyptus ovata*) or Messmate (*E. obliqua*). The shrub layer may be dense or patchy and is characterised by Coast Beard-heath (*Leucopogon parviflorus*), Coast Daisy-bush (*Olearia axillaris*), Seaberry Saltbush (*Rhagodia candolleana ssp candolleana*), *Exocarpus syrticola*, Velvet Correa (*Correa backhousiana*) and Bower Spinach (*Tetragonia implexa*).

The dominant lifeforms are tussock graminoids and forbs. Blue Tussock-grass (*Poa poiformis*) and Knobby Club-sedge (*Isolepis nodosa*) dominate this layer. On the foredune the tussock dominated grassland is often dominated by introduced Marram Grass which replaces the native sand-binding grass Hairy Spinifex (*Spinifex sericeus*).

The Coastal Dune Mosaic has limited distribution within the township being confined mostly to public land on the coastal edge.

This EVC is considered to be depleted in the Otway Ranges Bioregion.

**EVC 22 – Grassy Dry Forest**

Grassy Dry Forest is confined to northern and western aspects on gentle to moderately steep slopes and ridges. The overstorey is a low forest dominated by Scentbark (*E. aromaphloia*), Blue Gum (*E. globulus*) and Mountain Grey Gum (*E. cypellocarpa*). The shrub stratum is low in diversity and sparse. The diversity of grasses in the ground stratum characterises this EVC. Common species are Wallaby grasses and Tussock grasses.

The distribution of this EVC is restricted to areas on the fringe of the township, with the only occurrence within the residential area being at the western end of the Summerhills Estate in Precinct 1.

Grassy Dry Forest is considered to be depleted in the Otway Ranges Bioregion.

**EVC 45 – Shrubby Foothill Forest**

Shrubby Foothill Forest occurs on exposed aspects and slight to moderate slopes. The overstorey is a medium forest dominated by Messmate (*E. obliqua*). Mountain Grey Gum (*E. cypellocarpa*) is also common. Other species include Scentbark (*E. aromaphloia*), Brown Stringybark (*E. baxteri*), the rare Brooker's Gum (*E. brookeriana*), Blue Gum (*E. globulus*) Swamp Gum (*E. ovata*), Narrow-leaf Peppermint (*E. radiata*) Mountain Ash (*E. regnans*) and Manna Gum (*E. viminalis*).

A diverse shrub layer characterises this EVC. The most common species include Hop Goodenia (*Goodenia ovata*), Prickly Moses (*Acacia verticillata*), Snow Daisy-bush (*Oleria lirata*), Prickly Current-bush (*Coprosma quadrifida*), Narrow-leaf Wattle (*A. mucronata*), Privet Mock-olive (*Notelaea ligustrina*), Tree Everlasting (*Ozothamnus ferrugineus*), Prickly Tea-tree (*Leptospermum continentale*), Hazel Pomaderris (*Pomaderris aspera*) and Large-leaf Bush-pea (*Pultenea daphnoides*). The ground stratum lacks in diversity and is often dominated by Austral Bracken (*Pteridium esculentum*) and Forest Wire-grass (*Tertrarrhena juncea*) which may dominate in response to disturbance.

Other than cleared areas this is the most abundant EVC in the study area covering the south east facing slopes of Precincts 1 and 2 and the north-east facing slopes of Precinct 6. It is likely that the cleared areas contain remnants of this EVC.

The EVC is considered to be of least concern in the Otway Ranges Bioregion.

**EVC 58 – Cleared Areas**

The cleared areas are described as covering most of Precincts 3 and 5 in the central area of the township. The cleared areas are dominated by planted exotic and native species. The overstorey is sparse but dominated by remnants of the Shrubby Foothill Forest EVC as described above.

### EVC 161 – Coastal Headland Scrub

Coastal Headland Scrub occurs in exposed situations with vegetation often wind and salt pruned due to exposure to prevailing south-west winds and salt spray. Coastal Headland Scrub is treeless, except for the occasional stunted Messmate (*E. obliqua*). It is dominated by a closed heath of Manuka (*Leptospermum scoparium*) with Silver Banksia (*Banksia marginate*), Prickly Moses (*A. verticillata*), Prickly Tea-tree (*Leptospermum continentale*) and Dusty Miller (*Spyridium parvifolium*) often occurring at lower densities.

The distribution of this EVC is limited to the headland of Point Grey with little coverage over residential land.

This EVC is considered to be depleted in the Otway Ranges Bioregion.

### EVC 201 – Shrubby Wet Forest

Shrubby Wet Forest occupies western and northern aspects and ridgelines. The overstorey is a tall forest dominated by Messmate (*E. obliqua*), Mountain Grey Gum (*E. cypellocarpa*) and Manna Gum (*E. viminalis*). Blackwood (*A. melanoxylon*) and Hazel Pomaderris (*Pomaderris aspera*) forma a lower tree layer.

The tall shrub layer is dominated by mesic shrubs including Prickly Current-bush (*Coprosma quadrifida*), Musk Daisy-bush (*Olearia argophylla*), Snow Daisy-bush (*O. lirata*), Hazel Pomaderris, Tree Everlasting (*Ozothamus ferrugineus*) and Austral Mulberry (*Hedycarya angustifolia*).

This EVC's distribution is confined mostly to the river and stream valleys with the main residential area being within Precinct 3.

This EVC is considered to be of least concern in the Otway Ranges Bioregion.

(Source: Draft Corangamite Native Vegetation Plan (Corangamite Catchment Management Authority, 2003))

### Threatened Taxa of Flora

Several threatened taxa of plants have been identified as potentially being present in the vicinity of the Lorne township, from the *Environmental Protection and Biodiversity Conservation Act* and DSE Flora Information databases.

Species Name	Common Name	Victoria	Australia/FFG
<i>Acacia nano-dealbata</i>	Dwarf Silver Wattle	Rare	
<i>Arachnorchis flavovirens</i>	Summer Spider-orchid	Rare	
<i>Bossiaea cordigera</i>	Wiry Bossiaea	Rare	
<i>Echinodium hispidum</i>	Medeira Moss	Rare	
<i>Eucalyptus brookeriana</i>	Brooker's Gum	Rare	
<i>Eucalyptus globulus ssp. Globulus</i>	Southern Blue-gum	Rare	
<i>Glycine latrobeana</i>	Clover Glycine	Vulnerable	Vulnerable/ Listed FFG Act Vic
<i>Leiocarpa gatesii</i>	Wrinkled Buttons	Vulnerable	Vulnerable
<i>Oleria speciosa</i>	Netted Daisy-bush	Poorly Known	
<i>Prasophyllum fenchiei</i>	Maroon Leak-orchid	Endangered	Endangered/ Listed FFG Act Vic
<i>Prasophyllum spicatum</i>	Dense Leek-orchid	Vulnerable	Vulnerable
<i>Pterostylis cucullata</i>	Leafy Greenhood	Vulnerable	Vulnerable
<i>Thuidium laeviusculum s.s.</i>	Forest Weft-moss	Vulnerable	

## Sites of Biological Significance

Four sites of Biological Significance are recorded for the Lorne area by Ecology Australia (2000), though each of these is outside of the residential area. Additional sites of significance have been recorded by DSE (Rani Hunt, Project Officer, DSE, Colac pers comm. April 2003). Of these two are within or immediately adjacent the residential area:

- Toorak Terrace: Rare or threatened species present including Wrinkled Buttons, Southern Blue-gum, and Brooker's Gum.
- Lorne Golf Course: Wrinkled Buttons

Action Statement No. 98 under the *Flora and Fauna Guarantee Act 1988* (FFG Act) states that the Wrinkled Buttons is:

- in a demonstrable state of decline which is likely to result in extinction;
- significantly prone to future threats which are likely to result in extinction; and
- very rare in terms of abundance or distribution.

The statement establishes the major conservation objectives as being:

1. Protection of all sites and habitat where Wrinkled Buttons currently occurs.
2. Manage sites to ensure persistence of Wrinkled Buttons in space and time across its known range.
3. Establish ex-situ population in cultivation.

## Policy Framework

### 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 extant and quality of native vegetation, leading to a Net Gain' (DSE, 2002). *Victoria's Native Vegetation Management – A Framework for Action* (2002) 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 and management.
3. Identify appropriate offset options.

The implications 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, focussing 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 strands 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 bioregional and regional catchment level by the draft Biodiversity Action Plan and the Corangamite Native Vegetation Plan (2005) which sets priorities for the bioregion and the Corangamite Catchment.

#### Biodiversity Action Plan – Otway Region Bioregion

The draft *Biodiversity Action Planning – Landscape Plan for the Otway Zone, Otway Ranges Bioregion* (DSE, 2003) (BAP) states that the “*Otway Ranges are recognised as being of very high conservation value due to the high percentage of native vegetation cover remaining (around 80%), diverse vegetation communities (including cool temperate rainforest) and the important habitat provided for a diverse range of flora and fauna, including threatened species requiring large forest areas (eg. Powerful Owl and Spot-tailed Quoll). The streams of the Otway Ranges support high numbers and diversity of native fish and are particularly significant habitat for galaxiid species. The coastal ecosystems of the bioregion are also of high conservation significance.*” (P14)

Major environmental issues raised in the BAP for the Otway Ranges Bioregion include:

- Clearing of remnant vegetation, particularly through timber harvesting operations
- Creation of road networks for timber industry activities
- Residential subdivisions and tourism developments 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
- Degradation of waterways and wetlands through increased nutrients, sedimentation, bank destabilisation and salinity
- Alteration of natural hydrological flow regimes
- Introduction of non-native fish to the rivers and streams
- Feral pigs and deer
- Inappropriate fire regimes
- Fragmentation of habitats through incremental clearing



- Loss of mature hollow-bearing trees
- Collection of native orchids
- Impacts from recreational use of forests, wetlands and coastal areas
- Cinnamon fungus
- Myrtle Wilt within Cool Temperate Rainforest

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

*“Subdivisions require sound planning guidelines and strong voluntary conservation incentives in order to avoid an effective loss of biodiversity values through habitat degradation and fragmentation...There has been a marked increase in residential subdivisions in recent years, particularly in coastal areas. Tourism developments are also increasing, particularly along the coast around Apollo Bay and Lorne where such tourist attractions as the coast, rainforest and waterfalls are all present within a small area.” (P14)*

The BAP provides a structured set of priorities for biodiversity conservation in the Otway Landscape Zone which encompasses the study area. Actions recommended in the BAP for private land that have some relevance to the study area:

- Encourage protection of remnants on freehold land and apply voluntary programs, incentives, management agreements and/or planning controls as appropriate. Give priority to remnants that are high quality, close to or adjoining public land blocks, as well as threatened EVCs such as Swamp Scrub or sites which support Leafy Greenhood, in particular the remnants near Horden Vale.
- Identify/record, protect and monitor sites containing Wrinkled Buttons and Leafy Greenhood. Investigate the possibility of fencing known sites. Make sure that any public sites, such as roadsides, are well signed so that contractors undertaking works do not damage the sites.
- Undertake surveys of threatened taxa to further determine population densities and range. Involve local community groups such as landcare, ANGAIR and ANOS in monitoring programs (ie: Wrinkled Buttons, Leafy Greenhood and Rufous Bristlebird).
- Encourage Shires to promote responsible pet ownership, giving priority to know locations of Rufous Bristlebird, Swamp Antechinus, Southern Brown Bandicoot and Long-nosed Potoroo.
- Ensure that Shire staff know the locations of threatened flora and fauna and the importance of freehold remnants having biodiversity values
- Update the Environmental Significance Overlays and Vegetation Protection Overlays within the Surf Coast and Colac Otway Shires Planning Schemes to reflect information now available in the latest DSE datasets. In particular to protect known habitat of threatened species such as Rufous Bristlebird, Swamp Antechinus, Broad-toothed Rat, Southern Brown Bandicoot Leafy Greenhood and Wrinkled Buttons.
- Update the Colac Otway and Surf Coast Shire Planning Schemes with the new Native Vegetation Framework concepts.
- Adhere strictly to native vegetation controls, particularly in the case of large trees and vegetated areas near known sites of Powerful Owl, Grey Goshawk and Masked Owl.

- Liaise with CFA and DSE Fire Management to protect Rufous Bristlebird habitat, particularly the leaf litter and undergrowth, from fire prevention activities such as slashing of heathlands and controlled burning.
- Carry out weed removal on existing remnants to provide better quality habitat for Rufous Bristlebird, Swamp Antechinus and Broad-toothed Rat. Also assess weed problem in areas of Leafy Greenhood and Wrinkled Buttons and determine and apply the appropriate management action.
- Work with the CFA to develop and implement appropriate wildfire management strategies on private land, particularly in relation to Wrinkled Buttons and Rufous Bristlebird.
- Encourage/require landscape gardeners and developers to use indigenous species in their designs.
- Provide new rateholders or residents to the area with a weed booklet and indigenous plant list specific to their area
- Develop and maintain adequate buffer zones on freehold land protecting existing remnant patches from disturbance, weed and pest infestation.

#### **Impact of Development on Biodiversity**

The general biodiversity values of the urban areas of Lorne and vicinity have been influenced by the urban development of the area. Vegetation is the primary determinant of the conservation value of a site. The vegetation has been modified in a number of ways thus lowering the contribution the urban area makes to the biodiversity of the area.

The vegetation structure has been modified by the removal of all native vegetation within the building footprint to provide for the safe construction of buildings and associated infrastructure. Other subordinate strata of the vegetation have also been variously further modified reducing the structural diversity of the site. In most of the developed areas isolated pockets of native vegetation remain but are usually structurally depauperate and lack natural regeneration. The absence of structural diversity compromises important ecological processes that are essential for the long term survival of the indigenous vegetation.

Selective clearing, weed invasion and general absence of natural regenerative processes such as fire also modify species diversity.

Environmental weeds are considerable management issues within urban areas surrounded by extant native vegetation. Particularly aggressive garden escapes invade adjoining native vegetation frequently from dumps of garden refuse. Weeds out compete indigenous species of plants. A number of species of environmental weeds are recorded in the vicinity.

Domestic pets are predators of a large range of native fauna. The Red Fox inhabits the urban areas of most of mainland Australia. It too, is a well adapted urban scavenger and predator of small native mammals and reptiles.

## Protection of Indigenous Vegetation

Consistent with the principles of the State Native Vegetation Framework referred to above, removal of indigenous vegetation should be avoided. However it is clear, that on the whole the landscape values of vegetation, particularly tall canopy trees, within the residential areas of the township are of greater importance than the biological or biodiversity significance. Sites of biodiversity significance are located in the hinterland of the township and it will be important that any proposals to rezone or develop these areas have due regard to these values, but this is beyond the scope of this study.

When sites are developed, buildings and works 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.

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 the Great Otway National Park.

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 Native Vegetation Framework. With the lack of natural regeneration replanting will be essential to the maintenance and enhancement of vegetation cover, including tree canopy, across the township.

It should be encouraged that replanting be undertaken with indigenous species appropriate to the locality, based on the EVC mapping. It is also important that planting be undertaken with locally sourced seed to maintain the genetic integrity of species.

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.

## 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 and 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 crown land.

This information should be communicated through the Shire's web site in addition to other forums such as the new residents 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).

**Objectives:**

- Protect and enhance the biodiversity and habitat value of the township environs.

**Strategies:**

- Control the removal, lopping or destruction of native vegetation.
- Encourage the removal and management of environmental weed and exotic plant species.
- Identify and map populations of threatened flora and fauna species in cooperation with DSE, CCMA and community groups.
- Ensure that the protection of threatened species and their habitat is considered during any rezoning requests or development applications.
- Support education of landowners of environmental weeds and preferred indigenous planting.

## Current Planning Controls

The Surf Coast Shire introduced a new planning scheme in 2000, based on the Victoria Planning Provisions (VPPs). A Residential 1 Zone (R1Z) was applied to most of Lorne outside the existing commercial areas together with a Significant Landscape Overlay – Schedules 1 (SLO1) which includes native vegetation removal and development controls. A Design and Development Overlay – Schedule 4 (DDO4) was applied to the commercial areas and tourist accommodation precincts on the east side of Smith Street between Otway Street and Bay Street and an area at the end of Point Grey. Some residential areas on the edge of the township are affected by a Wildfire Management Overlay (WMO). The Rural Conservation Zone (RCZ) applies to private land abutting Lorne, which is also supported by the SLO1.

These controls are shown on Maps 6 to 10. Strategies and policies on growth of the township and residential development were summarised and incorporated in the Scheme as a Municipal Strategic Statement (MSS) and local policies.

Prior to the introduction of the VPP based scheme the residential areas of the township were zoned Coastal Residential under the old format Surf Coast Planning Scheme, which was the amalgamation of the Barrabool and Winchelsea Shire Planning Schemes. The Coastal Residential Zone included provisions that were largely translated to the current policy framework.

The following is a summary of the strategies, policies and 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 Policies which apply to all land in Victoria and which must be taken into account when preparing amendments to the planning scheme. The following clauses are considered relevant to this study:

#### Introduction, Goal and Principles (Clause 11)

This clause identifies seven general principles – settlement, environment, management of resources, infrastructure, economic well-being, social needs and regional co-operation – that must be considered by planning authorities so as to facilitate achievement of the objectives of planning in Victoria (as set out in section 4 of the Planning and Environment Act 1987).

#### Metropolitan Development (Clause 12)

The policy for metropolitan development is not directly relevant to the study area, as it is outside Metropolitan Melbourne, but the following points are noted:

- The policy requires, at Clause 12.03-2, planning for regional areas to protect conservation and heritage values
- ‘A great place to be’, Clause 12.05, establishes the objective: “To create urban environments that are of better quality, safer and more functional, provide more open space and an easily recognisable sense of place and cultural identity.” This is elaborated by a number of strategies, including:

- Ensuring new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability
- Requiring development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate
- Ensuring sensitive landscape areas such as bays and coastlines are protected and new development does not detract from their natural quality
- Ensuring development responds to its context and reinforces special characteristics of local environment and place by emphasising:
  - The underlying natural landscape character
  - The heritage values and built form that reflect community identity
  - The values, needs and aspirations of the community

#### Coastal areas (Clause 15.08)

Requires that planning for coastal areas should be consistent with the Victorian Coastal Strategy 2002, including the hierarchy of principles, and should have regard for the Great Ocean Road Region – A Land Use and Transport Strategy (DSE, 2004). For the Great Ocean Road Region it states that planning should:

*“Protect the landscape and environment by:*

- *Protecting public land and parks and identified significant landscapes.*
- *Ensuring development responds to the identified landscape character of the area.*
- *Managing the impact of development on catchments and coastal areas.*
- *Managing the impact of development on the environmental and cultural values of the area.*

*Managing the growth of towns by:*

- *Respecting the character of coastal towns and promoting best practice design for new development.*
- *Directing urban growth to strategically identified areas.*
- *Encouraging environmentally sustainable development.”*

#### Conservation of native flora and fauna (Clause 15.09)

Establishes the need to protect and conserve biodiversity and directs that regard must be had to ‘Victoria’s Native Vegetation Management – A Framework for Action’ (DSE 2002).

#### Heritage (Clause 15.11)

The policy for Heritage states that places of natural or cultural value should be conserved and protected from inappropriate development.

#### Energy Efficiency (Clause 15.12)

The application of efficient energy use principles should be encouraged for all land use and development.

#### Residential development for single dwellings (Clause 16.01)

Policy for single dwelling residential development includes the need to encourage opportunities for urban consolidation. The policy directs that Clause 56 should be used in the planning of subdivisions for development of single houses.

#### Medium density housing (Clause 16.02)

Medium-density housing should be well-designed, respect neighbourhood character, utilise existing infrastructure, improve energy efficiency and provide a wide range of housing options. Clauses 54 and 55 should be used when considering medium-density housing.

#### Tourism (Clause 17.04)

This policy encourages the development of well designed tourist facilities that building on cultural and natural attractions, so as to maximise the economic, social and cultural benefits of a competitive tourism industry.

#### Design and built form (Clause 19.03)

This policy establishes the objective of achieving high quality urban design and architecture and sets a number of principles for consideration when assessing development not covered by Clauses 54, 55 or 56.

### **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.

#### Council Plan (Clause 21.02)

The Council Plan sets the vision for the Shire of achieving *“world-wide recognition for its unique blend of natural environment and quality of life which offers the best of all worlds to its residents, stakeholders and visitors.”*

#### Surf Coast 2020 Vision (Clause 21.03)

The 2020 Vision notes that the communities of the Surf Coast Shire, perceive each town has having its own identity and sets the key objectives to protect and enhance the particular characteristics that are significant to each local area, but in a regional context.

#### Strategic Framework (Clause 21.04)

The Strategic Framework for the Shire is established in this clause, defining the township based delineation of the MSS, and placing each township within a Shire based hierarchy. Lorne is nominated as a 'Coastal Tourist Township'.

#### Environment Strategy (Clause 21.05)

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

#### Landscape and Culture Strategy (Clause 21.06)

Under Heritage, the Landscape and Culture Strategy identifies that:

*"The combined natural, aesthetic and cultural values of the Angahook – Lorne State Park [now the Great Otway National Park], the Great Ocean Road, built as a memorial to World War soldiers, and the Lorne township landscape, recognised early in the development of the area as a major seaside town resort, are particularly important to the identity of the community and the place."*

The strategy establishes the objectives of respecting the cultural and natural heritage values of the Shire.

#### Tourism Strategy (Clause 21.08)

The Tourism Strategy recognises the importance of the tourism industry to the local economy. The strategy establishes a tourism hierarchy of locations, based on the provision of infrastructure, with Lorne included in the top tier, along with Torquay/Jan Juc, as a 'Coastal activity node'. In terms of tourism the strategy describes Lorne as follows:

*"The profile of Lorne is on par with Torquay. However, its key attributes and attractions are quite different. Lorne's strategic location on the Great Ocean Road and its picturesque setting make it an accessible and attractive stopping point for regional, interstate and international visitors travelling from Melbourne and Geelong."*

The strategy nominates two tourism precincts over parts of Mountjoy Parade, Smith Street and Point Grey. The residential Tourism Accommodation Precinct is anticipated to achieve the following outcome:

*"Tourist and residential accommodation will be encouraged in this precinct which extends over parts of Mountjoy Parade, Smith Street and Grove and Ocean Roads. Multi-unit development will be encouraged but the scale of development must be compatible with the low rise nature of the built environment in the surrounding area."*



Lorne Strategy (Clause 21.11)

This Strategy is developed from the *Lorne Strategy Plan* (1991). The strategy notes the low level of permanent occupancy and small population growth, with growth in the family age groups rather than retirees. Despite the low population growth, it identifies development pressure associated with the holiday home and tourism accommodation market. The strategy observes the limited capacity of the town to expand and accommodate future population growth due to its abuttal to the ocean and environmentally sensitive areas and the ensuing long held policy of urban containment. The Strategy makes the following references to coastal character:

*“The setting of Lorne is spectacular and almost unprecedented in Victoria. Residential development is scattered across a beautiful, heavily treed amphitheatre that encircles Loutit Bay. In the southern area of the town, a significant cover of high canopy native trees extends down to the foreshore, reflecting the town’s description as a place ‘where the forest meets the sea.’ Panoramic coastal and forest views can be enjoyed from most residential areas, and residents and visitors alike place great importance on this feature.*

*The character of Lorne is important not only for residents, but also for visitors travelling along the Great Ocean Road. Lorne is strategically located amidst some of the most spectacular portions of the south western coastline of Victoria and within day-tripping distance of Melbourne. The physical appearance and character of Lorne is therefore important to the overall image of the Great Ocean Road and also from the point of view of attracting visitors to take time to stop and spend money in the town itself.”*

The following strategies are listed:

*Contain residential development within existing urban areas already zoned for residential development.*

*Encourage the provision of a range of dwelling types to broaden the choice of accommodation for permanent and semi-permanent residents.*

*Allow infill development only where it is consistent with the overriding objectives of:*

- *retaining native vegetation cover,*
- *preserving urban character*
- *protecting the amenity of surrounding properties,*
- *protecting viewsheds from the Great Ocean Road and significant public viewing points,*
- *allowing a reasonable sharing of views from private properties, and*
- *applying Surf Coast Style principles.*

The Strategy further acknowledges the significance of the environment to the character of these settlements 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 objectives detailed to protect the environment include:

*“To protect the environmental and scenic landscape values of Lorne and its surrounding hinterland.”*

#### Coastal Development Policy (Clause 22.01)

This policy applies to all land within the Study area, and is the primary policy tool for guidance on the use of discretion when determining planning permit applications for residential development. It 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.

The elements of density, building scale, site coverage and height, include performance measures to provide guidance on the achievement of the objectives of the policy.

#### Surf Coast Style and Colours Policy (Clause 22.05)

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 external materials and colours.

#### Streetscape and Landscape Policy (Clause 22.06)

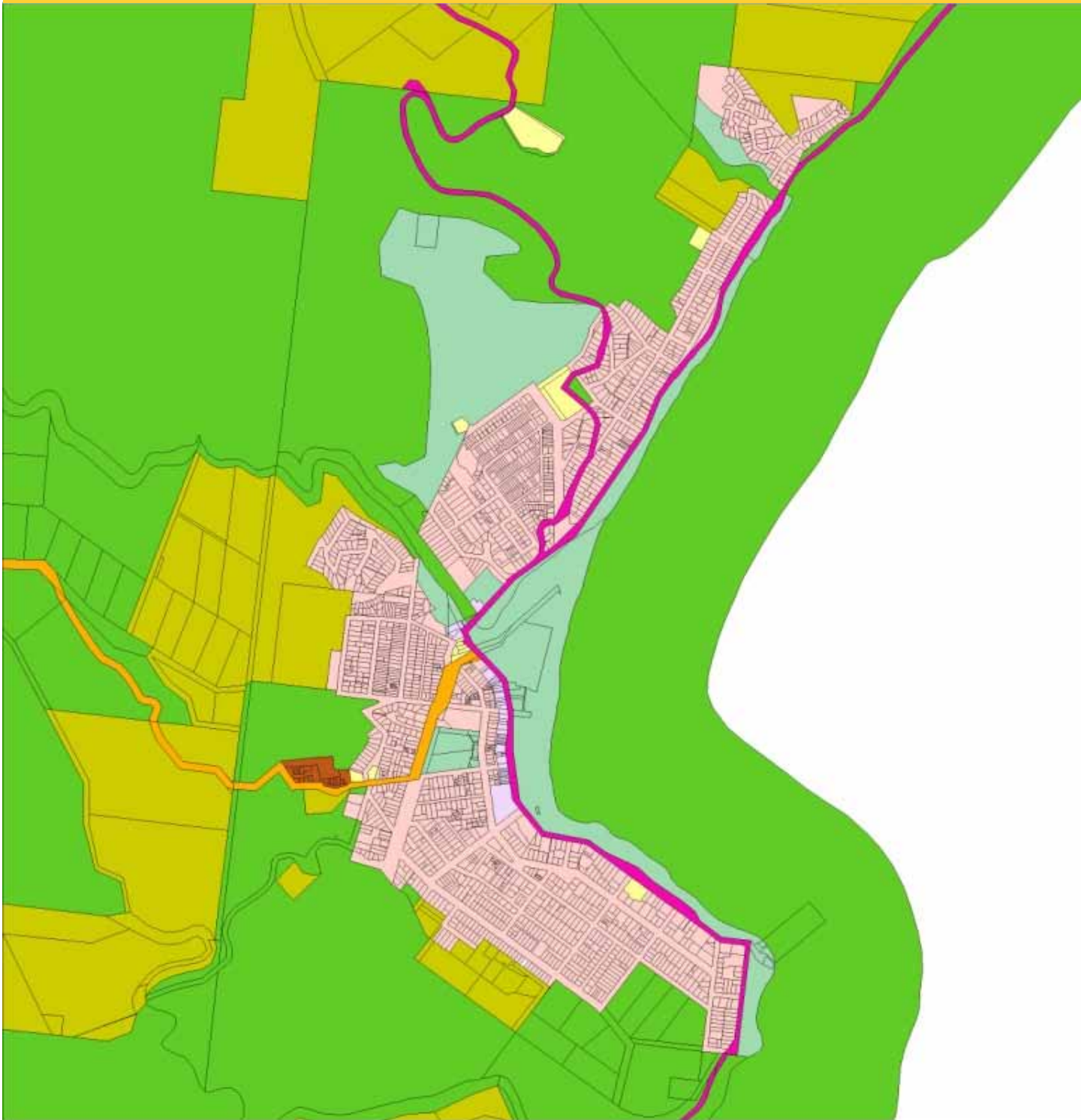
This policy applies to all land within the study area and sets out requirements for landscape plans to be submitted with development applications of various types, as well as discouraging the planting of environmental weeds, and requiring the payment of a bond to ensure the retention of significant vegetation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

#### Heritage Policy (Clause 22.08)

The Heritage Policy applies to all properties affected by a Heritage Overlay and encourages the retention of culturally significant heritage places, including any natural or cultural features of an area.

#### Mountjoy Parade Heritage Precinct Policy (Clause 22.10)

The objectives of this policy are to conserve and enhance the characteristics that define the heritage values of this precinct, including the landscape and elevated bushland setting, sense of space around and between buildings and significant views framed by trees. The precinct contains nine individually significant properties, some of which are individually listed in the Heritage Overlay.



<p><b>RESIDENTIAL ZONES</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8d7da; border: 1px solid #c3e6cb; margin-right: 5px;"></span> Residential 1 Zone</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Low Density Residential Zone</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8d7da; border: 1px solid #c3e6cb; margin-right: 5px;"></span> Township Zone</li> </ul> <p><b>INDUSTRIAL ZONES</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Industrial 1 Zone</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Industrial 3 Zone</li> </ul> <p><b>BUSINESS ZONES</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Business 1 Zone</li> </ul>	<p><b>RURAL ZONES</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #c3e6cb; border: 1px solid #c3e6cb; margin-right: 5px;"></span> Rural Zone</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #c3e6cb; border: 1px solid #c3e6cb; margin-right: 5px;"></span> Environmental Rural Zone</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #c3e6cb; border: 1px solid #c3e6cb; margin-right: 5px;"></span> Rural Living Zone</li> </ul> <p><b>PUBLIC LAND ZONES</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #c3e6cb; border: 1px solid #c3e6cb; margin-right: 5px;"></span> Public Park &amp; Recreation Zone</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #c3e6cb; border: 1px solid #c3e6cb; margin-right: 5px;"></span> Public Conservation &amp; Resource Zone</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #c3e6cb; border: 1px solid #c3e6cb; margin-right: 5px;"></span> Road Zone Category 1</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #c3e6cb; border: 1px solid #c3e6cb; margin-right: 5px;"></span> Road Zone Category 2</li> </ul>	<p><b>PUBLIC LAND ZONES Cont...</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Public Use Zone Service &amp; Utility</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Public Use Zone Health &amp; Community</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Public Use Zone Transport</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Public Use Zone Cemetery/Crematorium</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Public Use Zone Local Government</li> </ul> <p><b>SPECIAL PURPOSE ZONES</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #c3e6cb; border: 1px solid #c3e6cb; margin-right: 5px;"></span> Comprehensive Development Zone 1</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #c3e6cb; border: 1px solid #c3e6cb; margin-right: 5px;"></span> Comprehensive Development Zone 2</li> </ul>	<p><b>SPECIAL PURPOSE ZONES Cont...</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Special Use Zone 1</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Special Use Zone 2</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Special Use Zone 3</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Special Use Zone 4</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Special Use Zone 5</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Special Use Zone 6</li> </ul> <p><b>COMMONWEALTH LAND</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> Commonwealth Land Not Controlled By Planning Scheme</li> </ul>
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Map 6- Zoning



**Map 7- Significant Landscape Overlay Schedule 1**

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**Map 8- Design and Development Overlay Schedule 4**

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**Map 9- Wildfire Management Overlay**

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**Map 10- Heritage Overlay**

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## Zones and Overlays

### Residential 1 Zone (R1Z)

The R1Z includes the following purposes:

*“To Provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households.*

*To encourage residential development that respects the neighbourhood character.”*

Under this zone a permit is not required to use land for a dwelling. However a permit is required to construct or extend a dwelling on a lot of less than 300sqm or for two or more dwellings on a lot and the requirements of Clauses 54 and 55, respectively, must be met. A permit is required to subdivide land and any subdivision must meet the requirements of Clause 56. A permit may be issued for a range of other uses that may be appropriate in residential areas.

None of the standards of Clause 54 and 55 are varied by a schedule to the zone.

### Significant Landscape Overlay Schedule 1 – Great Ocean Road and Coastal Environs (SLO1)

The SLO1 is applied to various areas along the Great Ocean Road, including all of the residential area of Lorne. It has a number of landscape character objectives, including:

*“To preserve and enhance the scenic landscape values and environmental qualities within viewsheds of the Great Ocean Road and coastal environs.*

*To protect and enhance the low density residential character and natural bush setting of the coastal settlements.*

*To ensure development and uses do not impact on significant remnant vegetation.*

*To maintain the individual identity and landscape character of each township.*

*To promote development which complements or is sympathetic to the streetscape character.*

*To ensure that development of properties abutting the Great Ocean Road and Mountjoy Parade does not detract from the scenic and landscape values of the area.*

*To provide for a reasonable sharing of views of significant landscape features, including views of the ocean and coastal shoreline, coastal forest and mountains, rivers and estuaries, and notable cultural landscape features which form an important part of the amenity of coastal properties.”*

The SLO1 provides that a permit is required for all buildings and works other than side and rear boundary fences up to 1.6m in height of timber or post and wire construction. A permit is also required for the removal, destruction and lopping of native vegetation, with some exemptions including vegetation within 2m of the roof line of a building, vegetation less than 2m in height and environmental weeds. The overlay also requires changes to external materials, colours and finishes to be approved, whether or not a planning permit is required.

The decision guidelines of the overlay require consideration of a number of policies including Coastal Development Policy, Surf Coast Style and Colours Policy and Streetscape and Landscape Policy.

#### Heritage Overlay (HO)

The HO is applied to 16 individual residential properties in Lorne plus over the Mountjoy Parade Heritage Area, which extends between Mountjoy Parade and Smith Street from approximately Bay Street to near Francis Street. A permit is required for most buildings and works, which may include painting and internal works, and for subdivision.

Consideration is to be given to the Heritage Policy and for the Mountjoy Parade Heritage Area to the Mountjoy Parade Heritage Precinct Policy.

#### Design and Development Overlay Schedule 4 – Lorne Commercial/Tourist Accommodation Precincts (DDO4)

The DDO4 is applied to the commercial areas of Lorne, plus the residential area on the eastern side of Smith Street between Otway Street and Bay Street and an area at the end of Point Grey. The overlay states the following design objectives:

*“To encourage development that will accommodate a mixture of retail, office, entertainment and visitor accommodation facilities within the commercial core of the township.*

*To encourage a scale of development which is complementary to and compatible with the overall character of the centre and amenity of the surrounding development.”*

A permit is required under the overlay for buildings and works, not including fences, and subdivision.

The overlay includes three precincts with the residential zoned land in Precinct 3 – Tourist Accommodation. In this precinct the following objectives are sought:

*“To encourage a range of residential accommodation for visitors and tourists to Lorne in proximity to the Central Retail Core and recreational resources of the township.*

*To ensure that the scale of the development is compatible with that of the surrounding land uses.*

*To ensure that new development maintains the low rise nature of the built environment in Lorne.”*

A number of performance criteria are contained in the decision guidelines, including that a maximum building height of 8.0m above natural ground level and that at least 30% of the site should be set aside for landscaping.

Wildfire Management Overlay (WMO)

Applied to mostly the fringe areas of the township where vegetation has been retained, the WMO requires a permit for buildings and works associated with accommodation uses, including dwellings. Exemptions apply for smaller building additions. Applications require referral to the CFA.

## Review of Planning Controls

The community perception analysis conducted by Dr Green found that many of the more recent developments across the study area exhibited features that were perceived to be incompatible with the preferred neighbourhood character. From this the assumption can be drawn that the existing planning controls are not achieving the community's vision for development in Lorne and therefore need to be reviewed and strengthened, with special focus being given to encouraging all development to incorporate the characteristics that result in development contributing to achieving the preferred township character.

An analysis of existing development controls was previously undertaken within the LSPR, with recommendations for new controls. The focus of new controls was on establishing mandatory landscape requirements for new developments. The findings of the LSPR will be reviewed in light of the further analysis of this study and discussed as relevant in the following sections.

To assist in focussing on the elements that appear to be creating the problems a number of case studies were undertaken and analysed against the existing controls and the identified elements previously discussed. Of the developments that were rated as being moderately to highly compatible to neighbourhood character, none were recent developments for which Council has any recorded permit history. Therefore, without plans to reference, a quantitative analysis of these developments could not be readily undertaken.

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 and an individual analysis of the case studies is contained in Appendix 5. Seven of the case studies are examples from Dr Green's study of slightly to highly incompatible developments; eight were selected by officers as exhibiting the same sort of incompatible characteristics and were mostly developed after Dr Green's study was completed. Five cases were taken from Dr Green's study as being slightly compatible with neighbourhood character, but most were also recorded as having negative attributes.

The following matrix provides a summary of findings in relation to the compliance of these developments with current planning policy provisions, as expressed in the Coastal Development Policy at Clause 22.01 of the planning scheme.

Performance measure	Incompatible Single Dwellings	Incompatible Multi-dwellings	Compatible Single Dwellings	Compatible Multi-dwellings	Total
Number of Samples	8	7	2	3	20
	Percentage compliant with policy performance measures				
<b>Density (10 samples)</b>	N/A	43%	N/A	67%	50%
<b>Height</b>	50%	14%	100%	33%	40%
<b>Site Coverage</b>	63%	43%	100%	100%	65%
<b>Hard Surf Coverage</b>	88%	29%	100%	66%	65%
<b>Plot Ratio</b>	63%	57%	100%	100%	70%



There are a number of limitations with this assessment, including the small sample size; that the compatible developments are only slightly compatible; and that there are qualitative elements that will also influence whether a development is compatible or not with neighbourhood character. However, this analysis is of interest by showing that there is a low level of compliance with current performance measures in those developments considered to be incompatible with neighbourhood character, particularly the multi-dwelling developments. In comparison the compatible developments show a higher level of compliance, noting that it is from a smaller sample set.

Whilst not demonstrated in the above matrix, most of the incompatible developments exceed the performance measures in at least one area and where they do comply many are close to the upper limit of the performance measure.

All of the residential land within Lorne, including all of the case study sites, are covered by the Significant Landscape Overlay Schedule 1 (SLO1), which triggers consideration of the Coastal Development Policy. The SLO1 includes objectives relating to landscape character (see discussion on existing controls above) and requires a planning permit for all buildings and works, native vegetation removal (with exemptions) and fencing (with exemptions).

The Coastal Development Policy includes a number of performance measures for elements such as density, building height, site coverage and plot ratio that give guidance on achieving the objectives of the policy and the overlay. Compliance with the performance measures do not guarantee that the objectives have been met and that approval will be granted and the policy contains criteria as to when they should be varied either up or down. Each of the elements will be looked at separately.

### Dwelling Density

Although a permit is not required for subdivision under the SLO1, a permit is required in the Residential 1 Zone and the decision guidelines require consideration of the local planning policy framework. The Coastal Development Policy states in relation to dwelling density that it is policy that:

*“Subdivision and development of land should comply with the indicative densities specified in Table 1, unless, in circumstances outlined below, a moderate variation is justified as demonstrated through the site analysis and design response.”*

Table 1 sets a minimum site area per dwelling of 450m<sup>2</sup> in Lorne. The circumstances under which a variation may be warranted are listed as:

- A lower density than the indicative density specified in Table 1 may be required where **any** of the following apply:
  - The land contains a significant cover of native vegetation (including understorey), particularly vegetation that is environmentally significant or which forms part of a tree canopy that is an important component of the town or streetscape character;
  - The land is in a prominent location or on a ridgeline visible from the Great Ocean Road or other significant public viewing points;

- The land is steep;
  - The size and shape of the existing lot(s), the siting of existing buildings and works, or the extent of existing vegetation, will compromise the versatility or energy efficiency of any new lots;
  - The proposed subdivision or development does not achieve compliance with one or more of the performance measures of this policy.
- A higher density than the indicative density specified in Table 1 may be permitted where **all** of the following apply:
    - The land contains little or no native vegetation or trees with spreading crowns or the proposal will not result in a significant loss of native vegetation;
    - The proposal includes a landscape plan that will increase vegetation cover in a manner consistent with the landscape character of the township;
    - The land is not, and any proposed development will not be, visually prominent when viewed from the Great Ocean Road or any other significant public viewing point;
    - The gradient is flat or gentle, with no portion of the site exceeding 10% slope;
    - The configuration and characteristics of the existing lot(s) will accommodate new lots that are versatile and energy efficient;
    - The proposed subdivision or development better one or more of the performance measures of this policy.

It is reasonable to conclude that there would be few sites in Lorne where an increased density could be supported under this policy because of either vegetation cover, slope or prominence, or a combination of these factors. For the same reason in many instances a lower density is warranted.

The residential perception study has demonstrated that many multi-dwelling developments are perceived as being incompatible with neighbourhood character. Of the case studies of incompatible development four of the seven samples do not comply with the density performance measure (case studies 9 to 12). Two of the case studies (no's 18 & 20) of slightly compatible multi-dwelling developments comply with the density performance measure, with one substantially above at one dwelling per 690m<sup>2</sup>. This development also has the highest compatibility rating of the multi-dwelling developments.

The impact of higher densities, in this case one dwelling per 450m<sup>2</sup> and greater, is that typically less separation is provided between dwellings and invariably there is higher levels of hard surface coverage arising from providing access to dwellings located at the rear. Whilst the proportion of site coverage from development may be the same under policy regardless of lot size, a smaller lot will deliver less physical area free from buildings and hard surfaces. It is also considered that in practice, a multi-dwelling development

is more likely to result in higher site coverage than a single dwelling on the same lot. This then reduces the opportunities to provide landscaping, in particular areas that can sustain large canopy trees. The existing performance measure for density is failing to produce development that is achieving the preferred neighbourhood character.

The matter of dwelling density in Lorne has been considered on at least a couple of occasions by the Tribunal. Whilst the matters have turned on issues of vegetation and building spacing rather than a quantitative assessment of density, the result of responding to these other character issues has been that density has been reduced. In *Matthews v Shire of Surfcoast* [2001] VCAT 674 the Tribunal, in reducing dwelling density to minimise vegetation removal, made the following comments:

*“The central issue in this review is the development’s site and neighbourhood responsiveness in terms of its built form and tree retention. The policies of both the present and future planning scheme call for developments to be so responsive. I have formed the view that the proposed development generally acceptable in these respects but requires some modifications to be entirely so. My reasons for this view are as follows...”*

*It is my view as expressed at the hearing that the placement of two dwellings on the steeply sloped elevated south eastern corner of the site is unacceptable and one should be deleted. The close positioning of these two dwellings would result in an unacceptable level of building bulk when viewed from below – whether from within or from outside the site. The present layout also results in an inappropriate level of cross-looking between those dwellings. In this corner, too there are particular pressures upon various trees proposed to be retained...”*

*I am mindful of the fact that the consequence of my determination is that the resultant site density would be merely 1 unit for 690m<sup>2</sup> of site area. I nevertheless believe that that density is appropriate for this site, having regard to the site constraints which exist in terms of slope and the need to retain sufficient of the trees to achieve the scheme’s policies in relation to canopy retention.”*

In *Lorne Developments v Surf Coast SC* [2004] VCAT 1488, the dwelling density was reduced to provide space between buildings, reduce the landscape impact and vegetation loss and minimise cross-looking. In the determination, the member commented that:

*“Visibility and views to and from the site were matters discussed by Mr Dance in his written and oral evidence. On my inspection I visited the foreshore in the vicinity of the Lorne pier and looked back towards the review site. I also observed the site from other locations to gauge the visual effect of removing trees. I note that there is an inconsistency between the amount of vegetation that Mr Dance thought should be retained and the amount of clearing required on the recommendations of Mr Nicholson. I accept that on the basis of Mr Dance’s evidence that the new buildings would not be prominent in the landscape - trees would need to be removed and the buildings could be seen to some extent. However the additional clearing required by Mr Nicholson would make the buildings much more prominent - even from as far away as the Lorne pier. Clearing for the two dwellings to the west and buildings further up the hill to the north has meant that these buildings are visible from the pier. Although they do not protrude above the treed ridgeline they can be seen as forms within or on the treed hillside. Given the*

*viewing distance, this is not fatal to the scenic and landscape attributes of Lorne, but widespread clearing for house sites would have a cumulatively detrimental effect on these scenic and landscape attributes. Removing one of the buildings from the review site would assist in retaining the vegetated character, allow for more new planting on the site and help reduce the visibility of the development from vantage points such as the Lorne pier. Deleting one of the buildings would, in effect, mean that the potential visual impact of four buildings on these four lots has not changed. Moreover, deleting one of the buildings has benefits beyond reducing the visual impact of the development and it is the combination of benefits that has led me to reduce the number of buildings from five to four...*

*Reducing the number of buildings to four retains the status quo in relation to building footprints (assuming a house could be built on each of the existing four lots). It also reduces the density even more than the 1:517m<sup>2</sup> that the current proposal achieves. Reasons set out in the policy for reducing the density below the indicative 1:450m<sup>2</sup> include existence of significant native vegetation cover, prominent location visible from the Great Ocean Road or other significant public viewing points, steep land, constrained energy efficiency and non-compliance with one or more of the performance measures in the policy.*

The Tribunal's qualitative assessment of applications has supported the general need for lower densities to achieve the landscape objectives in the planning scheme. Dwelling density alone will not maintain the landscape character of the town, but establishes the framework for development. Accordingly it is recommended that the maximum density be reduced so as to encourage larger lots with greater area for retention of vegetation, landscaping and space between buildings.

This is a variation from the finding of the LSPR that current density controls are adequate to accommodate development and allocate a 'Landscape Area' (see the discussion under site coverage for more information about the Landscape Area concept). At the same time the LSPR acknowledges the community perception that medium density housing detracts from neighbourhood character and attributes this to a sense of overdevelopment arising from lack of canopy vegetation and landscaped areas. The Landscape Area as defined in the LSPR does not have the intent of increasing the non-built area but rather seeks to make landscape spaces more viable for the maintenance and establishment of tall canopy trees. Whilst the maintenance of the tall tree canopy is a key element of achieving the preferred neighbourhood character, other attributes such as the sense of space around buildings are also important and are not being facilitated by the current development controls.

A further issue with current density provisions is that they are a performance measure within a policy and therefore are open to a much broader degree of discretion than they might be if implemented through different controls. The potential problems this raises include:

- Applications for subdivision/development greater than the indicative density typically demand large inputs of time and resources from applicants, objectors and Council through the application process and often at the Tribunal.

- Uncertainty for applicants/owners contemplating subdivision/development of sites slightly below the minimum lot size.

A more definite application of density provisions may reduce the number of applications refused by Council and contested at the Tribunal, creating greater certainty and reduced pressure on resources for all parties.

Consideration of density issues will only arise with applications for two or more dwellings, or with subdivision of land to create additional lots. However, there are a number of areas in Lorne where old subdivisions have created clusters of smaller lots (less than 400m<sup>2</sup>). At present many of these lots are held in common ownership of two or more lots with dwellings constructed across lot boundaries. Potentially each lot could be sold into separate ownership and developed by a dwelling, which would have a significant impact on the character of these areas. In particular the narrowness of these lots could lead to terrace type housing and/or minimal separation between buildings.

Between Holliday Road and Normanby Terrace there has been extensive re-subdivision of these narrow lots (from long narrow lots to square lots), facilitated by two street frontages, that have then been developed by dwellings. This has resulted in incremental loss of tree canopy and the development of this area has been rated as incompatible with neighbourhood character because of the density, loss of vegetation and minimal setbacks.

It is considered that the subdivision pattern of these areas needs to be restructured so as to prevent a proliferation of dwellings on small narrow lots and maintain the low density character. This requires control over development and subdivision through a restructure overlay.

#### **Implementation:**

- Maintain the low density landscaped character of Lorne by increasing minimum lot sizes.
- Applying a restructure overlay to old inappropriate subdivisions.

## **Building Scale, Landscapes and Viewsheds**

### Building Height

The Coastal Development Policy establishes a maximum building height performance measure of 7.5m above natural ground level in order to:

*“Preserve the low-rise, low impact character of the coastal townships and of development along the Great Ocean Road.”*

It states that it is policy that:

- The height of buildings be determined by the surrounding context, taking into account the following principles:
  - Buildings should not protrude above the tree canopy in areas where the canopy is a key feature of the area;

- Buildings should not protrude above ridge lines to form a silhouette against the sky when viewed from the Great Ocean Road or any significant public viewing point;
- Building heights should not cause a building to be visually prominent in the context of the surrounding streetscape or coastal viewshed when viewed from the Great Ocean Road or any significant public viewing point;
- Building heights should be consistent with the surrounding streetscape character where the character is itself consistent with the above principles.

The policy provides that a lesser or greater height, than 7.5m, may be considered based on an assessment against the above principles and that a greater height will only be approved where one or more of the other performance measures in the policy is bettered.

Of the case studies, only half comply with the 7.5m standard, though of those that are also in the community perceptions study building height is not identified as a negative attribute. It is noted that despite being over 7.5m in height, all of the buildings in the case studies are two storey. In Dr Green's study, excessive building height was a negative attribute for developments of three or more stories.

It is considered that the maintenance of a generally low scale of buildings across the township is an important element of achieving the preferred neighbourhood character and therefore it is appropriate to retain the existing provisions in this respect. This is supported by the LSPR which concludes that *"Buildings should not protrude above the height of the dominant indigenous vegetation canopy, or where it is proposed to be re-established."* (P37)

#### Site Coverage and Building Size

The Coastal Development Policy states that it is policy that:

- Building and hard surface site coverage should respond to the characteristics and constraints of the site and locality.
- The achievement of vegetation cover performance measures will be a primary consideration in determining the appropriate site coverage for a particular property. The following performance measures are indicative and should not be interpreted as standards that are applicable in all situations:
  - The total building site coverage (including the footprint of all buildings, outbuildings, balconies, service installations such as water tanks and the like and all other appurtenances that have a surface height greater than 1m above natural ground level) should not exceed 35% of the total site area; and
  - The total hard surface site coverage (including buildings, outbuildings, balconies, swimming pools, and tennis courts of all surface types) should not exceed 50% of the total site area.

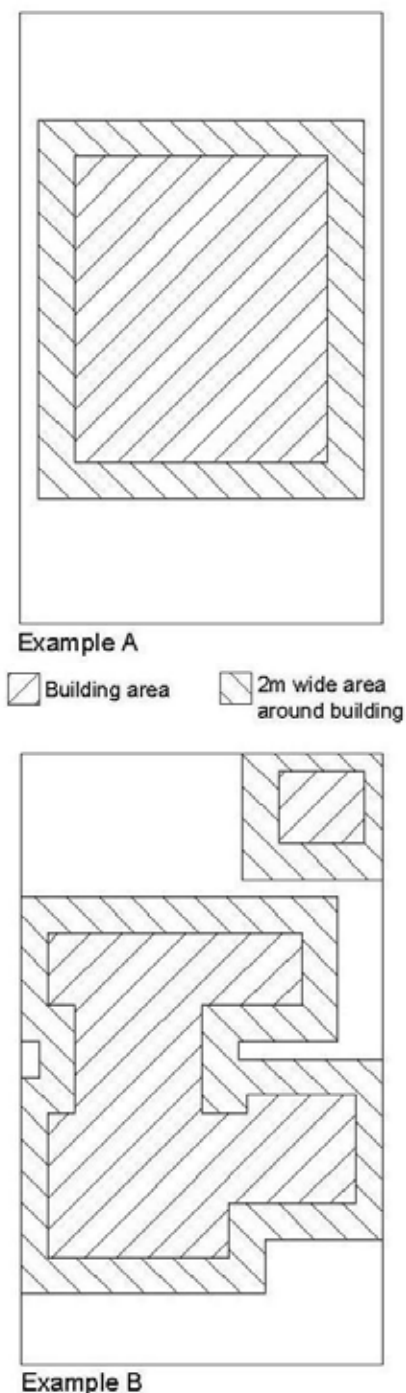
- The gross floor area of all buildings (including outbuildings, externally roofed areas and elevated structures such as swimming pools and tennis courts that have a surface height greater than 1m above natural ground level) should not exceed a plot ratio of 0.5.
- The site coverage or plot ratio may be increased where all of the following apply:
  - The land is not in an area where tree canopy or vegetation cover is a feature of the surrounding landscape;
  - The proposed building will not be visually intrusive or prominent when viewed from the Great Ocean Road or any other significant public viewing point;
  - The land is virtually flat and the increased intensity of buildings will not impact on the character of the landscape and surrounding area;
  - The landscape plan increases vegetation cover or otherwise makes a positive contribution to the vegetation or streetscape character of the locality.

The criteria for increasing site coverage or plot ratio will be rarely achieved in Lorne as there are few areas where the tree canopy is not a feature and the land is flat. Nevertheless the case studies show that there have been developments in the past that exceed the current performance criteria. It is telling that a low proportion of the incompatible development case studies, in particular the multi-dwelling ones, comply with the performance criteria. As noted previously, most of the incompatible developments exceed the performance measures in at least one area and where they do comply many are close to the upper limit of the performance measure.

Of the incompatible development case studies taken from the community perception study, lack of landscaping was commonly listed as a negative attribute. It is plausible to draw a correlation between a high site coverage and lack of landscaping. It is also significant that where the case studies did comply with one or more of the performance measures, they were often in the upper ranges for that element.

Consistently recorded attributes for incompatible developments in Dr Green's study was of buildings being large scale, bulky or dominant. This may be as a result of a wide range of factors such as building size, lack of articulation, small setbacks, or absence of screening vegetation. One measurable contributing factor is the overall building size or total floor area, which in proportion to site area is recorded as plot ratio. Plot ratio will have a significant influence on the visual bulk of a building, though acknowledging that other aspects also play a role. From the case studies all of the compatible developments comply with the current performance measure (plot ratio 0.5), but about one third of the incompatible developments exceed this ratio.

An aspect of site coverage that can not be easily reflected statistically is that the layout of buildings and hard surfaces on the site can have a significant influence on the area available for landscaping, in particular the maintenance and establishment of tall canopy trees. Figure 12 demonstrates how



**Figure 12- Building Layout Examples**

development with the same level of site coverage can have very different outcomes in terms of meaningful areas for landscaping. Both examples represent a site coverage of 35% and the 2m wide area around each building represents the area where vegetation can be removed without the need for a planning permit. Example B demonstrates that a highly disaggregated building form can substantially reduce the areas available for meaningful landscaping compared to a consolidated building form.

The Coastal Development Policy includes that it is policy that:

- Building footprints and hard surface areas should be minimised and designed and sited in order to minimise the amount of vegetation removed, taking into consideration:
  - The need to provide sufficient open space for the viable preservation of existing trees and the establishment of replacement trees.

However, there is no direction provided as to what is sufficient open space. In determining appropriate controls a mechanism should be provided for achieving areas available for landscaping that can accommodate mature tall canopy trees.

The LSPR recommended the approach of applying a minimum Landscape Area. The Landscape Area is proportional to lot size, but of at least 100m<sup>2</sup>, and larger if native vegetation removal is required by development. The LSPR gives the Landscape Area the following parameters:

- An area that can be located anywhere on site and is calculated on the basis of the site area.
- An area having no dimension less than 8 metres to allow for the development of substantial canopy trees.
- An area having a minimum setback of three metres from the side boundaries and from the proposed dwelling and any retaining walls. This setback will minimise the potential for damage to adjoining properties from limb drop or root systems, especially in cases where adjoining properties can and have developed the adjoining site close to the common boundary.

Within the Landscape Area a minimum tree planting requirement is applied, which is variable depending on neighbourhood precinct and amount of vegetation removal. It is proposed that greater replanting rates would be applied within areas with low existing canopy cover so as to increase the cover. The Landscape Area would be used in conjunction with site coverage controls. The LSPR draws the conclusion that low site coverage does not always translate to vegetation retention and planting, whereas the Landscape Area is an explicit landscaping requirement.

Whilst there is merit in this approach, the result is a complicated methodology that is difficult to translate to the planning scheme and may not be readily understood by users of the planning system. Even though the LSPR recommendation does encourage additional planting elsewhere, it places an emphasis on providing one area of landscaping, which may lead to proponents taking the approach of aiming for the minimum requirement. In addition the LSPR does not suggest how the Landscape Area is applied to



developments of one or more dwelling, for example whether one Landscape Area is required for the site as a whole or one area per dwelling.

The Landscape Area becomes particularly onerous for small lots. As an example a lot of 450m<sup>2</sup> (30m by 15m) with a 7m street setback would have an area available for building of just 8.9m by 15m, less side boundary setbacks. Obviously less area would be available if the street setback requirement was greater. The LSPR takes the position that each lot should make an equal contribution to the maintenance of the tree canopy, but some recognition must be given to the fact that there are lots of this size and smaller that are existing and have an entitlement to be developed for dwellings.

It is clear from the assessment of key character elements that the screening of development by vegetation from public and private view is important in creating a sense of houses in a bushland setting. The Landscape Area may achieve the outcome of maintaining the tree canopy, but it does not necessarily facilitate other landscape objectives. It is recommended that a somewhat simpler and more flexible approach be adopted to achieve the preferred outcomes. It is suggested that strategic building setbacks be utilised to achieve landscape areas and encourage building forms that are recessive in the landscape and a sense of space around buildings. Building setbacks will be discussed further in the next section.

The preferred character is the same across all precincts; therefore the maintenance and enhancement of the landscape in the long term should be facilitated by the provision of suitable areas for the retention of existing vegetation and planting of new vegetation similarly across all precincts. It is recommended that a consistent approach be applied across the township, as there is not strong justification to distinguish between precincts, and to simplify the controls. Discretion can be applied to account for variations in the site specific context.

### Setbacks

The Coastal Development Policy does not provide direction on building setbacks other than for properties fronting Mountjoy Parade or Great Ocean Road, for which it states that buildings should be setback 8 metres from the front boundary.

From Dr Green's resident perception study it is clear that the preferred neighbourhood character for the township includes buildings setback from streets with the setback area vegetated so as to screen or soften the view of buildings from the street.

The setback of buildings is in effect governed by the Rescode provisions either through Clause 54 or 55 of the planning scheme or the building regulations. In relation to street setbacks Rescode establishes minimum setbacks by reference to neighbouring buildings (the average setback of the two properties to either side). Therefore where there is existing development close to the street this negative character may be perpetuated through new development.

The LSPR recommended that setbacks should be variable to maximise vegetation retention. It also states that the construction of buildings on boundaries may be preferable if it provides for vegetation retention or a larger area available for landscaping along one boundary rather than narrow strips on both boundaries.

The establishment of significant landscaping that can achieve screening of the built form and positively contribute to the streetscape is reliant on sufficient space unencumbered by buildings and hard surfaces being made available. This is particularly so for the establishment of tall canopy trees with spreading crowns. In this regard it is considered appropriate to regulate street setbacks to achieve the preferred character, while providing discretion for variation where necessary due to site constraints such as existing significant vegetation or topography.

Boundary walls are perceived to be a negative characteristic that detracts from achieving a sense of space around buildings and therefore should be discouraged. The LSPR makes the assumption that narrow strips along boundaries will not provide sufficient space for vegetation to be planted, but it should be recognised that if side boundary setbacks are consistently provided the combination of space on both sides of the boundary should allow for the establishment of vegetation. Not only is a sense of space between buildings achieved, but vegetation creates screening and privacy between properties. Again discretion should be available to maximise the opportunity to retain existing vegetation.

Multi-dwelling developments in particular tend to have inherent difficulties in achieving setbacks from boundaries that are capable of facilitating landscaping that is consistent with the preferred character. These difficulties arise from having buildings located at the rear of sites, often close to the rear boundary, and long driveways along boundaries, with limited landscape area along the boundary or adjacent other buildings. Dwellings at the rear can also detract from the sense of openness and reduce the amenity level of open space on neighbouring properties.

The typical development pattern across the township is for buildings to be sited centrally on a lot, with the largest open space areas within the front setback and at the rear. As open space areas at the rear are normally adjacent open space on neighbouring properties the accumulated area provides the greatest opportunity for the retention of large canopy trees. The agglomeration of open space at the rear also contributes significantly to residential amenity by creating a sense of space between dwellings.

The development of buildings close to rear boundaries, in particular in multi-dwelling developments, has the potential to detract from this character and reduce the long term retention of canopy trees. As the indigenous canopy trees found in Lorne usually have large spreading crowns, often in excess of 10m diameter, a substantial area is required for their retention and establishment without impacting on the built form and vice versa. Therefore the development of buildings close to boundaries can impact on, or be impacted by, trees on neighbouring properties. To reinforce the character of open and vegetated back yards, it is recommended that a minimum rear boundary setback be applied.

In many ways the application of minimum front and rear boundary setbacks establishes two areas that will be available primarily as landscaped areas, not dissimilar to the concept of Landscape Area detailed in the LSPR. It is considered that boundary setbacks represent a far simpler methodology of achieving these landscape spaces and greater cohesion in building siting across neighbourhoods.

To draw further correlation with the conclusions of the LSPR, it is also recommended that minimum tree provision rates be applied. The LSPR determined that a tree density of 10 per 100sqm is readily achievable and reflects that found in areas of indigenous bushland. However, whereas the LSPR included minimum planting rates, it is proposed to require 10 trees per 100sqm of landscape area, including existing trees and new plantings. This is to acknowledge that some sites already contain an extensive tree cover and to further encourage tree retention.

#### Implementation:

- Discourage buildings that exceed a two storey height scale and generally a maximum building height of 7.5 metres.
- Use discretion to allow buildings greater than 7.5 metres in height only where it is demonstrated that:
  - The topography of the land constrains the ability to not exceed 7.5 metres in height; and
  - The additional building height will not cause loss of views from private and public viewing places; and
  - The residential amenity of neighbouring properties will not be reduced by overlooking or overshadowing; and
  - The building will not be prominent in the streetscape
- Maintain the integrity of the landscape by ensuring buildings do not protrude above ridgelines or the tree canopy.
- Ensure that sufficient area is provided around buildings, unencumbered by hard surfaces, to maintain and enhance the indigenous vegetation cover, in particular tall canopy trees.
- Apply minimum setbacks from boundaries.

#### Building Design

The Coastal Development Policy reinforces the concept of 'Surf Coast Style' stating that:

*"The emerging Surf Coast Style concept will be promoted by ensuring that architectural form, massing and articulation of dwellings complement or add to the elements which give coastal settlements their distinctive 'beach and bush' style character"*

The Surf Coast Style and Colours policy elaborates by listing the following elements:

- 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 within 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.
- The use of timber, natural materials and other innovative types of cladding in preference to the traditional urban use of brickwork and block work.
- In areas of environmental or landscape significance, the use of recessive or subdued colours.

From Dr Green’s resident perceptions study, features that were perceived as being incompatible with neighbourhood character include *“large boxy looking unit developments, houses and buildings with little surface and mass articulation, areas of high density housing development, views blocked by rooftops, “messy” looking residential properties, houses that appear to be transplanted from other places and those that look “suburban” in nature.”* (Green, 2002, Pi)

It is considered that the Surf Coast Style and Colours policy on the whole adequately encourages compatible attributes and discourages incompatible attributes and should be resulting in developments of architectural style that are compatible with the preferred neighbourhood character. This is consistent with the recommendations of the LSPR. However further direction should be provided for decision making in three areas, being building ‘boxiness’, repetition in multi-dwelling developments and prominence of accessways and car parking.

In the perceptions study the buildings attributed as being boxy are commonly those without visible roofs, often with parapet walls, or no eaves. Buildings with projecting eaves should be encouraged and parapet roofs discouraged where the building form is not highly articulated so as to reduce the perception of building bulk.

The repetition of building forms, particularly as experienced in multi-dwelling developments, was also listed as a negative attribute of many of the incompatible developments in Dr Green’s study. It is likely that repetition of built form accentuates the apparent building mass. A diversity of building forms should be encouraged to reduce the visual scale of development, as well as visual interest and sense of individuality. Aligned with this concept, where multi-dwelling developments are not attached, sufficient separation should be provided between dwellings so as to allow substantial landscaping.

The dominance of driveways and parking, particularly garages, was perceived to be a negative attribute in all types of development. This was commonly related to the expanse of driveway, which can be aligned with the reduced opportunity for landscaping, and the use of concrete, presumably because of the light colour and formal appearance of this material. It is recommended that driveways and parking should be recessive in the streetscape and not reduce the opportunity to maintain and establish vegetation.

The LSPR recommended that parking should be discouraged from being located in front setbacks and that garages should be setback 1.5m behind the front façade of the dwelling. If car parking is required within the front setback because of topography it was recommended that open carports be preferred



**Figure 13- Expanses of driveway and garages close to the street and in front of dwellings dominate the streetscape to the detriment of neighbourhood character**

over garages. The LSPR also recommended that the width of driveways be limited proportional to the property width with a maximum of 40% for lots of 20m width or less and 33% for over 20m, which is drawn from the Rescode standards. For an 18m wide lot this still equates to 7.2m, which represents a substantial hard surface area and could detract from achieving a landscape streetscape that softens the appearance of buildings. It is considered preferable to discourage more than single crossovers (3m width) unless the merits of the application warrant otherwise.

In many older developments undercover car parking is not provided with residents instead relying on informal open parking in front of dwellings. As these dwellings are renovated and improved, demand can arise for covered parking to be provided within the front setback, to the detriment of the streetscape. A similar trend in recent developments is for covered parking to not be provided, often so as to reduce building site coverage to within policy limits. Again later demand for covered parking can lead to unacceptable outcomes in the level of site coverage and siting of these structures. To avoid this situation consideration should be given to how covered parking may be accommodated within the development at a later date.

#### **Implementation:**

- Use the Surf Coast Style and Colours Policy to guide decision making.
- Encourage buildings with projecting eaves and discourage parapet walls unless the building form is highly articulated.
- Encourage diversity of built form, particularly in multi-dwelling developments.
- Ensure that driveways and parking is visually recessive in the streetscape by:
  - Discouraging undercover or enclosed car parking forward of the main building façade, with a preference, if required, for open carport structures;
  - Discouraging more than one single crossover for each property;
  - In multi-dwelling developments and battle-axe subdivisions, encouraging shared driveways;
  - Siting driveways and parking so that it can be screened from the street by vegetation;
  - Encouraging driveway surfaces and finishes that are informal in appearance, including gravel, dark coloured concrete and exposed aggregate.
- Ensure that covered parking is capable of being provided in a manner that is consistent with character objectives.

### Fencing

Under the SLO1 a planning permit is required to construct a fence except where:

- The property is in the Residential 1 Zone in the town of Lorne and:
  - The fence is not more than 1.6 metres in height and located on a side or rear property boundary which does not abut a road; and
  - The fence is not constructed of brick, stone, masonry or sheet metal.

Therefore, a planning permit is not required for timber paling side and rear boundary fences up to 1.6m in height. Where a permit is required, the Coastal Development Policy states that it is policy that:

- The height, design and materials of fences should complement the character of the streetscape and locality.
- In environmentally or visually sensitive areas, or where consistent with the prevailing character of the locality, fences should be of timber post and wire construction.
- The use of brick, stone, masonry or sheet metal as a fence panel material is discouraged.
- The construction of front fences is discouraged, except where consistent with the prevailing character of the streetscape.
- Front fences should not exceed a maximum of 1.5 metres and if greater than 1.0 metre in height must be designed or constructed of permeable materials which allow filtered views into the garden from the street.

An issue arises from the fact that consideration of the character of the locality can not be given where a planning permit is not triggered. Fencing was found to be a negative attribute in Dr Green's study, in particular front fencing and timber paling side fences.

To achieve the preferred neighbourhood character solid fencing should generally be discouraged in favour of landscaping being used to provide privacy between properties. This requires control over fencing which is not afforded by the current planning controls. This is consistent with the findings of the LSPR.

#### **Implementation:**

- Apply permit requirements for fences that are not consistent with the preferred character.
- Discourage solid fencing in preference for planting of vegetation or low open style fencing.

## Design and Development Overlay Schedule 4

The Tourist Accommodation Precincts along Smith Street between Otway Street and Bay Street and at the eastern end of the point are covered by the SLO1 and DDO4. The application of these two overlays creates some level of contradiction as DDO4 includes the following performance criteria, which vary from those in the Coastal Development Policy:

- All development shall conform to Clause 54 and 55
- At least 30 percent of the site should be set aside for landscaping including the 2 metre setback areas adjoining any front and side street boundary.
- The maximum height of all buildings should not exceed 8.0 metres above natural ground level.

The contradiction is resolved by giving due regard to the policy basis for the Tourist Accommodation Precinct, of providing for a range of accommodation options in close proximity to the central retail core and recreational resources through medium and high density development.

The main role the SLO1 plays in guiding decision making for developments within the Tourist Accommodation Precinct is to require consideration of view sharing from surrounding properties. It is considered appropriate to clarify the development outcome intended for this precinct by removing any contradiction between overlay and policy controls.

The Tourist Accommodation Precinct offers the potential for dwelling diversity, whether for short term accommodation or residency, in the location within the town best able to take advantage of the commercial and recreational facilities available. The topography of the town reduces walk-ability particularly for those that have mobility impairments. The limited public transport available is focused on connecting towns rather than providing transport within the township.

To promote non-car based travel (walking and cycling) it is considered appropriate to maintain and strengthen the emphasis of the DDO4 to encourage a diversity of accommodation types, at higher densities.

The performance criteria within the DDO4 do allow a much greater level of development than the other residential areas, with only 30 per cent of the site required to be set aside for landscaping. In addition, in one decision VCAT (*Meca Investments v Surf Coast SC* [2003] VCAT 812), on a matter within this precinct, made the determination that the landscaping area could include hard landscaping such as paths, in addition to soft landscaping or planting, thereby potentially reducing the planted area. These two factors have the potential to significantly impact on the landscape character within the Tourist Accommodation Precinct.

Whilst this is in part expected, it is also considered that the establishment of landscaping, in particular tall canopy trees, in this area is important for the overall landscape character of the township, particularly as more high density development occurs in the precinct. To require more landscaped area would run contrary to the development objectives for the precinct, but it is recommended that landscape areas be consolidated, within sites and across sites, so as to provide areas that can accommodate tall canopy trees. It is



**Figure 14- Higher density development is being provided within the Tourist Accommodation Precinct**

further considered that in this precinct tree species, other than indigenous species, may be appropriate so as to enable planting that will survive in the more constrained conditions that can be expected.

**Implementation:**

- Remove the application of the SLO1 from areas covered by DDO4.
- Reinforce the intent of the DDO4 to encourage a diversity of accommodation types within close proximity to the commercial centre of Lorne.
- Include view sharing as a relevant consideration under the DDO4.
- Encourage consolidation of landscape areas, with emphasis on planted space, within and across sites.
- Allow non-indigenous tree species where appropriate.



## Housing Supply and Affordability

A significant issue for the sustainable social and economic development of the Surf Coast Shire, including the Lorne Township, is the diversity of housing choice and the supply of affordable housing. Affordable housing is commonly defined as “well located housing, appropriate to the needs of a given household, where the cost (whether mortgage repayment or rent) is no more than 30% of the household’s income.” Low cost housing, both for long and short term occupation, is an important resource for economic growth by providing accommodation for workers, particularly those employees in the tourism, retail and hospitality industries.

In recognition of this issue, the Surf Coast Shire has commissioned a Municipal Housing Strategy to address housing issues across the shire. The issues paper, *Surf Coast Housing Policy Project – Stage 1: Draft Research and Analysis Report* (plan|i'sphère, June 2006)(SCHPP), identifies that the Surf Coast Shire is the least affordable regional municipality in Victoria when comparing housing rental costs and that there is a lack of low cost housing in coastal townships such as Lorne.

The decrease in housing affordability in Lorne can be attributed to a number of factors, many of which are common across the shire and the State, including:

- Limited land supply. Lorne is surrounded by the Great Otway National Park with few private properties within the hinterland and no identified locations for broad acre subdivision.
- Decreasing household size. The average household size has, and is forecast to continue to, decrease, increasing the number of dwellings required to accommodate the population. This reflects the increasing number of retirees and young couples attracted to the area and the ageing in place of existing residents.
- Lack of dwelling diversity. The Surf Coast Shire is overrepresented in the larger format separated dwelling type (4+ bedrooms) and lower than average proportion of smaller dwelling types (1-2 bedroom). Planning permit approvals for new dwellings in Lorne for 2005 show that of the 22 approved 17 contained three bedrooms and 5 had four or more bedrooms with no smaller dwelling types. This suggests that the trend for larger dwelling types is continuing.
- Low permanent occupancy. Lorne township had a 2001 occupancy rate of only 30.4%, due to the very high incidence of dwellings used as holiday homes.
- Increasing property prices. Between the years 2000 and 2004 the median price increased by 113%, which represents one of the lowest proportional increases in the Shire, but Lorne continues to have the highest median price. Property prices are influenced by each of the above factors.

Matters of sustainability, diversity and affordability are not solely issues of planning, with a wide range of influences and means of regulation. Nevertheless land use planning does play an important role in providing for these outcomes and it is also important to recognise the impacts that planning for other objectives can have on these issues.

Substantially increasing the supply of residential land by extending into the hinterland of the township, is not an option for many reasons including environmental and landscape values, wildfire risk and the difficulties in infrastructure provision. This is supported by clear State policy to establish town boundaries to maintain breaks between coastal townships, prevent ribbon development and to minimise impacts on sensitive environments and viewsheds. For these reasons population growth within the Shire will be focussed on Torquay and Winchelsea and elsewhere outside of the Shire in a regional context.

Within the town boundaries the opportunities to provide for additional dwellings through in-fill development and redevelopment are already limited. The proposed measures in the earlier chapters are likely to have the effect of further reducing these opportunities, but they are considered necessary to protect the character of the township. State policy supports planning for the protection of coastal township character in recognition of the social, environmental and economic contribution of the coastal environment, in particular the Great Ocean Road region, to the well-being of Victoria.

The SCHPP found that the Surf Coast Shire has a diverse population but does not have a diversity of housing types and is over-represented in large dwelling formats (3-4+ bedrooms) and under-represented in smaller dwellings. As stated earlier it is expected that household sizes will continue to decrease, therefore there is likely to be a growing divergence between the space needs of households and the supply of house types. The SCHPP suggests that providing small dwellings now may assist in freeing up larger dwellings that are currently occupied by smaller households in addition to providing a greater choice of house types.

Elsewhere the SCHPP identifies that in general, larger dwellings are considered to be a less sustainable dwelling form, due to the amount of resources consumed in the construction and operation of these buildings, increasingly to accommodate fewer people. In Lorne, 70% of dwellings are not permanently occupied, representing an underutilised consumption of resources. Encouraging the development of smaller dwelling sizes would support Environmentally Sustainable Development (ESD) principles.

It is suggested that to:

- offset the reduced development potential that is likely to arise from applying controls to protect neighbourhood character;
- provide greater housing choice and diversity; and
- advance ESD principles

it is appropriate to encourage the development of smaller housing types in locations best able to utilise social infrastructure and facilitate non-car based transport. This is consistent with State policy that encourages urban consolidation, providing housing to meet the needs of the population and environmental sustainability. The topography of Lorne is an inhibitor to pedestrian movement and cycling and this will need to be considered in determining the most appropriate locations for this form of development.

The provision of smaller house types has the potential to facilitate the supply of lower cost housing, but it must be recognised that the housing market in Lorne is biased towards the higher end of the market. It can be expected that developers will seek to maximise economic returns by developing 'luxury' apartments in preference to low cost housing. A housing strategy for the Shire will consider housing issues at the municipality level and as noted mechanisms outside of land use planning may be required to induce affordable housing.

One of the housing affordability issues specific, but not exclusive, to Lorne is related to providing accommodation for the workforce that is required for the tourism, hospitality and retail industries, particularly during peak periods. The SCHPP notes that many workers in Lorne, and other coastal towns, are travelling from Geelong, Winchelsea and Colac due to the lack of low cost housing in the vicinity. This reliance on lower cost housing in other urban centres or hinterland areas to house Lorne's workforce is not particularly sustainable due to the lack of public transport, however without employees these industry sectors will suffer. The measures to encourage smaller house types, may also facilitate the development of accommodation options for workers, particularly the part time workforce.

**Objectives:**

- To promote sustainable growth in Lorne in a manner that enhances the distinctive low density coastal character and balances the needs of permanent residents and visitors

**Strategies:**

- Encourage dwelling diversity in areas within close proximity to the central retail core.

**Implementation:**

- Allow increased densities in locations within close walking distance of the commercial centre where providing for smaller dwelling types.

