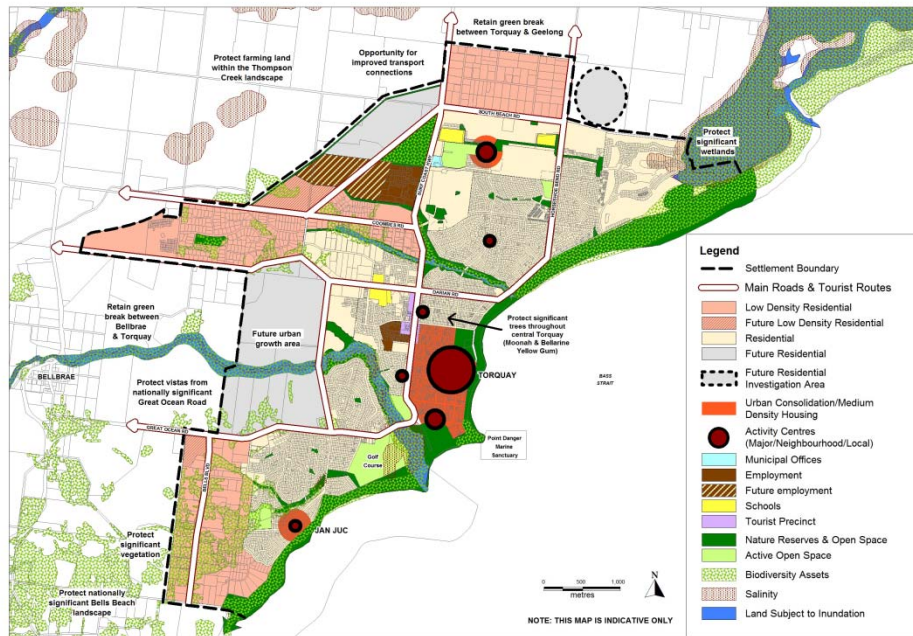


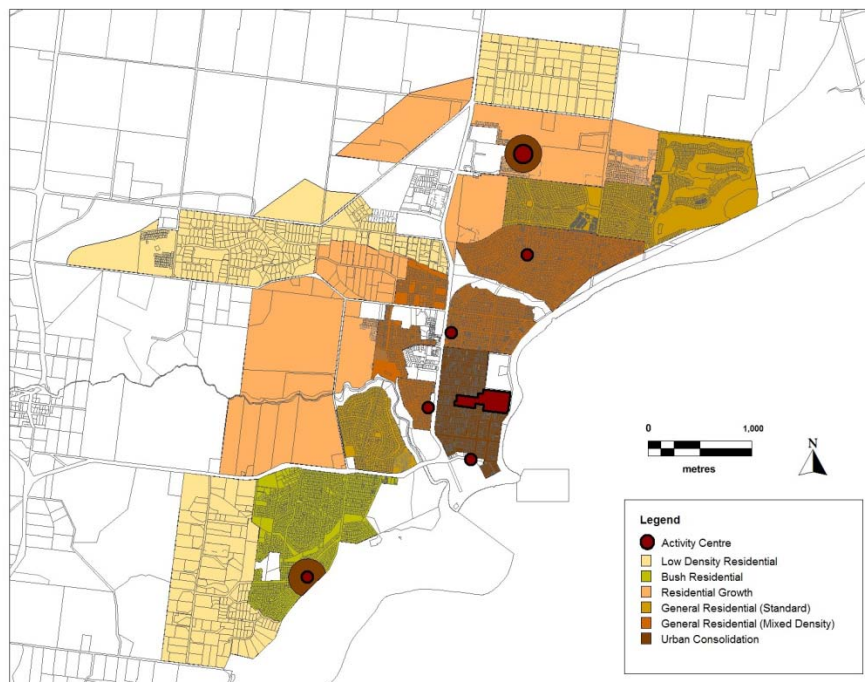
Planning Scheme Ordinance Changes

Correction Item 16 - Amend 'Map 1 to Clause 21.08: Torquay/Jan Juc Framework Map'; 'Map 2 to Clause 21.08: Residential Development Framework', 'Map 3 to Clause 21.08: Activity Centre' and 'Map 1 to Clause 22.09 – Torquay-Jan Juc Residential Development Framework'

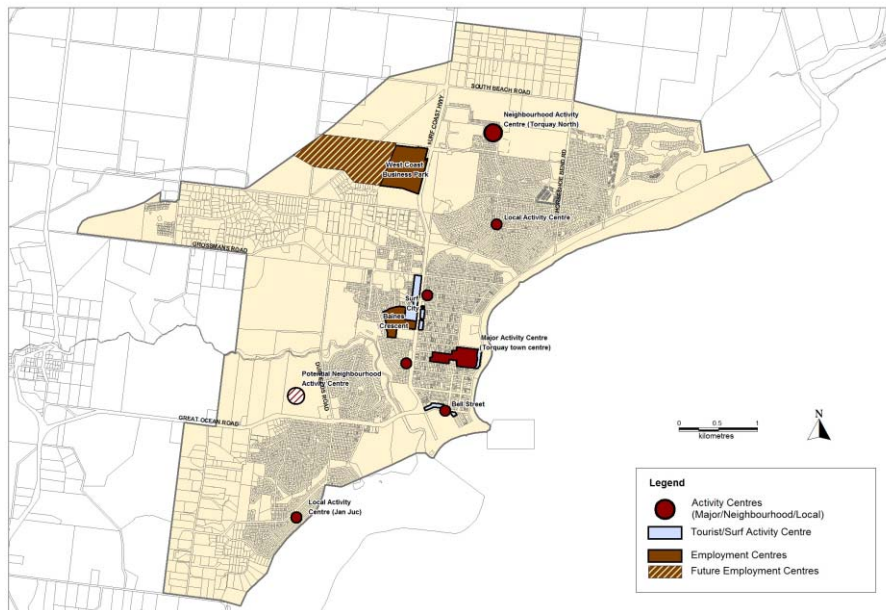
Map 1 to Clause 21.08: Torquay-Jan Juc Framework Map



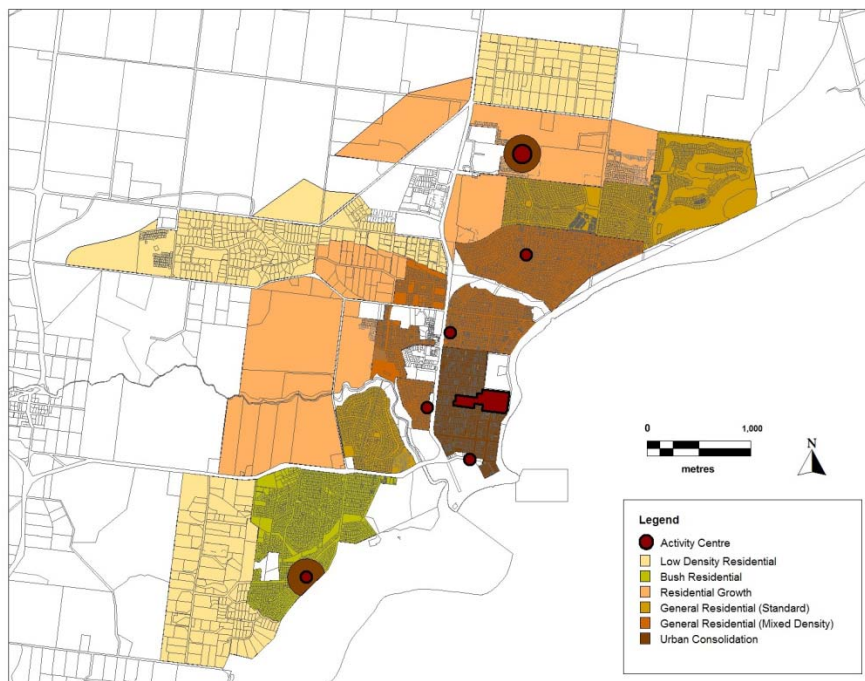
Map 2 to Clause 21.08: Residential Development Framework



Map 3 to Clause 21.08: Activity Centre Hierarchy



Map 1 to Clause 22.09 – Torquay-Jan Juc Residential Development Framework



Correction Item 17: Amend Table 1 to Clause 22.09 – Torquay–Jan Juc Residential Development and Neighbourhood Character Policy

Table 1 to Clause 22.09

Housing area type	Preferred characteristics	
	Housing intensity/density/scale	Dwelling types
Urban Consolidation (medium/higher density) (significant change) Old Torquay South and areas within 400m walking distance of NAC's	<p>Well-designed medium and higher density housing at a higher intensity of development than in general residential areas (15-25 dw/ha).</p> <p>Up to 2 storeys (7.5m), with 3 storeys a possibility where appropriate having regard to the interface with adjoining land use (e.g. commercial, open space), site response, streetscape and amenity impacts, and level of achievement of housing diversity objectives.</p> <p>Development to make a positive contribution to the desired future neighbourhood character and streetscape, including opportunities for tree protection and planting within front setbacks.</p>	Units, townhouses, terrace housing, low-rise apartment style housing.
General Residential (mixed density) (moderate change) Old Torquay North Wombah Park Church Estate Surf View / Beach Road Deep Creek / Briody Drive	<p>Moderate housing growth and diversity.</p> <p>Dispersed medium density infill development at a higher proportion and intensity than in bush residential areas but less than in urban consolidation areas (overall 15 dw/ha).</p> <p>Up to 2 storeys (7.5m).</p> <p>Development to make a positive contribution to the desired future neighbourhood character and streetscape, including opportunities for tree protection and planting.</p>	<p>Single dwellings (small to conventional house lots).</p> <p>Dispersed second dwellings, dual occupancies, villa units and townhouses.</p>
General Residential (standard density) (limited change) Great Ocean Views South Beach Estate The Quay	<p>Limited opportunities for housing growth and change.</p> <p>Retain predominant single dwelling character, with some limited opportunity for dispersed medium density housing (10-12 dw/ha).</p> <p>Up to 2 storeys (7.5m).</p> <p>Development to make a positive contribution to the desired future neighbourhood character and streetscape, including opportunities for tree protection and planting.</p>	<p>Predominantly single dwellings (conventional house lots).</p> <p>Limited dual occupancies, villa units, townhouses.</p>

Housing area type	Preferred characteristics	
	Housing intensity/density/scale	Dwelling types
Bush Residential (lower to standard density) (limited incremental change) Jan Juc	<p>Limited to modest opportunity for housing growth and diversity.</p> <p>Sensitively designed single dwellings and some dispersed medium density dwellings that respect the valued attributes of the existing and preferred neighbourhood character (10 dw/ha).</p> <p>Up to 2 storeys (7.5m).</p> <p>Development to make a positive contribution to the desired future neighbourhood character and streetscape, with an emphasis on retaining and enhancing vegetation.</p>	<p>Predominantly single dwellings (conventional house lots).</p> <p>Limited second dwellings, dual occupancies, villa units and townhouses.</p>
Residential Growth (Greenfield Areas) Torquay North Messmate Road Spring Creek	<p>A range of lot sizes ranging from conventional lots to medium and higher density lots surrounding activity centres and public open space reserves (overall average density of 15 dw/ha; 20 dw/ha within 400m of NAC or open space).</p> <p>Up to 2 storeys (7.5m) with possible 3 storey development within or close to activity centres and active public open space.</p> <p>The planting of indigenous and other typical coastal vegetation around the dwellings creates a linkage to the coastal setting. Consistent street tree planting assists in unifying the appearance of the areas.</p>	<p>Single dwellings (small to conventional house lots).</p> <p>Townhouses, terrace housing, low-rise apartments.</p>
Low Density Residential Areas LDRZ areas	<p>Dispersed single housing at low densities (minimum 2,5002,000 sqm for sewered lots; 0.4ha for unsewered lots <u>except where a local variation to this minimum lot size is specified in the Schedule to the LDRZ</u>).</p> <p>Up to 2 storeys (7.5m).</p> <p>Strong landscape character.</p>	<p>Single dwellings (large lots).</p>

*dw/ha denotes dwellings per hectare

Correction Item 18 - Amend Clause 43.01 in the Schedule to the Heritage Overlay, "Heritage Place" HO3 relating to 1135 Barrabool Road, Barrabool and;

Correction Item 19 – Amend Clause 43.01 Schedule to the Heritage Overlay to delete HO63 relating to the former Ozone Milk Bar 116 Mountjoy Parade, Lorne.

(Note – only the change to the Schedule to the heritage overlay is included not the full Clause)

<div> <div>14/03/2013</div> <div>UC44</div> <div>Proposed</div> <div>C103</div> </div> <div>SCHEDULE TO THE HERITAGE OVERLAY</div> <div>The requirements of this overlay apply to both the heritage place and its associated land.</div>									
PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO3	<u>Barrabool Uniting (formerly Presbyterian) Church including former Manse and mature garden setting specifically Cupressus macrocarpa (Monterey Cypress) hedges, and Pinus Radiata (Radiata Pine), Lagunaria Patersonia (Norfolk Island Hibiscus) Araucaria heterophylla (Norfolk Island Pine), Fraxinus oxycarpa Golden Ash and Cupressus sp. trees, including interior.</u> 1135 Barrabool Rd (cnr Andersons Rd), Barrabool	yes -- <u>Church and former Manse.</u>	yes -- <u>Church.</u>	no <u>yes --</u>	no	no	yes	—	no
HO63	Ozone Milk Bar, 116 Mountjoy Parade, Lorne	no	no	no	no	no	no	—	no

Correction Item 20 – Amend Clause 43.02 Schedule 12 to the Design and Development Overlay (DDO12) – Lorne Residential Areas.

10/10/2013
C78
Proposed
C103

SCHEDULE 12 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO12.

LORNE RESIDENTIAL AREAS

1.0

16/10/2008
C34

Design objectives

To ensure that lot sizes are sufficient to accommodate adequate vegetation, including substantial trees, buildings that meet the preferred neighbourhood character, and provide space for wildfire management requirements.

To protect the quality of the vegetated amphitheatre vista of the Lorne township as viewed from the public realm.

To reinforce and/or establish an unfenced open character throughout Lorne.

To encourage a diversity of dwelling types within locations in close proximity to the commercial centre of Lorne.

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

To minimise the visual impact of signage.

2.0

10/10/2013
C78

Buildings and works

Permit Requirement

A permit is not required to construct a building or carry out works.

A permit is required to construct a fence. This does not apply to a fence that is:

- Of post and wire construction; and
- Not more than 1.5 metres in height; and
- Not located on a street boundary or within a street boundary building setback.

3.0

10/10/2013
C78
Proposed
C103

Subdivision

Requirements

Subdivision must meet the following requirements:

- A lot must have an area of at least:
 - 550m².
 - 1000m² for land within the Mountjoy Parade Heritage Precinct (HO77).
- Each lot created should be capable of complying with the requirements of Schedule 2 to the Neighbourhood Character Overlay (Clause 43.05).
- Be the subdivision of existing dwellings or be accompanied by an application to develop more than one dwelling.

The minimum lot area requirement can only be varied with a permit where:

- The land is within a Restructure Overlay and the number of lots to be created conforms with the maximum number of dwellings allowed in the Table to the Lorne Restructure Plan (incorporated document); or
- All of the following apply:
 - The land is within the area shown shaded on Map 1 to this schedule; and
 - The creation of lots less than 550m² increases dwelling diversity by providing smaller dwelling types (in floor area and number of bedrooms); or.
- The land is developed by two or more dwellings which were lawfully constructed and approved before 16 October 2008.

Exemption from notice and review

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

4.0

16/10/2008
C34

Advertising signs

Advertising sign requirements are at Clause 52.05-8, Category 4.

5.0

10/10/2013
C78

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 43.02-5 the responsible authority must consider:

Fencing

- Whether fencing forward of the building is in keeping with the preferred streetscape character.
- Whether solid fencing has been used sparingly and only for achieving privacy for habitable room windows and designated areas of private open space.
- Whether the fencing material contributes to an open non-suburban character and has a lightweight appearance.
- Whether vegetation can be used in preference to fencing to provide privacy between dwellings.
- Whether solid fencing would be visible beyond the site.
- Whether fencing abutting a public open space reserve or walkway needs to be permeable to allow surveillance of the public realm.

Subdivision

- The need for a lower density of development or larger lots for any of the following reasons:
 - to minimise the removal of native vegetation;
 - in response to the topography of the land;
 - due to the visual prominence of the site from the Great Ocean Road and other public viewing points;
 - the size, shape or orientation of the land;

Correction Item 21 - Delete Clause 43.02 Schedule 14 (DDO14) – affecting land at Pimelea Way, Torquay (Old Council depot).

12/07/2012
C76

~~**SCHEDULE 14 TO THE DESIGN AND DEVELOPMENT OVERLAY**~~

~~Shown on the planning scheme map as **DDO14**.~~

~~**Part 25 Grossmans Road, Torquay**~~

~~**1.0 Design objectives**~~

12/07/2012
C76

~~To ensure any future development maintains pedestrian access from Koorunga Place to Grossmans Road.~~

~~To consider a future connection to the Surf Coast Highway across the adjacent land in the future development of the land.~~

~~To ensure any future development maintains the amenity of the adjacent retirement village residences.~~

~~**2.0 Buildings and works**~~

12/07/2012
C76

~~**Permit requirement**~~

~~A permit is not required for alterations and extensions to an existing dwelling. Any alterations and extensions must comply with the building setback requirements of this Schedule.~~

~~**Requirements**~~

~~Any development of the the land must maintain a public pedestrian access linking Koorunga Place to Grossmans Road via a concrete footpath at a width to the satisfaction of the responsible authority with baffled security floodlights that meets Australian Standards. Such access is to be set aside as a public reserve.~~

~~A building, including a pergola or verandah, must not be sited within 3.0m of the southern boundary of the land covered by this schedule.~~

~~A building within 3.0 to 6.0 metres of the southern boundary of the land covered by this schedule, must not exceed 4.0 metres in height above ground level.~~

~~**3.0 Subdivision**~~

12/07/2012
C76

~~A permit is not required to subdivide land where each lot contains an existing dwelling.~~

~~**4.0 Decision guidelines**~~

12/07/2012
C76

~~Before deciding on an application, the responsible authority should consider:~~

- ~~• The need to maintain the pedestrian access between Koorunga Place and Grossmans Road.~~
- ~~• The need to consider a future vehicle connection to the Surf Coast Highway via the adjacent land to the east (85 Great Ocean Road, Torquay) where the application is for subdivision creating a conventional residential subdivision.~~
- ~~▪ The need to maintain privacy and solar access to north facing windows and private open space of the adjacent retirement village residences.~~

Correction Item 22 - Delete Clause 43.04 Schedule 1 (DPO1) – affecting land at Bimbadeen Drive and Narani Way.

~~10/01/2006
VC37~~

SCHEDULE 1 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO1**

LAND AT WYBELLENA DRIVE AND BIMBADEEN DRIVE, FAIRHAVEN

The objective of this schedule is to ensure that residential development of the land is undertaken in a manner, layout and intensity consistent with vegetation and landscape values of the land, particularly:

- ~~Substantial retention of existing mature trees;~~
- ~~Rehabilitation and conservation of understorey vegetation indigenous to the site;~~
- ~~Retention of a tree canopy and~~
- ~~Minimisation of adverse visual impact upon the locality, particularly upon views along and across the Painkalac Creek valley.~~

1.0 Requirements for development plan

~~10/01/2006
VC37~~

The development plan must show:

- ~~Allocation of land in the Public Conservation and Recreation Zone for public open space of about 2.387 hectares and a retarding basin of about 660 square metres;~~
- ~~A residential development layout and associated mechanisms that achieve the following objectives:~~
 - ~~— retention of a substantial proportion of mature trees existing on the land;~~
 - ~~— maintaining a forest canopy and minimising visual impact of development when viewed from beyond the site, particularly across the Painkalac Creek valley; and~~
 - ~~— substantial rehabilitation and ongoing conservation of understorey flora species indigenous to the land consistent with sensitive residential development.~~
- ~~Indicative sites for dwellings, comprising habitation envelopes generally no greater than 300 square metres, and areas allocated for vehicular access ways between roadways and habitation envelopes;~~
- ~~Location of all roadways, road reserves, services (including underground services) and access ways (driveways) on both road reserves and individual lots;~~
- ~~The location of lot boundaries;~~
- ~~No greater than 48 lots, each with one habitation envelope for a single dwelling;~~
- ~~No lots of less than 1,000 square metres;~~
- ~~Habitation envelopes no closer than 10 metres from Bimbadeen Drive;~~
- ~~The location of existing surrounding development and address the relationship of proposed new dwellings, roads and services upon amenity of existing residences;~~
- ~~An area of vegetation and habitat retention along the gully at the north of the land;~~
- ~~Vehicular circulation routes that facilitate emergency egress from the land in the event of wildfire;~~

The development plan must also include adequate mechanisms and arrangements (such as commitments to enter into any Agreements under Section 173 of the Act or application of covenants) that achieve:

- ~~Transfer of the open space component of the land into public ownership for flora and fauna conservation and stormwater retardation at an appropriate stage of the development process.~~
- ~~Implementation of a professionally prepared vegetation management plan that ensures the retention of established trees on the land (excepting those designated for removal as part of the plan) and achieves the rehabilitation and ongoing management of indigenous understorey plants and trees. This should include an arborist report on management of trees that may be impacted upon by construction works.~~
- ~~Guidance as to development within habitation envelopes, including building footprint maxima, building heights and other factors that may impact upon the achievement of the objectives of this overlay.~~
- ~~Guidance as to design style and type and colour of external materials for development on this land that may assist achievement of compatibility of development with the locality and consideration of the landscape character objective of Schedule 1 to the Significant Landscape Overlay as applicable to this land.~~
- ~~Practical and binding mechanisms that ensure owners and future owners of the land are aware of and obligated to the ongoing management of flora on the land, including restraints on the introduction of inappropriate plant species and inappropriate development or activities outside habitation envelopes.~~
- ~~Development within each habitation envelope is restricted to one detached dwelling and ancillary buildings and works.~~
- ~~Application of perpetual covenants or alternative enduring mechanisms to all affected lots prohibiting development and removal of vegetation and habitat on land within 8 metres of the centre line of the gully running across the northern part of the land, and all land to the north of that centre line.~~

When submitted for consideration by the Responsible Authority, the development plan must be accompanied by the following information:

- ~~An accurate survey of the land showing contours, adjacent development and features, and the location of all trees with a trunk diameter greater than 200 millimetres at a height of 1.0 metre above ground level, and noting the species of each tree.~~
- ~~Identification of those trees shown in the survey that are proposed to be removed to enable construction of roadways and provision of services, within habitation envelopes and along vehicular access ways (driveways) between roadways and habitation envelopes.~~
- ~~A summary of the number and proportion of trees subject to removal, and the total area of land affected by roadways, habitation envelopes, vehicular access ways and clearing for provision of services.~~
- ~~A professionally prepared assessment, including plans and perspective views, illustrating the impact that loss of these trees and permissible development within habitation envelopes would have upon the continuity of the tree canopy, and upon views of the land from key locations, including the Painkalac Creek valley.~~
- ~~Demonstration that the layout and intensity of development is compatible with the objectives of this overlay.~~