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## SCHEDULE 12 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO12**.

### LORNE RESIDENTIAL AREAS

#### 1.0

#### Design objectives

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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

#### Buildings and works

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#### 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

#### Subdivision

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#### Requirements

Subdivision must meet the following requirements:

- A lot must have an area of at least:
  - 550m<sup>2</sup>.
  - 1000m<sup>2</sup> 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 550m<sup>2</sup> increases dwelling diversity by providing smaller dwelling types (in floor area and number of bedrooms).

[A permit is not required to subdivide land if the land is developed by two or more dwellings which were lawfully constructed or approved by a permit issued under this Scheme 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**

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#### **Advertising signs**

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

#### **5.0**

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#### **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;

- to minimise the risk from wildfire;
  - any other constraint.
- Whether the development of land at higher densities will encourage a diversity of housing types, in particular smaller dwellings.
  - The need to restrict certification of the plan of subdivision under the Subdivision Act 1988 prior to the substantial completion of the development.
  - Whether roads and footpaths are designed to achieve an informal appearance, with an emphasis on retaining and planting vegetation within road verges and alternatives to concrete kerb and channel drainage.
  - Whether provision is being made to locate service infrastructure, including power supply lines and telephone cables, underground.

*Advertising signs*

- The need to avoid brightly coloured signage, large signs or a proliferation of signs that would detract from the landscape values.

**Map 1 – Subdivision Precinct**

