

20/03/2014  
C66**SCHEDULE 23 TO THE DESIGN AND DEVELOPMENT OVERLAY**Shown on the planning scheme map as **DDO23****TORQUAY NORTH NEIGHBOURHOOD ACTIVITY CENTRE****1.0**20/03/2014  
C66**Design objectives**

To facilitate the development of a 'main street' type activity centre with shops fronting directly onto Merrijig Drive and Fischer Street to provide an active and pedestrian focused interface.

To encourage a design and built form that reflects Torquay's coastal atmosphere, emphasising strong associations with the beach and surfing culture of the township.

To ensure shops and cafes activate the street, with large car parking areas and larger format retail premises (e.g. supermarket) that have large areas of blank walls being 'sleeved' by small retail or commercial premises.

To promote development that is designed to cater for retail at ground level and office space or other professional type uses and dwellings on upper levels.

To create an environment conducive to walking, cycling and public transport use.

To ensure the landscaping of streets, public open spaces and private land contributes to a high quality environment.

To ensure the design and location of car parking and vehicular access does not detract from the amenity of the area.

To encourage interesting and innovative advertising signage that contributes to a vibrant centre and does not detract from the amenity of the area.

**2.0**20/03/2014  
C66**Buildings and works**

A permit is not required for alteration to an existing building facade provided:

- The alteration does not include the installation of an external roller shutter; and
- At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.

**Application Requirements**

An application to construct a building or to construct or carry out works must be accompanied by the following information, as appropriate:

- A site description and design response that explains how the proposed development responds to the objectives and requirements of this schedule.
- Details of the type and colour of all external building materials.
- Details of the type, location, size, colours, materials and content of any advertising signs.
- A landscape plan that shows the location, species and height of proposed vegetation.

## Exemption from notice and review

An application 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. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

## Requirements

### Building height

- Buildings should have a height of 2 storeys, with the exception of larger format retail premises (e.g. supermarket), but not higher than 8 metres above natural ground level.
- A feature ‘gateway’ building is to be located at the north-east intersection of Fischer Street and Merrijig Drive that incorporates a 3 storey element with a maximum height of 10.5 metres above natural ground level.
- A minimum ground level floor to ceiling height of 3.5 metres is required for all buildings within the neighbourhood activity centre, to allow for immediate or future commercial / retail ground floor use. The minimum upper level floor to ceiling height is 2.7 metres.

### Building setbacks

- Buildings should be set back from the Fischer Street and Merrijig Drive frontages to achieve a minimum 4 metre wide footpath between the back of kerb and front wall, with some provision to be made for outdoor dining where appropriate, in accord with Diagram 1.
- Zero side boundary setbacks are encouraged to create a continuous building edge to the street.

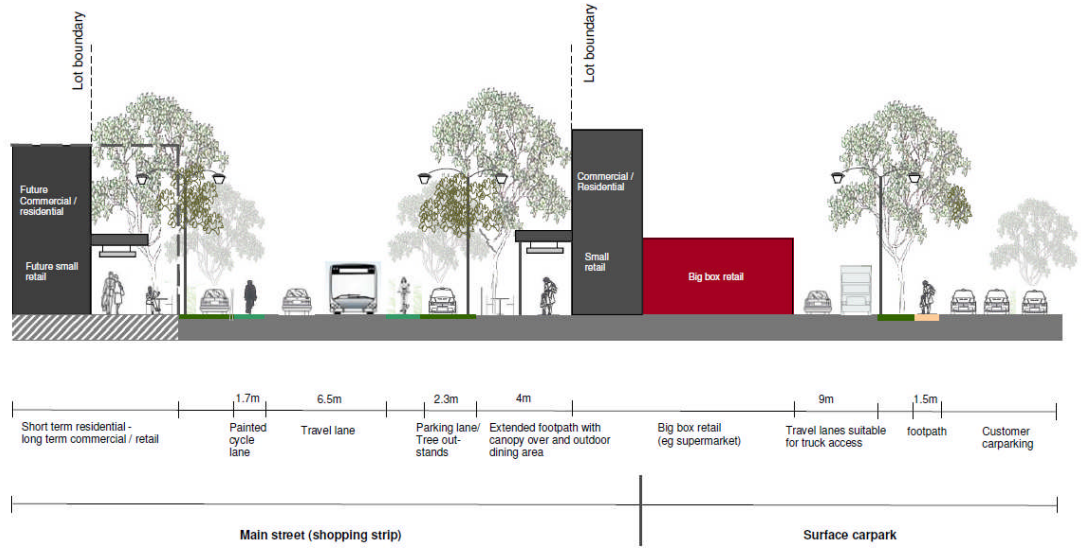
### Building design

- Building facades should provide for individuality in shop front presentation and promote activity and interaction with the street.
- Buildings should be designed to differentiate horizontal and vertical tenancies and provide a variety in roof forms.
- Larger format retail premises (e.g. supermarket) should engage with the main streets and be sleeved by active frontages to the street as shown in Diagram 2 ‘Sleeving the Box’.
- Buildings on corner sites should be designed to emphasise the corner location and address both street frontages.
- Provision is to be made for an awning over the footpath along Fischer Street and Merrijig Drive that extends the length of the shopping strip and has a consistent height.
- Buildings should be scaled and orientated to maximise sunlight penetration to footpaths and alfresco areas during winter, where possible.
- Any upper level balconies should not extend beyond the front wall of the ground floor and balustrades should be transparent to facilitate sunlight penetration and maintain openness of design.

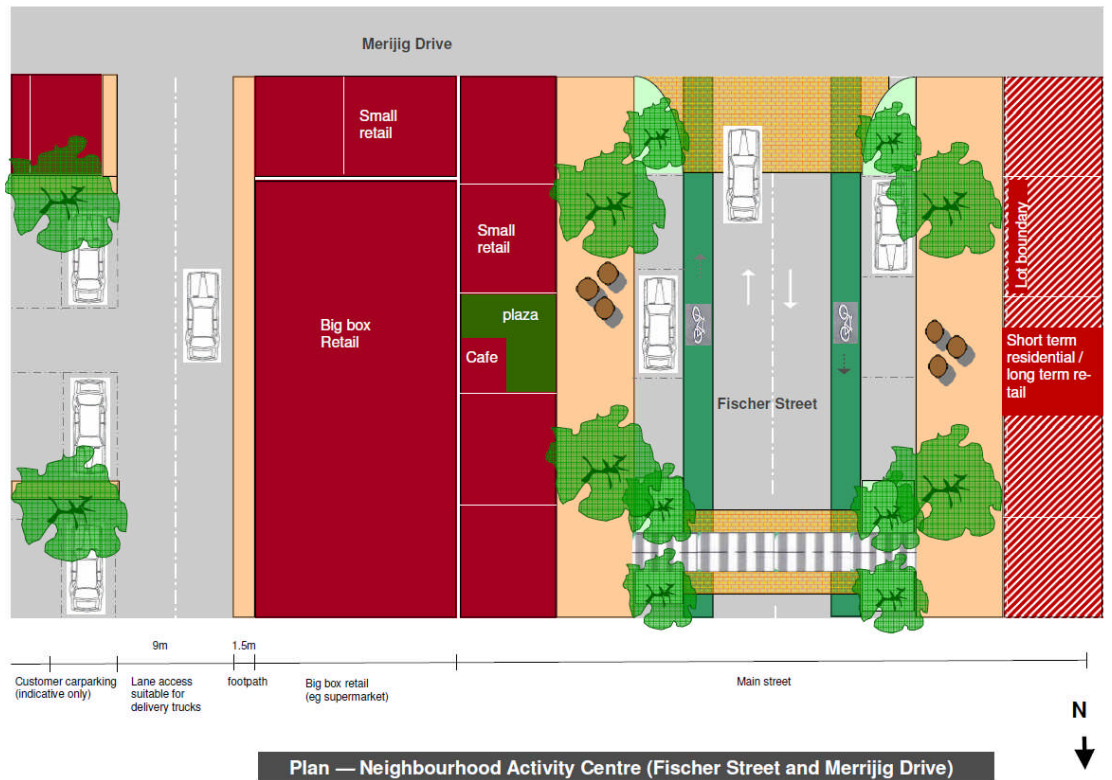
### Landscaping

- Planting visible from the public domain is to use species selected from the Torquay North street tree planting list (Table 1 to this schedule).

**Diagram 1 – Neighbourhood Activity Centre (main street and car park) indicative**



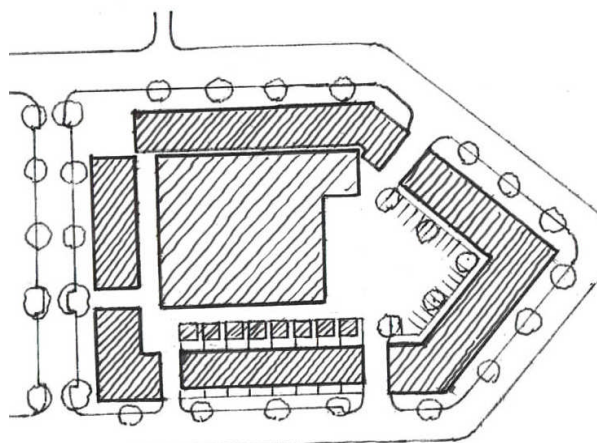
**Section — Neighbourhood Activity Centre (Fischer Street)**



**Plan — Neighbourhood Activity Centre (Fischer Street and Merrijig Drive)**

## Diagram 2 – Sleeving the Box

*The large footprint building is wrapped by liner buildings which ensures public streets are fronted by shopfronts and windows rather than blank walls and parking lots.*



### 3.0

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#### Subdivision

Subdivision of land within the neighbourhood activity centre must provide a layout that supports the urban design structure of small retail premises fronting the main streets, with large car parking areas (at-grade or multi-deck) and larger format retail premises sited to the rear.

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#### Advertising signs

Advertising sign controls are at Clause 52.05, Category 3.

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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:

- Whether minor projections may be permitted to exceed the preferred maximum building height to create architectural interest, provided the added height does not result in unreasonable overshadowing or a sense of visual bulk.
- Whether the preferred maximum building height should be varied to accommodate roof top services that are hidden from view from any public space, or designed as architectural roof top features.
- Whether the building architecture expresses the coastal culture of Torquay.
- The extent to which buildings provide an active frontage to Fischer Street and Merrijig Drive, including the provision for outdoor seating where appropriate.
- The degree to which a flexible built form is provided that is able to evolve over time to meet current and future requirements.
- Whether an acceptable level of shade trees has been planted in the public domain, including streets and car parking areas, to provide shade and shelter, reduce the heat island effect of hard surfaces and enhance the scenic amenity of the centre.

- Whether advertising signs are designed as part of the building architecture, are proportionate to the scale of buildings on which they are displayed and are respectful of human scale and streetscape amenity.
- The need to discourage above verandah, pole, high wall, major promotion, panel, sky, bunting and streamer signs.
- Whether the illumination level of floodlit or internally illuminated signs would cause detriment to the amenity of nearby dwellings.

**Table 1 to Schedule 23 to Clause 43.02 – Street trees for the Torquay North Neighbourhood Activity Centre and adjoining streets**

<b>Merrijig Drive (Connector 1)</b>	<b>Verge</b>		
	<i>Angophora costata</i>	Smooth-barked Apple	3m
	<b>Tree pits / outstands within the parking lane</b>		
	<i>Corymbia citriodora</i>	Lemon scented gum	3m
<b>Fischer Street (Connector 1)</b>	<b>Verge</b>		
	<i>Angophora costata</i>	Smooth-barked Apple	3m
	<i>Angophora floribunda</i>	Rough-barked Apple	3m
	<i>Corymbia citriodora</i>	Lemon scented gum	3m
	<i>Acacia implexa</i>	Lightwood	2m
	<i>Eucalyptus sideroxylon</i>	Mugga Ironbark	3m
	<i>Acacia melanoxylon</i>	Blackwood	2m
	<i>Corymbia maculata</i>	Spotted gum	3m
	<i>Lophostemon confertus</i>	Brushbox	3m
	<i>Eucalyptus willisii</i>	Shining peppermint	3m
	<i>Eucalyptus tricarpa</i>	Red Ironbark	3m
	<i>Eucalyptus ficifolia</i>	Red flowering gum	3m
	<b>Tree pits / outstands within the parking lane</b>		
	<i>As above or</i>		
	<i>Eucalyptus melliodora</i>	Yellow box	3m
	<i>Waterhousea floribunda</i>	Weeping lilly pilly	3m
	<i>Tristaniopsis laurina</i>	Water gum	3m
	<i>Angophora floribunda</i>	Rough-barked Apple	3m
	<b>Neighbourhood Activity Centre</b>	<b>Dominant trees</b>	
<i>Angophora costata</i>		Smooth-barked Apple	3m
<i>Corymbia ficifolia</i>		Red-flowering gum	3m
<i>Eucalyptus willisii</i>		Shining peppermint	3m
<i>Eucalyptus tricarpa</i>		Ironbark	3m
<i>Corymbia citriodora</i>		Lemon-scented gum	3m
<i>Acacia melanoxylon</i>		Blackwood	3m
<i>Acacia implexa</i>		Lightwood	2m
<i>Waterhousea floribunda</i>		Weeping lilly pilly	3m
<i>Lophostemon confertus</i>		Brushbox	2m
<i>Tristaniopsis laurina</i>		Water gum	2m
<b>Feature trees</b>			
<i>Feature trees are only to be used as 'specimen' trees at key locations or at focal points within the activity centre to provide colour, shade, interest, seasonal variation and vitality to the centre. The following species are suggestions only</i>			
<i>Quercus palustris</i>		Pin oak	3m
<i>Ulmus glabra 'Lutescens'</i>		Golden elm	2m

SURF COAST PLANNING SCHEME

	<i>Quercus rubra</i>	Red oak	3m
	<i>Gletisia triacanthus var. inermis</i>	Honey Locust	3m