

12/02/2015
C102**SCHEDULE 2 TO THE COMPREHENSIVE DEVELOPMENT ZONE**

Shown on the planning scheme map as **CDZ2**.

**THE SANDS TORQUAY RESIDENTIAL LAKES AND GOLF COURSE
COMPREHENSIVE DEVELOPMENT PLAN****Purpose**

To provide for the development of land adjacent to Whites Beach, Torquay for a residential lakes and golf course development and associated facilities generally as set out in the Golden Beach Concept Plan (marked 'Golden Beach Residential Lakes and Golf Course Development, Torquay – Concept Plan. Revision F: 13.04.00') forming an Incorporated Document to this planning scheme but with refinements as provided by this Schedule.

To ensure that the development of the land within the zone is undertaken and staged in an orderly manner and does not prejudice the amenity and environmental values of the surrounding area.

To provide an appropriate balance of residential development including single detached dwellings and other residential dwelling types, contributing a diversity of dwelling types to the Torquay Jan Juc residential supply.

To require the preparation of detailed development plans showing the use and development of the land within the zone generally in accordance with the approved The Sands Torquay Comprehensive Development Plan.

To promote contemporary, site responsive design that provides visual harmony between development and coastal landscape and complements and enhances the natural coastal features and character of the area.

1.0**Table of uses**13/02/2014
Proposed C---**Section 1 - Permit not required**

Use	Condition
Car Park	Must be associated with the golf course
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot.
Golf Course (including club-house and maintenance facilities)	
Informal outdoor recreation	
Major Transmission Line	
Minor Utility Installation	
Railway	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Art and craft centre	
Bed & Breakfast	<p>No more than 6 persons may be accommodated away from their normal place of residence.</p> <p>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</p>
Car Park if Section 1 condition is not met	
Child care centre	
Convenience Shop	The leasable floor area must not exceed 80 square metres.
Display Home	
Dwelling - if the Section 1 condition is not met	<p>Must be no more than 700 dwellings on land within this schedule.</p> <p>100 of the 700 dwellings referred to must form part of a building constructed in the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.</p> <p>Must be in accordance with the residential lot number and mix as indicated in The Sands Torquay Comprehensive Development Plan.</p>
Function Centre	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Food and drink premises	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Group Accommodation	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Hall	
Home Occupation	
Laundromat	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Minor sports and recreation facility (other than Informal outdoor recreation and Golf course)	
Office	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Place of assembly	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Place of worship	
Pleasure boat facility	

Use	Condition
Residential hotel	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Residential village	Must be contained within an area designated Condominium on The Sands Torquay Comprehensive Development Plan.
Shop (other than convenience shop)	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan. Must only be provided for tourist/resort retailing

Section 3 - Prohibited

Use
All use not in Sections 1 or 2.

2.0

12/02/2015
Proposed C---

Use of land

Environmental Management Plan

Prior to the commencement of any use or development of the land an environmental management plan must be approved by the Responsible Authority. The Environmental Management Plan must include, but not be limited to, the following:

- Recommendations concerning the content and layout of the Golden Beach Concept Plan to ensure achievement of the objectives of the Environmental Management Plan.
- A turf management plan which describes design considerations and management practices that will minimise risk and impact to the natural and aesthetic environment of and surrounding the land.
- A recommendation as to the siting of the 4th golf course green to avoid encroachment upon or damage to the adjacent Moonah woodland area.
- A recommendation as to the siting and construction of a walkway between the 4th golf course green and the 5th tee, taking into account the environmental sensitivity of the area.
- Detailed design recommendations concerning the layout of the 15th golf course hole, including appropriate buffer distances from the adjoining wetland area, landscape construction and drainage.

All use of land shall be in accordance with the requirements of the Environmental Management Plan approved by the Responsible Authority. The Environmental Management Plan may be amended with the approval of the Responsible Authority

The Sands Torquay Comprehensive Development Plan

Prior to the commencement of any use or development of the land a Comprehensive Development Plan must be approved by the Responsible Authority. The Comprehensive Development Plan must be generally in accordance with the Golden Beach Concept Plan but modified to the satisfaction of the Responsible Authority to take into account:

- The recommendations of the approved Environmental Management Plan.
- The recommendations of the Advisory Committee report dated March 2000 in relation to Amendment R60 to the Surf Coast Planning Scheme, particularly those recommendations relating to the proportion and mixture of dwelling types and layout, and the relationship of development to adjacent existing development in Fatimah Court.

Once approved The Sands Torquay Comprehensive Development Plan shall take precedence over the Golden Beach Concept Plan incorporated in this scheme.

The Comprehensive Development Plan may be amended to the satisfaction of the Responsible Authority.

3.0 Subdivision

19/01/2006
Proposed C---

A subdivision must be generally in accordance with The Sands Torquay Comprehensive Development Plan.

Subdivision must not create more than 700 residential lots on land within this schedule.

100 of the 700 residential lots referred to above must form part of a building constructed in the area designated Possible Future Commercial Area on The Sands Comprehensive Development Plan.

Exemption from notice and appeal

An application for subdivision 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 Buildings and works

12/02/2015
Proposed C---

Construction and extension of dwellings

A permit is not required for the construction or extension of one dwelling on a lot designated as a residential lot on The Sands Comprehensive Development Plan provided all of the following criteria are met (as relevant):

- The dwelling is connected to a reticulated sewerage system, a reticulated potable water supply and a reticulated drainage system. The collection and discharge of drainage waters must be to the satisfaction of the responsible authority.
- The building is setback a minimum of:
 - 4.5 metres from the front street
 - 3.0 metres from a side street
 - 3.0 metres from the rear boundary of a lot with a depth of 40 metres or less where the building is not more than 3.6 metres in height
 - 5.0 metres from the rear boundary for a lot with a depth greater than 40 metres where the building is not more than 3.6 metres in height
 - 5.0 metres from the rear boundary to any part greater than 3.6 metres in height
 - 1.2 metres from side boundaries to a height of 3.6 metres and in accordance with Standard A10 of Clause 54.04-1 to any part greater than 3.6 metres in height
- A storey above ground floor storey has a setback from the front street 1.0 metre lesser or greater than the setback of the ground floor storey.
- A new or extended garage is setback at least 1 metre further from the front street than the front wall of the dwelling.
- The site area covered by buildings does not exceed 60 per cent.
- The plot ratio of buildings does not exceed 0.5.
- The floor area of a storey above ground floor storey does not exceed 75 per cent of the ground floor storey floor area. Where an existing dwelling is being extended and this requirement is not met by the existing building, the ratio is not being increased.
- At least 40 per cent of the site area is covered by pervious surfaces.
- The building has a maximum height of 7.5 metres above natural ground level. External colours in accordance with The Sands Comprehensive Development Plan Colour Schedule

- External building materials incorporate no more than 50% masonry, excluding natural stone, rammed earth or mud brick.
- A new or extended garage is not wider than the width of the dwelling as viewed from the street.
- The building does not include a roller door which would be visible from the street.
- A new outbuilding must be attached to the dwelling.

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

Requirements

Where a permit is required for the construction or extension of a dwelling the following requirements must be met, as relevant:

- The dwelling must be connected to a reticulated sewerage system, a reticulated potable water supply and a reticulated drainage system. The collection and discharge of drainage waters must be to the satisfaction of the responsible authority.
- The building must be setback a minimum of:
 - 4.5 metres from the front street
 - 3.0 metres from a side street
 - 3.0 metres from the rear boundary of a lot with a depth of 40 metres or less where the building is not more than 3.6 metres in height
 - 5.0 metres from the rear boundary for a lot with a depth greater than 40 metres where the building is not more than 3.6 metres in height
 - 5.0 metres from the rear boundary to any part greater than 3.6 metres in height
 - 0 metres or 0.2 metres from one side boundary and 1.2 metres from the other side boundary to a height of 3.6 metres and in accordance with Standard A10 of Clause 54.04-1 to any part greater than 3.6 metres in height
- A building must not be constructed to both side boundaries
- A new garage must be setback at least 1 metre further from the front street than the front wall of the dwelling.
- The site area covered by buildings must not exceed 60 per cent.
- The plot ratio of buildings must not exceed 0.5.
- At least 40 per cent of the site area must be covered by pervious surfaces.
- On a lot in Residential – Zone 1 or Medium Density – Zone 1 on The Sands Comprehensive Development Plan the building height must not exceed 7.5 metres above natural ground level.
- On a lot in Residential – Zone 2 or Medium Density – Zone 2 on The Sands Comprehensive Development Plan the building height must not exceed 10.5 metres above natural ground level.

The above requirements may be varied with a permit.

Application requirements

An application for buildings and works associated with a dwelling must be accompanied by the following information, as relevant:

- A neighbourhood and site description using a site plan, photographs or other techniques and must accurately describe:
 - In relation to the neighbourhood:
 - The built form, scale and character of surrounding development including front fencing.
 - Architectural and roof styles.
 - Any other notable features or characteristics of the neighbourhood.
 - In relation to the site:
 - Site shape, size, orientation and easements.

- Levels of the site and the difference in levels between the site and surrounding properties.
- Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
- The use of surrounding buildings.
- The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
- Solar access to the site and to surrounding properties.
- Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
- Any contaminated soils and filled areas, where known.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- Any other notable features or characteristics of the site.
- Fully dimensioned site plan showing the position of buildings, driveway, carparking areas, decks and paved areas, including front, side and rear boundary setbacks.
- Fully dimensioned floor plans, including boundary setbacks.
- Fully dimensioned roof plan including the location of rooftop plant and equipment.
- Fully dimensioned elevations and sections.
- External materials and colours.
- Summary of development data including floor areas, site coverage, plot ratio and area of permeable surfaces.
- Landscape plan showing hard and soft landscaping including all paved areas, decks and driveways, areas of planting and general landscaping.

Decision guidelines

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

- The objectives, standards and decision guidelines of Clause 54 or Clause 55.

Building design

- Whether the building design adopts architectural forms and rooflines which convey a lightweight, contemporary, coastal image and avoids a suburban appearance or historic replication.
- Whether the design achieves well resolved proportions and appropriate scale in relation to lot size and the existing streetscape.
- Whether the design is well articulated to break up and give interest to visible façades and avoid the appearance of mass, weight and large uninterrupted expanses of wall.
- Whether roof forms are complementary, simple and low profile without fussy detail, decoration or multiple hips and valleys.
- Whether roof eaves, verandahs and pergolas are integrated into the design to control sun and create shadow.
- Whether the design of garages and other parking facilities will dominate the streetscape.

Materials and colours

- Whether buildings incorporate the use of external colours and finishes that are subtle, neutral, non-reflective and unobtrusive and reflect the preferred coastal character.
- Whether building materials include timber cladding and other lightweight materials as preferred to the use of conventional bricks and blockwork, and the combination of materials provides for good articulation.
- Whether variation in material, colours and textures is provided to external elevations.

Building siting

- Whether the siting of buildings allows for an interactive and active frontage to the street, including provision of entries, windows and balconies which address the street and contribute to an attractive streetscape character.
- Whether designs for corner sites address both street frontages with side elevations given equal attention on these sites to create multi-sided buildings.
- Whether building setbacks are designed to create articulated streetscapes which respect view corridors.
- Whether dwellings have been designed to avoid zero lot line setbacks on both side boundaries.

Building bulk

- Whether designs with plot ratio in excess of 0.5 have increased areas of landscaping and reduce site coverage to ensure that the building bulk is not excessive and quality landscape areas are provided.
- Whether the area of upper levels are visibly less than the ground floor storey when viewed from external to the land.

Construction of golf course, clubhouse and lakes

A permit is not required for the construction or carrying out of buildings and works in relation to the golf course, golf clubhouse and associated buildings or works including the course maintenance facility, or lakes provided the development is in accordance with a development plan or plans approved by the responsible authority. The development plans must be generally in accordance with The Sands Torquay Comprehensive Development Plan and must show:

- The layout and landscaping of the golf course and lakes.
- The location of the proposed golf clubhouse and associated buildings and works.
- The location of all vehicular and pedestrian access and egress within and to and from the golf course, golf clubhouse and course maintenance facility.
- The location and layout of all areas set aside for the accommodation of stationery vehicles, including bus parking areas associated with the golf course.
- The staging of the development and works.
- The location, floor layout, elevations and proposed building materials and treatment of all external finishes of the proposed buildings.

Application requirements

An application for development, other than a dwelling, must include plans prepared to the satisfaction of the responsible authority. The plans must be generally in accordance with The Sands Torquay Comprehensive Development Plan and must show, as relevant:

- The location, dimensions and floor areas of all buildings and works.
- The height and elevations of all buildings using Australian Height Datum levels.
- The proposed building materials and treatment of all external finishes.
- The purpose or purposes for which it is intended that each building is to be used.
- The location of all vehicular and pedestrian access and egress within and to and from such development.
- The location and layout of all areas set aside for the accommodation of stationary vehicles including bus parking areas.
- The proposed landscaping associated with the development of the land.
- The location and layout of all areas set aside for the installation and use of gaming machines (as defined in the Gaming Machine Control Act 1991).
- The visual impact of the proposed development when viewed from Whites Beach.
- The provision, management and maintenance of open space, including:

- identification of areas of open space that will be transferred as public open space contribution and other areas available to the public;
- identification of areas of open space that will be available only to residents and employees;
- specification of times when public areas will be available to the public and how it is intended to ensure that they will be available at those times;
- proposals for the permanent management and upkeep of public areas;
- landscape management plan for all public and non-public areas incorporating provisions for irrigation works and indicating proposed plant species; and
- the integration with public open space land to the south and east of the zone.
- The provision of a reticulated water supply and the treatment and disposal of all wastewater and drainage water, including:
 - all works proposed to be undertaken to control and direct drainage water; and
 - measures by which collected drainage will be discharged into adjoining lands.

Before deciding on an application to use or subdivide land, construct building, other than a dwelling, or construct or carry out works, or whether a development plan is satisfactory, the responsible authority must have regard to the following:

- The objectives and decision guidelines of the zone and The Sands Torquay Comprehensive Development Plan.
- The requirements of the approved Environmental Management Plan.
- The orderly and proper planning of the zone.
- Whether provision has been made for:
 - a satisfactory solution to the relationship between a proposed development and surrounding areas;
 - satisfactory design access to public open space and the foreshore for residents and visitors to the site;
 - a coherent design solution for the proposed development;
 - acceptable open space design including furniture, lighting and landscaping;
 - a satisfactory solution to the drainage of the site and the discharge of drainage water from the site;
 - bus and taxi parking;
 - adequate and efficient points of access to and egress from the site;
 - the layout of the areas set aside for the accommodation of stationary vehicles;
 - integrated pedestrian links with adjoining foreshore and residential areas;
 - acceptable management arrangements for the maintenance, upkeep and cleanliness of public open space areas;
- In the case of provision of open space and the Environmental Management Plan, the views of the Department of Environment, Land, Water and Planning; and
- In the case of servicing arrangements, the views of Barwon Water, Department of Environment, Land, Water and Planning and, where appropriate, the Environment Protection Authority.

5.0 Advertising signs

Advertising sign requirements are at Clause 52.05-9, Category 4 - Sensitive areas

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