

Merri Street East & Raglan Parade

ANALYSIS AND ISSUES REPORT

For Warrnambool City Council

FINAL REPORT

[MAY 2008]

Contents

Contents	2	6.3 The Design and Development Overlay	30
1. Introduction	3	6.4 Proposed Changes to the Warrnambool Planning Scheme	31
1.1 Project Brief	3	Appendix A: Summary of Questionnaire Feedback	33
1.2 Approach	3	Appendix B: View Type Analysis - North of Merri Street	38
1.3 Study Area	5	Appendix C: Summary of Submissions to Exhibited Draft Design Guidelines	40
2. Strategic Context	6	Appendix D: Design Guidelines: Foreshore South of Merri Street	42
2.1 Warrnambool Planning Scheme	6	Appendix E: Proposed Schedules 14 and 15 to the Design and Development Overlay	44
2.2 Previous Studies	9		
2.3 View Sharing	10		
3. Community Consultation	11		
3.1 Merri Street East	11		
3.2 Raglan Parade	11		
4. Analysis and Issues – Merri Street East	13		
4.1 Neighbourhood Character Analysis	13		
4.2 Urban Edge / Coastal Frontage	16		
4.3 Views to the Study Area	17		
4.4 Ocean Views from the Study Area	18		
4.5 Ocean and Wattle Groves Estate proposed Heritage Precinct	23		
5. Analysis and Issues – Raglan Parade	24		
5.1 Extent of Ocean Views	24		
5.2 View Types	25		
6. Statutory Implementation	30		
6.1 Determining the Appropriate Approach	30		
6.2 Statutory Options	30		

This report forms the Analysis and Issues input into two sets of guidelines:

- Merri Street East Design Guidelines
- Raglan Parade Design Guidelines

This report should be read in conjunction with these guidelines, which precede the appendices.

1. Introduction

1.1 Project Brief

The Merri Street East and Raglan Parade Design Guidelines have been developed guide future development in these areas. The foreshore areas of Warrnambool, and the views and vistas from the foreshore to the ocean, and from further inland towards the foreshore, are highly valued by locals and visitors alike. Both Merri Street and Raglan Parade are under immediate development pressure. The management of future development in these areas is essential to maintain the valued foreshore character and significant view lines and vistas.

The brief outlined the following key tasks:

- Analysis of issues and context
- Identification of site constraints
- Identification of preferred future character
- Determination of design and siting of buildings
- Preparation of statutory tool(s) for implementation

1.2 Approach

The project is to be completed in four stages and is currently at Stage 3: Draft Design Guidelines and Implementation Options.

Stage 1: Inception / Background

Purpose

To finalise the project program, and begin the process of information gathering and review.

Key Tasks

- Project Management Team meeting
- Finalise / confirm methodology
- Agree detailed work program and meetings program

- Establish stakeholder list
- Assemble base information
- Analysis of issues and project context
- Design and send targeted survey / questionnaire
- Prepare for field work

Outputs

Stakeholder survey / questionnaire

Brief for field survey

Stage 2: Character and Viewshed Analysis

Purpose

To undertake a comprehensive viewshed and character analysis.

Key Tasks

- Detailed field survey
- Identification of site(s) opportunities and constraints
- Viewshed and character analysis
- Identification of preferred future character for the study areas

Outputs

Stakeholder feedback table 1

Viewshed / character maps and photos

Preferred future character statements

Stage 3: Draft Design Guidelines & Implementation Options (current stage)

Purpose

To prepare draft design guidelines, suitable for inclusion in the planning scheme, and implementation options.

Key Tasks

- Prepare draft design guidelines, incorporating:
 - Building height and form
 - Materials and design
 - Views
 - Streetscape
 - ESD requirements
- Review planning scheme provisions
- Prepare planning scheme implementation options (liaise with DSE as necessary)
- Prepare for, and facilitate, stakeholder workshop
- Present draft material to Councillors (if required – extra)

Outputs

Draft Design Guidelines

Planning Scheme Implementation Options

Stage 4: Final Design Guidelines & Planning Scheme Tools

Purpose

To finalise the Design Guidelines (following feedback), recommend the most appropriate implementation method, and prepare the planning scheme tool(s) e.g. overlay schedule.

Key Tasks

- Analyse stakeholder feedback
- Finalise Design Guidelines
- Finalise implementation method
- Prepare planning scheme tool(s) e.g. overlay schedule (does not include preparation of accompanying amendment documentation)

Outputs

Stakeholder feedback table 2

Final Design Guidelines

Implementation Recommendations

Planning scheme tool(s)

Final report

1.3 Study Area

The two study areas are:

- Merri Street east, between Liebig Street and Ward Street; and,
- Raglan Parade (Princes Highway), between Craig Street and Derby Street.



2. Strategic Context

2.1 Warrnambool Planning Scheme

Local Planning Policy Framework (LPPF)

Municipal Strategic Statement (MSS)

The MSS contains council's current policies and preferred direction for land use and development. The MSS provides key directions to be considered including:

21.02 KEY INFLUENCES

The following key housing, environmental and economic development influences are relevant to the development of the design guidelines:

- *Demand for properties with proximity and/or views to the coast or rivers will continue to be strong.*
- *There is increasing pressure in coastal areas for new dwellings, tourism facilities and infrastructure.*
- *Pressure for urban development concentrated along rivers, coastlines and areas of remnant native vegetation is continuing and such development is contributing to poor sustainable outcomes and degradation of these environments.*
- *The provision of additional retail opportunities within the Warrnambool City Centre and neighbourhood centres will promote demand for higher density residential development close to these centres.*

21.05 HOUSING

Clause 21.05 outlines council's strategies in relation to housing for the next 15 years. The following clauses relating to housing are relevant to the design guidelines:

21.05-1 Neighbourhood Character

The planning scheme acknowledges that a lack of neighbourhood character definition has led to some development within the inner areas of Warrnambool being out of character and not managed appropriately.

21.05-1 Redevelopment Areas

Within this section of the planning scheme, the Fletcher Jones and Woollen Mill brownfield sites are identified for potential medium density redevelopment.

21.05-2 Housing Objectives

The planning scheme identifies a number of key housing objectives. The following are most relevant to the design guidelines:

- *To achieve urban design of the highest standard*
- *To protect the city's natural and built heritage*
- *To maintain neighbourhood character*

21.05-3 Housing Strategies

This clause outlines a number of strategies for neighbourhood character and development within the inner Warrnambool area.

Neighbourhood Character:

- *Ensure that building heights maintain view lines to the coast.*
- *Ensure that building heights respect the scale and character of existing buildings.*
- *Ensure that new development responds to site context.*
- *Integrate new development with the existing architectural, historic and landscape character of Warrnambool.*

Redevelopment Areas - Inner Warrnambool:

- *Limit development heights to maintain coastal view lines from public spaces and respect scale and character.*
- *Promote view sharing between properties.*

- *Ensure that the selective redevelopment of sites for units and townhouses complements the area's heritage character and incorporates appropriate design standards.*
- *Protect neighbourhood character.*

21.06 ENVIRONMENT

Clause 21.06 outlines council's environmental objectives and strategies. The following is relevant to the design guidelines:

21.06-3 Coastal Landscape

- *Protect vantage points and viewlines from inappropriate development*
- *Use simple building details.*
- *Utilise colours and finishes that complement those occurring naturally in the local area.*
- *New buildings should be designed to respond to the characteristics of the site and locality, demonstrating a high standard of contemporary expression and finish.*
- *Maintain existing tree planting, and carry out appropriate landscaping on all major approach routes and local streets.*
- *Identify and protect significant exotic and indigenous trees which contribute to the overall character of the city, including avoidance of removal and lopping of such trees to facilitate the construction of buildings and works and installation of utility services.*
- *Ensure new development is sited so that existing vistas throughout Warrnambool are not impeded.*

Local Planning Policies (LPPs)

The Local Planning Policies contain directions to assist council decision. The following are most relevant to the design guidelines:

22.01-4 WARRNAMBOOL FORESHORE PRECINCT

Clause 22.01-4 applies to the coastal reserve area along the foreshore. A key objective that applies to the development of the design guidelines is:

- *To protect the distinct hill tops and ridge lines and other notable vantage points and view corridors from inappropriate development.*

Zones

Residential 1 Zone (R1Z)

The majority of land within the study area is zoned Residential 1. The purpose of this zone is to:

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

ResCode

ResCode applies to single dwellings (Clause 54) and dwellings on lots less than 300m² or multi dwelling development (Clause 55). Both Clauses require a site analysis and design response statement to accompany a planning or building permit application, and consideration of any relevant neighbourhood character policy.

A number of ResCode standards have the potential to impact views including standards that relate to front, side and rear setbacks, building heights and site coverage. These are detailed below.

Front setbacks

Where there is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, walls of buildings should be set back from streets the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is lesser.

Where there is no existing building on either of the abutting allotments facing the same street, and the site is not on a

corner, the standard states that the street setback should be a minimum of 4 metres.

Side and rear setbacks

A new building not on or within 150 mm of the boundary should be set back from side and rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Building heights

The maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Site coverage

The site area covered by buildings should not exceed 60 per cent.

Public Use Zone (PUZ)

Within the study area, there are a number of areas zoned for various public uses including education (PUZ2), health and community (PUZ3), cemetery/crematorium (PUZ5) and Local Government (PUZ6).

Public Park and Recreation Zone (PPRZ)

The Public Park and Recreation Zone (PPRZ) applies to the area along the coastal reserve and to small parcels of land along Wattle Grove and Hopkins Road.

Public Conservation and Resource Zone (PCRZ)

The Public Conservation and Resource Zone (PCRZ) aims to protect and conserve the natural environment and applies to land surrounding the Warrnambool Lighthouse Lady Bay Lighthouse & Store.

Overlays

Schedule 4 to the Design and Development Overlay – Single Dwellings (DDO4)

The Design and Development Overlay covers all residential areas within the study areas. It aims to ensure that new single dwellings are of an acceptable scale and height by specifying that a permit is required for all new single dwellings over 7 metres in height.

The decision guidelines are minimal requiring the consideration of the height and bulk of the proposed development on the amenity of the adjoining buildings and neighbourhood. There is no reference to views in the schedule.

Schedule 1 to the Significant Landscape Overlay

A Significant Landscape Overlay applies to the coastal reserve. This overlay is used to identify and conserve significant landscapes. A permit is required for all new development. Additionally, the schedule specifies landscape character objectives to be achieved. The following are key objectives that are relevant to the design guidelines:

- *To protect and enhance the scenic qualities of coastal hinterland areas.*
- *To recognise the value of the scenic qualities of views towards the coast to residents, visitors and the tourist industry.*
- *To maintain and enhance views from major roads and residential areas towards the coast.*
- *To prevent the interruption of views towards the coast by inappropriate or poorly designed development or that which is sited in prominent locations.*
- *To encourage development which does not intrude upon views of the coast.*
- *To recognise hedgerows and established exotic vegetation as an important element of the coastal landscape.*

Schedule 1 to the Environmental Significance Overlay

An Environmental Significance Overlay applies to the coastal reserve. The overlay aims to protect the coastline by ensuring that development is compatible with environmental values. A permit is required for all new development and the removal of native vegetation.

Heritage Overlays

Key heritage sites include HO125 - Warrnambool Lighthouse and HO126 - Lady Bay Lighthouse & Store.

Development on these sites are unlikely to affect views from Merri Street because they are located on a hill and no views through the site are available.

A number of residential heritage sites are also located throughout the study area.

2.2 Previous Studies

Warrnambool Heritage Gap Study – Stage Three

Ocean and Wattle Groves Precinct

The Warrnambool Heritage Gap Study (Precinct 5 – Ocean and Wattle Groves) outlines the historical, social and architectural significance of the precinct's 'villa' estate - one of the earliest rural Housing Commission estates in Victoria. The design of the estate was influenced by the Garden Suburb model and is characterised by red brick veneer duplexes and cream or pink brick houses. The position and layout of the estate allows ocean views from the allotments facing Ocean Grove. The study identified the estate as having a strong sense of homogeneity due to the consistent size, design and building materials used.

Urban Design and Planning Analysis: Merri Street Precinct – Liebig Street to Gibson Street

The analysis, undertaken by John McNabb and Associates in May 2000, outlines a number of development guideline proposals for Merri Street, between Guthrie Street and the corner of Gibson Street (148 - 116 Merri Street) in response to a

development proposal for 130 Merri Street. The 130 Merri Street proposal was found to be excessive in density and described as alien to the built fabric of Warrnambool. The relevant development guideline proposals within the analysis include:

- Open space to be a minimum of 40 per cent of the site area
- Front setbacks to be a minimum of 4 metres from boundary for building heights up to 3 metres then a further 1.5 metres if higher
- Zero side setbacks for buildings of up to 3 metres in height for a maximum of 20 per cent of the perimeter. If beyond 3 metres in height then a setback of 1.8 metres
- Rear setbacks to be a minimum of 5 metres for up to 3 metres in height, then a further 1.5 metres if higher
- Building height limit of 6 metres above centre line of property
- Maximum height of vegetation of 4-5 metres along northern boundaries for some species
- STATUS

City of Warrnambool Urban Design Guidelines Fletcher Jones Site

The Fletcher Jones site is included within the view from Raglan Parade.

The Urban Design Guidelines for the Fletcher Jones Site will guide its future development. There are a number of proposed guidelines including those that relate to site layout and building design and building envelope as outlined below.

Site layout and building design guidelines

- *The site layout shall address and respond to the history and sense of place of the site and interpret the characteristics of the site in the detailed design.*
- *The site layout shall address and respond to history and sense of place of the Gardens and shall not visually dominate or diminish the Gardens.*

- *The site layout shall address and respond to the issues of overlooking and overshadowing of surrounding residences.*
- *Building design shall be high quality contemporary design reflecting a modern style and using modern materials.*
- *Building massing shall respect and enhance the buildings retained on site and relate sympathetically to them in composition and form.*
- *Building forms are preferred to be simple cubic (orthogonal) forms with horizontal parapets and rooflines.*

Building envelope guidelines

- *Development shall not extend beyond the footprint of existing buildings except that*
 - *Development can occur to the south of The Age Small Homes. Refer to 8.1.2.6*
 - *Development can occur on the Lava Street frontage over areas of setbacks, loading bays, service areas, etc.*
- *Development shall be limited to three storeys or 12 metres except as varied below.*
- *Development within 10 metres of each side of and below the first floor canteen shall be setback from the Lava Street boundary a distance equal to or greater than the setback of the first floor canteen.*
- *Development shall be permitted to be built to the Lava Street boundary for maximum lengths of 10 metres provided that no more than 50% of the boundary is built to and that the setback for the remainder of the boundary are a minimum 7 metres. The setback areas shall be used for landscape planting.*
- *The third storey of any development along Lava Street to the extent shown shall be contained within a height plane inclined at an angle of 30° to the horizontal from the level of the top of the adjacent kerb.*
- *Roof top appurtenances such as lift towers, air conditioning equipment etc. shall be constructed as simple cubic (orthogonal) forms or screened to present similar forms.*

Additionally, it is proposed that the Urban Design Guidelines will be implemented through planning scheme amendments that will see the following zones and overlays applied to the site:

- Mixed Use Zone (MUZ)
- Design and Development Overlay (DDO)
- Heritage Overlay (HO)
- Environmental Audit Overlay (EOA)

2.3

View Sharing

The Warrnambool Planning Scheme refers to the demand for properties in proximity to the coast or with views to the coast as being a key influence on housing outcomes. This key influence has also informed the various strategies that relate to views (Clause 21.05), including ensuring that building heights maintain view lines to the coast, and limiting development heights to maintain coastal view lines from public spaces.

View sharing is a common point of dispute in coastal areas and has been addressed by the Victorian Civil and Administrative Tribunal (VCAT) on many occasions. In fact, the Tribunal has established principles in relation to views that were founded in *Tashounidis v Flinders SC (1987) 1 AATR 116*. These are:

- “(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.”*

It should be noted that when establishing the above principles, the Tribunal also stated that:

“Added emphasis will be placed on principles (b) and (c) above if the issue of views is specifically addressed in the planning scheme.”

3. Community Consultation

A questionnaire was distributed to residents within the study area for both Merri Street East and Raglan Parade.

3.1 Merri Street East

The Merri Street East questionnaire asked residents the following questions:

- What do you value most about living in, or near Merri Street east?
- What type of development do you think is most appropriate/not appropriate for Merri Street east?
- Do you think there should be guidelines for the type and form of development in Merri Street east? If so, what should these guidelines include?
- Do you have any ideas about how ocean views could be maintained for residents who live to the north of Merri Street east?
- Any other comments?

A total of 18 responses to the questionnaire were received. A summary of each individual response is included as **Appendix A**. An overall summary of the responses is provided below

Value most

The proximity of the area to the beach, open space and the CBD, the views of the ocean and no housing on one side of the street.

Appropriate development

Individual dwellings, with a mix of opinions about the appropriateness of 1, 2 and 3 storeys.

Non appropriate development

High rise buildings and units, commercial development such as holiday units, demolition of existing buildings for newer development.

Guidelines

Mixed opinions on need for guidelines. Where specified: height, overlooking, number of dwellings per lot, and design guidelines, no units, no commercial development.

How ocean views could be maintained

Limiting building heights, no development on south side of street or on foreshore, limiting height of trees, removal of heritage overlays

Other comments

Overdevelopment, parking, lack of unity in building design, obstruction of views by trees (particularly in camping area), street tree planting, undergrounding of power lines.

3.2

Raglan Parade

The Raglan Parade questionnaire asked residents the following questions:

- What do you think is most important about the character of Raglan Parade, between Craig Street and Derby Street?
- Do you think there should be guidelines for the type and form of development in this part of Raglan Parade? If so, what should these guidelines include?
- Do you have any ideas about how ocean views could be maintained from Raglan Parade, particularly from the footpath and road itself?
- Any other comments?

A total of 6 responses to the questionnaire were received. A summary of each individual response is included as **Appendix A**. An overall summary of the responses is provided below.

Most important

Sea views

Guidelines

Mixed opinions on need for guidelines. Where specified: no high rise buildings.

How ocean views could be maintained

Limiting building heights

Other comments

Few views to be seen from Raglan Parade.

4. Analysis and Issues – Merri Street East

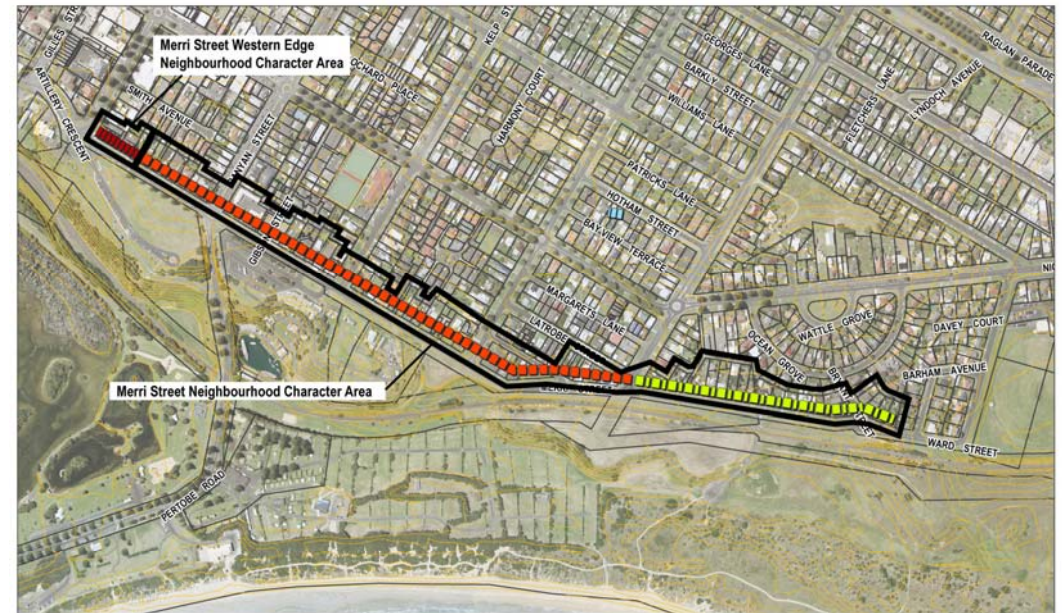
The study area for this analysis includes the properties along Merri Street between Leibig Street and Ward Street.

The analysis covers a variety of elements that contribute to the urban and landscape setting of the area. The neighbourhood character of residential areas has been analysed as well as the appearance of the urban edge to Warnambool. Views to and from the study area have also been considered in this analysis.

Another consideration has been the heritage character of the Ocean and Wattle Groves area which has been identified as a proposed Heritage Overlay area in the Heritage Study.

4.1 Neighbourhood Character Analysis

Two neighbourhood character precincts have been identified within the study area and are shown below on the Neighbourhood Character / Urban Edge and Coastal Frontage Map on the following page.



-  Neighbourhood Character Areas
-  Urban Edge / Coastal Frontages
-  Merri Street - east of Foster Street
-  Merri Street - western edge

Neighbourhood Character / Urban Edge and Coastal Frontage Map

Merri Street

This area includes the majority of residential properties within the study area with the exception of a small area of townhouses and apartments at the western edge of the study area.

Dwellings are from a variety of eras including Victorian, Edwardian, 1920s, 1950s-60s, and recently developed buildings. Building materials include a mix of weatherboard, brick and render.

The streetscape has a low scale appearance due to the mix of one and two storey dwellings. Recently developed dwellings are generally two storeys and there are a number of more recent two storey additions to existing single storey buildings.

Although architectural styles, building materials and heights are mixed, the presence of generous front and side setbacks is a common element in this area which contributes to the spacious appearance of streetscapes. Buildings are generally set back from both side boundaries however recent developments tend to have reduced front and side setbacks. Another urban design element that contributes to the open and spacious qualities of the streetscape is the low and open front fencing or the lack of front fences.



View along Merri Street to the east



Gaps in buildings allows views to development north of Merri Street

Threats to Character

- Development with reduced front and side setbacks.
- Large, bulky unarticulated buildings.

- Taller buildings that dominate the low scale streetscapes.
- High, solid front fencing.

Possible Actions

- Provide height and setback controls or guidelines to ensure the spacious and low scale character of streets are maintained.

Merri Street - Western Edge

This area includes three storey townhouses and apartment buildings at the western end of the study area, within close proximity of the CBD. It is likely that ocean views are available from the upper levels of development in this area. The absence of front and side setbacks contributes to the urban appearance compared to the more spacious settings of surrounding residential areas.

Three storey buildings are common in this area which is in contrast to the adjoining low scale residential areas.



Development up to three storeys with zero side setbacks

Threats to Character

- No identified threats to the character however an extension of this area to the east could threaten the spacious and low scale character of adjoining residential areas.

Possible Actions

- Provide height and setback controls or guidelines for properties to the east of this area.

- Although this area has been developed recently, there is still the possibility of additional storeys to be added to buildings so height controls may be necessary.

4.2 Urban Edge / Coastal Frontage

Merri Street plays an important role as the southern urban edge to Warrnambool and also as the frontage to the coastal reserve. Merri Street is highly visible particularly when viewed from the coastal reserve.

The urban edge and coastal frontage is currently expressed in different forms along Merri Street. The Neighbourhood Character / Urban Edge and Coastal Frontage Map on Page 12, shows the various edge and frontage treatments along Merri Street.

Merri Street - east of Foster Street

The edge adjoins the rail line and coastal reserve and consists of buildings of one and two storeys. Development and vegetation north of Merri Street is generally visible through gaps in the buildings. The topography rises to the north providing views of buildings behind Merri Street.

The visibility of development to the north is an important element of this edge.



The rising topography and gaps between buildings allows views to vegetation and buildings north of Merri Street

Merri Street - west of Foster Street

Similar in appearance to the edge of development east of Foster Street however the topography falls away to the north and Flagstaff Hill rises south of Merri Street.

Development north of Merri Street is less visible because of the fall in topography however the visibility of vegetation between buildings is an important element.



The topography falls to the north preventing views to dwellings behind Merri Street

Merri Street - western edge

This edge is represented by a solid wall of development to Merri Street through buildings of three storeys with no side setbacks.

The absence of setbacks and the presence of taller buildings is a distinguishing feature of this edge.



Absence of side setbacks and taller building forms defines a strong built form edge to Merri Street

4.3 Views to the Study Area

The design guidelines need to take into consideration how the study area appears from surrounding areas. This is considered important because there are several highly visited locations from which the study area is visible. These locations include:

- The coastal reserve
- Viewing platform in Coastal Reserve
- Flagstaff Hill
- Cannon Hill

The view to the study area generally consists of dwellings of one and two storeys with roof forms that define the skyline. A mixture of building materials provides for variation in colour and texture.

The gaps between buildings allow for dwellings and vegetation to be visible in properties further north. The Norfolk Island Pines in Timor Street protrude above the rooftops and are an important element of the view.

The contrast of the undeveloped coastal reserve and the residential areas provides a distinctive urban edge to the township.

Threats to Views

- Taller buildings providing a significant disruption to the skyline.
- Boundary to boundary development which prevents views to vegetation and residential areas behind Merri Street.
- Bright colours or reflective materials diminishing the presence of the natural and muted tones in the view.

Possible Actions

- Height and setback controls or guidelines may be required to provide views between developments.
- Guidelines for colours and materials may be required.



View from viewing platform in the coastal reserve back to Merri Street

4.4 Ocean Views from the Study Area

Views to the ocean from the study area have been analysed to determine whether design guidelines or controls would assist with maintaining views.

Viewshed Analysis mapping and a detailed site inspection has enabled the mapping of the areas which are likely to have views to the ocean.

Viewshed Analysis Mapping

Viewshed Analysis software has been used to determine the areas that could potentially have views to the ocean. This software uses topographic information - 2m contour intervals but does not take into account existing vegetation or built form, as such, it provides a 'best case scenario' for the availability of views.

The viewshed analysis map indicates that a large proportion of properties along Merri Street are likely to have views to the ocean with the exception of some properties at the western end. The viewshed analysis also indicates that properties north of Merri Street are also likely to have ocean views. Further investigation into these views has been undertaken and is included as **Appendix B**.



Areas from which ocean views are likely to be available
(Based on topographic information and does not take into account
vegetation or structures)

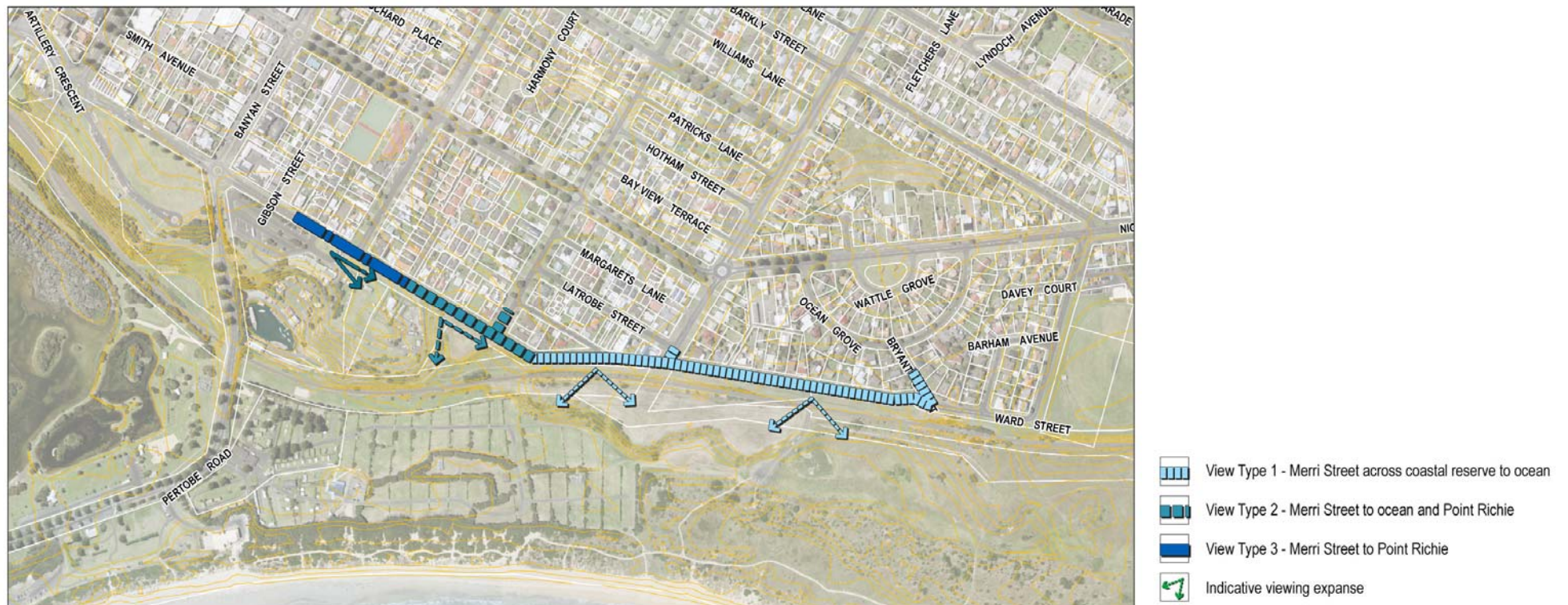
Viewshed Analysis Map

View Types

View types have been delineated within the study area. Each type differs in terms of what is seen from a particular area.

For each view type, a description, list of development pressures, list of threats to views and list of possible actions has been prepared. This analysis will assist when preparing design guidelines for protecting these views.

A similar analysis for properties north of Merri Street has also been undertaken and is included as **Appendix B**.



View Types Map

View Type 1 - Merri Street across coastal reserve to ocean

Description

This view type is available from properties along Merri Street generally between Bryant Street and Foster Street.

The absence of development between dwellings and the ocean enables uninterrupted, panoramic views across railway cutting to the coastal reserve, the Ocean and the Breakwater. The topography falls slightly to the west and slightly restricts the coastal reserve views.

The naturalness of the coastal reserve is an important element of the view with undulating dune formations and low scale native vegetation and grasses.

Development Pressures

- There are some recent examples of two storey development with smaller than average side setbacks.
- The views appear to be achievable from ground level in most cases which may reduce the need for two and three storey buildings. However the view is likely to be enhanced from upper levels of development.

Threats to Views

- Vegetation or structures sited in the foreground which could partially obscure the views.
- Structures in the foreshore reserve could diminish the 'naturalness' of the views.

Possible actions

- No actions required for development within the coastal reserve. Schedule 1 to the Significant Landscape Overlay (SLO1) currently applies to the coastal reserve. SLO1 contains several objectives that ensure that views to the coast from residential areas are maintained.
- Buildings within this view type are likely to impact on views from properties to the north. This is particularly important in the area immediately south of the Ocean and Wattle Grove Estate where the views from this estate are recognised as an important element of the Heritage value. Building height and upper level setback controls or guidelines along Merri Street may be required to maintain views from adjoining properties to the north.



Uninterrupted view across the coastal reserve to the ocean

View Type 2 - Merri Street to ocean and Point Richie

This view type is available from properties along a small section of Merri Street east of Flagstaff Hill and west of Anns Lane. Views across the coastal reserve to the water gradually open up as Flagstaff Hill falls to the east. A longer distance view to vegetated dunes of Point Richie is available along the road corridor to the east.

Development Pressures

- Potential development pressure for taller buildings so that views will be enhanced.
- Potential demand for more intensive developments because of the ocean frontage properties. There is a recent example of a two storey townhouse development with small side setbacks.
- Potential pressure for reduced front setbacks so that the lateral view along the road corridor to Point Richie will be enhanced.

Threats to Views

- Vegetation or structures sited in the coastal or rail reserve which could partially obscure the views.
- Structures in the coastal reserve could diminish the 'naturalness' of the views.
- Properties with reduced front setbacks which could prevent lateral views along the road corridor to Point Richie.
- The cumulative effect of power poles along Merri Street diminishes the view to point Richie. Additional infrastructure within the road corridor could further diminish the view.

Possible actions

- No action required for development within the coastal reserve. Schedule 1 to the Significant Landscape Overlay (SLO1) currently applies to the coastal reserve. SLO1 contains several objectives that ensure that views to the coast from residential areas are maintained.
- Buildings within this view type are likely to impact on views from properties to the north. Building height and upper level setback controls or guidelines may be required to maintain views from adjoining areas.



Flagstaff Hill falls to the east allowing uninterrupted views to the coastal reserve and the Ocean. Views along the road corridor to Point Richie are also available.

View Type 3 - Merri Street to Point Richie

This view type is available from properties along Merri Street approximately 100 metres either side of Kelp Street. Flagstaff Hill rises and prevents direct views to the coastal reserve and ocean however the coast and Point Richie are available along the road reserve to the east.

Development Pressures

- There are some examples of two storey developments in this area.
- There could be potential pressure for reduced front dwelling setbacks in order to attain the view to Point Richie.
- Potential pressure to develop two storey buildings so that views are available across dwellings to the east.

Threats to Views

- Properties with reduced front setbacks which could prevent lateral views along the road corridor to Point Richie.
- The cumulative effect of power poles along Merri Street diminishes the view to Point Richie. Additional infrastructure within the road corridor could further diminish the view.

Possible Actions

- There may be a need for a guideline or control to ensure that front building setbacks are considered to maintain lateral views to Point Richie.
- Buildings within this view type are likely to impact on views from properties to the north. Building height and upper level setback controls or guidelines may be required to maintain views from adjoining areas.
- Undergrounding powerlines would enhance the view.



View along Merri Street with Point Richie in the distance

4.5 Ocean and Wattle Groves Estate proposed Heritage Precinct

Although the study area largely excludes properties within the proposed heritage precinct consideration needs to be given to the impacts of development along Merri Street on the Estate.

The proposed Heritage Precinct is identified in the Warrnambool Heritage Gap Study (Precincts). It is historically significant as it was one of the earliest rural Housing Commission estates in Victoria.

The buildings in the estate have been sited, orientated and designed to allow views to the ocean from properties to the north. This is recognised as a key element in the Heritage Study and should be maintained in future development.

Development along Merri Street will impact on the views from the proposed heritage precinct.



View from Merri Street to the Estate



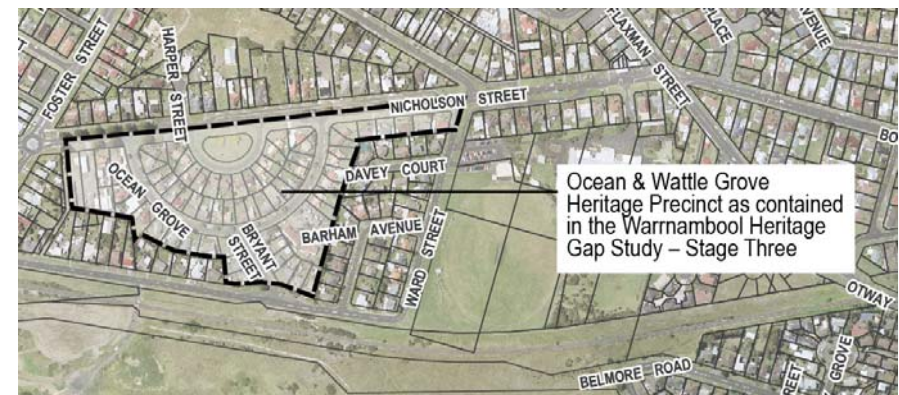
View from Ocean Grove to the ocean

Threats to Views

- Development along Merri Street with reduced or no ground floor and upper level side setbacks which prevents views through to the ocean.

Possible Actions

- Building height and upper level setback controls or guidelines may be required along Merri Street to maintain views for the Ocean and Wattle Groves Estate.



Ocean & Wattle Grove Heritage Precinct as contained in the Warrnambool Heritage Gap Study – Stage Three

5. Analysis and Issues – Raglan Parade

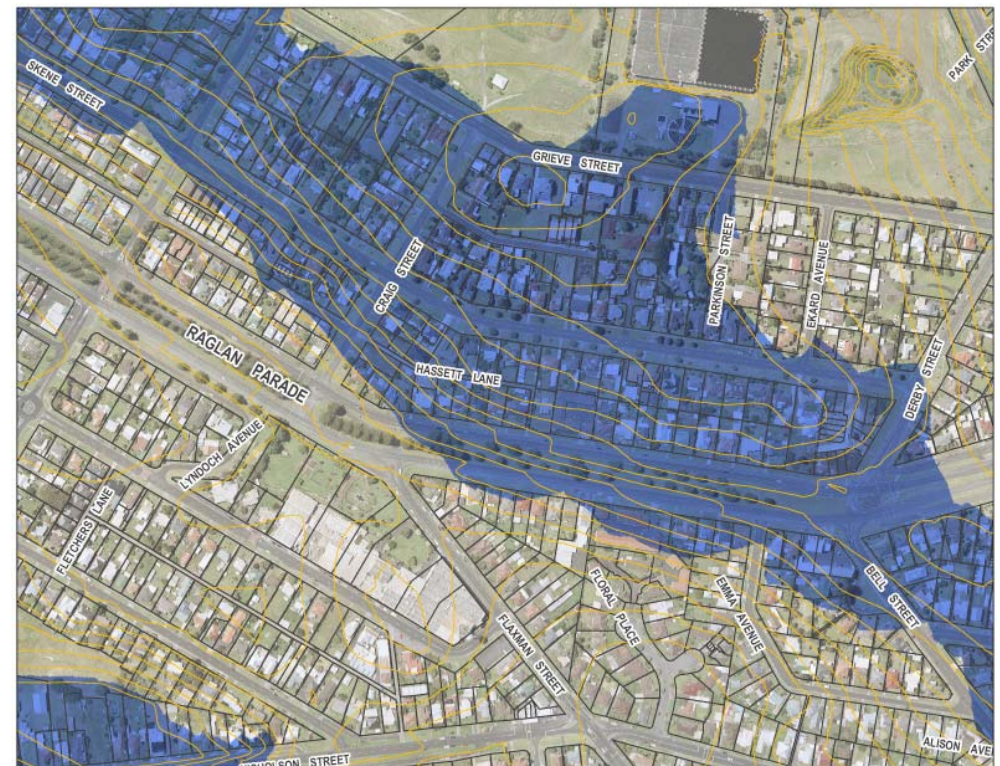
This section of Raglan Parade is identified as important in terms of the entry into Warrnambool. It is the only section of Raglan Parade where views to the ocean are publicly available.

The primary focus for the guidelines in this area will be protecting the views from the public domain to the ocean.

5.1 Extent of Ocean Views

Viewshed analysis software has been used to determine which areas are likely to have views to the ocean. This software does not take into account vegetation or built form, as such, it provides a 'best case scenario' for views to the ocean.

The map below indicates that the ocean is visible from both sides of Raglan Parade. Residential areas north of Raglan Parade are also likely to have ocean views.






 Areas from which ocean views are likely to be available
(Based on topographic information and does not take into account vegetation or structures)

Viewshed Analysis Map

5.2 View Types

The view types shown on the map below have been defined through desktop analysis and a site visit.



-  View Type 1 - South side of Raglan Parade
-  View Type 2 - North side of Raglan Parade
-  Indicative viewing corridor

View Types Map

View Type 1 – South side of Raglan Parade

This view is most frequently experienced from within a vehicle arriving into Warrnambool from the east. A small glimpse of the ocean is available in the vicinity of Emma Avenue. This view looks across residential areas, the coastal reserve and to the ocean. Views to the ocean from other sections on the south side of Raglan Parade are generally blocked by buildings however small gaps in between buildings allow occasional lateral views to the coast.

An important element of the view is the natural appearance of the coastal reserve which contrasts with built form in the residential areas. The reserve gives the impression that there is a rural edge to the town.

Maintaining the viewing corridor through to the ocean is considered to be of high importance as it provides a connection between the urban areas of Warrnambool and ocean.

Development Pressures

- There is some tourist accommodation along Raglan Parade and this could potentially extend into the view type area.
- Potential demand for taller buildings along Raglan Parade to take advantage of views to the ocean.

Threats to Views

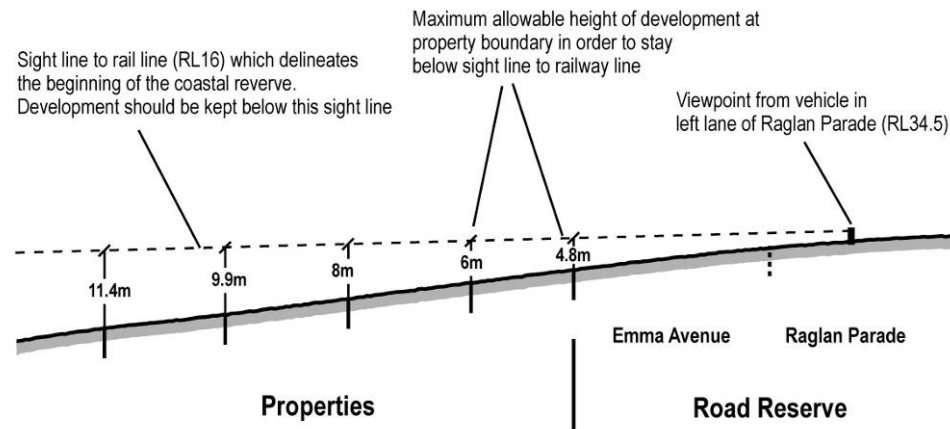
- Development in the northern section of Emma Avenue is likely to impact on the views. Taller development in this street could limit visibility to the coastal reserve and potentially the ocean.
- Development within the coastal reserve could impact on the 'naturalness' of the view.

Possible Actions

- Building height and upper level setback controls or guidelines may be required for development in the vicinity of Emma Avenue in order to maintain the view to the coastal reserve and ocean.



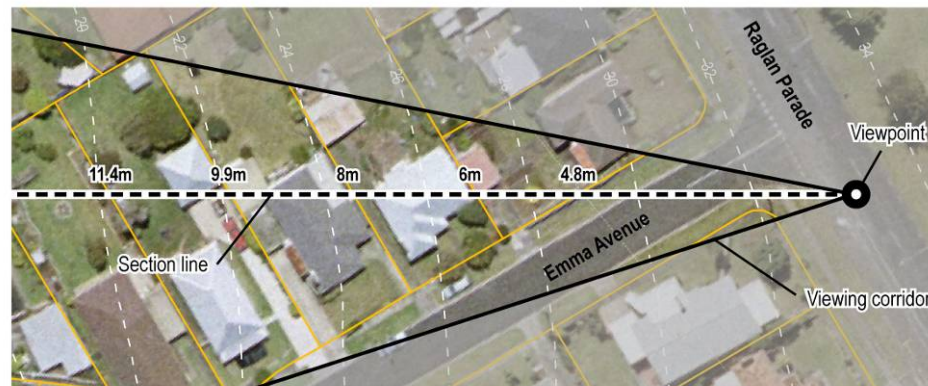
View from southern side of Raglan Parade to coastal reserve and ocean. Low scale development along Emma Street allows views across roof tops.



The photo above demonstrates the viewing corridor to the ocean and the coastal reserve. A sight line has been established from the height of a vehicle in the left lane of Raglan Parade to the rail line which marks the beginning of the coastal reserve.

The cross section and the corresponding aerial photo to the left, demonstrate the height at which development can extend to without intruding into the sight line.

The protection of the sight line from the south side of Raglan Parade to the coastal reserve forms the basis for the proposed building height controls included in the Design Guidelines. This has resulted in a height limit of 5 metres to part of the property on the north west corner of the Emma Avenue and Raglan Parade intersection, and a height limit of 6 metres to part of the property immediately to the south on Emma Avenue.



View Type 2 – North side of Raglan Parade

This view is experienced from the footpath on the northern side of Raglan Parade or from adjoining residential areas. The significant fall in topography of 8 metres across the wide road reserve, allows for elevated views across residential areas, the coastal reserve and to the ocean. The distinctive Norfolk Island Palms are prominent in the foreground as is the sphere water tower on the Fletcher Jones site.

The view changes slightly to the west where the coastal reserve disappears behind residential development and the Fletcher Jones building, however the ocean is still visible in this area.

Development Pressures

- There is some tourist accommodation along the south side Raglan Parade which generally includes more intensive forms of development.
- Potential demand for taller buildings along the south side of Raglan Parade to take advantage of views to the ocean.

Threats to View

- An increase in height on the Fletcher Jones site would break the skyline and prevent views to the water.
- Taller development on the south side of Raglan Parade could disrupt views to the coastal reserve.
- Development within the coastal reserve could impact on the 'naturalness' of the view.

Possible Actions

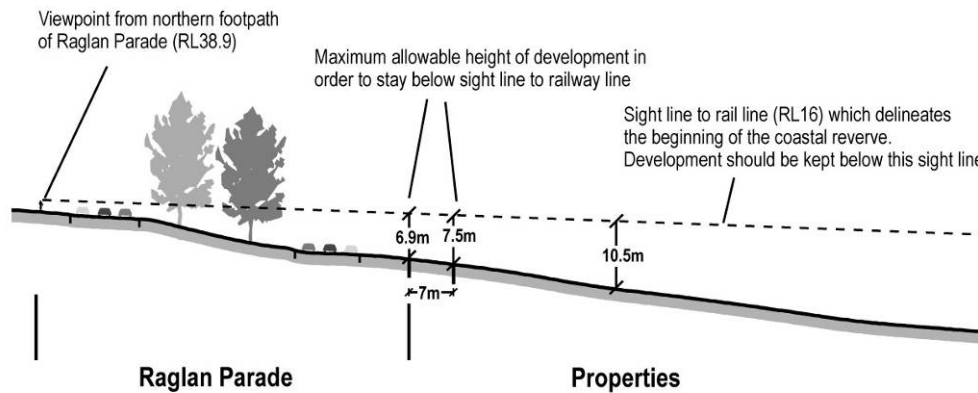
- There may be a need for building height controls or guidelines for the south side of Raglan Parade.
- Support the building height requirements contained in the Fletcher Jones Urban Design Guidelines which allows for a building of approximately the same height as the existing building



View from northern footpath of Raglan Parade with coastal reserve and ocean visible across roof tops.



View from northern footpath of Raglan Parade with ocean just visible above Fletcher Jones building



The photo above demonstrates the viewing corridor to the ocean and the coastal reserve. A sight line has been established from eye level along the northern footpath of Raglan Parade to the coastal reserve.

The cross section and the corresponding aerial photo to the left, demonstrate the height at which development can extend to without intruding into the sight line. A front setback of 7 metres has been shown which corresponds to the predominant front setbacks along Raglan Parade.

The protection of the sight line from the footpath on the north side of Raglan Parade to the coastal reserve forms the basis for the proposed building height controls included in the Design Guidelines.

6 Statutory Implementation

6.1 Determining the Appropriate Approach

The most appropriate method to implement the design guidelines for the Merri Street and Raglan Parade precincts must be determined bearing in mind several considerations. These include:

- The likelihood of community/developer acceptance of new or amended policies and controls.
- Strategies, policies and controls already contained in the Warrnambool Planning Scheme.
- The likelihood of success of approval of any planning scheme amendment by a Panel and the Minister for Planning. There is little point in recommending measures to the Council that are unlikely to be approved. An important consideration is determining which areas require additional planning controls or alternative planning controls, and which areas, if any, can be successfully managed with existing controls.
- The extent of additional resources and time required to process planning applications as a result of new or amended controls or policies.

All these factors must be taken into consideration in determining the most appropriate approach to statutory implementation.

6.2 Statutory Options

There are a number of options available for the implementation of the design guidelines for the Merri Street and Raglan Parade precincts. These range from an informal 'guidelines' approach, to a more statutory approach involving an amendment to the Warrnambool Planning Scheme.

As outlined in the brief, it is the preference of the Council to implement the design guidelines through the Planning Scheme so that they have statutory weight and can be relied upon in

VCAT. In considering the most appropriate statutory tools to do this, it is important to be mindful that we are not starting with a clean slate; a suite of policy, overlays and provisions already applies to land within the study areas. As well as determining new controls, it will also be necessary to determine whether existing planning provisions should be altered or removed.

6.3 The Design and Development Overlay

As previously outlined, the Design and Development Overlay (DDO4) currently applies to all residential areas within the Merri Street and Raglan Parade precincts. The existing schedule to the DDO is minimal in content, with its primary function being to act as a 'permit trigger' for development over 7 metres in height.

Design and Development Overlay Provisions

The Design and Development Overlay (DDO) requires that a permit be obtained for all development within the area covered (some types of development can be exempted). The DDO can control, by permit, elements such as height, setbacks, site coverage, landscaping and any other requirements relating to the design or form of new development. It does not, however, control the demolition of buildings.

The Department of Planning and Community Development has advised that the use of the DDO should be applied to promote specific urban design outcomes for a particular site or area. For instance, the DDO is considered appropriate for areas where minimum lot sizes or mandatory height limits are warranted, or change is encouraged and no other mechanism would achieve the desired outcome.

While the DDO is versatile in how it can be used, it should only be applied to a specific site or area where a high degree of change is anticipated and specific design outcomes are desired. It cannot be applied to the whole municipality or all residential areas. It must be applied discriminately.

With the above in mind, it is considered that the DDO is the most appropriate VPP tool to implement the design guidelines for the Merri Street and Raglan Parade precincts.

6.4 Proposed Changes to the Warrnambool Planning Scheme

Schedule 14 to the Design and Development Overlay

It is proposed to remove DDO4 from the study area precincts and replace it with a new schedule to the Design and Development Overlay – DDO14.

DDO14 would apply to all buildings and works, including front boundary fences.

It is proposed to require a permit for all buildings and works affected by the overlay so that the design guidelines can be applied to all development. It is considered that simply providing a two storey height limit trigger, side boundary setback trigger and front fence trigger would not be sufficient to capture all potentially inappropriate development.

This is because the design guidelines also provide requirements in relation to upper storey articulation, upper storey setbacks (in the Raglan Parade precinct), building materials and details, and landscaping, and it is important that proposed development in these coastal areas also meets the design objectives in relation to these elements.

It is considered that DDO14 as proposed is the most straightforward and easy to interpret (as opposed to separate schedules for one or more of the precincts reflecting the different design requirements for each).

Given that DDO14 will apply to less than 100 properties, the administrative burden is not expected to be significant. An exemption from notice and review clause has also been inserted, reducing further any potential administrative burden.

Municipal Strategic Statement

As described in Chapter 2 of this report, the Municipal Strategic Statement (MSS) already provides good strategic justification for the application of the design guidelines to the study areas.

Clause 21.05-3 (Housing Strategies) requires that the height of buildings maintains view lines to the coast, and stipulates that new development should be contextual in an historic, landscape and architectural sense. Similarly, Clause 21.06-3 (Coastal

Landscape) requires that view lines be protected from inappropriate development, and outlines a number of objectives and strategies relating to the form and articulation of development that are entirely consistent with the design guidelines produced as part of this study.

In addition, Clauses 21.05-4 and 21.06-4 state that these strategies will be implemented by “applying appropriate zones and overlays.” Clause 21.06-4 also recommends the undertaking of further strategic work to “review DDO4 to take greater account of important views and vistas within the city where views are available to the coast.”

As such, it is considered that no amendments are required to the Warrnambool Planning Scheme MSS as existing objectives and strategies provide sound and consistent justification for the implementation of the Merri Street and Raglan Parade Design Guidelines through a new schedule to the Design and Development Overlay.

Addendum

Following submission of the final report and DDO schedule in February 2008, council officers advised that it would be preferable to distinguish between the two study areas (Merri Street East and Raglan Parade) with two separate DDO schedules, and to allow some development to proceed ‘as of right’ where the defined characteristics of the precincts were not affected.

This was considered a reasonable alternative position, and the DDO schedules were subsequently split into DDO14 (Protection of Ocean Views from the Public Realm: Raglan Parade) and DDO15 (Foreshore Design Character and View Sharing: Merri Street East).

Schedule 14 to the DDO now stipulates that a permit is not required if the building does not exceed the preferred maximum building height(s), and achieves the front and side setback requirements set out in the table to the schedule. The design guidelines prepared for this precinct do not provide guidance regarding front fence design, and so it also stipulates that a permit is not required to construct a front fence.

Schedule 15 to the DDO now stipulates that a permit is not required if the building is single storey and does not exceed a height of 5 metres. The 'trigger' was set at 5 metres to ensure that all two storey development is captured and assessed. The building must also achieve the front and side setback requirements set out in the table to the schedule. The design of front fences is considered integral to the character of the foreshore study area, and so it is also stipulated that a permit is required to construct a front fence where there is currently no front boundary fence on the property.

The stipulation of front and side boundary setback requirements in the tables to the schedules required further work in order to justify setback dimensions. Aerial photo analysis was used to determine the minimum and average front and side boundary setbacks for all precincts within the study areas. The setback dimensions that appear in the tables to the schedules are based on average setback calculations for all precincts, with the exception of Merri Street East Precinct 3 (front and side setback requirements) and Raglan Parade (front boundary setback requirement), which were determined in the initial site analysis.

The design requirements that appear in the schedules to the DDOs were amended slightly from the original design guidelines (that are attached to this document as Appendix A) in order to incorporate the required setback dimensions and to remove any duplication.

Appendix A: Summary of Questionnaire Feedback

Merri Street East Design Guidelines: Questionnaire Responses Summary

Q'aire number	Value most	Appropriate / not appropriate	Guidelines	Maintaining ocean views	Other comments
1	Ocean view	Private dwellings; not apartments	Max height 7.5m; one block size	No building on Crown land No trees higher than 1m Underground power poles	
2	Sea view	No more high rise buildings	No more high rise buildings	No more high rise buildings	Likes being in a close position to CBD. Concerns regarding traffic speeds. Concerns about parking locations.
3	Close proximity to city centre and the beach	Smaller scale dwellings like 80 Merri, not 72 & 66 Merri	Too late for guidelines now – damage has been done because of the mixed use of buildings	Clean up south side of Merri i.e. in front of 78, 76, 74, 72	
4	Proximity to CBD – can walk everywhere Sea views	Too many high rise buildings	Too many units per block	Limit building heights	
5	Views to ocean and Crown Reserve	Would like to see non-commercial housing development such as double storey homes and units	Does not want guidelines	States that some residents have never had ocean views and double storey development should be allowed	Properties that have a heritage overlay should be allowed to be double storey – thinks existing controls should stay

Q'aire number	Value most	Appropriate / not appropriate	Guidelines	Maintaining ocean views	Other comments
6	Sea views Family atmosphere	Single dwelling houses, not units and holiday accommodation	Maximum of 2 storeys Quality building materials Space and garden landscaping around buildings	Limit height in Merri and surrounding streets to 2 storeys Possible 3 storeys in parallel streets such as Nicholson Ocean Grove properties possible 2 storeys	New 2 storey development on Merri Street should ensure views remain for properties to the north New developments should require a certain % to remain as open space Consider greater unity in building design and materials used Street tree planting on Merri Street Underground power lines
7	Views Quiet atmosphere	Many houses in Merri Street have become 2 storey – not fair to stop others in the street	Too late for guidelines – such a mixture of heights already	Feels there has been much contradiction in debate about views	
8	Sea views No houses on opposite side of street Close proximity allows walking	Remain a residential area rather than having motels and high rise buildings	Guidelines on height of buildings and overlooking	People who want a view should buy a house on Merri Street. Concerned about too many restrictions.	Caravan park and trees that are rarely trimmed obstruct views
9	Ocean views that are now being spoilt by over development	Single storey, not double storey	Height and number of dwellings per block restrictions	Limit height to one storey on Merri Street to stop the blocking of views of those in the streets behind	Overdevelopment has already ruined the streetscape

Q'aire number	Value most	Appropriate / not appropriate	Guidelines	Maintaining ocean views	Other comments
10	Proximity to CDB, lake and the beach	Yes to small 2 -3 storey development Yes to medium density apartment and holiday accommodation Not like Lady Bay which is too high	McNabb guidelines already exist but are out of date and few use it	People should purchase a property where they won't be built out Development should not be stopped because of restricted views	Raised concerns over the Built In Environment Committee who influence planning decisions
11	Ocean views Proximity to CBD		No more than 2 storeys Development open space provisions Limit holiday and overnight accommodation		Views being obstructed by tea tree in camping grounds – if vegetation wasn't so high buildings could be lower Maintenance needed to remove weeds
12	Open space Ocean views Proximity to CBD				Teatree in camping ground too high – needs to be trimmed
13	Ocean views Foreshore access and open space	Residential housing, not commercial development	No commercial development and nothing higher than 2 storey	Remove heritage overlays	
14	Proximity to beach, parks and CBD Open space	Residential owner/occupier not rental units	Height and design restrictions	No more than 2 storeys No development on south side of Merri Street	Cannon Hill landscaping required Extra toilets, BBQ, tennis wall (activities and safe areas for children)
15	Ocean views with no housing on south side Quiet atmosphere	2 storey development is fine but no units	No, 2 storey is fine but no units	They are lucky to have shelter from the wind	Raised concerns over bushes that need trimming blocking views

Q'aire number	Value most	Appropriate / not appropriate	Guidelines	Maintaining ocean views	Other comments
16	Views Access to coastal walk Close proximity to CBD	Recent flats and houses have been tasteful and practical	Problematic, recent development is tasteful and practical	Because of land slope views should remain or they can build higher	Teatree blocks views from road New development adds variety and are interesting
17	Ocean view Proximity to CBD	Expensive, owner/occupier dwellings are appropriate but not the demolition of older flats to make way for holiday rentals	Height restrictions of 3 storeys Development to be assessed individually	They didn't pay for same view as those on Merri Street. If they build higher they block north views	Should not have restrictions placed on their development when they paid top money for Merri Street view
18	Ocean views	2 storey development is appropriate 3 storey is inappropriate - enough units have been built	None needed, Merri Street residents paid for their views and should have priority	Ocean Grove should not be treated differently to Timor - Nicholson Streets or any other back streets	

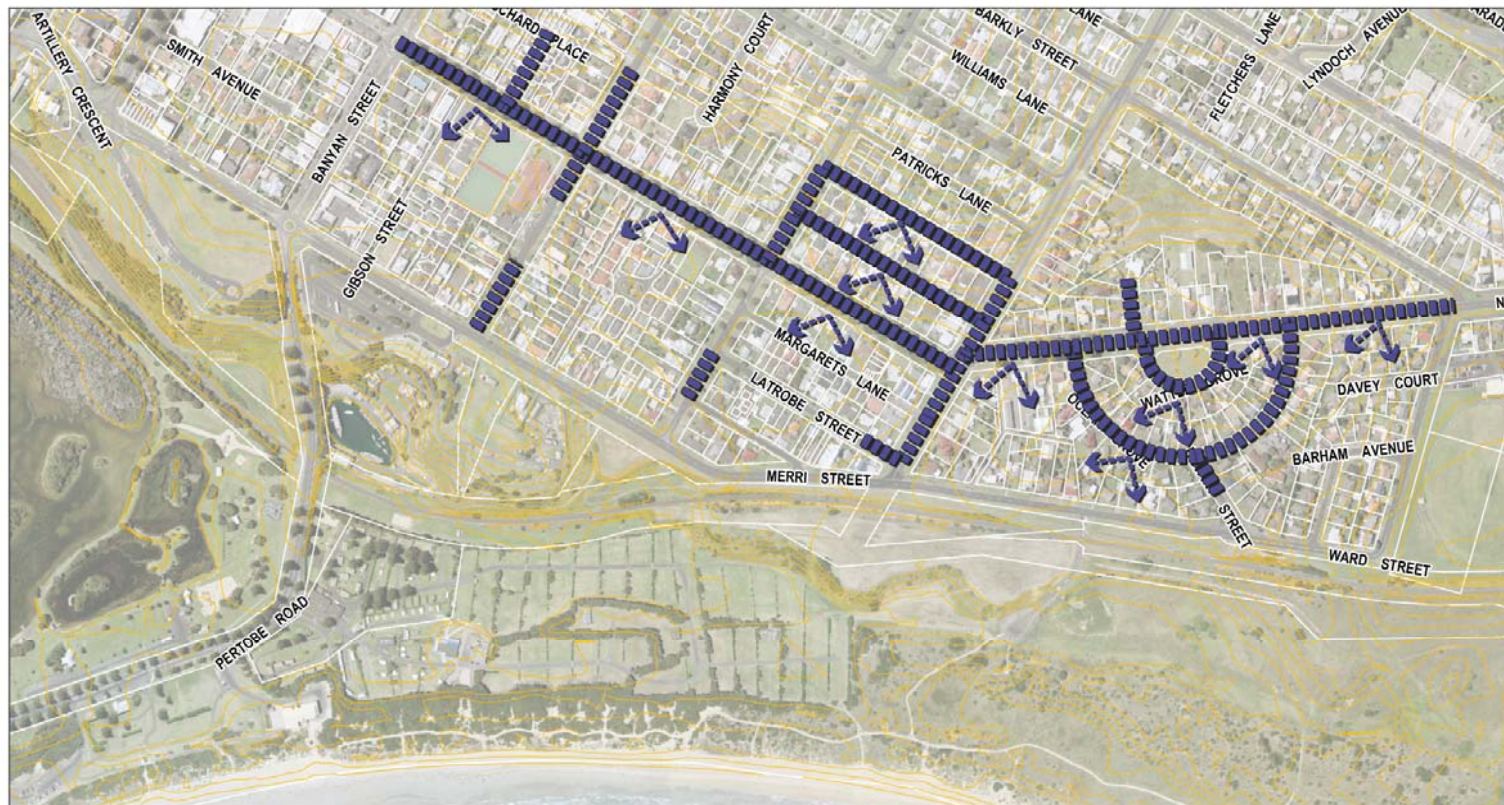
Raglan Parade Design Guidelines: Questionnaire Responses Summary



Q'aire number	Character	Guidelines	Maintaining ocean views	Other comments
1	Sea views Maintenance of homes is poor	No multistorey dwellings Design controls for motels to avoid looking like Lady Bay	Views spoilt by FV ball – unnatural	
2	Views	Height and parking	Limiting building heights	Questionnaire was difficult to complete without more information
3	Fletcher Jones site Pleasant appearance when entering city	No high rise buildings – no higher than 1 storey	Parking for visitors and others to view the ocean	
4	Keep it clean and tidy	No guidelines wanted	No, it is not that important	

Q'aire number	Character	Guidelines	Maintaining ocean views	Other comments
5	Owners should have the right to make alterations to their property	No guidelines are necessary – guidelines should have been used for motels	Motorists should be focused on road not view. View is only visible down Emma Avenue	
6				<p>There are few ocean views to be seen along the highway by passing traffic and pedestrians</p> <p>Only section is the 2 houses on the corner of Raglan Parade and Emma Avenue</p>

Appendix B: View Type Analysis - North of Merri Street

View Types



-  View Type 4 - Surrounding Residential Areas to ocean
-  Indicative viewing corridor

View Types Map

View Type 4 – Surrounding Residential Areas to Ocean

Description

This view is generally available from properties north of Merri Street between Ward Street and Banyan Street in areas where the topography rises to the north. The area includes the Wattle and Ocean Grove Parade areas which are included within a proposed Heritage Precinct.

Glimpses of the ocean are visible across roof tops and between buildings and views would possibly be available from ground level. The coastal reserve is partially visible from properties further east. Where ocean views aren't available, the openness of the sky indicates that the ocean is nearby.

Development Pressures

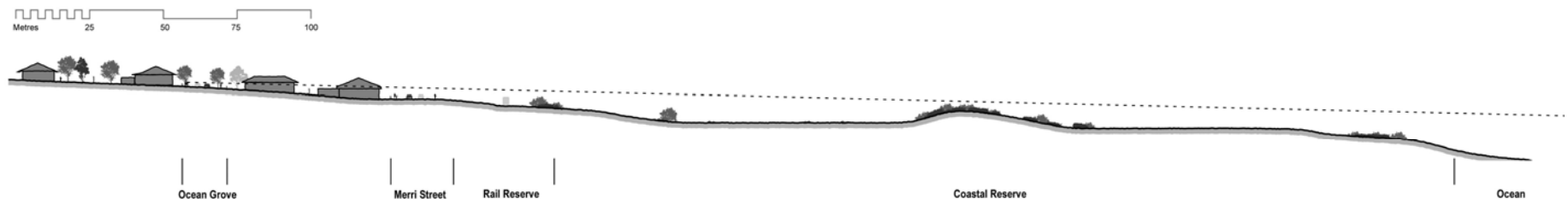
- Potential pressure to develop taller buildings so that views can be achieved with minimal disruption of roof tops. There are a small number of examples of two storey extensions to single storey houses.

Threats to Views

- Higher buildings with minimal upper level side setbacks between the viewing location and the ocean. This would diminish the viewing corridor between buildings.
- Reflective materials on structures between the viewing location and the ocean.

Possible Actions

- Building height restrictions may be required so that views can be achieved across roof tops.
- Upper level side setbacks may also be necessary to maintain viewing corridors between buildings.



Appendix C: Summary of Submissions to Exhibited Draft Design Guidelines

Submission Number	Issues	Response
1	<ul style="list-style-type: none"> • Study does not secure 'sense of place' • Disturbing trend – dwellings built close to boundaries • Development must not have detrimental impact upon amenity • High density housing must also provide community space 	'Sense of place' is canvassed in analysis of coastal neighbourhood character and informs the design guidelines.
2	<ul style="list-style-type: none"> • Coastal reserve is integral buffer, Council must preserve & protect area • Valued foreshore character, views & vistas • Height restriction on vegetation planted to preserve coastal views 	Design guidelines have been prepared for the coastal reserve.
3	<ul style="list-style-type: none"> • No large development approvals until completion of guidelines • Take care not to overdevelop area • Do not want a resort situation • No point hiring consultants when developers still do what they want • 8.8 metres too high for development at Merri Street • Overlooking is an issue of concern • No side setbacks set poor streetscape and in contradiction with design guidelines 	Design guidelines address many of these concerns, and will be implemented through the planning scheme (DDO) so that they are enforceable.
4	<ul style="list-style-type: none"> • New two storey houses built which affects sea views, not necessary at such a height • Wonderful views are a great pleasure • Increasing number of units are changing character of the area 	Again, proposed design guidelines address many of these concerns, including the reasonable sharing of views to the ocean.

Submission Number	Issues	Response
5	<ul style="list-style-type: none"> • Still a concern regarding potential development along south side of Merri Street. • Council must not “cook up commercial scheme” e.g. motel • Opportunity to insert a clause which reinforces existing controls of Crown Land. • Believes there is general agreement with residents to prohibit future development along south of Merri Street. 	Again, design guidelines have been prepared for the coastal reserve to address the concern of ‘unregulated’ development on public land.

Appendix D: Design Guidelines: Foreshore South of Merri Street

Of the five submissions received following the exhibition of the draft design guidelines, two referred to the coastal reserve south of Merri Street and the need to provide guidance for development on this public land. It is noted in the submissions that the reserve provides the equivalent of a highly valued visual green break between the dwellings on Merri Street and the ocean beyond, and is an integral part of the character of the foreshore area.

In response to community concern to retain the largely green and open character of the foreshore reserve, the following design guidelines are provided for proposed future development.

Design Element	Objective	Design response	Avoid
Views & vistas	To protect the quality of the ocean views available from, and through, the foreshore reserve.	<ul style="list-style-type: none"> Buildings, structures and other elements (including signage) that are proposed in view fields should be designed and sited so as to retain the character and quality of the views, unless it can be shown that equivalent publicly accessible views are available nearby. Vegetation and other landscaping measures, including fencing, should be positioned so that they do not detract from, or block, existing views. 	<i>Loss of ocean views from, and through, the coastal reserve.</i>
Siting	<p>To minimise the impact of built form on the coastal landscape.</p> <p>To maintain public access to the coastal edge.</p> <p>To minimise overshadowing at the coastal edge.</p> <p>To ensure that buildings and structures do not impair existing views to the ocean or along the coastline.</p>	<ul style="list-style-type: none"> Buildings and structures should be concentrated at particular locations. Buildings and structures should be located as far back as practicable from the coastline. Buildings and structures should not impede public access to and along the coastline. 	<p><i>Buildings, structures, signage and other elements dispersed throughout the coastal reserve.</i></p> <p><i>Any impediment to public access to the coastline.</i></p> <p><i>Excessive overshadowing of the foreshore.</i></p>

Design	<p>To ensure that built form does not visually dominate the coastal reserve.</p> <p>To ensure that buildings and structures respond to the landscape qualities of the coastal reserve.</p> <p>To ensure that built form is visually integrated with the relatively flat coastal environment.</p>	<ul style="list-style-type: none"> Buildings and structures should be low lying and horizontal in form. 'Light' building styles are preferred through the use of contemporary and innovative building designs, non-masonry materials and glazing. Buildings and structures should be sited to maximise energy efficiency principles with regard to solar access, heat loss, cross ventilation, the thermal capacity of buildings, and the placement of vegetation. 	<p><i>Buildings that are not responsive to the local environment or sustainability principles.</i></p> <p><i>Lack of integration of buildings or structures with the surrounding landscape.</i></p>
Materials & finishes	<p>To ensure the positive appearance of structures and landscaping in the coastal environment, and to minimise maintenance.</p>	<ul style="list-style-type: none"> Materials and finishes for buildings, structures (including signage) and landscaping works should be durable in the coastal environment. Use materials and colours that will complement the coastal environment, with consideration as to how the materials will weather over time. 	<p><i>Poorly weathered and/or damaged buildings and structures.</i></p> <p><i>Bright, highly reflective materials, or 'artificial' colours.</i></p>
Signage & infrastructure	<p>To minimise the visual impacts of signage and infrastructure within the coastal environment.</p>	<ul style="list-style-type: none"> Avoid brightly coloured signage and infrastructure. Infrastructure such as powerlines and other utility services should be underground wherever possible. Group signage at particular locations to minimise the visual impact on large areas of the landscape, and to maintain views. 	<p><i>Signage clutter.</i></p> <p><i>Visually dominant signage and infrastructure.</i></p>
Landscaping	<p>To enhance the landscape and vegetation character of the coastal reserve.</p> <p>To ensure public safety and avoid vandalism in the coastal reserve.</p>	<ul style="list-style-type: none"> Adequate lighting should be provided in association with new structures and/or landscaping works, with regard to the impact of such lighting on nearby residential areas. Landscaping should use appropriate indigenous species that are resistant to coastal exposure. Formal pedestrian and bicycle pathways should be clearly defined and well lit throughout the reserve. Medium height, bushy shrubs should be avoided, particularly adjacent to public pathways and in car parking areas. Low grasses or clear trunk trees are preferred for their safety qualities. Small structures outdoor furniture, signs and utilities within the foreshore reserve should be visually coordinated. 	<p><i>Dark, unsafe (perceived or otherwise) pedestrian environments.</i></p> <p><i>Exotic, invasive plant species.</i></p> <p><i>Small structures, outdoor furniture, signs and utilities that are not visually coordinated.</i></p>

Appendix E: Proposed Schedules 14 and 15 to the Design and Development Overlay

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SCHEDULE 14

TO THE DESIGN AND DEVELOPMENT OVERLAY

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

PROTECTION OF OCEAN VIEWS FROM THE PUBLIC REALM: RAGLAN PARADE

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Design objectives

The following design objectives apply to the precinct shown on Map 1 forming part of this clause.

Raglan Parade Precinct

- To ensure buildings are sited so as to not intrude on views to the ocean from Raglan Parade.
- To ensure development is designed to allow views across and between buildings to the ocean.
- To ensure landscaping is designed and sited to maintain views to the ocean from Raglan Parade.

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Buildings and works

Permit requirement

A permit is required to construct a building or carry out works.

This does not apply if all of the following are met:

- The building does not exceed the preferred maximum building height as specified in Map 2 of this clause.
- The building achieves the front and side setback requirements (ground and upper level) contained in Table 1 of this schedule.

A permit is not required to construct a front boundary fence.

3.0

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Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design objectives of this schedule.
- Whether the proposed development achieves the design requirements and the outcomes to be achieved in Table 1 of this schedule.

4.0

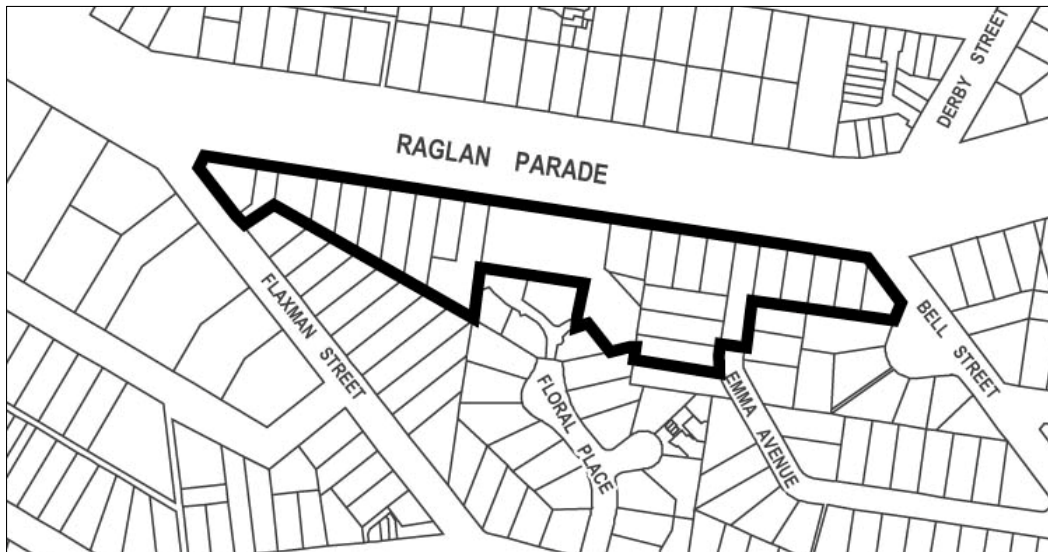
Reference

Merri Street East and Raglan Parade Analysis and Issues Report, including the Raglan Parade Design Guidelines, February 2008.

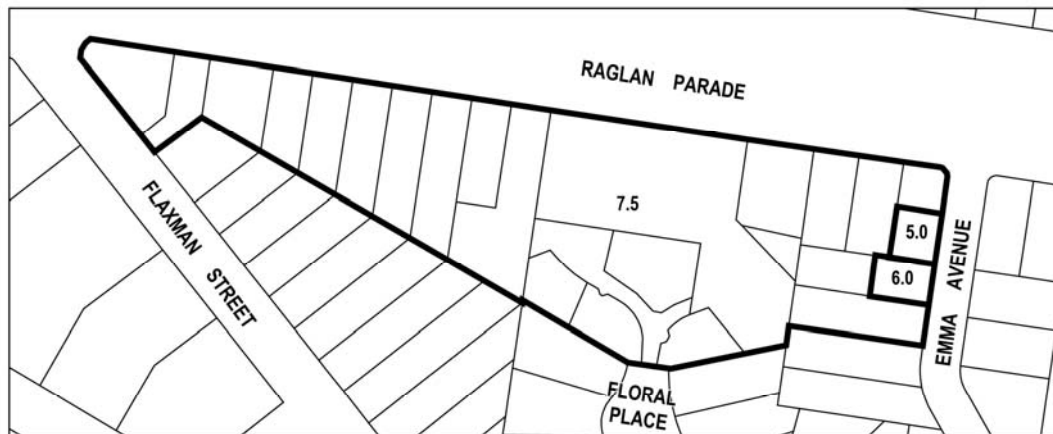
Table 1 to Schedule 14


Raglan Parade	
Design requirements	Outcome to be achieved
<p><i>Setback Requirements</i></p> <p>Provide a front building setback of at least 7 metres to Raglan Parade and the west side of Emma Avenue.</p> <p>Development should be set back a minimum of 2 metres from both side boundaries.</p> <p>For properties fronting Raglan Parade, the upper level of development should be recessed a minimum of 3m from the front façade of the building in order to minimise the impact of development on views to the water from Raglan Parade.</p> <p>The upper level(s) of development should be stepped in from the ground floor in order to maintain viewing corridors between buildings.</p>	Buildings that are sited to reflect the predominant pattern of front, side and rear setbacks in the street, having regard to the impact of views to the ocean from Raglan Parade.
<p><i>Siting</i></p> <p>Give consideration to siting buildings or higher elements of buildings in the lower sections of the site so that the overall height of the building is minimised when viewed from Raglan Parade.</p>	Buildings and buildings elements that do not unreasonably block views to the ocean.
<p><i>Height and building form</i></p> <p>Development should be limited to preferred maximum buildings heights specified on Map 2 forming part of this clause.</p> <p>Design buildings to follow the contours and step down the site in order to minimise the overall height of the building.</p>	<p>Buildings that are designed with consideration of the sharing of ocean views.</p> <p>Buildings that respond to the natural contours of the landscape.</p>
<p><i>Landscaping</i></p> <p>Vegetation should be sited and appropriate species selected in order to maintain existing ocean viewing corridors from adjoining properties.</p>	Vegetation that is selected and sited to maintain views to the ocean.

Map 1 to Schedule 14: Raglan Parade Precinct



Map 2 to Schedule 14: Raglan Parade Preferred Maximum Building Heights



 Preferred maximum building heights (metres)

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SCHEDULE 15 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO15**

FORESHORE DESIGN CHARACTER AND VIEW SHARING: MERRI STREET EAST

1.0

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Design objectives

The following design objectives apply to the precincts shown on Map 1 forming part of this clause.

Merri Street: All Precincts

- To ensure buildings are sited to integrate with existing streetscapes.
- To ensure buildings and structures respond positively to the coastal landscape setting.
- To encourage buildings that contribute positively to the streetscape through the use of innovative architectural responses and by presenting visually interesting facades to the street.
- To encourage buildings that visually complement the features of the surrounding environment.
- To maintain the open, informal appearance of the streetscapes.
- To provide for the reasonable sharing of views to the coast.
- To ensure buildings are sited and designed to take into account existing views to the coast from nearby properties.
- To encourage views between buildings to the surrounding landscape and coast.
- To ensure landscaping is integrated with the design of the development and complements the landscaping of the adjoining public realm.

Merri Street: Precincts 1 and 2

- To maintain the spacious setting of the streetscapes.
- To ensure that new development respects the significance and siting of existing heritage buildings.
- To ensure buildings and extensions respect the predominant height and form of buildings in the streetscape and provide for the sharing of ocean views from surrounding areas.

Merri Street: Precinct 3

- To maintain the urban setting of development.
- To ensure buildings and extensions respect the predominant height and form of buildings in the streetscape.

2.0

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Buildings and works

Permit requirement

A permit is required to construct a building or carry out works.

This does not apply if all of the following are met:

- The building is single storey and does not exceed a height of 5 metres above natural ground level.
- The building achieves the front and side setback requirements contained in Table 1 of this schedule.

A permit is required to construct a front boundary fence if there is currently no front boundary fence on the property.

3.0

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Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design objectives of this schedule.
- Whether the proposed development achieves the design requirements and the outcomes to be achieved in Table 1 of this schedule.

4.0

Reference

Merri Street East and Raglan Parade Analysis and Issues Report, including the Merri Street East Design Guidelines, February 2008.

Table 1 to Schedule 15

Merri Street: All Precincts	
Design requirements	Outcome to be achieved
<p><i>Setback Requirements (All Precincts)</i></p> <p>The upper level(s) of development should be stepped in from the ground floor in order to maintain viewing corridors between buildings.</p> <p><i>Refer to Precincts 1, 2 and 3 sections of this table for additional setback requirements.</i></p>	Buildings and vegetation that do not unreasonably block views to the coast.
<p><i>Height and building form</i></p> <p>Minimise the visual impact of buildings and reduce the need for cut and fill by designing buildings to follow the contours and step down the site.</p> <p>The upper level(s) of developments should be recessed and articulated to reduce dominance of the upper level and impacts in terms of overlooking and visual bulk.</p> <p>Buildings should incorporate low single pitch roof forms, low hip or gable roof forms, or limited use of high pitch roof forms.</p>	<p>Buildings that respond to the natural contours of the landscape.</p> <p>Buildings that do not visually dominate the street or coastal environment.</p>
<p><i>Materials and design detail</i></p> <p>Use simple building details.</p> <p>Articulate the form and façades of buildings through the use of different colours and materials, through the composition of openings and setbacks and through variations in wall surfaces.</p> <p>Use a mix of contemporary and traditional coastal materials, textures and finishes including timber, render, glazing, stone, brick, and iron roofing. Materials that weather over time with the landscape should also be considered.</p> <p>Utilise colours and finishes that complement the native vegetation of the local area, including dark, natural colours and matte finishes.</p> <p>Use glazing and roofing materials of low reflectivity.</p>	<p>High architectural quality.</p> <p>Buildings that respond positively to the coastal context.</p>
<p><i>Streetscape</i></p> <p>Where a front setback is required, ensure the area between the building and the front property boundary is mostly permeable and able to support vegetation, including medium-sized coastal canopy trees.</p> <p>Provide no front fence, or planting instead of a front fence in areas where this is a predominant feature of the streetscape. In other areas, provide an open style front fence to a preferred maximum height of 1.2 metres or fencing appropriate to the architectural style of the building.</p> <p>Locate garages, carport and car parking areas behind the line of the dwelling.</p>	<p>Buildings and building elements that achieve the desired streetscape character.</p> <p>Buildings that are sited to reinforce the landscape character of the coastal environment.</p> <p>Front setbacks that support species-appropriate coastal gardens.</p> <p>Front boundary treatments that reinforce the sense of openness in the streetscape.</p>

Merri Street: All Precincts	
Design requirements	Outcome to be achieved
<p><i>Views</i></p> <p>Buildings should be sited and designed so as not to intrude into major view lines from public viewing locations.</p> <p>Where ocean views are available along a road corridor, have regard for adjoining front setbacks so that new development does not intrude significantly into existing view lines.</p> <p>Vegetation should be sited and appropriate species selected in order to maintain ocean viewing corridors from adjoining properties.</p>	<p>Buildings and vegetation that do not unreasonably block views to the coast.</p>
<p><i>Landscaping</i></p> <p>Landscaping should provide visual links with the coastal reserve.</p> <p>Retain existing trees and provide for the planting of new vegetation, including medium-sized coastal canopy trees, wherever possible.</p> <p>Require all applications for new dwellings to prepare a landscape plan that includes the planting of appropriate vegetation around the dwelling.</p>	<p>Landscaping that is integrated with new buildings and links to the landscaping of the coastal environment.</p>
Merri Street: Precinct 1	
Design requirements	Outcome to be achieved
<p><i>Setback Requirements (Precinct 1)</i></p> <p>Development should be set back from both side boundaries a minimum of 2 metres.</p> <p>Development should be set back from the front boundary a minimum of 5 metres.</p> <p>Or:</p> <p>For development which adjoins an existing heritage property and is located on the same street frontage, ensure development is sited to complement the front, side and rear setbacks of the buildings on the heritage property.</p>	<p>Buildings that are sited to maintain a sense of spaciousness and support coastal vegetation.</p> <p>Development that respects established historic siting patterns.</p>
<p><i>Building height and form</i></p> <p>Development should be limited to a preferred maximum height of 7.5m above natural ground level (other than architectural details).</p>	<p>Buildings that are not visually dominant and are designed with consideration of the sharing of ocean views.</p>

Merri Street: Precinct 2	
Design requirements	Outcome to be achieved
<p><i>Setback Requirements (Precinct 2)</i></p> <p>Development should be set back from both side boundaries a minimum of 2 metres, having regard to existing ocean views from properties within the Ocean and Wattle Groves Heritage Precinct..</p> <p>Development should be set back from the front boundary a minimum of 3.5 metres.</p> <p>Or:</p> <p>For development which adjoins an identified contributory heritage property and is located on the same street frontage, ensure development is sited to complement the front, side and rear setbacks of the buildings on the contributory property.</p>	<p>Buildings that are sited to maintain a sense of spaciousness and support coastal vegetation.</p> <p>Buildings that are sited with consideration for the sharing of ocean views.</p> <p>Development that respects established historic siting patterns.</p>
<p><i>Building height and form</i></p> <p>Development should be limited to a preferred maximum height of 7.5m above natural ground level (other than architectural details).</p>	<p>Buildings that are not visually dominant and are designed with consideration of the sharing of ocean views.</p>
Merri Street: Precinct 3	
Design requirements	Outcome to be achieved
<p><i>Setback Requirements (Precinct 3)</i></p> <p>Development should be set back a minimum of 2 metres from the front boundary and 0 metres from both side boundaries.</p>	<p>Buildings that reinforce the existing urban form of development.</p>
<p><i>Building height and form</i></p> <p>Development should be limited to a preferred maximum height of 10.5m above natural ground level (other than architectural details).</p>	<p>Buildings that are not highly exposed when viewed from key viewing locations.</p>

Map 1 to Schedule 15: Merri Street Precincts



 Design Guidelines Precincts