

UPC5 Neighbourhood Character Study Implementation and New Residential Zones (Boroondara Planning Scheme Amendment C190)

Abstract

On 24 September 2012 the Urban Planning Special Committee (UPSC) adopted Neighbourhood Character Precinct Statements following three stages of community consultation. The Precinct Statements form part of the *Boroondara Neighbourhood Character Study* (NCS) (2012).

During the course of the Study, the municipality was divided into 75 precincts containing streets with common characteristics. The Precinct Statements adopted in September 2012 provide a description of each precinct along with a list of key characteristics and design guidelines for new development. All Precinct Statements are available online at www.boroondara.characterstudy.com.au.

While the *Neighbourhood Character Study* was underway, the Victorian State Government appointed an Advisory Committee to review Victoria's residential zones. Council endorsed a submission to the Reformed Zones Ministerial Advisory Committee on 7 September 2012. This submission supported the intent of the three new zones in principal and outlined opportunities to improve their effectiveness. Council also saw the new zones as an opportunity to implement the recommendations of the *Neighbourhood Character Study*.

The new residential zones became available for use on 1 July 2013. The new zones comprise the Neighbourhood Residential Zone, the General Residential Zone and the Residential Growth Zone. Councils have 12 months in which to introduce the new zones. After this time (1 July 2014) the General Residential Zone will be applied to all residential land in municipalities where councils have chosen not to introduce the new zones. Introduction of the new zones after 1 July 2014 will require a full planning scheme amendment, including the usual public exhibition and panel review process that can take up to two years to complete.

The *Neighbourhood Character Study* has been used to inform the application of the new residential zones across the City of Boroondara. It is recommended that Council utilise all three zones with different Schedules that apply different dwelling density and Rescode Standards depending on the character of the precinct. A number of the design and amenity standards set out in Council's Residential Design Policy are also proposed to be implemented via the Schedule to Neighbourhood Residential Zone 1 which applies to the City's traditional suburban precincts.

A map showing the proposed distribution of the new zones is provided at **Attachment 1**. The zone Schedules proposed are provided at **Attachment 2**.

In addition to the new zones, the following additional planning provisions are proposed to implement the Boroondara NCS:

1. Update of Council's existing Neighbourhood Character Local Policy (Clause 22.07) (**Attachment 3**);
2. Update of Council's existing Discretionary Uses in Residential Areas Policy (Clause 22.04) (**Attachment 4**);

3. Inclusion of the Neighbourhood Character Precinct Statements as reference documents;
4. Application of Design and Development Overlay 21 (DDO21) to precincts with a single storey character (**Attachments 5 and 6**); and
5. Application of Design and Development Overlay 22 (DDO22) to precincts characterised by low front fences (**Attachment 7 and 8**);

It is recommended that Council seek to implement the new residential zones and associated planning provisions via a 'fast track' Ministerial amendment (Amendment C190) under Section 20(4) of the *Planning and Environment Act 1987*. This would expedite the implementation of the *Neighbourhood Character Study*, providing the City's residential areas with the long awaited protection desired by the community sooner rather than later.

A two stage approach to communications and engagement is proposed which involves first informing the community about the outcomes of this UPSC meeting and then, following the introduction of the new provisions by the Minister for Planning, seeking community feedback about the provisions. Any changes to the new zones and associated provisions will then be made via the usual planning scheme amendment process which includes formal public exhibition and review by an independent panel.

A small number of minor changes have occurred to the Neighbourhood Character Precinct boundaries following the adoption of the Precinct Statements by Council in September 2012. These changes comprise the re-designation of some sections of the main road corridors (Precincts 40 and 49) proposed for inclusion in the Residential Growth Zone as well as the relocation of part of the south side of Victoria Road, Hawthorn from Precinct 32 to Precinct 42. These changes are recommended in order to improve the correlation between the precinct categorisations and associated proposed residential zone and the character of the relevant streetscapes.

Officers' recommendation

That the Urban Planning Special Committee resolve to:

1. Amend the Neighbourhood Character Precinct boundaries and associated Precinct Statements to:
 - a. Relocate the Auburn Road component of Precinct 40 to Precinct 39.
 - b. Relocate the eastern portion of Riversdale Road currently in Precinct 49 to Precinct 32.
 - c. Relocate the south side of Victoria Road, Hawthorn East (from Avenue Victoria to Burke Road) from Precinct 32 to Precinct 42.
2. Endorse the introduction of the Victorian Government's new residential zones and other planning provisions which implement the *Neighbourhood Character Study* as per the attachments to this report.
3. Request that the Minister for Planning prepare and approve an amendment to the Boroondara Planning Scheme (Amendment C190) to introduce the new planning provisions attached to this report pursuant to Section 20(4) of the *Planning and Environment Act 1987*.

4. Provide the Director City Planning with authority to make changes to the planning provisions attached to this report and proposed as a part of Amendment C190 where necessary in order to facilitate the introduction of the new residential zones into the Boroondara Planning Scheme.

Responsible director: John Luppino
City Planning

1. Purpose

The purpose of this report is to seek Council endorsement of the planning provisions proposed to implement the *Boroondara Neighbourhood Character Study* including through the application of the new residential zones.

2. Policy implications and relevance to council plan

The Neighbourhood Character Study implements Council's commitment to 'engage with our community in striving for protection and enhancement of the natural and built environment' in order to achieve the objective "the character of our neighbourhoods is protected and improved". (Council Plan June 2013-17).

3. Background

New residential zones

On 1 July 2013, the Minister for Planning gazetted the following new residential zones:

- **Residential Growth Zone (RGZ)** - Intended to provide for higher density housing in buildings up to four storeys. Default discretionary height limit of 13.5m.
- **General Residential Zone (GRZ)** - Intended to provide for moderate housing growth. Default discretionary height limit of 9m.
- **Neighbourhood Residential Zone (NRZ)** - Intended to provide for limited growth. Default mandatory height limit of 8m. Default mandatory multi-unit provision allowing only 2 dwellings on a lot. Opportunity to specify a minimum subdivision area.

Schedules can be applied to each zone that specify variations to Rescode (Clause 54 and 55), building height limits and dwelling density requirements (Neighbourhood Residential Zone only).

Councils have 12 months in which to introduce the new zones. After this time (1 July 2014) the General Residential Zone will be applied to all residential land in municipalities where councils have chosen not to introduce the new zones. Introduction of the new zones after this time would require a full planning scheme amendment, including the usual public exhibition and panel review process that can take up to two years to complete.

4. Outline of key issues/options

Neighbourhood Character Types

As a part of the Neighbourhood Character Study, the municipality was divided into 75 neighbourhood character precincts containing streets with common characteristics. Precincts with a similar character were then grouped into character types.

The methodology for grouping precincts into character types was developed internally by officers in order to assist with the implementation of the Neighbourhood Character Study through relevant planning controls, including the new residential zones.

The primary features differentiating the character types are the scale of development and the suburban / inner urban feel of the precinct. This is generally determined by the width of allotments, the spacing between dwellings and the size of front and rear gardens. The suburban precincts were also further differentiated according to their front boundary treatment (no, low or medium height front fences).

The grouping of precincts into character types was undertaken in order to apply customised siting and building envelope requirements to the precincts. This will occur through the Rescode variations enabled in the Schedules to the new residential zones. While the era of dwellings informed the designation of the original 75 neighbourhood character precincts, these elements are discrete from siting and building scale and, therefore, they did not directly inform the grouping of precincts into character types.

A list of the character types and their key features is provided in Table 1 below. Further detail about each character type, including future development challenges, is provided at Attachment 9. A map showing the character type applicable to each precinct in the municipality is provided at Attachment 10.

Each character type was then analysed to determine which new residential zone would enable the precinct's key characteristics to be maintained and enhanced. Different zone schedules were prepared for the different character, including customised Rescode provisions as appropriate.

The following table provides an overview of the new residential zone recommended for each character type:

Table 1: Neighbourhood Character Types

Character type	Key features of Precincts	Rec. Zone
Low Scale Suburban 1 & 2*	Mainly single storey, detached houses on relatively wide lots with medium to large front gardens. A consistent spine of medium to large, open back yards. Comparatively low site coverage.	NRZ1
General Suburban 1 & 2*	Mainly 1 and 2 storey scale, detached houses on relatively wide lots with medium to large front gardens. A consistent spine of medium to large, open back yards. Comparatively low site coverage.	NRZ1
Low Scale Inner Urban	Mainly single storey, closely set houses on narrow lots with small front and rear gardens. Comparatively high site coverage.	NRZ2
Semi-detached Suburban	Mainly 1 and 2 storey detached dwellings and semi-detached duplexes / contemporary town houses with medium to large front gardens. Consistent spine of open back yards. Moderately high site coverage.	NRZ2

General Suburban 3 & 4*	Mainly 1 and 2 storey scale, detached houses on relatively wide lots and medium to large front gardens. Often deep allotments that lack a consistent backyard character due to high percentage of multi-unit villas and other structures in rear gardens. Generally higher site coverage.	GRZ1
General Inner Urban	Mainly 1 and 2 storey, closely set houses on moderately wide lots but with small front gardens. Often deep allotments that lack a consistent backyard character due to the high percentage of multi-unit villas that extend for the length of the block. Some 2 and 3 storey apartments. Comparatively high site coverage.	GRZ2
Contemporary Townhouse	Mainly 2 storey, attached townhouses on narrow lots with small front and rear gardens. Comparatively high site coverage.	GRZ2
Eclectic Suburban	Mix of 2 and 3 storey apartments and 1 and 2 storey detached dwellings on moderately wide lots. Comparatively high site coverage.	GRZ3
Eclectic Inner Urban	Mix of 2 and 3 storey apartments and 1 and 2 storey closely set houses with small front and rear gardens. Comparatively high site coverage.	GRZ3
Main Road Apartments	Mainly 2 to 4 storey apartment buildings. Comparatively high site coverage.	RGZ1

*Front fences:

- Low Scale Suburban 1, General Suburban 1 and General Suburban 3 contains streets where low or no front fences predominate
- Low Scale Suburban 2, General Suburban 2 and General Suburban 4 contains streets with front fences of various heights

Proposed Residential Zones

As identified in Table 1, each Character Type has been allocated a proposed zone.

Table 2 lists the key features of each zone as well as the Character Types allocated to that zone. Further explanation about the provisions proposed in each zone is provided in **Attachment 11**. A summary table showing a comparison of the proposed residential zones and associated Rescode variations and density provisions is provided in **Attachment 12**. A copy of the actual zone schedules is provided at **Attachment 2**.

Table 2: Proposed Residential Zones

Zone	Key Features Proposed	Character Types
NRZ1	<ul style="list-style-type: none"> • Permit required for construction or extension of a single dwelling on lots less than 500m² • 8m mandatory height limit • Maximum 2 dwellings on a lot • Minimum subdivision area 500m² • Rescode variations for site coverage permeability, landscaping, side and rear setbacks, walls on boundaries and private open space 	<ul style="list-style-type: none"> • Low Scale Suburban 1 & 2 • General Suburban 1 & 2
NRZ2	<ul style="list-style-type: none"> • Permit required for construction or extension of a single dwelling on lots less than 500m² • 8m mandatory height limit • Maximum 2 dwellings on a lot • Minimum subdivision area 300m² • Rescode variations for landscaping and secluded private open space 	<ul style="list-style-type: none"> • Low Scale Inner Urban • Semi-Detached Suburban
GRZ1	<ul style="list-style-type: none"> • Permit required for construction or extension of a single dwelling on lots less than 500m² • 9m mandatory height limit given that the Neighbourhood Character Precinct Statements promote 1 and 2 storey development • Rescode variations for side setbacks, landscaping and secluded private open space 	<ul style="list-style-type: none"> • General Suburban 3 & 4
GRZ2	<ul style="list-style-type: none"> • Permit required for construction or extension of a single dwelling on lots less than 500m² • 10.5m mandatory height limit given that the Neighbourhood Character Precinct Statements promote 2 and 3 storey development • Rescode variations for landscaping and secluded private open space 	<ul style="list-style-type: none"> • Contemporary Town House • General Inner Urban
GRZ3	<ul style="list-style-type: none"> • Permit required for construction or extension of a single dwelling on lots less than 500m² • 10.5m mandatory height limit given that the Neighbourhood Character Precinct Statements promote 2 and 3 storey development 	<ul style="list-style-type: none"> • Eclectic Inner Urban • Eclectic Suburban
GRZ4	<ul style="list-style-type: none"> • Permit required for construction or extension of a single dwelling on lots less than 500m² • 9m discretionary height limit 	<ul style="list-style-type: none"> • Super-sized lots • Residential zoned land within activity centres
RGZ1	<ul style="list-style-type: none"> • Permit required for construction or extension of a single dwelling on lots less than 300m² • 13.5m mandatory height limit 	<ul style="list-style-type: none"> • Main Road Apartments

Super-sized lots

In addition to the character types listed above, officers have identified a number of 'super-sized lots'. These super-sized lots are land parcels of a size incongruous with the surrounding allotments, generally larger than 4,000 square metres in area. Some lots are less than 4,000 square metres but meet other criteria discussed below. These lots often contain institutional uses such as residential aged care facilities or public housing.

Given the size of these allotments, buildings higher than the surrounding mandatory height limit could be contemplated without impacting on the scale and character of the surrounding area. Consequently, the General Residential Zone 4 is proposed for a select number of 'super-sized lots' which applies a discretionary 9m height limit. The proposed updated Neighbourhood Character Policy (Clause 22.07 at **Attachment 3**) includes a policy statement requiring the scale of development around the perimeter of super-sized lots to be consistent with the prevailing streetscape scale. This will ensure any additional height is set within the centre of the site where it will have a minimal impact on the character of the streetscape and the amenity of the surrounding properties.

As a part of the process to determine which sites are appropriate for inclusion in the General Residential Zone 4, officers reviewed all sites over 4,000 square metres in the municipality, as well as a range of other sites owned by Council or referred to officers by land owners.

The following criteria were used when selecting sites for exemptions:

- **Necessity** - Some flexibility is required in order to facilitate the continued use and development of the site which would otherwise be restricted by the mandatory height and dwelling density provisions of the surrounding zone. For example, the Neighbourhood Residential Zone provisions relating to height and maximum number of dwellings do not apply to non-residential uses. Therefore, no exemption is required to enable the development or expansion of these non-residential uses such as community facilities or places of worship etc. Similarly, sites that have already been recently developed for apartment buildings are not likely to be redeveloped in the future and, therefore do not require an exemption from the mandatory height provisions proposed.
- **Character and amenity impact** - The site could be redeveloped to a height and intensity greater than allowed by the surrounding zone without impacting the character or amenity of the surrounding area.
- **Public benefit** - There is public benefit in allowing an exemption from the mandatory requirements of the surrounding zone in terms of provision of community facilities or infrastructure.

Using these criteria, most super-sized lots recommended for the General Residential Zone 4 fall into one of the following categories:

- Residential Aged Care Facility
- Nursing Home
- Public/Social Housing
- Select transitional sites (e.g. former hotels, service stations etc).

Sites generally not proposed for site specific exclusion include:

- Single dwellings which are 'significant' graded heritage properties (these are generally mansions on large grounds).
- Non-residential uses such as community facilities, schools, hospitals, private sports clubs, places of worship and parks and gardens.
- Multi-unit developments which are new, under construction or in multiple ownership.

A list of the sites recommended for an exemption from the Neighbourhood Residential Zone is provided at **Attachment 13**.

As a result of the mandatory height and dwelling density requirements of the Neighbourhood Residential Zone, it is likely that Council will receive a number of future individual planning scheme amendment requests to rezone other large parcels of land. These requests will be assessed on their individual merits.

Residential Zoned Land within Boroondara's Activity Centres

A number of residential zoned properties are located within the boundaries of Boroondara's Principal, Major or Neighbourhood Activity Centres or the City's Enterprise Corridors. These sites are included in areas subject to a Council adopted structure plan or other strategy. Some of these properties contain non-residential uses such as medical centres, services stations, car parks, take-away food premises or community facilities. Others are strategically located in the middle or on the edge of shopping precincts. In many cases these properties are candidates for rezoning from a residential to a commercial zone.

Further strategic review of these properties is required prior to confirming if a commercial rezoning is justified. In the meantime it is recommended that a neutral rezoning of these land parcels be undertaken as a part of Council's translation of all residential zoned land into the new zones. This involves rezoning the land parcels from the current Residential 1 Zone to the new General Residential Zone 4. This will ensure that the translation to the new residential zones does not prejudice any development opportunities envisaged for the sites by a Council adopted structure plan or strategy while a permanent rezoning outcome is being investigated.

Residential Design Policy (RDP)

The Residential Design Policy (RDP) was adopted by Council on 1 December 2003. The Policy was reviewed in 2011 and re-adopted with changes on 12 December 2011. The aim of the RDP is to achieve a high standard of design and protect and enhance the character of the city. The RDP is actively used within Council and the development industry when preparing and assessing planning permit applications.

As outlined above in Table 2, a number of the existing Residential Design Policy (RDP) standards have been incorporated into the proposed schedule to the Neighbourhood Residential Zone applicable to the City's detached, suburban precincts.

These RDP standards comprise:

- **Site coverage** (Standards A3 and B6) - Maximum 50% site coverage requirement.
- **Permeability** (Standard A6 and B9) - Maximum 65% impermeable surfaces.
- **Landscaping** (Standard B13) - Requirement for at least one canopy tree to be planted per dwelling.
- **Side and rear setbacks** (Standard A10 and B17) - Additional ground and upper level setbacks required adjoining secluded private open space.
- **Private open space** (Standard A17 and B28) - Minimum 50m² secluded private open space required with a minimum dimension of 5m.

With the exception of the landscaping variation (Standard B13), the above mentioned provisions have not been included in all zone schedules. This is because some zones contain precincts composed of smaller allotments with higher numbers of multi-unit developments and, therefore, these precincts do not exhibit the spacious, suburban characteristics the RDP aims to protect.

In terms of the landscaping variation, this provision is proposed for all of the other zone schedules which apply to precincts with a single dwelling or town house/villa unit character.

It should be noted that the proposed Rescode variations require final approval by the Minister for Planning and there is no guarantee that the variations will be accepted. If approved, the above mentioned Rescode variations will apply to all planning and building applications for single dwellings and multi-unit developments in the Neighbourhood Residential Zone 1.

Other Planning Provisions

In addition, the following other planning provisions are proposed to achieve the outcomes sought by the Neighbourhood Character Precinct Statements:

- Updated Neighbourhood Character Policy
- Updated Discretionary Uses in Residential Areas Policy
- Design and Development Overlay 21 - Single Storey Precincts
- Design and Development Overlay 22 - Low Front Fence Precincts

Table 3: lists the key characteristics of these provisions.

Zone	Key Features Proposed
DDO21 - Single Storey Character Areas	<ul style="list-style-type: none"> • Permit trigger for upper levels that are sited within 8m of the building's front facade • Exemption from notice and review • Does not apply to properties in a Heritage Overlay where a planning permit is already triggered for all external buildings and works, including dwelling extensions
DDO22 - Low Front Fence Areas	<ul style="list-style-type: none"> • Permit trigger for fences over 0.5m, 1m or 1.2m depending on the characteristics of the precinct • Exemption from notice and review • Does not apply to properties in a Heritage Overlay where a planning permit is already triggered for all external buildings and works, including front fences • Does not apply to properties fronting a declared main road (RDZ1)
Neighbourhood Character Policy	<ul style="list-style-type: none"> • Updates the existing Neighbourhood Character Policy (Clause 22.07) • Lists the <i>Boroondara Neighbourhood Character Study Precinct Statements</i> as reference documents • In streets with a consistent spine of back gardens, discourages multi-storey development to the rear of sites that would disrupt this backyard character (applies to suburban precincts) • Discourages side-by-side town houses on lots narrower than 18 metres in width (applies to suburban precincts) • Encourages vacant lot subdivisions to be accompanied by three dimensional building envelopes • Encourages pitched roofs where this is the predominant streetscape character • Encourages development on the edge of 'super-size lots' to be consistent in scale with the adjoining streetscape
Non-Residential Development in Residential Areas Policy	<ul style="list-style-type: none"> • Updates the existing Discretionary Uses in Residential Areas Policy (Clause 22.04) • Provides direction to ensure the design of non-residential development in residential zones integrates with the character of the area's preferred as identified in the <i>Boroondara Neighbourhood Character Study Precinct Statements</i> • Provides direction for the location and management of non-residential uses (including operating hours) to protect the amenity of surrounding houses

A copy of the above-mentioned provisions is provided at **Attachments 3 to 8**.

Mapping of proposed residential zones

A map showing the proposed new residential zones is provided at **Attachment 1**. These zone boundaries will be updated to remove all non-residential land prior to submission to the Minister for Planning.

Mapping of proposed Design and Development Overlays

Maps showing the proposed locations for Design and Development Overlay 21 and 22 are provided at **Attachments 5 and 7**.

These Design and Development Overlays will not apply to non-residential zoned land. In addition, it is recommended that the overlays not apply to precincts and individual properties already in a Heritage Overlay as the Heritage Overlay already requires that planning permission be obtained for all external buildings and works, including works for or to single dwellings and all front fences. These applications in a Heritage Overlay are assessed against Council's Heritage Policy (Clause 22.05). This policy includes a sight line requirement for upper level additions which aims to achieve a similar, albeit more recessive outcome for first floor additions as the proposed Design and Development Overlay.

The boundaries of the proposed Design and Development Overlays will be refined to remove non-residential zoned land and properties and precincts in a Heritage Overlay prior to submitting the amendment documentation to the Minister for Planning. It is also recommended that Design and Development 21 and/or 22 be removed from sites once a Heritage Overlay is applied. This will prevent any conflict between planning provisions.

Updates to Municipal Strategic Statement (MSS)

The Boroondara Municipal Strategic Statement (Clause 21 of the Boroondara Planning Scheme) will be updated in order to provide the policy and background context for the new planning provisions proposed. These changes will be retained to a minimum given that the Strategic Planning Department will commence a holistic review of the MSS within the next 12 months.

Process for implementing the proposed planning provisions

As discussed above, it is recommended that Council apply to introduce the new zones and other provisions through a 'fast track' Ministerial amendment under Section 20(4) of the *Planning and Environment Act 1987*. This approach will ensure that the entire suite of new zones are able to be applied within the one year deadline established by the Minister, after which time the General Residential Zone will be applied throughout the City.

It is recommended that a public consultation process occur following the introduction of the new zones. This will enable the provisions to be refined in response to public feedback as required.

5. Consultation/communication

Previous consultation - Neighbourhood Character Study

Substantial community consultation occurred during the preparation of the Neighbourhood Character Precinct Statements. This comprised:

Stage 1 consultation (Sep - Oct 2011)

- Feedback about valued character elements
- 8 local drop in sessions / workshops
- Telephone survey
- Online and written feedback

Stage 2 consultation (Feb 2012)

- Feedback about draft Precinct Profiles
- 5 community drop in sessions
- Purpose built consultation website
- Online and written feedback

Stage 3 consultation (Jun 2012)

- Feedback about draft Precinct Statements
- 6 community information sessions
- 2 'community hearings' with Councillors
- Purpose built consultation website
- Online and written feedback

Overall, the public consultation re-enforced that the community value:

- The existing character of the City - i.e. housing that complements the existing character of the area
- Preservation of historic streetscapes
- Preservation of space around homes
- Protection and planting of mature trees
- Soft landscaping / diverse plantings in front gardens
- Low front fences that allow views of houses from the street
- The existing scale of streetscapes (ensuring that the height and bulk of buildings respects the scale of the street)
- Housing design that is high quality, durable and environmentally sustainable
- Pitched roofs, particularly in heritage areas

Common threats and issues raised by the community include:

- Boundary to boundary development
- High front fences
- "McMansions"
- Replacement of backyards with development
- Replacement of soft landscaping with hard surfaces in front gardens.
- Removal of mature trees
- Bulky buildings that dominate the street
- "Box-like" contemporary design that does not fit in with the historic streetscapes

The design guidelines contained in the Neighbourhood Character Precinct Statements were drafted to respond to these values and threats identified by the community.

The Neighbourhood Character Precinct Statements provide the strategic justification for the application of the Victorian Government's new residential zones as proposed in this report. Implementation of the Precinct Statements will also occur through the inclusion of the Statements as reference documents to the Boroondara Planning Scheme.

Proposed consultation - new Residential Zones

In order to expedite the application of the new residential zones, it is recommended that Council request that the Minister for Planning introduce the new zones into the Boroondara Planning Scheme via 'fast track' amendment. This process does not include public consultation.

A two stage communications and engagement process will be undertaken to ensure the community is informed about the proposed changes and has the opportunity to provide feedback. This two stage process involves:

- **Stage 1** - *Following the Council's decision about the new provisions at the UPSC meeting on 16 September 2013* - This stage will focus on informing the community about the proposed provisions and the upcoming opportunity to have their say on the new zones and other planning provisions.
- **Stage 2** - *Following the introduction of the new planning provisions by the Minister for Planning* - This stage will focus on seeking community feedback about the newly introduced provisions to inform one consolidated planning scheme amendment in the future if necessary.

6. Financial and resource implications

Implementations for Statutory Planning and Building Services Departments

The new Rescode variations and proposed Design and Development Overlays may generate additional planning permit and report and consent applications. These applications will be minimised as a result of the targeted planning permit triggers proposed. As a rough indication, it is possible that Design and Development Overlay 21 relating to single storey character areas will generate approximately 50 additional planning permit applications each year while Design and Development Overlay 22 relating to front fences will generate approximately 15 planning permit applications each year. These figures are based on a review of previous planning and building permit data for dwellings extensions and annual planning permit applications for front fences in Heritage Overlay areas.

It is noted that any potential increase in planning permit and report and consent applications will be offset by the introduction of mandatory requirements as part of the application of the Neighbourhood Residential Zone. These mandatory provisions relating to building height, subdivision and multi-unit developments would streamline the planning permit application process by removing discretion, thereby reducing opportunities for conflict and appeal. The introduction of the Neighbourhood Residential Zone is also likely to reduce the number of complex planning permit applications received for multi-unit developments which take longer to process than applications for two lot subdivisions, front fences, extensions and dual occupancies. Therefore, on balance, there is likely to be either a reduction in the number of planning permit applications received, or negligible change to Council's current application numbers.

Council's revenue from planning permit application fees is also likely to reduce as a result of the introduction of mandatory limitations on multi-unit development. However, this reduction in revenue is likely to be offset by a reduction in VCAT costs and a potential increase in fees associated with report and consent applications under the *Building Act 1993* to vary the proposed Rescode standards.

Implications for Strategic Planning Department

Other resource implications include a potential increase in planning scheme amendment requests associated with:

- Requests from land owners or developers seeking to avoid the mandatory dwelling density requirements of the Neighbourhood Residential Zone by requesting that their site be included in the General Residential or Residential Growth Zone
- Requests from land owners or developers to remove the mandatory maximum height limits applicable to their sites
- Requests from land owners or residents in the General or Residential Growth Zones seeking inclusion of their property or street in the Neighbourhood Residential Zone
- Requests for variations to the location and permit triggers proposed by DDO21 and DDO22 applicable to single storey and low front fence precincts

It is recommended that these requests be considered as a part of a consolidated consultation and planning scheme amendment process, rather than individually, or on an ad hoc basis. This may mean that changes to the zones and other planning provisions may not occur until the new provisions have been tested and reviewed over the year following their introduction.

Processing the above mentioned requests may generate additional resource requirements for Strategic Planning, resulting in additional budget bids in future years.

Other costs include the \$2,140 fee to the Department of Transport, Planning and Local Infrastructure (DTPLI) associated with the lodgement of the 'fast track' Ministerial amendment. This cost will be funded out of the 2013/14 Strategic Planning budget.

Costs associated with consultation

The primary financial implication of the proposed Communications and Engagement Plan is the cost associated with designing, printing and distributing a brochure to all residents and ratepayers in the municipality. It is estimated that each mail out of this scale would cost approximately \$60,000. The funds required to undertake one mail out to all residents and ratepayers can be sourced from the 2013/14 Strategic Planning budget. Any second mail out or additional consultation will need to be funded from alternative sources.

7. Governance issues

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities, including Council's Victorian Charter of Human Rights and Responsibilities Compatibility Assessment Matrix (Version 1, August 2011). It is considered that the purpose of the officer's report does not negatively impact on the values identified in the Charter.

The officers responsible for this report have no direct or indirect interests requiring disclosure.

8. Social and environmental issues

Establishing design guidelines for the City's residential areas will facilitate positive social and environmental outcomes for the municipality by ensuring protection of the City's valued residential character.

9. Conclusion

The Neighbourhood Character Study is an important project which will help protect the character of the City's residential areas. The planning provisions proposed to implement the Study aim to achieve the preferred character for each precinct in an effective and efficient manner. This includes minimising resource implications to Council by applying mandatory height and dwelling density requirements as relevant and introducing targeted planning permit triggers to achieve specific outcomes. These new provisions will provide certainty for land owners and the community and greater protection for the City's valued characteristics.

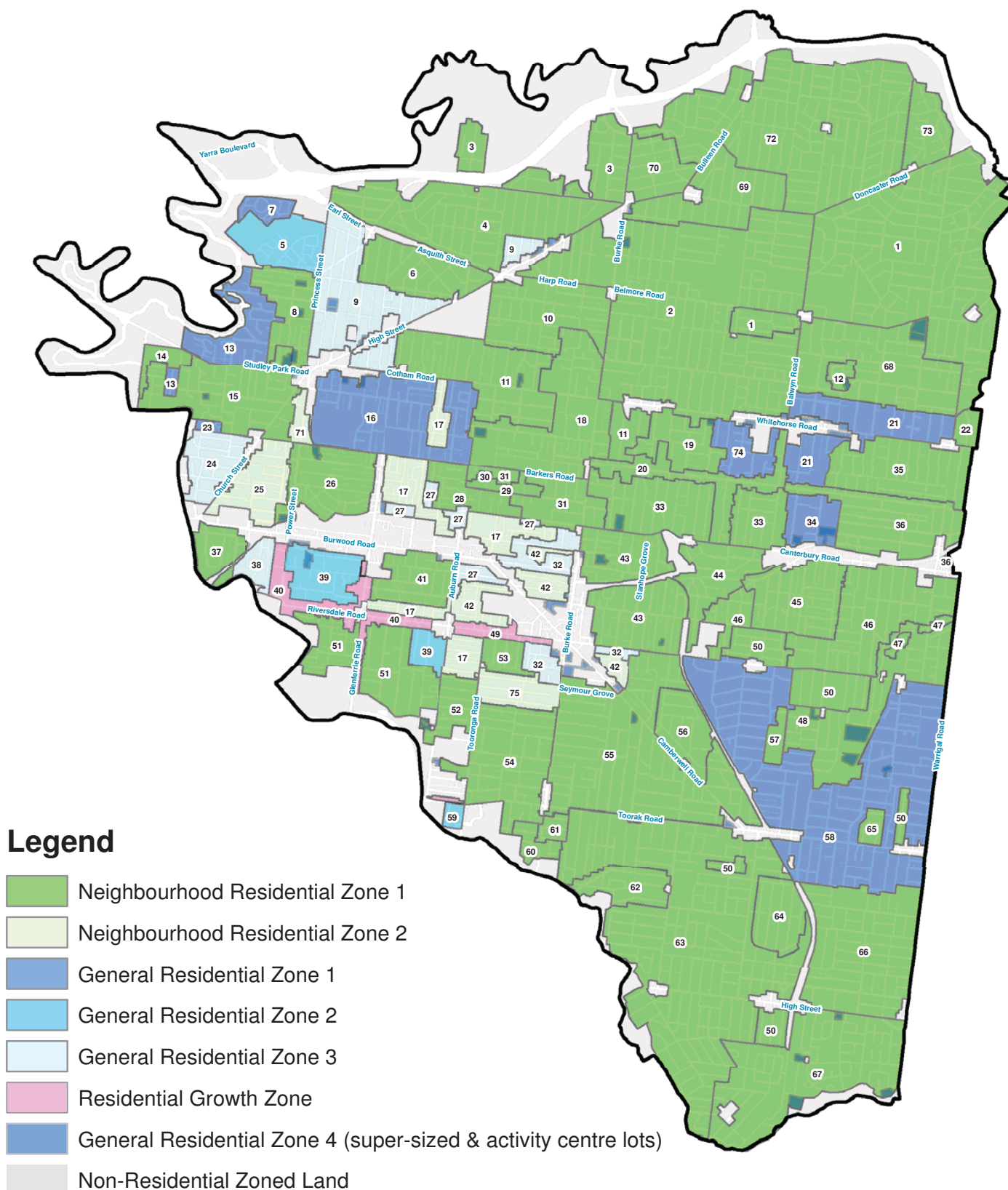
The Neighbourhood Character Study and other strategic planning work supporting the introduction of the new residential zones has been thorough and comprehensive. The resulting distribution of the new residential zones will facilitate different types of residential development across the city as appropriate, with an emphasis on protecting the city's neighbourhood character.

Manager: Zoran Jovanovski, Strategic Planning

Report officer: Michelle Wyatt, Team Leader, Strategic Planning

Attachment 1

Proposed Residential Zones DRAFT



BOROONDARA PLANNING SCHEME

Attachment 2

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SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ1**

LOW SCALE SUBURBAN 1 AND 2 AND GENERAL SUBURBAN 1 AND 2 PRECINCTS***SUBURBAN PRECINCTS WITH A CONSISTENT, OPEN BACKYARD CHARACTER*****1.0 Minimum subdivision area**

The minimum lot size for subdivision is 500 square metres

--/20--
C--

2.0 Permit requirement for the construction or extension of one dwelling on a lot

--/20--
C--

	Requirement
Permit requirement for the construction or extension of one dwelling on a lot	500 square metres
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	500 square metres

3.0 Requirements of Clause 54 and Clause 55

--/20--
C--

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	50%
Permeability	A6 and B9	35%
Landscaping	B13	At least one canopy tree should be planted in the private open space for each dwelling
Side and rear setbacks	A10 and B17	A new building not on or within 150mm of a boundary should be set back from side or rear boundaries 2 metres plus 0.6 metres for every metre of height over 3.6 metres where the wall is adjacent to the secluded private open space of an adjoining dwelling.
Walls on boundaries	A11 and B18	A wall may be constructed on a boundary where: <ul style="list-style-type: none"> It is a car port or garage sited behind the main front wall of the dwelling by at least 1 metre, and located on one side boundary only; or It is any other part of the dwelling and the building is set back a minimum of 1.0 metre from the side boundary for a distance of 5 metres from the front wall of the building.

BOROONDARA PLANNING SCHEME

	Standard	Requirement
Private open space	A17	A dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 50 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 5 metres at the side or rear of the dwelling with convenient access from a living room.
	B28	A dwelling or residential building should have private open space consisting of: <ul style="list-style-type: none"> An area of 50 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 5 metres and convenient access from a living room, or A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.
Front fence height	A20 and B32	None specified

4.0 Number of dwellings on a lot

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C--

None specified

5.0 Maximum building height requirement for a dwelling or residential building

--/20--
C--

None specified

6.0 Application requirements

--/20--
C--

An application must be accompanied by the following information, as appropriate:

- A *Boroondara Neighbourhood Character Study Precinct Statements* assessment that specifies:
 - How the development responds to the preferred character statement in the relevant precinct statement.
 - How the development responds to the design guidelines contained in the relevant precinct statement.
 - How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

BOROONDARA PLANNING SCHEME

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

7.0 Decision guidelines

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C--

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements*

BOROONDARA PLANNING SCHEME

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C--

SCHEDULE 2 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ2**

LOW SCALE INNER URBAN AND SEMI-DETACHED SUBURBAN PRECINCTS**1.0 Minimum subdivision area**

The minimum lot size for subdivision is 300 square metres

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C--

2.0 Permit requirement for the construction or extension of one dwelling on a lot

--/20--
C--

	Requirement
Permit requirement for the construction or extension of one dwelling on a lot	500 square metres
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	500 square metres

3.0 Requirements of Clause 54 and Clause 55

--/20--
C--

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	At least one canopy tree should be planted in the private open space for each dwelling
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	A dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 4 metres at the side or rear of the dwelling with convenient access from a living room.

BOROONDARA PLANNING SCHEME

	Standard	Requirement
	B28	<p>A dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> • An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 4 metres and convenient access from a living room, or • A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or • A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.
Front fence height	A20 and B32	None specified

4.0 Number of dwellings on a lot

--/20--
C--

None specified

5.0 Maximum building height requirement for a dwelling or residential building

--/20--
C--

None specified

6.0 Application requirements

--/20--
C--

An application must be accompanied by the following information, as appropriate:

- A *Boroondara Neighbourhood Character Study Precinct Statements* assessment that specifies:
 - How the development responds to the preferred character statement in the relevant precinct statement.
 - How the development responds to the design guidelines contained in the relevant precinct statement.
 - How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

7.0 Decision guidelines

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C--

BOROONDARA PLANNING SCHEME

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements*

BOROONDARA PLANNING SCHEME

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C--**SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**Shown on the planning scheme map as **GRZ1****GENERAL SUBURBAN 3 AND 4*****SUBURBAN PRECINCTS WITHOUT A CONSISTENT, OPEN BACKYARD CHARACTER*****1.0 Permit requirement for the construction or extension of one dwelling on a lot**--/20--
C--

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

Yes

2.0--/20--
C--**Requirements of Clause 54 and Clause 55**

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	At least one canopy tree should be planted in the private open space for each ground level dwelling.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	A wall may be constructed on a boundary where: <ul style="list-style-type: none"> It is a car port or garage sited behind the main front wall of the dwelling by at least 1 metre, and located on one side boundary only; or It is any other part of the dwelling and the building is set back a minimum of 1.0 metre from the side boundary for a distance of 5 metres from the front wall of the building.
Private open space	A17	A dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 4 metres at the side or rear of the dwelling with convenient access from a living room.

BOROONDARA PLANNING SCHEME

	Standard	Requirement
	B28	<p>A dwelling (excluding dwellings in apartment buildings) should have private open space consisting of:</p> <ul style="list-style-type: none"> An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 4 metres and convenient access from a living room. <p>For apartment buildings:</p> <ul style="list-style-type: none"> a ground level dwelling should have secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 4 metres and convenient access from a living room; An upper level dwelling should have: <ul style="list-style-type: none"> A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement for a dwelling or residential building

--/20--
C--

A building used as a dwelling or a residential building must not exceed a height of 9 metres.

4.0 Application requirements

--/20--
C--

The following application requirements apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

An application must be accompanied by the following information, as appropriate:

- A *Boroondara Neighbourhood Character Study Precinct Statements* assessment that specifies:
 - How the development responds to the preferred character statement in the relevant precinct statement.
 - How the development responds to the design guidelines contained in the relevant precinct statement.
 - How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

BOROONDARA PLANNING SCHEME

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

5.0 Decision guidelines

--/20--
C--

The following decision guidelines apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements*

BOROONDARA PLANNING SCHEME

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C--**SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**Shown on the planning scheme map as **GRZ2****CONTEMPORARY TOWN HOUSE AND GENERAL INNER URBAN PRECINCTS****1.0 Permit requirement for the construction or extension of one dwelling on a lot**--/20--
C--**Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?**

Yes

2.0 Requirements of Clause 54 and Clause 55--/20--
C--

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	At least one canopy tree should be planted in the private open space for each dwelling
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	A dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 4 metres at the side or rear of the dwelling with convenient access from a living room.

BOROONDARA PLANNING SCHEME

	Standard	Requirement
	B28	<p>A dwelling (excluding dwellings in apartment buildings) should have private open space consisting of:</p> <ul style="list-style-type: none"> An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 4 metres and convenient access from a living room. <p>For apartment buildings:</p> <ul style="list-style-type: none"> a ground level dwelling should have secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 4 metres and convenient access from a living room; An upper level dwelling should have: <ul style="list-style-type: none"> A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.
Front fence height	A20 and B32	None specified

3.0

--/20--
C--

Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or a residential building must not exceed a height of 10.5 metres.

5.0

--/20--
C--

Application requirements

The following application requirements apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

An application must be accompanied by the following information, as appropriate:

- A *Boroondara Neighbourhood Character Study Precinct Statements* assessment that specifies:
 - How the development responds to the preferred character statement in the relevant precinct statement.
 - How the development responds to the design guidelines contained in the relevant precinct statement.
 - How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

BOROONDARA PLANNING SCHEME

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

5.0 Decision guidelines

--/20--
C--

The following decision guidelines apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements*

BOROONDARA PLANNING SCHEME

--/20--
C--**SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**Shown on the planning scheme map as **GRZ3****ECLECTIC INNER URBAN AND ECLECTIC SUBURBAN PRECINCTS****1.0 Permit requirement for the construction or extension of one dwelling on a lot**--/20--
C--**Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?**

Yes

2.0 Requirements of Clause 54 and Clause 55--/20--
C--

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	<p>A dwelling (excluding dwellings in apartment buildings) should have private open space consisting of:</p> <ul style="list-style-type: none"> An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room. <p>For apartment buildings:</p> <ul style="list-style-type: none"> a ground level dwelling should have secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; An upper level dwelling should have: <ul style="list-style-type: none"> A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

BOROONDARA PLANNING SCHEME

	Standard	Requirement
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement for a dwelling or residential building

--/20--
C--

A building used as a dwelling or a residential building must not exceed a height of 10.5 metres.

4.0 Application requirements

--/20--
C--

The following application requirements apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

An application must be accompanied by the following information, as appropriate:

- A *Boroondara Neighbourhood Character Study Precinct Statements* assessment that specifies:
 - How the development responds to the preferred character statement in the relevant precinct statement.
 - How the development responds to the design guidelines contained in the relevant precinct statement.
 - How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

5.0 Decision guidelines

--/20--
C--

The following decision guidelines apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements*

BOROONDARA PLANNING SCHEME

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C--

SCHEDULE 4 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ4**

SUPER-SIZED LOTS**1.0 Permit requirement for the construction or extension of one dwelling on a lot**

--/20--
C--

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

Yes

2.0 Requirements of Clause 54 and Clause 55

--/20--
C--

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	<p>A dwelling (excluding dwellings in apartment buildings) should have private open space consisting of:</p> <ul style="list-style-type: none"> An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room. <p>For apartment buildings:</p> <ul style="list-style-type: none"> a ground level dwelling should have secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; An upper level dwelling should have: <ul style="list-style-type: none"> A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

BOROONDARA PLANNING SCHEME

	Standard	Requirement
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement for a dwelling or residential building

--/20--
C--

None specified.

4.0 Application requirements

--/20--
C--

The following application requirements apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

An application must be accompanied by the following information, as appropriate:

- A *Boroondara Neighbourhood Character Study Precinct Statements* assessment that specifies:
 - How the development responds to the preferred character statement in the relevant precinct statement.
 - How the development responds to the design guidelines contained in the relevant precinct statement.
 - How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

5.0 Decision guidelines

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C--

The following decision guidelines apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements*

BOROONDARA PLANNING SCHEME

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SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ1**

MAIN ROAD APARTMENT PRECINCTS**1.0 Requirements of Clause 54 and Clause 55**

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C--

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	<p>Buildings and works three or more storeys in height should provide a minimum ground level setback of three (3) metres from a side or rear boundary that is shared with a property in a Neighbourhood Residential Zone or General Residential Zone.</p> <p>If a service lane separates a side or rear boundary from a property in a Neighbourhood Residential Zone or General Residential Zone, the service lane may be counted as part of the three (3) metre setback.</p>
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	<p>A dwelling (excluding dwellings in apartment buildings) should have private open space consisting of:</p> <ul style="list-style-type: none"> An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room. <p>For apartment buildings:</p> <ul style="list-style-type: none"> a ground level dwelling should have secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; An upper level dwelling should have: <ul style="list-style-type: none"> A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

BOROONDARA PLANNING SCHEME

	Standard	Requirement
Front fence height	A20 and B32	None specified

2.0

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C--

Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or a residential building must not exceed a height of 13.5 metres.

3.0

--/20--
C--

Application requirements

An application must be accompanied by the following information, as appropriate:

- A *Boroondara Neighbourhood Character Study Precinct Statements* assessment that specifies:
 - How the development responds to the preferred character statement in the relevant precinct statement.
 - How the development responds to the design guidelines contained in the relevant precinct statement.
 - How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

4.0

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C--

Decision guidelines

The following decision guidelines apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements*

BOROONDARA PLANNING SCHEME

Attachment 3

22.07

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NEIGHBOURHOOD CHARACTER POLICY

This policy applies to multi-dwelling development, subdivision, single dwelling development on lots of less than 500 square metres and the variation or removal of covenants and restrictions on land titles on land in the Neighbourhood Residential, General Residential and Residential Growth zones, except for land within:

- DDO Schedule 1 (Willsmere Design and Development Area);
- DDO Schedule 2 (Willsmere Historical Building Design and Development Area);
- DDO Schedule 16 (Balwyn Neighbourhood Activity Centre - Level 1);
- DDO Schedule 17 (Neighbourhood Activity Centres - Level 2);
- DDO Schedule 18 (Neighbourhood Activity Centres - Level 3);
- DDO Schedule 20 (Enterprise Corridors); and
- DPO Schedule 3 (Kew Residential Services)

This policy does not apply to an application if a permit is only required under any of the following overlays:

- Environmental Significance Overlay
- Vegetation Protection Overlay
- Significant Landscape Overlay
- Heritage Overlay
- Design and Development Overlay Schedule 31 (Yarra River Protection Corridor)
- Land Subject to Inundation Overlay
- Special Building Overlay
- Public Acquisition Overlay
- City Link Project Overlay

This policy is designed to guide the assessment of the neighbourhood character provisions of Clause 54, 55 and 56 and should be read in conjunction with Design and Development Overlay Schedules 4 (Monomeath Design and Development Area), Schedule 21 (Single Storey Character Areas) and Schedule 22 (Low Front Fence Areas) as well as Council's Heritage Policy and Non-Residential Development in Residential Areas Policy, as applicable.

22.07-1

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Policy basis

Council's Neighbourhood Character Study, as documented in the *Neighbourhood Character Study Methodology and Implementation Report 2013*, identifies areas where the existing low intensity, low-rise, 'leafy' character should be protected and enhanced. The Study also identifies areas with an eclectic character where increased housing diversity would be appropriate.

Achieving development outcomes that contribute positively to local neighbourhood character while minimising adverse impacts on neighbouring properties is a fundamental objective for development within Boroondara's residential areas.

As a part of the 2013 Study, the City of Boroondara was divided into seventy-five (75) precincts. A Precinct Statement was prepared for each which identifies the key natural and built form elements that contribute to the character of each area. The Precinct Statements set out the preferred future character for the precinct as well as design guidelines to achieve this preferred character.

BOROONDARA PLANNING SCHEME

The Neighbourhood Character Study identifies that Boroondara's residential neighbourhoods are mostly 'suburban' character types, with limited areas of 'inner urban', 'contemporary town house', 'semi-detached suburban' and 'main road apartments'. Each of these broad character types is divided into sub-character types based on a set of key characteristics.

The *Boroondara Neighbourhood Character Study Precinct Statements 2012* are a reference document.

22.07-2 Objective

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- To implement the recommendations of the *Boroondara Neighbourhood Character Study Precinct Statements 2012* and *Methodology and Implementation Report 2013*.
- To ensure new development retains, enhances and does not diminish an area's preferred character, as identified in the *Boroondara Neighbourhood Character Study Precinct Statements 2012*.

Development pressure

Residential development can affect neighbourhood character through:

- The loss of mature trees and gardens.
- New development that does not provide adequate garden space for the planting of new vegetation, particularly canopy trees.
- Additional or widened crossovers that result in increased hard paving and loss of street trees.
- Hard paving areas for car parking within front setbacks that are in excess of a standard single driveway width, resulting in the loss of garden space.
- Garages and carports that dominate the street presentation of a dwelling due to their location within the front setback or their excessive width.
- The provision of multiple basement or semi-basement ramps accessed via the same street.
- Car parking facilities that increase the visual bulk of buildings, such as basement structures that protrude above ground level.
- Excessive visual building bulk causing buildings to dominate the street and neighbouring properties.
- Dwellings that project forward of adjacent buildings, interrupting consistent setbacks within the streetscape.
- Side setbacks that are less than the predominant setbacks within the streetscape.
- In streetscapes with a single storey character, upper levels that visually dominate the original building or which are out of character with the streetscape.
- Multi-storey development within rear yards that disrupts the consistent open backyard spine.
- Roof forms that are substantially different to other roof forms in the street where there is a consistent character.
- New buildings that do not respect the predominant materials, finishes or colours of surrounding dwelling, where this is consistent in the streetscape.
- Buildings without eaves where the provision of eaves is typical in the streetscape.
- Symmetrical presentation of side-by-side town houses in streetscapes composed of single dwellings with asymmetrical building forms.
- High, solid front fences that inhibit views to buildings or front gardens and reduce the sense of openness of a street.

BOROONDARA PLANNING SCHEME

- Blank building facades that lack habitable room windows at all levels that face the street.
- Development that blocks views of the Melbourne CBD, the Dandenong Ranges, the Macedon Ranges or the Yarra River environs from public spaces.

22.07-3 General

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It is policy to:

- Ensure that the siting, setbacks, height and design of new development is responsive to the preferred future character of the precinct, having regard to the preferred character statement within the relevant Neighbourhood Character Study Precinct Statement.
- Utilise those elements that make a positive contribution to the character of the precinct in the design and layout of new development.
- Ensure that new driveways and vehicle crossings, or other works including basements, do not result in the loss of street trees in streets where street trees contribute to the character of the precinct.
- Ensure that no more than one basement or semi-basement ramp is provided within the same property frontage.
- Ensure that car parking facilities do not increase the visual bulk of buildings, such as basement structures that protrude above ground level.
- Use existing development in the area that is consistent with the preferred character of the precinct as documented in the relevant Neighbourhood Character Precinct Statement to inform the scale, siting, form and appearance of new development.
- Ensure that the scale of new development respects the preferred scale of development in the precinct.
- On sloping sites, reduce building bulk and scale by ensuring that development steps down the land with changes in topography.
- Ensure that new development integrates within the streetscape by requiring recessive upper levels which are setback from the front facade in precincts with a single storey character.
- Ensure that new development creates a transition in height between the highest point of the new building and adjoining lower scale dwellings and residential buildings.
- Ensure that new development avoids blank interfaces with the street by incorporating habitable room windows that have an outlook towards the public realm.
- Ensure that the external materials and finishes used in new developments make a positive contribution to the character of the precinct.
- Ensure that front fences are consistent in height and style with other front fences in the street.
- Ensure new development on corner sites is adequately set back to provide a transition between the adjoining buildings.
- Protect views of the Melbourne CBD, the Dandenong Ranges, the Macedon Ranges or the Yarra River environs from public spaces.
- Ensure new development incorporates pitched roof forms to the street where this is the predominant streetscape character.

22.07-4 General Suburban 1, 2, 3 and 4 and Low Scale Suburban 1 and 2 Areas

Map 1 and Table 1 identify the precincts that are categorised as "General Suburban" and "Low Scale Suburban".

BOROONDARA PLANNING SCHEME

"General Suburban 1", "General Suburban 2" and "Low Scale Suburban 1" and "Low Scale Suburban 2" precincts are generally characterised by streets with a consistent spine of open backyards.

"General Suburban 3" and "General Suburban 4" precincts are generally characterised by streets with a less consistent backyard character.

Preferred Character statement

To maintain the detached, 1 to 2 storey scale and spacious, suburban character of the area.

To protect and enhance the area's 'leafy' feel and the garden setting of dwellings.

Policy

In addition to the general policy requirements, it is policy to:

- Ensure that new development contributes to the spacious, landscaped character of the area by retaining areas of open space capable of accommodating canopy trees within rear and front setbacks.
- Encourage the retention of mature trees and vegetation and the planting of canopy trees and soft landscaping, where this is characteristic of the area.
- Ensure that side setbacks respect the prevailing setbacks in the streetscape and maintain the detached, open character of the precinct.
- Discourage multi-storey development to the rear of sites that would disrupt the open backyard character of the street where there is a consistent spine of open back gardens.
- Ensure that upper floors to new or existing buildings are sufficiently setback from the building frontage to maintain the low rise, single storey scale and character of the streetscape in "Low Scale Suburban" precincts.
- Ensure the low scale of front fences is maintained within "General Suburban 1", "General Suburban 3" and "Low Scale Suburban 1" precincts.
- Ensure buildings in "General Residential 3" and "General Residential 4" precincts are composed of facades that are no more than 2 storeys high to the street.
- Discourage the siting of multi-dwellings in a side-by-side arrangement on lots with a street frontage less than 18 metres, unless it is demonstrated that the development would:
 - Integrate with the preferred character of the area (including bulk, roof form and side setbacks);
 - Achieve a design response that is sensitively and carefully detailed to read as one dwelling within the streetscape without added visual bulk or mass;
 - Provide adequate space within the front setback of each dwelling for landscaping and the planting of canopy trees;
 - Achieve a design that avoids symmetrical presentation where this is not a feature of the street;
 - Achieve a design that minimises the impact of garages on the streetscape and ensures that garages do not dominate the front facade;
 - Achieve a design that provides for at least one ground floor habitable room per dwelling that faces the street.

22.07-5 General Inner Urban and Low Scale Inner Urban Areas

Map 1 and Table 1 identifies the precincts that are categorised as "General Inner Urban", and "Low Scale Inner Urban".

BOROONDARA PLANNING SCHEME

Preferred Character Statement

To maintain the fine grain rhythm of streetscapes and to enhance the landscape character of the area.

Policy

In addition to the general policy requirements, it is policy to:

- Maintain and enhance the fine grain pattern of development in the precinct by ensuring that new development on wide lots is designed to replicate the narrow frontages in the streetscape.
- Ensure that side setbacks respond to the rhythm of existing streetscapes which are generally comprised of detached, closely spaced dwellings.
- Discourage onsite parking accessed from the primary street frontage on lots with a frontage less than 10 metres wide.
- Give preference to rear parking where properties have access to a rear laneway or side street.
- Encourage the retention of mature trees and vegetation and provide opportunities for the planting of canopy trees and soft landscaping in front gardens, where this is characteristic of the area.
- Ensure that upper floors to new or existing buildings are sufficiently setback from the building frontage to maintain the low rise, single storey scale and character of the streetscape in "Low Scale Inner Urban" precincts.
- Ensure buildings in "General Inner Urban" precincts are composed of facades that are no more than 2 storeys high to the street.

22.07-6 Semi-Detached Suburban Areas

Map 1 and Table 1 identifies the precincts that are categorised as "Semi-Detached Suburban".

Preferred Character Statement

To protect and enhance the area's 'leafy' feel and the garden setting of dwellings.

To facilitate contemporary design that integrates with the area's detached, 1 and 2 storey character.

Policy

In addition to the general policy requirements, it is policy to:

- Encourage new semi-detached dwellings to be designed to read as one dwelling within the streetscape.
- Ensure buildings are setback from at least one side boundary in accordance with the prevailing streetscape spacing.
- Encourage the retention of mature trees and vegetation and provide opportunities for the planting of canopy trees and soft landscaping in front gardens, where this is characteristic of the area.
- Ensure buildings in "General Residential 3" and "General Residential 4" precincts are composed of facades that are no more than 2 storeys high to the street.

BOROONDARA PLANNING SCHEME

22.07-7 Contemporary Town House

Map 1 and Table 1 identifies the precincts that are categorised as "Contemporary Town House".

Preferred Character Statement

To facilitate contemporary design that maintains the 2 storey scale and fine grain, attached, town house character of the precinct.

To enhance the landscape character of the area.

To recognise that car parking facilities are a prominent feature of the presentation of dwellings to the street.

Policy

In addition to the general policy requirements, it is policy to:

- Maintain and enhance the fine grain pattern of development in the precinct by ensuring that new development on wide lots is designed to replicate the narrow frontages in the streetscape.
- Encourage the retention of mature trees and vegetation and provide opportunities for the planting of canopy trees and soft landscaping in front gardens, where this is characteristic of the area.
- Ensure buildings are composed of facades that are no more than 2 storeys high to the street.

22.07-8 Eclectic Inner Urban and Eclectic Suburban Areas and Super Sized Lots

Map 1 and Table 1 identifies the precincts that are categorised as having an "Eclectic" character.

Super sized lots are land parcels of a size incongruous with the surrounding allotments, generally larger than 4000 square metres in area, located within the General Residential Zone 4.

Preferred Character Statement

To facilitate a diverse range of housing that respects the scale and form of buildings within the precinct.

To enhance the landscape character of the area.

To recognise that Super Sized Lots may be developed with a higher built form scale than would apply to the surrounding lots.

Policy

In addition to the general policy requirements, it is policy to:

- Ensure that the scale of built form around the perimeter of Super Sized Lots is consistent with the prevailing streetscape scale and the scale of adjacent development.
- Ensure that developments achieve a high standard of design which reflects their scale and extent of visibility.
- Ensure that all visible facades (including the side and rear of buildings) provide a rich and positive contribution to the public realm.

BOROONDARA PLANNING SCHEME

- Provide a transition in building scale and setbacks to public open space and to residential properties located within other precincts.
- Encourage the retention of vegetation and mature trees and provide opportunities for the planting of canopy trees and soft landscaping in front gardens, where this is characteristic of the area.

22.07-9 Main Road Apartments Areas

Map 1 and Table 1 identifies the precincts that are categorised as having a "Main Road Apartments" character.

Preferred Character Statement

To facilitate a diverse range of housing in buildings up to and including 4 storeys in height.

To encourage innovative, contemporary architecture and the highest environmental standards.

To enhance the landscape character of the area.

Policy

In addition to the general policy requirements, it is policy to:

- Ensure that fourth levels (third storeys) are setback from the floors below and appear as a recessive element.
- Ensure that developments achieve a high standard of design which reflects their scale and extent of visibility.
- Ensure that all visible facades (including the side and rear of buildings) provide a rich and positive contribution to the public realm.
- Ensure that external materials and finishes are of a high quality and are durable.
- Ensure that developments achieve high standards of environmentally sustainable design in relation to building energy management, water sensitive urban design, construction materials, waste management and transport.
- Encourage the retention of vegetation and mature trees and provide for the opportunity for the planting of canopy trees and soft landscaping in front gardens, where this is characteristic.
- Provide a transition in building scale and setbacks to public open space and to residential properties located within other precincts.
- Ensure that visible service areas (and other utility requirements) of a building are treated as an integral part of the overall design and fully screened from the public realm.

22.07-10 Subdivision

For applications to subdivide land it is policy to:

- Require an application for subdivision to be accompanied by an application for new buildings or works on each allotment created, or:
 - Be in accordance with an existing building or approved buildings or works; or
 - Be accompanied by three dimensional building envelopes that demonstrate that the location and size of future dwellings, vehicle access, car parking structures and secluded private open space will maintain and enhance the identified elements that make a positive contribution to the character of the precinct.
- Ensure that subdivision respects the preferred character of the area.

BOROONDARA PLANNING SCHEME

- Ensure that appropriate settings and contexts, including space for canopy tree planting within front and rear setbacks, are maintained where that forms part of the preferred character of the area.

22.07-11 Sites also affected by a Heritage Overlay

For properties that are all or partly covered by a Heritage Overlay it is policy that:

- The *Neighbourhood Character Study Precinct Statements* be used to assist with the assessment of neighbourhood character in conjunction with the assessment of heritage values.
- The objectives of the Heritage Overlay and Heritage Policy must take precedence where conflicts arise between the *Neighbourhood Character Study Precinct Statements* and the objectives of the Heritage Overlay and Council's Heritage Policy.

22.07-12 Policy references

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Neighbourhood Character Study Precinct Statements 2012

BOROONDARA PLANNING SCHEME

Table 1

Precinct Number	Character Type	Precinct Number	Character Type
1	General Suburban 1	38	Eclectic Inner Urban
2	General Suburban 2	39	General Inner Urban
3	General Suburban 2	40	Main Road Apartments
4	Low Scale Suburban 2	41	Low Scale Suburban 1
5	Contemporary Townhouse	42	Low Scale Inner Urban
6	Low Scale Suburban 1	43	Low Scale Suburban 2
7	General Suburban 3	44	Low Scale Suburban 1
8	General Suburban 2	45	Low Scale Suburban 1
9	Eclectic Inner Urban	46	Low Scale Suburban 2
10	General Suburban 2	47	General Suburban 1
11	General Suburban 2	48	General Suburban 1
12	General Suburban 2	49	Main road apartments
13	General Suburban 3	50	Low Scale Suburban 1
14	General Suburban 2	51	General Suburban 2
15	General Suburban 2	52	General Suburban 2
16	General Suburban 4	53	Low Scale Suburban 2
17	Low Scale Inner Urban	54	General Suburban 2
18	General Suburban 2	55	General Suburban 2
19	General Suburban 2	56	General Suburban 1
20	General Suburban 2	57	General Suburban 2
21	General Suburban 4	58	General Suburban 4
22	General Suburban 2	59	Contemporary Townhouse
23	General Suburban 3	60	General Suburban 2
24	Eclectic Inner Urban	61	Low Scale Suburban 2
25	Low Scale Inner Urban	62	General Suburban 2
26	Low Scale Suburban 2	63	General Suburban 2
27	Eclectic Inner Urban	64	Low Scale Suburban 1
28	General Suburban 2	65	Low Scale Suburban 1
29	General Suburban 2	66	Low Scale Suburban 1
30	Low Scale Suburban 1	67	General Suburban 2
31	Low Scale Suburban 2	68	General Suburban 2
32	Eclectic Suburban	69	Low Scale Suburban 1
33	General Suburban 2	70	General Suburban 1
34	General Suburban 4	71	Low Scale Inner Urban
35	General Suburban 2	72	General Suburban 2
36	Low Scale Suburban 2	73	General Suburban 1
37	General Suburban 2	74	General Suburban 4
		75	Semi-Detached Suburban

BOROONDARA PLANNING SCHEME

Table 2

Character type	Key features of Precincts	Zone
Low Scale Suburban 1 & 2	Mainly single storey, detached houses on relatively wide lots with medium to large front gardens. A consistent spine of medium to large, open back yards.	NRZ1
General Suburban 1 & 2	Mainly 1 and 2 storey scale, detached houses on relatively wide lots with medium to large front gardens. A consistent spine of medium to large, open back yards.	NRZ1
Low Scale Inner Urban	Mainly single storey, closely set houses on narrow lots with small front and rear gardens.	NRZ2
Semi-detached Suburban	Mainly 1 and 2 storey detached dwellings and semi-detached duplexes / contemporary town houses with medium to large front gardens. Consistent spine of open back yards.	NRZ2
General Suburban 3 & 4	Mainly 1 and 2 storey scale, detached houses on relatively wide lots and medium to large front gardens. Often deep allotments that lack a consistent backyard character due to high percentage of multi-unit villas and other structures in rear gardens.	GRZ1
General Inner Urban	Mainly 1 and 2 storey, closely set houses on moderately wide lots but with small front gardens. Often deep allotments that lack a consistent backyard character due to the high percentage of multi-unit villas that extend for the length of the block. Some 2 and 3 storey apartments.	GRZ2
Contemporary Townhouse	Mainly 2 storey, attached townhouses on narrow lots with small front and rear gardens.	GRZ2
Eclectic Suburban	Mix of 2 and 3 storey apartments and 1 and 2 storey detached dwellings on moderately wide lots.	GRZ3
Eclectic Inner Urban	Mix of 2 and 3 storey apartments and 1 and 2 storey closely set houses with small front and rear gardens.	GRZ3
Super-sized lots	Land parcels of a size incongruous with the surrounding allotments, generally larger than 4000 square metres in area.	GRZ4
Main Road Apartments	Mainly 2 to 4 storey apartment buildings on main roads (Road Zone).	RGZ1

BOROONDARA PLANNING SCHEME

Map 1

To be provided

BOROONDARA PLANNING SCHEME

Attachment 4

22.04 DISCRETIONARY USES IN RESIDENTIAL AREAS POLICY

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This policy applies to all Section 2 uses in a residential zone, except for land within Design and Development Overlay:

- Schedule 16 (Balwyn Neighbourhood Activity Centre - Level 1);
- Schedule 17 (Neighbourhood Activity Centres - Level 2);
- Schedule 18 (Neighbourhood Activity Centres - Level 3); and
- Schedule 20 (Enterprise Corridors)

22.04-1 Policy basis

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The Municipal Strategic Statement identifies the need for this policy under a number of strategies including “Ensure the proper integration of institutions and other non-residential uses into residential areas.”

The City of Boroondara is predominantly a residential suburb with areas of high amenity and valued character. The planning scheme recognises that within residential zones there are a range of uses other than dwellings for which a permit can be sought from the responsible authority (known as discretionary uses). The MSS acknowledges that these uses can have a place in residential areas but, unless managed appropriately, they can negatively affect the amenity and character of residential areas.

This Policy provides guidance to ensure that discretionary use and development is accommodated in residential areas without adversely impacting the character or amenity of the area.

22.04-2 Objectives

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To ensure discretionary uses respect the established neighbourhood character and contribute to achieving the area's preferred character as outlined in the *Neighbourhood Character Precinct Statements*.

To minimise adverse amenity impacts from non-residential uses on surrounding residential properties.

22.04-3 Policy

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It is policy to:

Location

- Avoid the creation of clusters of non-residential activity in residential areas except around existing hospitals where clusters of medical and associated uses may be acceptable on main roads (Road Zone) and adjoining other medical facilities.
- Encourage new non-residential uses to locate on sites previously used or constructed for non-residential purposes as opposed to sites most recently used for residential purposes.
- Encourage non-residential uses to locate on main roads (Road Zone).
- Encourage non-residential uses to locate on the periphery of existing commercial or shopping centres.
- Discourage non-residential uses that generate high levels of noise from locating in attached or semi-detached buildings.

BOROONDARA PLANNING SCHEME

Layout and design

- Encourage non-residential uses to re-use existing dwellings where possible.
- Ensure new buildings and alterations to existing buildings take into account the preferred character statement listed in the relevant Neighbourhood Character Precinct Statement and integrate with the streetscape and surrounding area in terms of height, setbacks and design detail.
- Discourage buildings with an overall height above 8m in the Neighbourhood Residential Zone, above 9m in the General Residential Zone 1, above 10.5m in the General Residential Zone 2 and 3 and above 13.5m in the Residential Growth Zone.
- Allow additional height on Super Sized Lots (land parcels of a size incongruous with the surrounding allotments, generally larger than 4000m² in area), provided the scale of built form around the perimeter is consistent with the prevailing streetscape scale and the scale of adjacent development.
- Ensure waste storage areas are screened from view.
- Ensure refuse and car parking areas are sited to minimise their impact on the amenity of adjoining residential properties.

Landscaping

- Ensure sites are landscaped to integrate with the landscape character of the streetscape and to minimise the effect of the development upon adjoining and nearby residential properties.
- Ensure a landscaping buffer is provided along boundaries abutting residential properties.

Traffic and Car Parking

- Limit the number of vehicle crossovers to one unless more than one access point is required for the safe, convenient and efficient movements of vehicles.
- Minimise traffic movements and congestion in residential streets.
- Encourage car parking to be located to the side or rear of buildings instead of within front setbacks.
- Ensure car parking and access ways are designed to allow entry and exit from the site in a forwards direction where access ways are more than 10m long.
- Ensure that the times and frequency of deliveries and unloading will not unreasonably affect the amenity of nearby residential properties.

Residential amenity

- Minimise any adverse impacts on residential amenity, including in terms of noise, odours, dust and light spillage.
- Ensure garbage collection occurs between 7am and 8pm Monday to Friday only.
- Ensure the use does not present an unreasonable safety risk to nearby residents.
- Discourage external amplified music that would cause a nuisance to surrounding residential properties.

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- Ensure new buildings or extensions to existing buildings comply with the following siting and amenity standards of Rescode as specified at Clause 54 or the Schedule to the relevant residential zone:
 - Standard A3 (Street Setback)
 - Standard A10 (Side and Rear Setbacks)
 - Standard A12 (Daylight to Existing Windows)
 - Standard A13 (North Facing Windows)
 - Standard A14 (Overshadowing open space)

22.04-4 Performance criteria

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A discretionary use should meet the performance criteria listed in Table 1 unless an alternative design and management response is provided which will result in a better outcome.

Table 1

Land Use	Performance criteria
Car wash	<ul style="list-style-type: none"> ▪ Preferably located on a corner site. ▪ All vehicles able to enter and exit the site in forward direction. ▪ Hours of operation where adjoining a residential property: 7am - 9pm.
Child care centre	<ul style="list-style-type: none"> ▪ Drop off and pick up areas to be provided on site. ▪ Hours of operation: 6.30am to 7.30pm.
Community market	<ul style="list-style-type: none"> ▪ Hours of operation: 7am to 5pm, 1 day a week.
Convenience restaurant	<ul style="list-style-type: none"> ▪ Preferably located on a corner site. ▪ Hours of operation where adjoining a residential property: 7am - 10pm Sunday to Thursday, 7am - 11pm Friday and Saturday.
Convenience shop	<ul style="list-style-type: none"> ▪ Preferably located on a corner site. ▪ Hours of operation where adjoining a residential property: 6am - 11pm Sunday to Thursday, 6am - midnight Friday and Saturday.
Display homes	<ul style="list-style-type: none"> ▪ The length of time that the building may be used for display purposes is limited to 3 years. ▪ Open hours: 10am - 5pm.
Education centres	<ul style="list-style-type: none"> ▪ Provision of a master plan prepared in consultation with Council and the community. ▪ Drop off and pick up areas provided on site.
Food and drink premises (cafe)	<ul style="list-style-type: none"> ▪ Preferably located on a corner site. ▪ Hours of operation where adjoining a residential property: 7am - 10pm Sunday to Thursday, 7am - 11pm Friday and Saturday.

BOROONDARA PLANNING SCHEME

Hospital	<ul style="list-style-type: none"> Provision of a master plan prepared in consultation with Council and the community. Drop off and pick up areas provided on site.
Medical centre	<ul style="list-style-type: none"> Hours of operation: 7.30am - 7pm Monday to Friday, 8am - 5pm Saturday and Sunday.
Place of assembly	<ul style="list-style-type: none"> Hours of operation where adjoining a residential property: 8am - 10pm Sunday to Thursday, 8am - 11pm Friday and Saturday.
Plant nursery	<ul style="list-style-type: none"> Preferably located on a corner site. All vehicles able to enter and exit the site in forward direction. Hours for loading and unloading stock in outdoor areas (other than for customers): 9am - 6pm. No machinery should be used to move stock outside these times.
Restaurant	<ul style="list-style-type: none"> Preferably located on a corner site. Hours of operation where adjoining a residential property: 7am - 10pm Sunday to Thursday, 7am - 11pm Friday and Saturday.
Residential village	<ul style="list-style-type: none"> Ambulance and bus bays discreetly located.
Service station	<ul style="list-style-type: none"> Preferably located on a corner site. All vehicles able to enter and exit the site in forward direction. Hours of operation where adjoining a residential property: 6am - 11pm Sunday to Thursday, 6am - midnight Friday and Saturday.
Take away food premises	<ul style="list-style-type: none"> Preferably located on a corner site. Hours of operation where adjoining a residential property: 7am - 10pm Sunday to Thursday, 7am - 11pm Friday and Saturday.
Veterinary clinic	<ul style="list-style-type: none"> Boarding facilities should be located in a detached building on the site that incorporates adequate noise attenuation measures. Hours of operation: 7.30am - 7pm Monday to Friday, 8am - 5pm Saturday and Sunday.

22.04-6 Application requirements

In addition to the application requirements in this scheme, the following information should be provided with an application to the satisfaction of the responsible authority:

- A written explanation outlining:
 - Details of the nature and intensity of the business proposed
 - Details of existing uses on the land that will continue to operate
 - Proposed days and hours of operation
 - Proposed days and hours for loading, unloading and deliveries
 - Proposed number of staff on the premises at any one time

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- The location and hours of waste disposal and collection
- Why the non-residential use is unable to locate in a nearby commercial zone or centre
- Why there is a demonstrable need for the proposed use in the location proposed

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

22.04-7 Reference documents

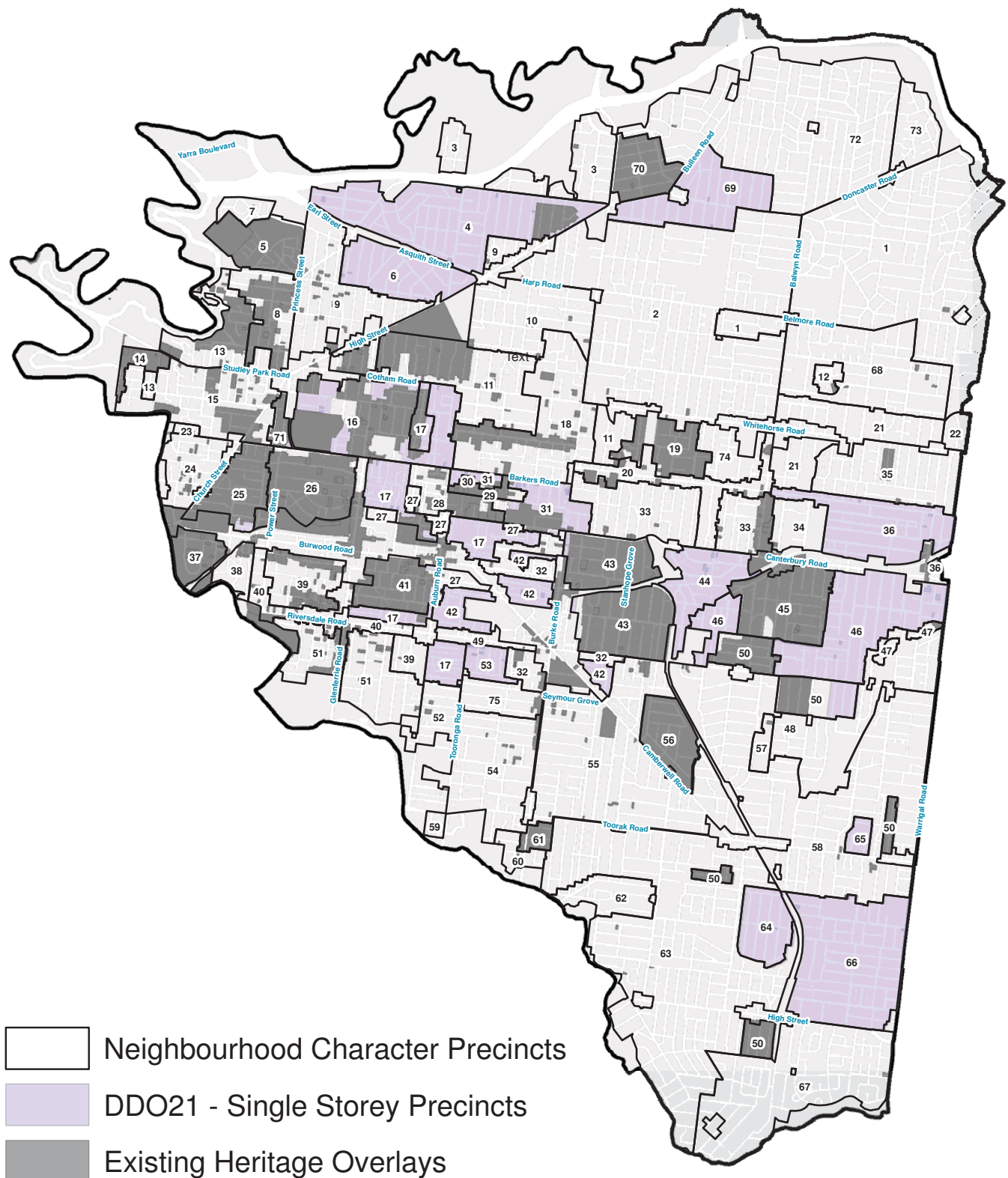
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- *Neighbourhood Character Precinct Statements*

Attachment 5

Draft DDO21

Single Storey Character Areas



BOROONDARA PLANNING SCHEME

Attachment 6

SCHEDULE 21 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO21**

SINGLE STOREY CHARACTER AREAS**1.0 Design objectives**

- To maintain the single storey, pitched roof character of the area.
- To ensure second storey (first floor) elements of new dwellings, and second storey (first floor) additions to existing dwellings are sited and designed so that the single storey part of the building, including its roof form, is the dominant visual element when viewed from the street

2.0 Buildings and works**Permit not required**

A permit is not required to construct:

- A ground floor extension to an existing building;
- A single storey building;
- A second storey (first floor) element that is fully contained within the existing ground floor roof form, excluding dormer windows; or
- A second storey (first floor) element not contained within the ground floor roof form is setback a minimum of 8 metres from the front wall of the building.

3.0 Subdivision

A permit is not required to subdivide land.

4.0 Exemption from notice and appeal

An application under this Design and Development Overlay 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 Decision guidelines

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements*.
- Whether the single storey element of the building is the dominant visual element when viewed from the street.
- For upper level additions to existing buildings, whether the upper level/s will dominate the existing single storey building and the surrounding streetscape.
- For new multi-storey buildings, whether the siting of the upper level/s will disrupt the consistent single storey scale and character of the streetscape

BOROONDARA PLANNING SCHEME

5.0 Definitions

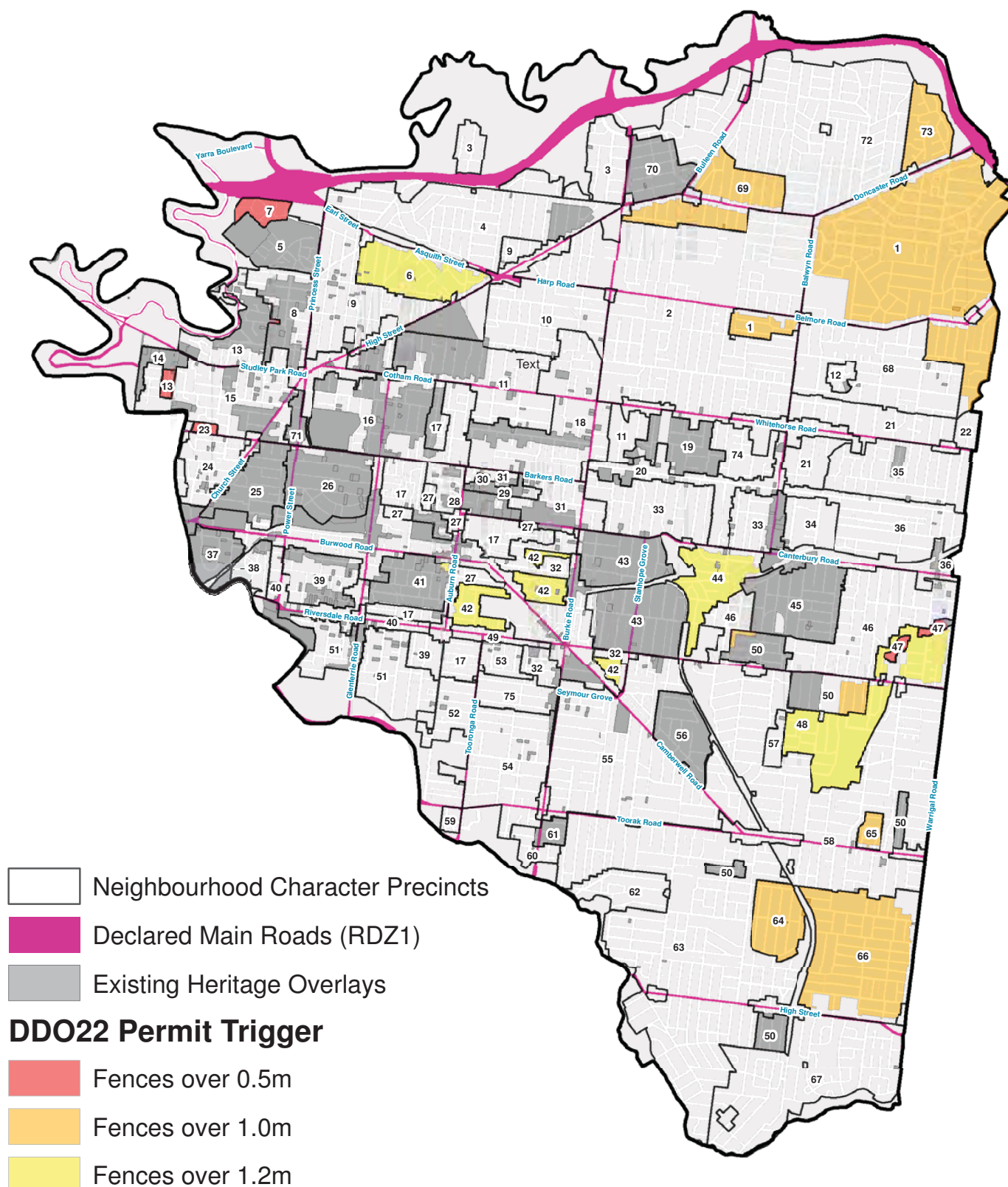
- **Pitched roof** - A roof with a minimum of two slopes that meet at a central ridge

6.0 Reference documents

Neighbourhood Character Study Precinct Statements 2012

Draft DDO22

Low Front Fence Precincts



BOROONDARA PLANNING SCHEME

Attachment 8

SCHEDULE 22 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO22**

LOW FRONT FENCE AREAS**1.0 Design objectives**

- To maintain the character of low front fences offering views to dwellings and front gardens.

2.0 Buildings and works**Permit required**

A permit is required to construct a front fence unless the following requirements are met:

- In Neighbourhood Character Precinct 6, 41, 42, 44, 48, the front fence does not exceed 1.2 metres in height;
- In Neighbourhood Character Precinct 1, 19, 50, 56, 61, 64, 65, 66, 69, 70, 73 the front fence does not exceed 1.0 metre in height;
- In Neighbourhood Character Precinct 7, 13, 23, 30, 47, the front fence does not exceed 0.5 metres in height.

3.0 Subdivision

A permit is not required to subdivide land.

4.0 Exemption from notice and appeal

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

5.0 Decision guidelines

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements*.
- Whether the fence is consistent in height and style with the dwelling and the surrounding area.

6.0 Reference documents

Neighbourhood Character Study Precinct Statements 2012

Attachment 9

Boroondara Neighbourhood Character Types

The character types listed in the following tables were derived from an analysis of the Neighbourhood Character Precinct Statements adopted by Council in 2012. Precincts with the same key characteristics have been grouped and classified into the character types described below.

Table 1: Neighbourhood Character Types Snapshot

Character type	Scale	Siting	Front setbacks and gardens	High presence of 2 and 3 storey apartments	Consistent band of medium to large backyards	Front fence heights
Low Scale Suburban 1	Mainly single storey	Detached	Medium to large	No	Yes	Low or none
Low Scale Suburban 2	Mainly single storey	Detached	Medium to large	No	Yes	Various
General Suburban 1	Mainly 1 and 2 storeys	Detached	Medium to large	No	Yes	Low or none
General Suburban 2	Mainly 1 and 2 storeys	Detached	Medium to large	No	Yes	Various
General Suburban 3	Mainly 1 and 2 storeys	Detached	Medium to large	No	No	Low or none
General Suburban 4	Mainly 1 and 2 storeys	Detached	Medium to large	No	No	Various
Semi-detached Suburban	Mainly 1 and 2 storeys	Semi-detached	Medium to large	No	Yes	Various
Eclectic Suburban	Mix of 1 to 3 storeys	Detached	Various	Yes	No	Low to medium
Low Scale Inner-Urban	Mainly single storey	Detached, close set	Small	No	No	Low to medium
General Inner-Urban	Mainly 1 and 2 storeys	Detached, close set	Small	No	No	Low to medium
Eclectic Inner-Urban	Mix of 1 to 3 storeys	Detached, close set	Small	Yes	No	Low to medium
Contemporary Townhouse	Mainly 2 storeys	Attached	Small	No	No	Low to medium
Main Road Apartments	Mainly 2 to 4 storeys	Detached	Small	Yes	No	Low to medium

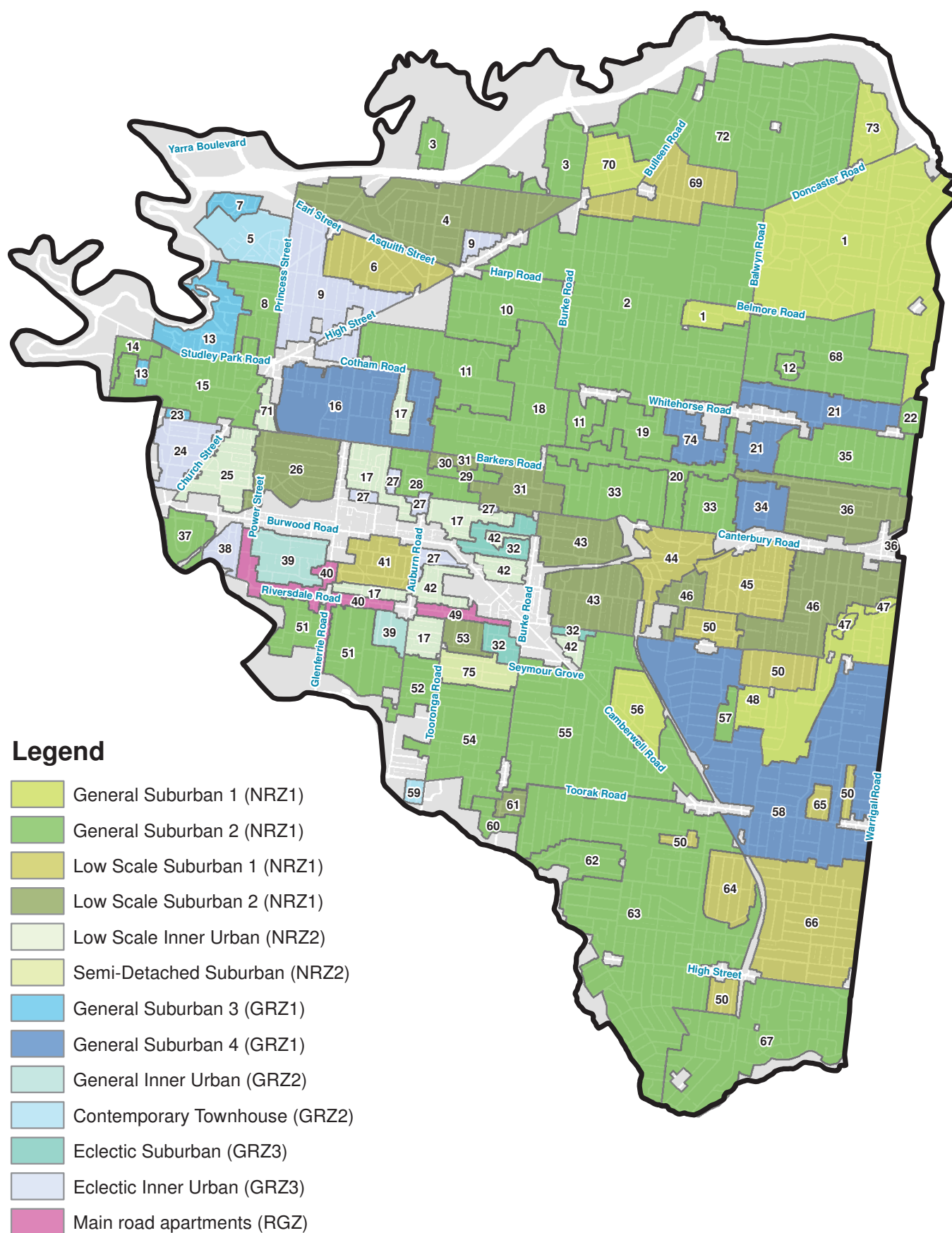
Table 2: Neighbourhood Character Types Key Characteristics

Character Type	Key Characteristics	Key Threats	Precincts
Low Scale Suburban 1	<ul style="list-style-type: none"> Mainly single storey, detached housing Medium to large front setbacks and front gardens Consistent spine of medium / large backyards Low or no front fences 	<ul style="list-style-type: none"> Dominant 2 storey dwellings Boundary to boundary development Buildings set too far forward Buildings that encroach into rear gardens, compromise the 'green belt' of backyards and prevent space for plantings and canopy trees Medium to high front fences that disrupt the street rhythm 	6, 30, 41, 44, 45, 50, 64, 65, 66, 69
Low Scale Suburban 2	<ul style="list-style-type: none"> Mainly single storey, detached housing Medium to large front setbacks and front gardens Consistent spine of medium / large backyards Variety of front fence heights 	<ul style="list-style-type: none"> Dominant 2 storey dwellings Boundary to boundary development Buildings set too far forward Buildings that encroach into rear gardens, compromise the 'green belt' of backyards and prevent space for plantings and canopy trees 	4, 26, 31, 36, 43, 46, 53, 61

Attachment 9

Character Type	Key Characteristics	Key Threats	Precincts
General Suburban 1	<ul style="list-style-type: none"> Mainly 1 and / or 2 storeys, detached housing Medium to large front setbacks and front gardens Consistent spine of medium / large backyards Low or no front fences 	<ul style="list-style-type: none"> Boundary to boundary development Buildings set too far forward Buildings that encroach into rear gardens, compromise the 'green belt' of backyards and prevent space for plantings and canopy trees Medium to high front fences that disrupt the street rhythm 	1, 47, 48, 56, 70, 73
General Suburban 2	<ul style="list-style-type: none"> Mainly 1 and / or 2 storeys, detached housing Medium to large front setbacks and front gardens Consistent spine of medium / large backyards Variety of front fence heights 	<ul style="list-style-type: none"> Boundary to boundary development Buildings set too far forward Buildings that encroach into rear gardens, compromise the 'green belt' of backyards and prevent space for plantings and canopy trees 	2, 3, 8, 10, 11, 18, 19, 22, 28, 29, 33, 35, 37, 51, 52, 54, 55, 57, 60, 62, 63, 67, 68, 72
General Suburban 3	<ul style="list-style-type: none"> Mainly 1 and / or 2 storeys, detached housing Small to medium front setbacks and front gardens Small / various sized backyards Low or no front fences 	<ul style="list-style-type: none"> Boundary to boundary development Buildings set too far forward Lack of rear / side garden space for canopy trees Medium to high front fences that disrupt the street rhythm 	7, 13, 23
General Suburban 4	<ul style="list-style-type: none"> Mainly 1 and / or 2 storeys, detached housing Medium to large front setbacks and front gardens Small / various sized backyards Variety of front fence heights 	<ul style="list-style-type: none"> Boundary to boundary development Buildings set too far forward Lack of rear / side garden space for canopy trees 	12, 14, 15, 20, 21, 34, 58, 74
Semi-detached Suburban	<ul style="list-style-type: none"> Mainly 1 and 2 storey detached dwellings and semi-detached duplexes / contemporary town houses Medium to large front gardens. Consistent spine of open back yards. Variety of front fence heights 	<ul style="list-style-type: none"> Buildings set too far forward Buildings that encroach into rear gardens, compromise the 'green belt' of backyards and prevent space for plantings and canopy trees 	75
Eclectic Suburban	<ul style="list-style-type: none"> Mixture of 2 and 3 storey apartments and 1 and 2 storey detached dwellings Small / various sized backyards Low to medium high front fences 	<ul style="list-style-type: none"> Boundary to boundary development Lack of rear / side garden space for canopy trees 	32

Neighbourhood Character Types ^{Attachment 10}



Neighbourhood Residential Zone 1**Attachment 11**

Neighbourhood Character Types		Comments / Explanation
Low Scale Suburban 1 and 2		<p>Precincts in these character types generally contain single, detached dwellings in a traditional, garden setting and suburban context. They generally have medium to large front gardens and a consistent spine of open backyards.</p> <p>These precincts have relatively low site coverage of approximately 33% to 40%, and comparatively large allotments averaging 650m² to 750m².</p> <p>Precincts identified as Low Scale Suburban 1 and General Suburban 1 are characterised by streetscapes with no or low front fences. Precincts identified as Low Scale Suburban 2 and General Suburban 2 are characterised by streetscapes with fences of various heights.</p>
General Suburban 1 and 2		
Zone Schedule	Provision	Comments / Explanation
Max. number dwellings on a lot	2	Default provision under the Neighbourhood Residential Zone.
Permit trigger for construction or extension of single dwellings	Lots less than 500m ²	This is comparable with the lot sizes in the affected precincts and maintains the status quo in relation to community expectations and planning permit application numbers.
Mandatory minimum lot size	500m ²	This is comparable with the lot sizes in the affected precincts. Also ensures single dwellings constructed on vacant lot subdivisions that maximise yield are assessed through the planning process.
Building height	8m (mandatory)*	Default provision under the Neighbourhood Residential Zone.
Rescode Variations*	Variation	Comments / Explanation
Site coverage (Standards A5 and B6)	50% maximum site coverage (instead of 60%).	<p>This reflects the lower site coverage across the precinct while still allowing for renovations and extensions to occur.</p> <p>Implements the Boroondara Residential Design Policy.</p>
Permeability (Standards A6 and B8)	35% pervious surfaces (instead of 20%)	Implements the Boroondara Residential Design Policy.
Landscaping (Standard B13)	Requirement to plant at least one canopy tree per dwelling.	<p>Facilitates protection and enhancement of the 'leafy' feel and landscape character of these precincts when a dual occupancy is proposed.</p> <p>Implements the Boroondara Residential Design Policy.</p>
Side and Rear Setbacks (Standard A10 and B17)	For walls adjacent to secluded private open space, 2 metre ground level setback plus 0.6 metres for every metre above 3.6 metres	Implements the Boroondara Residential Design Policy.
Walls on boundaries (Standards A11 and B18)	Requirement to provide a 1 metre wide side setback for the first 5 metres from the front facade of the dwelling. Car parking structure accepted on 1 side boundary if they are setback at least 1 metre behind the front facade of the dwelling.	<p>This provision aims to preserve the detached character of precincts. The standard recognises that structures located on the boundary but set back substantially behind the front wall of the dwelling are not highly visible and, therefore, have a minimal impact on the character of the streetscape.</p> <p>The allowance for car parking structures to be located on one side boundary recognises that garages and car ports are generally low in scale and less intrusive than the substantive parts of the dwelling.</p>
Private open space (Standards A17 and B28)	Requirement to provide 80m ² private open space or 20%, whichever is less, but not less than 50m ²	<p>Implements the Boroondara Residential Design Policy.</p> <p>Variations applicable to apartment buildings are not required as apartment buildings are prohibited in this zone.</p>

(instead of 40m ²) including 25m ² secluded private open space with a minimum dimension of <u>5m</u> (rather than 3m).
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** The mandatory maximum building height and all Rescode variations will apply to the construction or extension of single dwellings on lots over 500m² which do not require a planning permit.*

Neighbourhood Residential Zone 2

Neighbourhood Character Types		Comments / Explanation
Low Scale Inner Urban Semi-detached Suburban		The Low Scale Inner Urban precincts are generally characterised by narrow allotments with detached, yet closely set single storey dwellings. Front and rear gardens are often small providing less space for trees and vegetation. The small front setbacks and narrower roads and footpaths creates a dense, inner urban feel.
		The Low Scale Inner Urban precincts generally have higher site coverage of around 50% and smaller allotments averaging around 400m ² in area. These precincts have limited development potential due to their small, narrow allotments.
		The Semi-detached Suburban category applies to one precinct (Precinct 75) located in Hawthorn East. This precinct is characterised by a high proportion of semi-detached duplexes and contemporary townhouses in a garden, suburban setting. In most instances these semi-detached dwellings are on lots less than 500m ² in area. Given the prevalence of duplex and semi-detached development, allowing additional semi-detached town houses to be constructed in this precinct on lots greater than 300m ² is considered acceptable subject to good design outcomes where the new development integrates within the streetscape.
Zone Schedule	Provision	Comments / Explanation
Max. number dwellings on a lot	2	Default provision under the Neighbourhood Residential Zone.
Permit trigger for construction or extension of single dwellings	Lots less than 500m ²	This is comparable with the lot sizes in the affected precincts and maintains the status quo in relation to community expectations and planning permit application numbers.
Mandatory minimum lot size	300m ²	This is comparable with the lot sizes in the affected precincts.
Building height	8m (mandatory)*	Default provision under the Neighbourhood Residential Zone.
Rescode Variations*	Variation	Comments / Explanation
Site coverage (Standards A5 and B6)	N/A	The default 60% Rescode standard will apply. A variation is not considered justified given the higher site coverage in the applicable precincts.
Landscaping (Standard B13)	Requirement to plant at least one canopy tree per dwelling.	Facilitates protection and enhancement of the 'leafy' feel and landscape character of these precincts when a dual occupancy is proposed. Implements the Boroondara Residential Design Policy.
Walls on boundaries (Standards A11 and B18)	N/A	The default Rescode standard will apply. A variation is not considered justified given that the precincts are characterised by closely set dwellings without a spacious, detached character.
Private open space (Standards A17 and B28)	Requirement for secluded private open space to have a minimum dimension of <u>4m</u> (rather than 3m).	According to Council's arborist, canopy trees need to be located in a garden bed which is at least 4m wide. Therefore, this provision aims to enhance the leafy, landscape character of precincts by ensuring sufficient space is provided for the planting and retention of canopy trees. A larger secluded private open space dimension is not considered to be warranted given the small lot sizes and private open space areas characterising these precincts. Variations applicable to apartment buildings are not required as apartment buildings are prohibited in this zone.

* All Rescode variations will apply to the construction or extension of single dwellings on lots over 500m² which do not require a planning permit.

General Residential 1

Neighbourhood Character Types		Comments / Explanation
General Suburban 3 and 4		<p>These precincts are generally characterised by relatively wide, deep allotments that, in many cases lack a consistent backyard spine due to the prevalence of multi-unit villas and other structures that extend for the length of the block. In some cases the precincts lack a backyard character due to the siting of dwellings to the middle or rear of allotments.</p> <p>On average, these precincts often have slightly higher site coverage than other suburban precincts in the municipality (over 40% on average).</p>
Zone Schedule	Provision	Comments / Explanation
Max. number dwellings on a lot	N/A	No ability to specify maximum number of dwellings in the General Residential Zone.
Permit trigger for construction or extension of single dwellings	Lots less than 500m ²	This is comparable with the lot sizes in the affected precincts and maintains the status quo in relation to community expectations and planning permit application numbers.
Mandatory minimum lot size	N/A	No ability to specify a minimum subdivision size in the General Residential Zone
Building height	9m (discretionary)	Default provision under the General Residential Zone.
Rescode Variations*	Variation	Comments / Explanation
Site coverage (Standards A5 and B6)	N/A	The default 60% Rescode standard will apply. A variation is not considered justified given the higher site coverage in the applicable precincts and the high proportion of multi-unit villa developments present.
Landscaping (Standard B13)	Requirement to plant at least one canopy tree in the private open space of ground level units.	<p>Facilitates protection and enhancement of the 'leafy' feel and landscape character of these precincts when a</p> <p>Implements the Boroondara Residential Design Policy.</p>
Walls on boundaries (Standards A11 and B18)	Requirement to provide a 1.2m wide side setback for the first 5 metres from the front facade of the dwelling. Car parking structure accepted on 1 side boundary if they are setback at least 1 metre behind the front facade of the dwelling.	<p>This provision aims to preserve the detached character of precincts. The standard recognises that structures located on the boundary but set back substantially behind the front wall of the dwelling are not highly visible and, therefore, have a minimal impact on the character of the streetscape.</p> <p>The allowance for car parking structures to be located on one side boundary recognises that garages and car ports are generally low in scale and less intrusive than the substantive parts of the dwelling.</p> <p>The 1.2m side setback width is recommended as this allows for the construction of eaves and provides for good solar access to adjoining rooms.</p>
Private open space (Standards A17 and B28)	<p>Requirement for secluded private open space to have a minimum dimension of 4m (rather than 3m).</p> <p>Requirement for ground level apartment buildings to have a minimum secluded private open space area of 25m².</p>	<p>According to Council's arborist, canopy trees need to be located in a garden bed which is at least 4m wide. Therefore, this provision aims to enhance the leafy, landscape character of precincts by ensuring sufficient space is provided for the planting and retention of canopy trees. A larger secluded private open space dimension is not considered to be warranted given the small lot sizes and private open space areas characterising these precincts.</p> <p>The requirement for 25m² secluded private open space for ground level apartments clarifies the existing Rescode (Clause 55) provisions.</p>

* All Rescode variations will apply to the construction or extension of single dwellings on lots over 500m² which do not require a planning permit.

General Residential 2

Neighbourhood Character Types		Comments / Explanation
Contemporary Town House		<p>Two neighbourhood character precincts have been categorised as "Contemporary Town House". These are the former Kew Residential Services site in Kew East (Precinct 5) and the town house development on the south west corner of Toorak and Tooronga Roads, Hawthorn East (Precinct 59). Both precincts are characterised by 2 and 3 storey attached town houses on narrow allotments with small front and rear gardens. These precincts have a relatively high site coverage of approximately 60% and comparatively small allotments which are approximately 300m² in area.</p> <p>The Minister for Planning is currently the responsible authority for the former Kew Residential Services site. This site is subject to an existing urban design framework which sets out the design requirements for development in the precinct.</p> <p>One neighbourhood character precinct has been categorised as "General Inner Urban" (Precinct 39). This is a mixed precinct with a high number of 1 and 2 storey multi-unit villa developments that have taken advantage of the precinct's long allotments. These unit developments are interspersed amongst single dwellings, many of which are within a Heritage Overlay. In general, buildings in the precinct are closely set and have small front gardens. These characteristics along with the generally narrow roads and footpaths create an inner urban feel. Allotments in this precinct have comparatively high site coverage of approximately 48%.</p>
General Inner Urban		
Zone Schedule	Provision	Comments / Explanation
Max. number dwellings on a lot	N/A	No ability to specify maximum number of dwellings in the General Residential Zone.
Permit trigger for construction or extension of single dwellings	Lots less than 500m ²	This is comparable with the lot sizes in the affected precincts and maintains the status quo in relation to community expectations and planning permit application numbers.
Mandatory minimum lot size	N/A	No ability to specify a minimum subdivision size in the General Residential Zone
Building height	9m (discretionary)	Default provision under the General Residential Zone.
Rescode Variations*	Variation	Comments / Explanation
Site coverage (Standards A5 and B6)	N/A	The default 60% Rescode standard will apply. A variation is not considered justified given the higher site coverage in the applicable precincts and the high proportion of multi-unit villa developments present.
Landscaping (Standard B13)	Requirement to plant at least one canopy tree in the private open space of ground level units.	Facilitates protection and enhancement of the 'leafy' feel and landscape character of these precincts when a Implements the Boroondara Residential Design Policy.
Walls on boundaries (Standards A11 and B18)	N/A	The default Rescode standard will apply. A variation is not considered justified given that the precincts are characterised by closely set or attached dwellings without a spacious, detached character.
Private open space (Standards A17 and B28)	<p>Requirement for secluded private open space to have a minimum dimension of 4m (rather than 3m).</p> <p>Requirement for ground level apartment buildings to have a</p>	According to Council's arborist, canopy trees need to be located in a garden bed which is at least 4m wide. Therefore, this provision aims to enhance the leafy, landscape character of precincts by ensuring sufficient space is provided for the planting and retention of canopy trees. A larger secluded private open space dimension is not considered to be warranted given the small lot sizes and private open space areas characterising these precincts.

minimum secluded
private open space area
of 25m².

The requirement for 25m² secluded private open space for
ground level apartments clarifies the existing Rescode (Clause
55) provisions.

** All Rescode variations will apply to the construction or extension of single dwellings on lots over 500m² which do not require a planning permit.*

General Residential 3

Neighbourhood Character Types		Comments / Explanation
Eclectic inner urban		Eclectic inner urban and suburban precincts are generally characterised by a high proportion of 2 and 3 storey walk-up flats interspersed amongst single dwellings of 1 to 3 storeys. These precincts generally have relatively high site coverage of approximately 47% to 50%. "Super-size" lots are land parcels of a size incongruous with allotments in the surrounding area, generally larger than 4000 square metres. These lots often contain institutional uses such as residential aged care facilities or public housing. Given the size of these allotments, buildings over 8m (as limited by Neighbourhood Residential Zone) could be contemplated without impacting on the scale and character of the surrounding area.
Eclectic suburban		
"Super-sized lots"		
Zone Schedule	Provision	Comments / Explanation
Max. number dwellings on a lot	N/A	No ability to specify maximum number of dwellings in the General Residential Zone.
Permit trigger for construction or extension of single dwellings	Lots less than 500m ²	This is comparable with the lot sizes in the affected precincts and maintains the status quo in relation to community expectations and planning permit application numbers.
Mandatory minimum lot size	N/A	No ability to specify a minimum subdivision size in the General Residential Zone
Building height	9m (discretionary)	Default provision under the General Residential Zone.
Rescode Variations*	Variation	Comments / Explanation
Site coverage (Standards A5 and B6)	N/A	The default 60% Rescode standard will apply. A variation is not considered justified given the higher site coverage in the applicable precincts and the high proportion of multi-unit villa developments present.
Walls on boundaries (Standards A11 and B18)	N/A	The default Rescode standard will apply. A variation is not considered justified given that the precincts have an eclectic character without a consistent, detached feel.
Private open space (Standards A17 and B28)	Requirement for secluded private open space to have a minimum dimension of 4m (rather than 3m). Requirement for ground level apartment buildings to have a minimum secluded private open space area of 25m ² .	According to Council's arborist, canopy trees need to be located in a garden bed which is at least 4m wide. Therefore, this provision aims to enhance the leafy, landscape character of precincts by ensuring sufficient space is provided for the planting and retention of canopy trees. A larger secluded private open space dimension is not considered to be warranted given that these precincts have an inconsistent backyard character and variable lot sizes. The requirement for 25m ² secluded private open space for ground level apartments clarifies the existing Rescode (Clause 55) provisions.

* All Rescode variations will apply to the construction or extension of single dwellings on lots over 500m² which do not require a planning permit.

Residential Growth Zone

Neighbourhood Character Types		Comments / Explanation
Main Road Apartments		<p>Two precincts are categorised as "Main Road Apartments" (Precincts 40 and 49). These extend along parts of Riversdale Road, Glenferrie Road, Power Street and Auburn Road. These corridors contain a high number of 2 and 3 storey walk up flats as well as a number of 4 storey apartment buildings.</p> <p>This zone is also proposed for a select number of residential zoned properties within or on the edge of activity centres where a structure plan or the <i>Boroondara Activity Centres Strategy</i> establishes a height limit of 3+ storeys.</p>
Strategic sites within or on the edge of activity centres		
Zone Schedule	Provision	Comments / Explanation
Max. number dwellings on a lot	N/A	No ability to specify maximum number of dwellings in the General Residential Zone.
Permit trigger for construction or extension of single dwellings	Lots less than 300m ²	Default permit trigger with no ability to vary this provision under the Residential Growth Zone.
Mandatory minimum lot size	N/A	No ability to specify a minimum subdivision size in the General Residential Zone
Building height	13.5m (discretionary)	Default provision under the Residential Growth Zone
Rescode Variations*	Variation	Comments / Explanation
Site coverage (Standards A5 and B6)	N/A	The default 60% Rescode standard will apply. A variation is not considered justified given the higher site coverage in the applicable precincts and the high proportion of multi-unit villa developments present.
Walls on boundaries (Standards A11 and B18)	N/A	The default Rescode standard will apply. A variation is not considered justified given that the precincts are characterised by a high proportion of apartments.
Private open space (Standards A17 and B28)	<p>Requirement for secluded private open space to have a minimum dimension of 4m (rather than 3m).</p> <p>Requirement for ground level apartment buildings to have a minimum secluded private open space area of 25m².</p>	<p>According to Council's arborist, canopy trees need to be located in a garden bed which is at least 4m wide. Therefore, this provision aims to enhance the leafy, landscape character of precincts by ensuring sufficient space is provided for the planting and retention of canopy trees. A larger secluded private open space dimension is not considered to be warranted given that the precinct is generally characterised by apartment buildings with little backyard character.</p> <p>The requirement for 25m² secluded private open space for ground level apartments clarifies the existing Rescode (Clause 55) provisions.</p>
Other comments		

In the Residential Growth Zone a food and drink premises and shop are "as of right". This means that no planning permit is required for these uses. In both instances the land must be located on or have access to a main road (Road Zone) and be within 100m of a commercial zone. In addition, the leasable floor area for either use must not exceed 100m². If these conditions are not met, a permit is required for the use. These provisions are considered acceptable when applied to the Main Road Corridor precincts and activity centre sites identified for the Residential Growth Zone.

* All Rescode variations will apply to the construction or extension of single dwellings on lots over 300m² which do not require a planning permit.

Attachment 12

Recommended Residential Zones - Summary Table

Proposed Zone	Permit trigger construction or extension of a single dwelling	Max. height	Rescode Standard A5 & B6 Site Coverage	Rescode Standard A6 & B9 Permeability	Rescode Standard B13 Landscaping	Rescode Standard A10 & B17 Side and Rear Setbacks	Rescode Standard A11 & B18 Walls on Boundaries	Rescode Standard A17 Private Open Space	Maximum number of dwellings	Minimum subdiv. area	Applies to
Neigh. Residential Zone 1 (NRZ1)	Lots less than 500m ²	8m (mandatory)*	Maximum 50%	Minimum 35% permeable surfaces	1 canopy tree in private open space of each dwelling	For walls adjacent secluded private open space, 2 metres plus 0.6 metres for every metre above 3.6 metres	1m side setback for the first 5m from the front of the house (car parking structures accepted on 1 side boundary)	Minimum 50m ² private open space. Minimum secluded private open space dimension of 5 metres	2 (mandatory)*	500m ² (mandatory)	<ul style="list-style-type: none"> • Low Scale Suburban 1 & 2 • General Suburban 1 & 2 <i>Precincts with a detached, suburban character and a consistent spine of open backyards.</i>
Neigh. Residential Zone 2 (NRZ2)	Lots less than 500m ²	8m (mandatory)*	60%*	N/A	1 canopy tree in private open space of each dwelling	N/A	N/A	Minimum secluded private open space dimension of 4 metres	2 (mandatory)*	300m ² (mandatory)	<ul style="list-style-type: none"> • Low Scale Inner Urban • Semi-detached Suburban <i>Precincts with closely set or semi-detached dwellings on narrow lots</i>
General Residential Zone 1 (GRZ1)	Lots less than 500m ²	9m (mandatory)	60% *	N/A	1 canopy tree in private open space of each ground level dwelling	N/A	1m side setback for the first 5m from the front of the house (car parking structures accepted on 1 side boundary)	Minimum secluded private open space dimension of 4 metres	N/A	N/A	<ul style="list-style-type: none"> • General Suburban 3 & 4 <i>Precincts with a detached, suburban character without a consistent spine of open backyards due to development of multi-unit villas or other structures in rear gardens</i>

Attachment 12

Proposed Zone	Permit trigger construction or extension of a single dwelling	Max. height	Rescode Standard A5 & B6 Site Coverage	Rescode Standard A6 & B9 Permeability	Rescode Standard B13 Landscaping	Rescode Standard A10 & B17 Side and Rear Setbacks	Rescode Standard A11 & B18 Walls on Boundaries	Rescode Standard A17 Private Open Space	Maximum number of dwellings	Minimum subdiv. area	Applies to
General Residential Zone 2 (GRZ2)	Lots less than 500m ²	10.5m (mandatory)	60%*	N/A	1 canopy tree in private open space of each ground level dwelling	N/A	N/A	Minimum secluded private open space dimension of 4 metres	N/A	N/A	<ul style="list-style-type: none"> Contemporary Town House General Inner Urban <i>Precincts with attached or closely set development without a consistent spine of backyards due to subdivision pattern or development of units in rear gardens</i>
General Residential Zone 3 (GRZ3)	Lots less than 500m ²	10.5m (mandatory)	60%*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<ul style="list-style-type: none"> Eclectic Inner Urban Eclectic Suburban <i>Precincts with a high percentage of "walk-up" flats which have little private open space at ground level</i>
General Residential Zone 4 (GRZ4)	Lots less than 500m ²	9m (discretionary) *	60%*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<ul style="list-style-type: none"> Supersized lots <i>Supersize lots that are incongruous with their surrounds and could accommodate development over 2 storeys without impacting the character of the area.</i>
Residential Growth Zone 1 (RGZ1)	Lots less than 300m ² *	13.5m (mandatory)	60%*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<ul style="list-style-type: none"> Main Road Apartments <i>Precincts with a high percentage of 3+ storey apartments on main roads</i>

* As per default provisions in the zone and / or Rescode (Clause 54 and 55)

Attachment 13

**Super-sized Lots Recommended for an
Exemption from the Neighbourhood Residential Zone**

Address	Precinct Number NCS Precinct Category	Details
1 Clayton Road, Balwyn	<ul style="list-style-type: none"> • NCS Precinct 68 • General Suburban 2 	<ul style="list-style-type: none"> • St. Catherine's Aged Care Facility (Balwyn) • Residential Aged Care • 10,673sq.m
2 Berwick Street, Camberwell	<ul style="list-style-type: none"> • NCS Precinct 43 • Low Scale Suburban 2 	<ul style="list-style-type: none"> • Benetas Broughton Hall - Formerly Tara • Residential Aged Care • 8,570sq.m
141 Highfield Road, Camberwell	<ul style="list-style-type: none"> • NCS Precinct 48 • General Suburban 1 	<ul style="list-style-type: none"> • Uniting Aged Care Tanderra • Residential Aged Care • 5,243sq.m
19-21 Canterbury Road, Camberwell	<ul style="list-style-type: none"> • NCS Precinct 33 • General Suburban 1 	<ul style="list-style-type: none"> • Baptcare • Residential Aged Care • 11,386sq.m
16 Cornell Street, Camberwell	<ul style="list-style-type: none"> • NCS Precinct 48 • General Suburban 1 	<ul style="list-style-type: none"> • Nazareth House Residential Care Home • Residential Aged Care • 21,138sq.m
18 Barry Street, Kew	<ul style="list-style-type: none"> • NCS Precinct 8 • General Suburban 2 	<ul style="list-style-type: none"> • Carnsworth Nursing Home • Residential Aged Care • 8,440sq.m
286 High Street, Ashburton	<ul style="list-style-type: none"> • NCS Precinct 67 • General Suburban 2 	<ul style="list-style-type: none"> • Samarinda Lodge Aged Care Facility and Aged Services • Residential Aged Care • 4,143sq.m
16 Fellows Street, Kew	<ul style="list-style-type: none"> • NCS Precinct 8 • General Suburban 1 	<ul style="list-style-type: none"> • Gracecourt hostel • Aged Care and Retirement Village • 4,984sq.m
41-45 Yarrbat Avenue, Balwyn	<ul style="list-style-type: none"> • NCS Precinct 12 • General Suburban 2 	<ul style="list-style-type: none"> • The Connault Nursing Home • Residential Aged Care • 5,022sq.m
440 Camberwell Road, Camberwell	<ul style="list-style-type: none"> • NCS Precinct 16 • General Suburban 2 	<ul style="list-style-type: none"> • Regis Shenley Manor Nursing Home • Residential Aged Care • 4,358sq.m
49 Lyndon Street, Camberwell	<ul style="list-style-type: none"> • NCS Precinct 55 • General Suburban 2 	<ul style="list-style-type: none"> • Lyndon Aged Care • Residential Aged Care • 13,403sq.m

97 Elgin Street, Hawthorn	<ul style="list-style-type: none"> • NCS Precinct 26 • Low Scale Suburban 2 	<ul style="list-style-type: none"> • St. Joseph's Aged Care Facility • Residential Aged Care • 5,811sq.m
6 - 14 Studley Park Road, Kew	<ul style="list-style-type: none"> • NCS Precinct 15 & 8 • General Suburban 2 	<ul style="list-style-type: none"> • Villa Maria (St. Pauls College, Children's Respite Centre and administration offices) • 16,269sq.m
23 Maleela Avenue, Balwyn	<ul style="list-style-type: none"> • NCS Precinct 19 • General Suburban 2 	<ul style="list-style-type: none"> • Balwyn Manor • Supported Residential Aged Care Services • 3,852sq.m
7-9 Hunter Street, Hawthorn	<ul style="list-style-type: none"> • NCS Precinct 17 • Low Scale Inner Urban 	<ul style="list-style-type: none"> • Hawthorn Grange • Supported Residential Aged Care Services • 3,421sq.m
79 Stevenson Street, Kew	<ul style="list-style-type: none"> • NCS Precinct 15 • General Suburban 2 	<ul style="list-style-type: none"> • Highgrove • Supported Residential Aged Care Services • 3,085sq.m
24 Nicholson Street, Balwyn (1102 Burke Road Balwyn North)	<ul style="list-style-type: none"> • NCS Precinct 2 • General Suburban 2 	<ul style="list-style-type: none"> • Eva Tilley Memorial Hostel • Residential Aged Care • 8,501sq.m
2 Caravan Street, Balwyn (280-290 Belmore Road)	<ul style="list-style-type: none"> • NCS Precinct 68 • General Suburban 2 	<ul style="list-style-type: none"> • Justin Villa • Residential Aged Care • 17,302sq.m
12 Pretoria Street, Balwyn	<ul style="list-style-type: none"> • NCS Precinct 2 • General Suburban 2 	<ul style="list-style-type: none"> • Westbury Private Nursing Home • Residential Aged Care • 3,298sq.m
1-12 Bills Street, Hawthorn	<ul style="list-style-type: none"> • NCS Precinct 52 • General Suburban 2 	<ul style="list-style-type: none"> • DHS Public Housing Estate • 5,460sq.m
1-9 Alamein Avenue, Ashburton	<ul style="list-style-type: none"> • NCS Precinct 67 • General Suburban 2 	<ul style="list-style-type: none"> • DHS Public Housing Estate • 5,314sq.m
2-18 Markham Avenue, Ashburton	<ul style="list-style-type: none"> • NCS Precinct 67 • General Suburban 2 	<ul style="list-style-type: none"> • DHS Public Housing Estate • 14,570sq.m
114 Victory Boulevard, Ashburton	<ul style="list-style-type: none"> • NCS Precinct 67 • General Suburban 2 	<ul style="list-style-type: none"> • DHS Public Housing Estate • 8,095sq.m
138C Barkers Road, Hawthorn	<ul style="list-style-type: none"> • NCS Precinct 26 • Low Scale Suburban 2 	<ul style="list-style-type: none"> • Former California Hotel Site • 6,974sq.m
6 Rochester Road, Canterbury	<ul style="list-style-type: none"> • NCS Precinct 34 • General Suburban 4 	<ul style="list-style-type: none"> • Airdrie House Society / Bass Care • Residential Aged Care • 6,748sq.m
20-26 Manningtree Road, Hawthorn	<ul style="list-style-type: none"> • NCS Precinct 39 • General Inner Urban 	<ul style="list-style-type: none"> • Moorfields Community for Adult Care (Uniting Aged Care) • Residential Aged Care • 10,086sq.m
22-24 Gellibrand Street, Kew	<ul style="list-style-type: none"> • NCS Precinct 16 • General Suburban 4 	<ul style="list-style-type: none"> • Kew Gardens Aged Care • Residential Aged Care

253 Cotham Road & 14-18 Cecil Street, Kew	<ul style="list-style-type: none"> • NCS Precinct 11 • General Suburban 4 	<ul style="list-style-type: none"> • 4,518sq.m • Prague House • Department of Human Services • Residential Aged Care • 5,584sq.m (2 allotments)
27 Shierlaw Avenue, Canterbury	<ul style="list-style-type: none"> • NCS Precinct 34 • General Suburban 4 	<ul style="list-style-type: none"> • Faversham House • Bass Care & Boroondara Aged Services Society • Residential Aged Care • 16,161sq.m
6-8 Joffre Street, Camberwell	<ul style="list-style-type: none"> • NCS Precinct 58 • General Suburban 4 	<ul style="list-style-type: none"> • Condare Court • Residential Aged Care • 6,228sq.m
55-59 Walpole Street, Kew	<ul style="list-style-type: none"> • NCS Precinct 9 • Eclectic Inner Urban 	<ul style="list-style-type: none"> • Baptcare Karana Community • Residential Aged Care • 7,490sq.m
53 Walpole Street, Kew	<ul style="list-style-type: none"> • NCS Precinct 9 • Eclectic Inner Urban 	<ul style="list-style-type: none"> • Bet Nachman Synagogue of Kew • Synagogue and associated buildings • Plans to construct community housing for congregation members • 3,770sq.m