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C229**NEIGHBOURHOOD CHARACTER POLICY**

This policy applies to buildings and works and subdivision that require a planning permit under the Neighbourhood Residential, General Residential and Residential Growth zones, and the variations or removal of a covenant or restriction on title, except for land within:

- Design and Development Overlay Schedule 1 (Willsmere Design and Development Area)
- Design and Development Overlay Schedule 2 (Willsmere Historical Building Design and Development Area)
- Design and Development Overlay Schedule 12 (West Hawthorn Area)
- Design and Development Overlay Schedule 14 (Kew Junction Activity Centre)
- Design and Development Overlay Schedule 15 (Glenferrie Activity Centre)
- Design and Development Overlay Schedule 16 (Neighbourhood Centres)
- Design and Development Overlay Schedule 17 (Commercial Corridors)
- Design and Development Overlay Schedule 23 (Maling Road Built Form Design Guidelines)
- Development Plan Overlay Schedule 3 (Kew Residential Services).

This policy does not apply to a planning permit application if approval is solely 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 (Birrarung) 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 Schedule 4 (Monomeath Design and Development Area) as well as Council's Heritage Policy and Discretionary Uses and Development in Residential Areas Policy, as applicable.

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C229**Policy basis**

Council's neighbourhood character study, the *Boroondara Neighbourhood Character Study Methodology and Implementation Report* (2013), divides residential areas within Boroondara that have common characteristics into precincts and identifies the preferred character of each precinct.

The *Boroondara Neighbourhood Character Precinct Statements* (2013) is a reference document in the Boroondara Planning Scheme.

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C229**Objective**

To ensure new development retains and enhances the key character attributes that contribute to a precinct's preferred character.

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All areas (except General Residential Zone Schedule 4)

Policy

It is policy to:

- Ensure development makes a positive contribution to realising a precinct's preferred character, as described in the relevant Neighbourhood Character Precinct Statement.
- Ensure development meets each objective and design response in the Design Guidelines of the relevant Neighbourhood Character Precinct Statement.

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Neighbourhood Residential Zone Schedule 3

The Neighbourhood Residential Zone Schedule 3 (NRZ3) covers neighbourhood character precincts that have a low-rise, suburban character. These precincts are typically characterised by 1 and 2 storey detached dwellings set in well-established landscaped gardens. These precincts have a spacious character, which is attributed to a consistent spine of medium to large backyards, an absence of multi-dwelling developments and low site coverage.

Some precincts have a more compact inner urban character, which is attributed to smaller lot sizes, narrower side setbacks, smaller front and rear gardens and higher site coverage.

Preferred character objectives

To enhance the consistency and character of streetscapes.

To maintain a spacious backyard character and leafy garden setting of dwellings, where this is an identified preferred character of the precinct.

Policy

It is policy to:

- Ensure development respects the prevailing scale of buildings in the precinct.
- Ensure development is set back from the front, side and rear boundaries, consistent with the preferred character of the precinct.
- Ensure second dwellings and additions to existing dwellings are sited to retain an area of open space to the rear of the dwelling that is capable of accommodating canopy trees.
- Avoid attached dwellings set one behind the other that provide no visual separation between built forms.
- Ensure that upper storeys of dwellings at the rear of lots are recessive and have a reduced footprint to the ground floor.

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General Residential Zone Schedule 1

General Residential Zone Schedule 1 (GRZ1) covers neighbourhood character precincts that have a suburban, detached character, but lack the consistency seen in precincts that have been included in the NRZ3. These precincts contain 1 to 2 storey detached dwellings as well as villa and townhouse style developments. Multi-dwelling developments typically read as single detached dwellings from the street.

Preferred character objectives

To provide for development of up to 2 storeys that respects the suburban, detached character.

To enhance the precincts' sense of greenery and open feel.

Policy

It is policy to:

- Ensure development is set back from front, side and rear boundaries to maintain a sense of separation between buildings.
- Encourage developments and additions to retain space for canopy trees in front and rear gardens.
- Ensure private open space for each dwelling is provided at ground level.
- Ensure developments are articulated to reduce visual bulk impacts on adjoining properties.
- Encourage multi-dwelling developments to read as a single detached dwelling from the street.
- Avoid unarticulated continuous building mass for the length of a property by providing upper level separation between dwellings.
- Discourage apartment style developments, unless it can be demonstrated that they are part of the character of the immediate area.

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General Residential Zone Schedule 2 and 3

General Residential Zone Schedule 2 (GRZ2) and Schedule 3 (GRZ3) includes neighbourhood character precincts that contain a mixture of 1 and 2 storey detached dwellings, 1 and 2 storey villa and townhouse style developments, and interspersed 2 to 3 storey apartment buildings.

Preferred character objective

To facilitate development up to three storeys in height that integrates with and complements the varied scale and type of development in the precinct.

Policy

It is policy to:

- Ensure that building facades are no more than 2 storeys high to the street frontage, unless it can be demonstrated that higher front facades are a consistent characteristic of the streetscape.
- Ensure development is set back from the front, side and rear boundaries, consistent with the preferred character of the precinct.
- Provide a transition in building scale and setbacks to residential properties located within the Neighbourhood Residential Zone 3 and public open space areas.
- Ensure development adjacent to a property in an individual Heritage Overlay fronting onto the same street provides for a transition in scale and does not detrimentally impact the heritage significance of the place.

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General Residential Zone Schedule 4

The General Residential Zone Schedule 4 (GRZ4) consists of ‘super-sized lots’ that are of a size incongruous with the surrounding allotments. These sites are generally larger than 4,000 square metres in area.

This policy does not apply to land zoned GRZ4 located within activity centre, neighbourhood centre or commercial corridor boundaries.

Preferred character objective

To allow for development to occur at greater height and density than the surrounding area without detrimentally impacting on the preferred character of the precinct.

Policy

It is policy to:

- Ensure development around the perimeter of ‘super-sized lots’ is consistent with and reinforces the precinct’s preferred character.
- Support increased building heights within a site where it can be demonstrated that the increased height will not adversely impact the precinct’s preferred character.
- Ensure the provision of landscaped setbacks around the perimeter.
- Ensure the retention of any existing significant or established trees on site.

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General Residential Zone Schedule 5

The General Residential Zone Schedule 5 (GRZ5) has been applied to properties on an interim basis while the responsible authority undertakes further strategic work to determine what zone should be applied to these areas. These areas were formerly proposed for inclusion in the Neighbourhood Residential Zone.

Preferred character objective

To ensure development respects and enhances the preferred character for the precinct.

Policy

It is policy to:

- Ensure new development reinforce the character attributes that contribute to the precinct’s preferred character.

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Residential Growth Zone Schedule 1

The Residential Growth Zone Schedule 1 (RGZ1) applies to main roads that comprise a mix of 1 to 2 storey dwellings as well as 2 to 4 storey apartment buildings. Buildings are generally sited behind landscaped gardens.

Preferred character objective

To facilitate a diversity of housing types.

Policy

It is policy to:

- Ensure that buildings are composed of facades that are no more than 3 storeys high to the street.
- Ensure development is set back from front, side and rear boundaries consistent with the preferred character of the precinct.
- Provide a transition in building scale and setbacks to residential properties located within the Neighbourhood Residential Zone Schedule 3 or public open space areas.
- Ensure development adjacent to a property in an individual Heritage Overlay fronting onto the same street provides a transition in scale and does not detrimentally impact the heritage significance of the place.

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Variation or removal of a covenant or a restriction on title

Objective

To ensure the variation or removal of a covenant does not adversely impact a precinct’s preferred character.

Policy

It is policy to:

- Discourage the removal of single dwelling covenants in accordance with Council's *Single Dwelling Covenant Policy* (June 2011).
- Ensure the removal or variation a restriction does not facilitate development that will adversely impact the precinct's preferred character including but not limited to building materials and dwelling setbacks.

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Subdivision

Objective

To ensure residential subdivision reinforces the precinct's preferred character.

Policy

It is policy that an application to subdivide land should generally be accompanied by an application for or follows approval of buildings and works on that site.

If an application for subdivision proposes the creation of lots that do not contain an existing or approved dwelling, it is policy to:

- Ensure subdivision is consistent with the prevailing pattern of subdivision within the street and surrounding precinct.
- Ensure that appropriate siting and context, including space for canopy tree planting within front and rear setbacks, are maintained where this forms part of the preferred character of the precinct.
- Discourage the subdivision of lots where this would result in frontage widths that would be inconsistent with the prevailing frontage widths in the streetscape.

Where an application is made for a subdivision that results in the creation of lots not containing an existing or approved dwelling, the application should be accompanied by the following information:

- A subdivision site and context description and design response in accordance with Clause 56.01.
- Three dimensional building envelopes that demonstrate that:
 - The location and size of future dwellings will maintain and enhance the identified elements that make a positive contribution to the character of the precinct. The three dimensional envelopes should contain:
 - Setbacks from existing and proposed boundaries
 - Setbacks from existing vegetation, including the tree protection zone for trees to be retained
 - Site coverage of the buildings
 - Location of car access and parking for each lot
 - Location and dimensions of secluded open space
 - Shadow diagrams to demonstrate that existing neighbouring habitable windows and proposed private open spaces will receive adequate access to natural daylight.
- An existing conditions plan which shows:
 - Structures to be removed
 - Neighbouring properties on all sides including the location of habitable room windows of surrounding properties which have an outlook to the site within 9 metres
 - The location of vehicle access, poles, street trees and easements.

- Outline of the proposed subdivision on the existing conditions plan.
- Written confirmation that the proposed vehicle crossover location/s have been supported by Council's Infrastructure Design department with respect to their distances from street trees/poles/hydrants.
- An arborist report which documents:
 - An assessment against Boroondara's Tree Protection Local Law which protects canopy trees on private land where the total circumference of all stems measured at 1.5 metres from the ground equals or is greater than 1.1 metres.
 - Trees located on the site and within 3 metres of neighbouring properties
 - How the subdivision/building envelopes affect the trees, together with copies of any Local Law permits issued for removal of these trees.

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Sites also affected by a Heritage Overlay

It is policy that the objectives of the Heritage Overlay and Heritage Policy must take precedence where conflicts arise between the *Boroondara Neighbourhood Character Precinct Statements* (2013) and the objectives of the Heritage Overlay and Council's Heritage Policy in relation to the following matters:

- The siting, form and extent of visibility of extensions constructed to “significant” and “contributory” graded buildings.
- The siting of car parking facilities.
- The height of front fences.

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Reference documents

Boroondara Neighbourhood Character Precinct Statements (2013, or as amended and adopted by Council from time to time)

Boroondara Single Dwelling Covenant Policy (June 2011)