
X.• **DRAFT OF PROVISIONS PROVIDED TO
PANEL 22 NOVEMBER 2005**

22.14 RESIDENTIAL AREAS REMOVED FROM ACTIVITY CENTRES AND MAIN ROADS POLICY

This policy applies to all developments which are subject to Clause 54 or 55 of the Scheme on land in the Residential 3 Zone.

22.14-1 Policy basis

This policy implements the objectives identified in the Municipal Strategic Statement, specifically Clause 21.12 Established Urban Areas.

22.14-2 Objectives

The objectives of this policy are:

- To reinforce the existing garden character of the area by incorporating substantial areas of open space allowing for the retention and / or planting of canopy trees.
- To ensure that the natural landscape and topography are identified as principal elements of the preferred neighbourhood character.
- To encourage a lesser intensity of development which provides a range of single and double storeys, providing a diversity of housing types for the community.
- To ensure that new development does not generally protrude above the prevailing height of the existing tree canopy, where applicable.
- To ensure that new development is well articulated and that two storey elements are not unduly bulky or visually intrusive.
- To encourage roof styles which reflect those in the existing streetscape.
- To encourage spacing between dwellings to reinforce the pattern of development of the street.
- To reinforce the open streetscape character by having no, or low fencing to allow views to the front gardens.

22.14-3 Policy

- An application should:

Siting

- Ensure that the rear setback is of a sufficient width to allow for the retention or planting of canopy trees and to allow for recreational opportunities.
- Minimise buildings on boundaries to create spacing between dwellings to reinforce the pattern of the street. If any adjoining property has no existing boundary walls, the total length of walls should be limited to that generally required for the provision of a garage.

Form

- Encourage upper levels to be stepped in from the ground floor to avoid sheer walls and achieve articulation and visual interest. Preferably, upper levels should not exceed 75% of the ground floor area (excluding verandahs and balconies).
- Promote building materials that reflect the prevailing materials of the surrounding residential area.
- Discourage imposing design features such as double storey porticos. Porticos and other design features need to integrate with the overall design of the building.

Car Parking and Access

- Ensure that where garages are located in the street elevation, they are set back a greater distance than the front wall of the building.
- Design developments with a maximum of two vehicle crossovers. Where possible retain existing vehicle crossovers to minimise the removal of street tree(s). Driveways should be generally setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback.
- Incorporate a landscape strip on either side of a driveway capable of supporting a variety of shrubs and small trees, with preferably a minimum width of 0.5 metres adjacent to the fence-line and a one metre width adjacent to the dwelling.

Landscaping

- Ensure that the front and rear setbacks are characterised by pervious surfaces to enable the provision, or retention, of canopy trees.
- Require the private open space area and the front setback of dwellings to have a minimum of one canopy tree with a spreading crown, capable of growing to a height of 8.0m or more at maturity.

Fencing

- Ensure that the front fence is at least 50 per cent transparent.
- Encourage fences that adjoin public open spaces to be no higher than 1.8 metres and to be at least 50 per cent transparent, where appropriate.

22.14-4 Decision guidelines

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

- The extent to which the application meets the objectives of this policy.
- The extent to which the proposal achieves the provisions of this policy, as it relates to:
 - siting;
 - form;
 - carparking and access;
 - landscaping; and
 - fencing.

22.14-5 References

Manningham Residential Character Guidelines (March 2005)

SCHEDULE 8 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO8

RESIDENTIAL AREAS SURROUNDING ACTIVITY CENTRES**1.0 Design objectives**

To increase residential densities and provide a range of housing types around activity centres.

To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.

To encourage three storey 'apartment style' developments on larger lots.

To ensure that new development is well articulated and that upper storey elements are not unduly bulky or visually intrusive.

To ensure that the scale, height and form of three storey 'apartment style' developments are sufficiently stepped down at the perimeter of sub-precinct A to present an appropriate and attractive interface to sub-precinct B, or other adjoining precinct, as identified on Map 1 to this Schedule.

To design and site dwellings having regard to the future development opportunities and future amenity of adjoining properties.

To avoid the excessive application of screen devices to minimise overlooking into adjoining properties.

To design basement carparks so that they are not visually obtrusive when viewed from the front of the site.

To site basement car parks a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees.

To design carports and garages so that they complement the design of the building.

2.0 Buildings and works**Permit requirement**

A permit is not required to construct a building or construct or carry out works, except for development proposals which are subject to Clause 54 or 55 and for proposals to construct or extend a development of four or more storeys, excluding a basement.

Building Height & Setbacks

Any building or works must comply with the requirements set out in Table 1 of this Schedule.

Table 1 to Schedule 8

Sub-Precinct	Maximum Building Height	Condition regarding minimum lot size.	Front Setback
A	11 metres provided the condition regarding minimum lot size is met. If the condition is not met, the maximum height is 9 metres.	1800 square metres or greater.	*6 metres
B	9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the building is 2.5 degrees or more, in which case the maximum building must not exceed 10 metres.	None specified	*6 metres Side street setbacks as specified in the Tables to Standard A3 and Standard B6 continue to apply.

* Balconies, terraces, and verandahs may encroach within these setbacks by a maximum of 2.0m, but must not extend along the width of the building.

A permit cannot be granted to vary the minimum lot size specified in Table 1 to this Schedule.

A permit cannot be granted to vary the maximum building height specified in Table 1 to this Schedule.

Form

Development must:

- Provide visual interest through articulation, glazing and variation in materials and textures;
- Ensure that buildings are stepped down at the rear of sites in sub-precinct A to provide a gradual transition to sub-precinct B;
- Ensure that buildings are stepped down at the rear of sites in sub-precinct B to provide a gradual transition to the scale of the adjoining residential area;
- Ensure that the floor area of any second, or third storey element of a dwelling (including balconies) does not exceed 75% of the ground floor area (excluding verandahs and balconies);
- Discourage imposing design features such as double storey porticos. Porticos and other design features need to integrate with the overall design of the building.
- Be designed and sited to minimise the need for earthworks by either siting the building on the flattest part of the site or by designing the building to step with the land.

Car parking and Access

Development must:

- Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to minimise the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback.
- Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park /half basement/ground storey car parks at street frontage.
- The setback of the basement car park should be consistent with the front building setback, and be setback a minimum of 4.0m from the rear boundary, to enable effective landscaping to be established.
- Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling.

Landscaping

Development must:

- On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity.
- On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity.

Fencing

Development must:

- Incorporate front fencing that is at least 50 per cent transparent.

3.0**Decision guidelines**

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

- The design objectives of this schedule;
- The extent to which the proposal achieves the requirements of this schedule, as it relates to:
 - siting;
 - form;
 - carparking and access;
 - landscaping; and
 - fencing.

SCHEDULE TO THE RESIDENTIAL 3 ZONE

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

- Yes

	Clause 54 and Clause 55 Standard	Requirement
Minimum street setback	Standard A3 and Standard B6	Front street setback – 7.6 metres The site is on a corner. The side street setbacks as specified in the Tables to Standard A3 and Standard B6 continue to apply.
Site coverage	Standard A5 and Standard B8	45% if a single storey dwelling is incorporated as part of the development 40% for developments that only include double storey dwellings
Side and rear setbacks	Standard A10 and Standard B17	None specified
Private open space	Standard A17	None specified
	Standard B28	For ground floor open space, provide an area of 55 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 40 square metres, a minimum dimension of 6 metres and convenient access from a living room.
Front fence height	Standard A20 and Standard B32	1.2 metres

SCHEDULE 5 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO5

DONVALE/DONCASTER EAST ENVIRONMENTAL RESIDENTIAL AREA**1.0****Design objectives**

To maintain and enhance the special pine-tree and low-density character of the Donvale/Doncaster East environmental residential area.

To ensure that development responds to the area's environmental characteristics, including topography and vegetation, and is sympathetic to the existing built form and style.

To protect and enhance the pattern of vegetation and landscape quality.

To ensure that development recognises the existing infrastructure capacities and does not generate demand for extensive upgrades of infrastructure, including the standard of roads and drainage.

To maintain consistency, where present, of current front setbacks.

To retain the predominance of single detached housing and discourage other forms of development.

To retain backyards and perimeter areas of the sites as an opportunity for planting canopy trees.

To ensure that development does not protrude above the prevailing height of the tree canopy.

To ensure that land retains areas of pervious surfaces and a low site coverage to enable the retention and establishment of vegetation, particularly that which is indigenous to the area.

To reinforce the open streetscape character by having no, or low, fencing allowing the continuity of landscape and views to front gardens.

2.0**Buildings and works****Permit requirement**

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

Dwellings

- Each lot must not be developed with more than one dwelling. A permit cannot be granted to vary this requirement.

A permit is not required to construct a dwelling provided the following conditions are met:

Siting

Development must:

- Be setback equal to or further from the frontage than any part of a building on an adjoining lot with frontage to the same road.
- Have a site coverage that does not exceed 35%.
- Have a minimum rear setback of 6.0m to enable the provision of canopy trees within the setback zone so that an appropriate landscaped transitional edge can be created.

Form

Development must:

- Not be more than 9.0m in height and not protrude above the prevailing tree canopy. A permit cannot be granted to vary this requirement.
- Ensure that the floor area of any second storey element of a dwelling (including balconies) does not exceed 75% of the ground floor area (including verandahs and balconies).
- Discourage imposing design features such as double storey porticos. Porticos and other design features need to integrate with the overall design of the building.
- Incorporate building materials and external colours that are compatible with the natural colours of the surrounding environment.
- Be designed and sited to minimise the need for earthworks by either siting the building on the flattest part of the site or by designing the building to step with the land.

Car Parking and access

Development must:

- Ensure that garages and carports are designed to be an integral part of the building, and recessive in their treatment and siting.
- Ensure that driveways are designed to incorporate a curvilinear alignment to include landscaping to create visual interest.
- Include only one vehicular crossover, except in circumstances where it is a corner site, or where the frontage exceeds 18.0m.

Landscaping

Development must:

- Include canopy trees with a spreading crown in the front setback and in private open space areas.

Fencing

Development must:

- Avoid solid, high front fences.
- Reinforce the open streetscape character. Where fences are proposed, they must be a maximum height of 1.2 metres and be at least 50 per cent transparent.

3.0

Subdivision

Unless the averaging option is applied, each lot must be at least 2,000 square metres.

Averaging option

A permit may be granted to create lots of less than 2,000 square metres provided:

- The average area of all lots shown on the plan of subdivision is at least 2,000 square metres.
- Each lot is at least 1,500 square metres.
- No lot is more than 2,500 square metres.
- It can be demonstrated that a better environmental outcome will be achieved through the use of the averaging option than would have been achieved through the use of the 2,000 square metre minimum lot size.

- An overall development plan is prepared to the satisfaction of the responsible authority showing building envelopes, access, common property and subdivision details.
- The land does not contain a lot on a plan of subdivision approved by the Registrar of Titles created under an averaging option.
- The lot size and location of dwellings on abutting properties is considered.
- The use of space for access roads and driveways is minimised to maintain the unique character of the area and preserve as much vegetation as possible.
- The lots are connected to a reticulated sewerage system.
- An agreement under section 173 of the Act is entered into which prohibits the further subdivision of lots created under this averaging option.

A permit cannot be granted to subdivide land which is not in accordance with the 2,000 square metre minimum lot size or averaging option requirements.

2.0

Decision guidelines

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

- The design objectives of this schedule;
- The extent to which the proposal achieves the requirements of this schedule, as it relates to:
 - siting;
 - form;
 - carparking and access;
 - landscaping; and
 - fencing.

SCHEDULE 9 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO9

AREAS ALONG MAIN ROADS**1.0 Design objectives**

To increase residential densities and provide a range of housing types in the Main Road precinct.

To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of architecturally and visually interesting building materials and façade treatments.

To encourage the redevelopment of properties abutting main roads with three storey 'apartment style' developments on larger lots.

To ensure that new development is well articulated and that upper storey elements are not unduly bulky or visually intrusive.

To ensure that the scale, height and form of dwellings are sufficiently stepped down to protect the amenity of the adjoining properties.

To create a boulevard effect along Doncaster Road and Manningham Road by planting trees within the front setback that are consistent with the street trees.

To promote developments that make good use of the topography of the area, by designing them to maximise views obtained from the ridgeline.

To design and site dwellings having regard to the future development opportunities and future amenity of adjoining properties.

To design basement carparks so that they are not visually obtrusive when viewed from the front of the site.

To site basement car parks a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees.

To design carports and garages so that they complement the design of the building.

2.0 Buildings and works**Permit requirement**

A permit is not required to construct a building or construct or carry out works, except for development proposals which are subject to Clause 54 or 55. A permit is required for a fence.

Building Height & Setbacks

Any building or works must comply with the requirements set out in Table 1 of this schedule.

Table 1 to Schedule 9

Maximum Building Height	Condition regarding minimum lot size.	Front Setback
11 metres provided the condition regarding minimum lot size is met. If the condition is not met, the maximum height is 9 metres.	1800 square metres or greater.	*6 metres
9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the building is 2.5 degrees or more, in which case the maximum building must not exceed 10 metres.	None specified	*6 metres Side street setbacks as specified in the Tables to Standard A3 and Standard B6 continue to apply.

* Balconies, terraces, and verandahs may encroach within these setbacks by a maximum of 2.0m, but must not extend along the width of the building.

A permit cannot be granted to vary the minimum lot size specified in Table 1 to this schedule.

A permit cannot be granted to vary the maximum building height specified in Table 1 to this schedule.

For three storey developments, rear setbacks must be a minimum of 7.0m for ground and first levels, and the ground storey must be setback 2.0m from side boundaries.

Form

Development must:

- Provide visual interest through the use of articulation, glazing and variation in materials and textures;
- Step down to one or two storeys at the rear of the site, to provide a gradual transition with the scale of the adjoining residential areas
- Step down to one or two storeys at the rear of the site, to provide a gradual transition with the scale of the adjoining residential areas.
- Ensure that the floor area of any second, or third storey element of a dwelling (including balconies) does not exceed 75% of the ground floor area (excluding verandahs and balconies);
- Discourage imposing design features such as double storey porticos. Porticos and other design features need to integrate with the overall design of the building.

- Be designed and sited to minimise the need for earthworks by either siting the building on the flattest part of the site or by designing the building to step with the land.

Car parking and access

Development must:

- Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to minimise the removal of street tree(s). Driveways must be setback a minimum of 1.5 metres from any street tree, except in cases where a larger tree requires an increased setback.
- Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open lot/half basement/ground floor car parks at street frontage.
- The setback of the basement car park should be consistent with the front building setback, and should be setback a minimum of 4.0m from the rear boundary, to enable effective landscaping to be established.
- Site basement car park to be consistent with the front building setback, and setback a minimum of 4.0m from the rear boundary, and setback a sufficient distance from side boundaries to enable effective landscaping to be established.
- Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling.

Landscaping

Development must:

- On sites where a three storey development is proposed, include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity.
- On sites where one or two storey developments are proposed, include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity.
- On sites that front Doncaster Road, or Manningham Road, ensure that canopy trees proposed in the front setback are consistent with the Manningham Streetscape Character Study (February 2002) to assist in creating a boulevard character.

Fencing

Development must:

- Provide front fences which have a maximum height of 1.8m, but must be setback a minimum of 1.0m from the front title boundary and be visually transparent. Within the 1.0m setback a continuous landscaping treatment should be provided.

3.0 Decision guidelines

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

- The design objectives of this schedule;
- The extent to which the proposal achieves the requirements of this schedule, as it relates to:
 - siting;
 - form;
 - carparking and access;

- landscaping; and
- fencing.