

3.2 15 Scott Street CANTERBURY

15 Scott Street, Canterbury

Application no.:	PP19/0688
Responsible director:	Shiran Wickramasinghe Urban Living
Authorised by:	Simon Mitchell, Manager Strategic & Statutory Planning
Report officer:	Timothy Luckin, Statutory Planner

Abstract

Proposal

The proposal seeks to demolish the existing dwelling and construct a new dwelling in a heritage precinct.

Issues

The following are key issues in respect of this applications:

- Demolition of the existing dwelling. See pages 9, 12-14, 29, 38.
- Suitability of the new dwelling to the heritage precinct. See pages 1-2, 9-12, 14-18, and 28-38.
- Amenity impacts. See pages 39-40.

Officer's response

The application was originally advertised in December 2019 and received 15 objections. The Objectors raised concerns with the demolition of the existing dwelling which they considered to be part of a trio of houses (11, 13, and 15 Scott Street). Council's Strategic Planning Department has reviewed the 'non-contributory' grading of the dwelling and reaffirmed this. It is considered acceptable to demolish the existing dwelling, subject to a suitable replacement building.

The objections raised concerns regarding the new dwelling. Additionally, some objections were in regard to amenity impacts such as overshadowing and reduced light to windows. Amenity impacts relate to a ResCode assessment which cannot be considered given the permit trigger is the Heritage Overlay only. An assessment of amenity impacts would occur at the Building Permit stage.

The proposed dwelling was redesigned after initial concerns were raised. The new dwelling design features an L-shaped layout with a projecting front gable. The first floor is hidden underneath a transverse gable roof giving the appearance of a single-storey dwelling. Council's Heritage Advisor supports the revised design with no changes. The new design is considered to meet Council's Heritage Policy requirements and is recommended for approval.

Officers' recommendation

That the Urban Planning Delegated Committee resolve that a Notice of Decision to Grant Planning Permit No. PP19/0688 for Demolition of an existing dwelling and construction of a new dwelling in a Heritage Overlay in accordance with the endorsed plans at 15 Scott Street, Canterbury be issued under the Boroondara Planning Scheme subject to the following conditions:

Amended plans required

1. Before the development starts, amended plans must be submitted to the satisfaction of the Responsible Authority. When the plans are to the satisfaction of the Responsible Authority they will be endorsed and will then form part of the Permit. The plans must be drawn to scale with dimensions and be substantially in accordance with the plans amended and submitted on 2 June 2020 (Project No. 1914 Revision C, Drawings TP.02, TP.02A, TP.03, TP.04, TP.05, TP.06, all dated 2 June 2020, all prepared by Sync Design) but modified to show:
 - a) The following changes as depicted on the 'Discussion Plans' received by Council on 25 August 2020 (TP.03):
 - i) Crossover reduced to 3 metres in width (not including the radial turnouts);
 - ii) Crossover with 1.2 metre radial turnouts at the street kerb;
 - iii) A minimum 5.5 metres spacing between the proposed northern crossover radial and the crossover radial for 13 Scott Street; and
 - iv) A revised driveway to align with the new crossing location.
 - b) An amended material schedule stating the garage door material will be timber.
 - c) An annotation stating the proposed front fence will be timber picket with at least 25% transparency.
 - d) An annotation stating the driveway and hard pavement located within the front setback will be light grey and exposed aggregate.
 - e) An amended material schedule to show the light grey colour and exposed aggregate material of the proposed driveway and hard pavement.

Layout not to be altered

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason without the prior written consent of the Responsible Authority.

Drainage

3. The site must be drained to the satisfaction of the relevant Building Surveyor.

Construction of vehicle crossovers

4. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.

Removal of redundant vehicle crossovers

5. All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, naturestrip, kerb and channel to the satisfaction of the Responsible Authority.

Tree Protection Zone Fencing

6. Prior to the commencement of any building and or demolition works on the land, a Tree Protection Zone (TPZ) must be established and maintained during and until completion of all buildings and works including landscaping, around the following trees in accordance with the distances and measures specified below, to the satisfaction of the Responsible Authority:
- a) Tree protection zone distances:
 - i. *Tree 12 – 2.6 metre radius from the centre of the tree base.*
 - b) Tree protection zone measures are to be established in accordance to Australian Standard 4970-2009 and including the following:
 - i. Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres held in place with concrete feet.
 - ii. Signage placed around the outer edge of perimeter fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.
 - iii. Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.
 - iv. No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.
 - v. All supports, and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.
 - vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.
 - vii. TPZ fencing must not block off a footpath or roadway. The TPZ fencing location can be modified to ensure the tree(s) is protected, however must not obstruct, roads, footpaths or access ways.

Permit to expire:

7. This permit will expire if:
- a) The development does not start within two (2) years of the issue date of this permit; or
 - b) The development is not completed within four (4) years of the issue date of this permit.

The Responsible Authority may extend the times referred to if a request is made in writing before the permit expires or:

- (i) within six (6) months afterwards if the development has not commenced;
or
- (ii) within twelve (12) months afterwards if the development has not been completed.

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.

Notes:

Headings are for ease of reference only and do not affect the interpretation of permit conditions.

This is not a Building Permit. A Building Permit may be required prior to the commencement of any works associated with the proposed development.

Prior to the commencement of any works on the site, the owner/developer must submit drainage plans for assessment and approval by the Responsible Authority (Asset Management).

Stormwater drains are to be connected to a legal point of discharge approved by Council. Drainage Connections within a road reserve, right-of-way, parkland, within an easement or to a Health Act drain must be to Council's standards. A Council Supervision Permit is required for this work. All fees and charges associated with the connection are to be borne by the applicant.

Prior to the commencement of any works on the site, the owner / developer must submit any new vehicular crossover or modification or alteration to an existing crossover proposal for assessment and approval by the Responsible Authority (Asset Management).

Plant, equipment or services (other than those shown on the endorsed plans) that are visible from a street or a public park may require further planning permission. This includes air-conditioners, solar panels, water tank and the like.

The Tree Protection Local Law requires that a Local Law Tree Permit be sought from Council for the removal and/or lopping of a 'Significant Tree' and/or excavation within the critical root zone of a Significant Tree. A list of Significant Trees is available at <http://www.boroondara.vic.gov.au/our-city/trees/significant-trees>. A Local Law Tree Permit is also required to remove, damage kill or destroy any identified 'Canopy Tree' which may include any excavation within the tree protection zone of a 'canopy tree'. The Tree Protection Local Law identifies a 'Canopy tree' as any tree with a single trunk circumference of 110cm or a combined circumference of a multi stemmed tree of 110cm or greater measured at 1.5m above ground level. A Planning Permit does not constitute a Local Law Tree Permit or permission to remove, damage kill or destroy a significant or canopy tree. The Tree Protection Local Law is available to download at <http://www.boroondara.vic.gov.au/our-city/trees/tree-works-permits> alternatively please contact Council's Arborist - Statutory Planning (telephone 9278 4888) should a Local Law Tree Permit be required.

An Asset Protection Permit is required prior to the commencement of site works in accordance with Council's Protection of Council Assets and Control of Building Sites Local Law 2011.

Prior consent from Council and any and all public authorities is required to be obtained for alteration or reinstatement of assets or services affected as a result of the development.

The full cost of reinstatement of any Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.

Discharge to the legal point of discharge will be allowed subject to the flow being limited to a rate equivalent to pre-development levels or less. Any additional discharge and / or runoff above the pre-development level is to be detained on site, via an approved storm water detention system. This matter should be discussed with Council's Asset Management Department.

The permit application was not assessed against the provisions of Clause 54 - One Dwelling on a Lot (ResCode) of the Boroondara Planning Scheme. It is the responsibility of the applicant/owner to appoint a Registered Building Surveyor to determine compliance pursuant to the Building Regulations. Non-compliance with ResCode provisions will require dispensation from Council's Building Services Department.



STATUTORY PLANNING OFFICERS REPORT Urban Planning Delegated Committee

Application Number	PP19/0688
Date Application Received	23/08/2019
Planning Officer	Timothy Luckin
Applicant	Sync Design
Owner	Mr KR Chandler, Mrs RE Chandler
Property Address	15 Scott Street, Canterbury
Proposal	Demolition of an existing dwelling and construction of a new dwelling in a Heritage Overlay
Ward	Maling
Zoning	Neighbourhood Residential Zone - Schedule 3
Overlays	Heritage Overlay (HO145)
Potential Overland Flow?	No
Advertised?	Yes
Number of Objections Received	14 (1 objection withdrawn)
Recommendation	Notice of Decision to Grant a Permit

TRANSITIONAL PROVISIONS

Are VC110 transitional provisions applicable to this application? (the application must have been lodged prior to 27 March 2017)	No
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PLANS ASSESSED IN THIS REPORT

Plans advertised on 2 July 2020 Discussion plans received on 25 August 2020
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PROPOSAL

Appendix A - Revised Advertised Plans

An application has been made to Council for the demolition of an existing dwelling and construction of a new dwelling in a Heritage Overlay.

Details of the proposal are summarised as follows:

- The entire existing property (heritage grading: non-contributory) is proposed to be demolished. The existing dwelling is single-storey and was constructed during the early 1900s. The dwelling has been heavily altered since its original construction.
- A new two-storey dwelling is proposed to be constructed with a pitched roof form and a single-width garage.

Details of the proposed house are as follows:

- A front setback of 5.4 metres;
 - A northern side setback of 1 metre (at front);
 - A southern side setback of 1.2 metres;
 - A rear setback of 9.8 metres;
 - Four (4) bedrooms are proposed;
 - The proposed overall building height is 7.2 metres;
 - A single-width garage with two internal tandem parking spaces is proposed;
 - The building form is a contemporary interpretation of Edwardian style with some Bungalow elements;
 - The roof form consists of a projecting front gable at ground floor. A transverse gable sits above the first floor and includes a dormer window; and
 - The materials comprise a brick front wall, vertical timber cladding and a Colorbond roof. A driveway and pedestrian paths are also proposed which will all be constructed of exposed aggregate.
- A 1.5 metre high timber picket fence is proposed.
 - No large trees are proposed to be removed on site. The rear of the dwelling has been designed so the large tree along northern boundary can be retained. The street tree will be retained.
 - The existing cross-over is proposed to be relocated 1.2 metres to the north.

THE SITE

Appendix B - Locality Plan

Site Location	The subject site is located on the western side of Scott Street.
Heritage Significance	Non-Contributory
Width of Frontage	12m
Maximum Depth of Site	46m
Total Site Area	557m ²
Easements	The subject site is not encumbered by any easements.

Fall of the Land	The site has a moderate fall from the south to the north of approximately 1 metre.
Front Fencing Details	A 1.4 metre high timber picket fence is located along the frontage of the site

- The subject site is currently developed with a single-story Edwardian Queen Anne style house. Council records indicate the house was constructed in 1910.
- The site is graded non-contributory due to the alterations which have been undertaken since the original construction.
- The existing dwelling is setback 5.4 metres from the street, however, the existing single width carport has been built up to the front boundary (no setback).
- The dwelling is setback 1.9 metres from the northern side boundary, 1.4 metres from the southern side boundary and 18 metres from the rear boundary.
- The existing dwelling has a height of 6.4 metres.
- Vehicle access is via a crossover and driveway adjacent to the southern boundary of the site.
- The site contains one large canopy tree, situated along the northern boundary towards the rear of the site.



Figure 1 - Subject site



Figure 2 - Subject site



Figure 3 - Subject site

THE SURROUNDING AREA

The subject site is located within a predominantly residential area, approximately 175 metres from the Maling Road Shopping Centre.

The subject site is located within the *Maling Road Shopping Centre and Environs Heritage Precinct*. Scott Street contains a large number of intact 'Contributory' graded dwellings with some later constructions that are graded 'Non-Contributory'. Figure 5 shows a map of the heritage gradings in the immediate area.

North:

The adjoining property to the north is 13 Scott Street and contains a 'contributory' graded Edwardian style dwelling constructed in 1910 (see Figure 6). Further north is 11 Scott Street developed with another Edwardian style dwelling constructed in 1910. These two dwellings are similar in appearance to the existing dwelling and were constructed at the same time. Their characteristics include an L-shaped layout with a front projecting gable and pyramidal roof. Each dwelling has a return verandah incorporated into the façade. Both 11 and 13 Scott Street are constructed of timber weatherboard with a corrugated iron roof.

East:

To the east of the property lies Scott Street. Opposite the site are two units at 1/20 and 2/20 Scott Street. These units were constructed in the 1980's and are graded 'non-contributory'.

South

The adjoining property to the south is 17 Scott Street contains a dwelling which is graded 'contributory' and was constructed in 1920 in the Bungalow style (see Figure 7). The features of this dwelling include a front projecting gable combined with a hipped transverse gable roof.

West:

The western adjoining property is 26 Logan Street, which contains another dwelling constructed in the Bungalow style. This dwelling is graded 'contributory'. A bay window and return verandah are incorporated into the façade. The dwelling materials are a combination of brick and timber weatherboard with a terracotta tiled roof.



Figure 4 - Aerial photo of the subject site and surrounding area

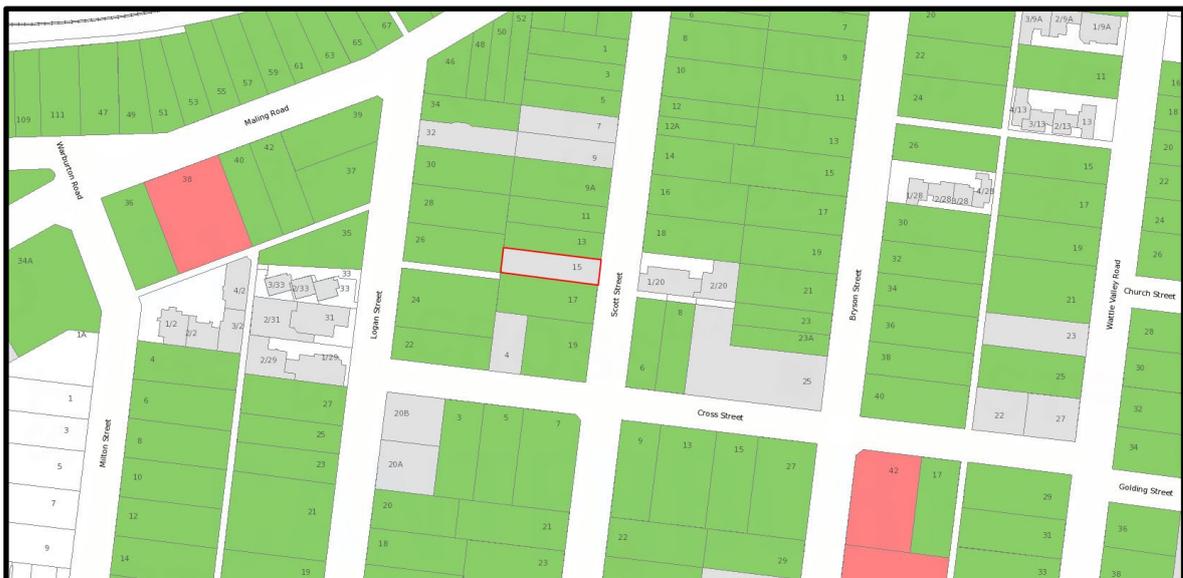


Figure 5 - Heritage Gradings in surrounding area
Red = Significant; Green = Contributory; Grey = Non-Contributory



Figure 6 - Neighbouring properties at 13 and 11 Scott Street



Figure 7 - Neighbouring property at 17 Scott Street

STATEMENT OF SIGNIFICANCE

The following statement of significance provides a summary of the significance and key attributes of Boroondara's Heritage Overlay precinct HO145.

Maling Road Shopping Centre and Residential Environs Heritage Precinct	HO145
Statement of Significance	
<p>Scott Street <i>This street has a Strathcona school complex, on the east side, which includes housing from the 1920s absorbed into the complex. On the west side, north of Prospect Hill Road, there is a mixture of Edwardian and much later development. This area is not part of the precinct.</i></p> <p><i>North of Claremont Crescent, Edwardian examples include Number 26. Italianate examples include Number 25. The Victorian Edwardian mixture is more prevalent, with later examples such as Number 22 in the Old English style being complementary.</i></p> <p><i>North of Cross Street, there is an Edwardian & Victorian emphasis, with some Bungalow development, some new development. Many fences and minor details have been altered but with signs of some restoration occurring. An unusual group is number 4 and 6: row houses, a verandahed and polychrome pair.</i></p> <p>Significance <i>Like the Camberwell Junction residential areas, the housing part of this precinct is the city's other major Victorian & Edwardian era centre which arose from the railway's arrival in the Victorian era and developed further in the Edwardian era. As such it presents a highly representative Victorian & Edwardian Era residential domain with high visual cohesion and individually notable houses, differing from the Camberwell areas by the dominance of timber construction. It adjoins and supports the notable Maling Road retail area and contains distinctive street patterns which are axial to the railway station and the Maling Road strip.</i></p> <p><i>The Maling Road commercial strip has few equals in the metropolitan area among other Edwardian era strips because of the individually notable designs, the strong visual cohesion and integrity of component buildings, and the entry landmark structures such as the post office and Malone's Hotel.</i></p> <p><i>An important representative example of Camberwell's development between 1880 and 1914, the role of the railway in creating a new commercial centre is registered in the location of the Canterbury shopping precinct and the comparative wealth of the area can be seen in the many commercial buildings. Many of these were and still are</i></p>	

Maling Road Shopping Centre and Residential Environs Heritage Precinct	HO145
Statement of Significance	
<i>landmarks. This precinct is a special example of the important link between railways, commercial and residential development and the house lay-out and commercial buildings of the precinct express the superior suburban style of Camberwell in the period c1888-1914.</i>	

RESTRICTIVE COVENANT/AGREEMENTS

No covenant or restriction has been registered on Title for this property.

ABORIGINAL CULTURAL HERITAGE

Is the site within an area of Aboriginal cultural heritage sensitivity?	No	
Is a Cultural Heritage Management Plan required?	No	

PERMIT/SITE HISTORY

A review of Council records indicates there have been no previous planning applications at the subject site.

NOTICE OF APPLICATION

Pursuant to Section 52 of the *Planning & Environment Act 1987*, the application was advertised on 5 December 2019 by:

- Sending notices to the owners and occupiers of adjoining land;
- Placing sign on the land for a period of 14 days;

Fourteen (14) objections have been received to the proposal. The grounds of objection are summarised as follows:

- The existing dwelling should be protected from demolition. A number of objections raised concerns with the loss of the existing dwelling. The objectors consider the dwelling to be of heritage significance worthy of protection. The objectors noted that the dwelling is a part of a trio of houses at Nos.11, 13, and 15 Scott Street. Council records indicated that all three dwellings were constructed in 1910.

- The new dwelling is not sympathetic to the heritage place. In summary, the key concerns with the new dwelling included:
 - The proposed 8.5 metre height will visually dominate the streetscape;
 - The rendered garage is unsympathetic to the heritage streetscape;
 - The garage dominates the façade and is not in keeping with the heritage streetscape. The driveway is excessively large and occupies the majority of the front setback;
 - The dwelling does not have a setback from the northern boundary which is not in keeping with the streetscape;
 - Due to the large driveway and pedestrian paths there is insufficient space for a front garden; and
 - The design of the façade (including the garage, roof form, and wall massing) is unsympathetic to the heritage streetscape. The angular pitched roofs and windows do not respect the heritage place.
- Amenity impacts including:
 - Overshadowing;
 - Light impacts to windows;
 - Impacts to views from windows and backyard; and
 - Southern side setback insufficient.

AMENDMENTS TO THE PROPOSAL

An amendment to a planning application was lodged with Council after notification. The façade and front portions of the proposed dwelling have been redesigned. These changes were made to address concerns raised by Council's Heritage Advisor. Details of how the revised proposal has addressed the Heritage Advisor's comments can be found in the Heritage Referral section on pages 14-18.

The changes are described as follows:

- The ground floor façade has been completely redesigned. The ground floor now consists of a front projecting gable constructed of brick. The revised design has a similar layout to the previous dwelling and the houses at 11 and 13 Scott Street.

- The garage is setback 1 metre behind the front of the proposed dwelling and is hidden behind a timber seamless garage door.
- The first floor is contained in the transverse gable roof. The previously proposed first floor was too dominant and had 100% wall massing facing the street. The pitched roofs did not have a visible roof plane. The angled pitched roofs have now been deleted. The first floor walls are no longer visible in the revised drawing and have been replaced with a transverse gable roof. The first floor is hidden from the street behind the gable which has a clearly visible roof plane.
- The dwelling height has been reduced from 8.5 metres to 7.2 metres.
- The front portions of dwelling are setback from both side boundaries.
- The front setback has been reduced from 6.7 metres to 5.4 metres.
- The materials have been revised. Rendered elements have been deleted and replaced with vertical timber cladding. The roof has been altered to colorbond.
- The garage has been reduced to single-width. The garage provides 2 parking spaces in tandem.
- The width of the driveway has been reduced and the front garden area increased.

Pursuant to Section 52 of the *Planning & Environment Act 1987*, the new plans were advertised on 2 July 2020 by:

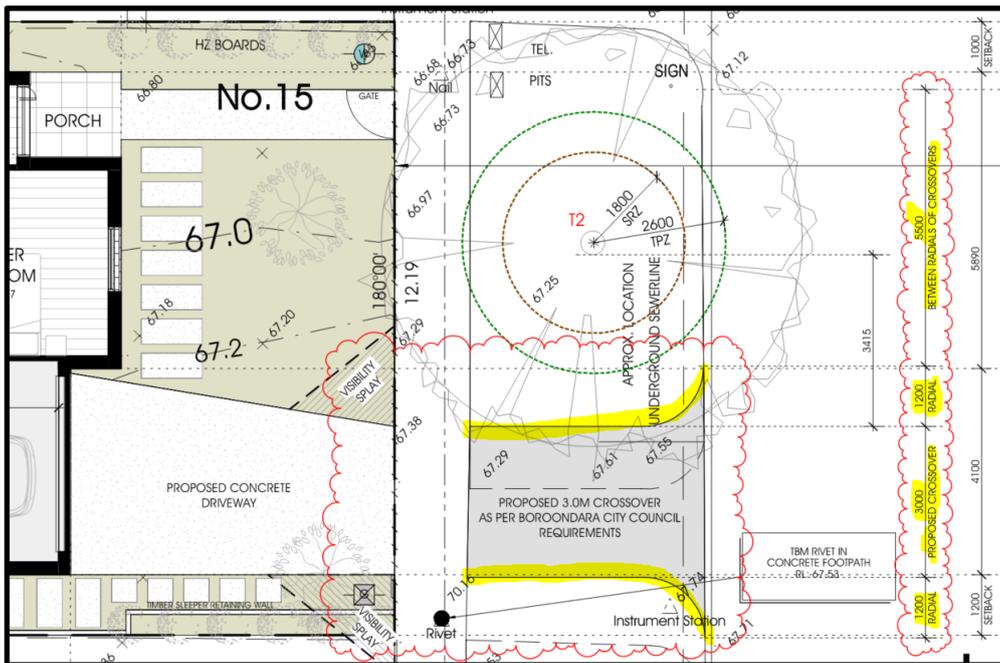
- Sending notices to the owners and occupiers of adjoining land;
- Placing sign on the land for a period of 14 days;
- Sending notices to all objectors.

The amended proposal received a revised Objection from one previous objector. One objection has been withdrawn. The revised grounds of the objection are summarised as follows:

- The existing dwelling should be protected from demolition.
- The new dwelling is not sympathetic to the heritage place.
- The façade of the existing dwelling should be retained, and the new dwelling built behind as an extension.
- A decision by Council should be withheld until two weeks after the COVID-19 lockdown period has ended.

In response to concerns raised by Council’s Infrastructure Department, new plans were submitted to Council on 25 August 2020.

The revised plans show a revised crossover and driveway to meet the requirements of Council’s Infrastructure Department. The crossover and driveway have been reduced in width. The revised crossover is discussed in detail in the ‘Infrastructure’ internal referral section of this report. A screenshot of the revised crossover and driveway is shown below. These plans have are referenced as ‘discussion plans’ in this report.



INTERNAL REFERRALS

The application was referred to the following:

Strategic Planning

Proposal

A referral has been made to the Strategic Planning Department requesting a review of the non-contributory heritage grading on 15 Scott Street Canterbury.

The matter has been referred to the Strategic Planning Department’s heritage advisor for assessment.

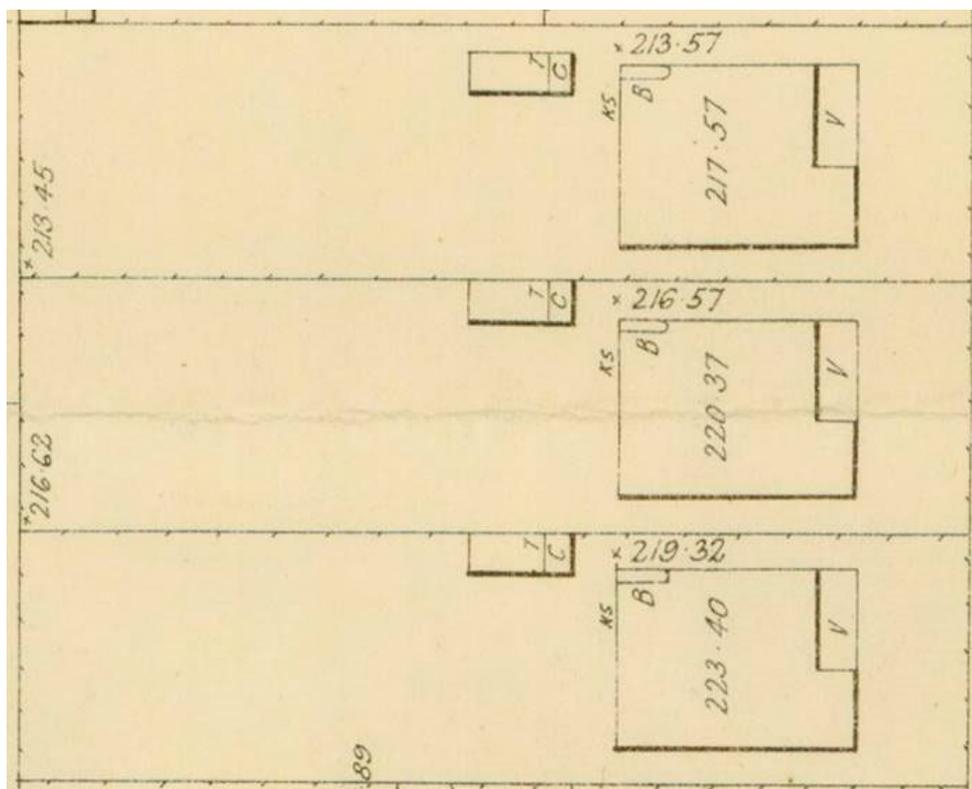
Strategic Planning Framework

The property is within the Heritage Overlay HO145 - the Maling Road Shopping Centre and Residential Environs, Canterbury Precinct. It has a non-contributory heritage grading within this precinct.

Assessment Advice

The Strategic Planning Department's Heritage Advisor has viewed building permit plans from 1975 and 1983, the MMBW Detail Plan No. 1975, dated 1907, and visited the house on 20 January 2020. Based on this, they provide the following assessment of the property's grading.

As indicated by the submitters, the houses at 11, 13 & 15 Scott Street were built as a row, likely by a single builder (as they had identical plans, locations of bathrooms, and WC/laundry outbuildings), in the early 1900s. They are visible on the excerpt from the MMBW plan, below, with 15 Scott Street the bottom property:



All three were constructed as timber-framed, weather-board-clad dwellings with a pyramidal roof and projecting front gable with front verandah beside it. The houses also had details typical of modest Edwardian Queen Anne houses including faux half-timbering to the front gable which rests on timber brackets, red brick chimneys with roughcast render to the top, and timber verandah details. These details include stop-chamfered timber posts, scrolled timber brackets and differing timber friezes. Windows were narrow double-hung sashes in moulded timber architraves, with the same architrave to the front door.

Since that time, however, the house at 15 Scott Street has been extensively altered as follows:

- *Both chimneys demolished.*
- *Wall of the front gable built out to cover and perhaps replace the half-timbering with timber shingles.*
- *The bargeboard replaced.*
- *New scrolled brackets introduced beneath the eaves.*
- *Both front windows widened and lengthened and new multi-pane windows installed.*
- *The front door replaced with a glazed unit.*
- *The front verandah entirely rebuilt with a lower pitch than original and all new materials which are similar but inaccurate reproductions of those seen on 11 Scott Street.*

Finally, the most dramatic change has been the overcladding of this timber houses with a skin of tumbled brown bricks.

Currently, only the roof form and plan of the front of the house are original. The front verandah detail gives the house a heritage “look”, but it is an inaccurate reproduction. While the current house fits in well with the scale and rhythm of the street, and its relationship to 11 and 13 Scott Street can still be recognised, there has been such far-reaching alteration that I consider the current non-contributory grade to be appropriate.

Based on this advice, the Strategic Planning Department will not be commencing a re-grading process for the property at 15 Scott Street, Canterbury.

Officer Comment

Council’s Strategic Planning Department has reviewed the grading and are not proposing commence to a re-grading process for the site. Therefore, the subject site will be assessed based on its current “non-contributory” grading.

Heritage

The application was referred to the Statutory Planning Department's Heritage Advisor to assess the design of the proposed dwelling.

The Heritage Advisor provided the following comments:

NEW BUILDINGS AND ADDITIONS AND ALTERATIONS TO NON-CONTRIBUTORY PLACES IN A HERITAGE OVERLAY COMMENTS:

While the proposal may be aesthetically pleasing, the question needs to be asked from a heritage perspective, "Does it fit well and not detract from or dominate the heritage streetscape." Unfortunately I believe it is too eye-catching and thus detracts from and dominates the heritage streetscape.

So what is different that makes it stand out? Some (but not all) are listed below.

- 1. A look along the street will show that all of the contributory buildings (and indeed also the non-contributory buildings) have a roof plane facing the street. Indeed this visible roof plane is about a third to half of what one can see of the buildings. None of them have 100% wall mass facing the street while the proposal does. With reference to Clause 22.03-3.4, Table 1, Performance Criteria, states in part,*

"The height and form of a new building or an addition/ alteration to a non-contributory place should respect the height and form of adjacent and surrounding 'significant' or 'contributory' heritage places, as these places are viewed from the street."

Also,

"The roof form and the window and door proportions of new buildings and additions/alterations to non-contributory places should be similar too or sit well with the prevailing forms in the heritage precinct."

The form of the proposal as viewed from the street is not the same as those heritage places in the streetscape.

- 2. Not one of the other buildings in the street has a garage built into its front façade. With the proposal less than half of the front façade is the 'dwelling'. This is such a contrast to the other dwellings in the street and thus the proposal will stand out, dominates and detract from the heritage streetscape.*
- 3. While the front projecting component of the proposal has a similar height as the adjoining projecting front rooms, behind this projecting wing the proposal is higher than the ridge lines of the two adjoining contributory dwellings.*

4. *The two windows facing the street are nearly double the height of the two adjoining buildings (and indeed the others in the street) They are also twice the width as the windows on 13 Scott Street and the single double hung window at 17 Scott Street. In addition, none of the other heritage buildings have sloping window heads. Again with reference to Clause 22.03-3.4, Table 1, Performance Criteria, in states in part,*

“The roof form and the window and door proportions of new buildings and additions/alterations to non-contributory places should be similar too or sit well with the prevailing forms in the heritage precinct.”

Add just these four dot points together and they exacerbate the domination of the proposal in the heritage setting. The proposal is clearly not recessive to the heritage streetscape. It is acknowledged that the proposal’s design takes some cues from the heritage area but the above identified issues overwhelm the scheme from a heritage perspective.

In order to assess the proposal it has been necessary to draw an approximate sight line as best possible. According to this sight line the proposal does not meet the requirement for the upper storey proportion of a development to be below this line.

OVERALL COMMENTS:

It is acknowledged that the proposal’s design takes some cues from the heritage area and that some amendments have been made to the original submission. However, while I find the proposal aesthetically pleasing, I believe the above identified issues can dominate thus distract from and thereby diminish the heritage integrity of the streetscape that it would sit within.

Keeping the higher part of the building below a sight line along with a reduced width and increased setback for the garage would reduce the proposal’s dominance. Perhaps a visible pitched roof over the garage could also help. This may be sufficient to address dot point 1 above. The pitch of the roof of the proposal ‘gables’ is in keeping with the streetscape.

I recommend some more tweaking rather than a straight out refusal.

This assessment was based on the original plans advertised in December 2019. Revised plans were submitted to Council on 2 July 2020 and referred to Council’s Heritage Advisor. The Heritage Advisor stated:

The proposal as now presented fits into the heritage streetscape. There are now no heritage concerns.

Officer's Comments:

Council's Heritage Advisor has reviewed the amended plans (received in July 2020) and has raised no heritage concerns with the new dwelling design.

The newly proposed dwelling has addressed each matter raised by the Heritage Advisor, as follows:

- The new roof form has a large visible roof plane facing the street. This roof plane occupies a large proportion of the façade. The wall massing has been significantly reduced and is restricted to the ground floor. The first floor massing is hidden behind the roof form to give the appearance of a single storey dwelling.
- The garage has remained in the façade of the dwelling, however, the prominence of the garage has been significantly reduced. The double-width of the garage has been reduced to single-width. The garage has been setback off the boundary and is setback 1 metre behind the front wall of the master bedroom. Furthermore, the ratio of dwelling wall to garage wall has been altered to reduce the garage prominence. In the newly designed ground floor, the combined width of the dwelling front walls is 5.9 metres whilst the garage wall totals to 4.1 metres. Additionally, the garage is hidden behind a seamless garage door which hides the garage from the street.
- The overall height of the dwelling has been reduced by 1.3 metres. The ground floor forward gable height has been reduced by 400mm. The ground floor component is lower than the forward gable at 17 Scott Street and is slightly higher than 13 Scott Street's forward gable. Given the slope of the land, this outcome is considered to create an acceptable transition in heights. The upper ridgeline of the revised dwelling is lower than 17 Scott Street and higher than 13 Scott Street. This allows a transition in heights between the three dwellings.
- The windows have been revised. The previously proposed dwelling's windows were significantly higher than the windows of 13 and 17 Scott Street. The sloping window heads have been deleted and replaced with a single rectangular double-hung window at the ground floor and a dormer window at the first floor.

The revised ground floor window is lower than 17 Scott Street's windows and slightly higher than the windows at 13 Scott Street to create a transition in

heights. The revised windows are a similar size to the windows at 13 and 17 Scott Street.

- The dominance of the first floor has been significantly reduced. The first floor is hidden underneath the visible roof plane. The upper ridge sits lower than 17 Scott Street which creates a transition between the dwellings. As a result, the dwelling gives the appearance of a single storey dwelling, greatly reducing its prominence in the street. The revised dwelling is not considered to dominate the adjoining properties and is sufficiently recessive to the streetscape.

The Heritage Advisor is supportive of the proposed dwelling.

For comparison, front elevations of both proposals are included below:



Figure 8 - Front elevation based on plans advertised in December 2019



Figure 9 - Front elevation of revised drawings advertised in July 2020

Infrastructure

EXISTING CONDITIONS AND PROPOSAL			
	YES	NO	N/A
Is the proposed crossover 2 metres or greater away from the base of a street tree?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENT:			
Is the proposed crossover 1 metre or greater away from any power pole?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COMMENT:			
There are no street assets that will require relocation due to the proposed crossover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENT:			
Is there an existing redundant crossover(s) which will require removal?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENT:			
Is the crossover width(s) acceptable?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMMENT: Based on the 7.8m setback to the double width garage, the maximum width for the crossover is to be 3.5m			
Is the distance of the crossover from an intersection/traffic lights or school crossing acceptable?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COMMENT:			
Is the separation between the proposed crossovers acceptable?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COMMENT:			
Is the separation between the crossover and the crossover of the adjoining properties acceptable? (ie space for 1 car at 5.5 metres, or 2 cars at 11 metres).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMMENTS			
<input checked="" type="checkbox"/> The application is supported. <input type="checkbox"/> The application is not supported.			
OVERALL COMMENTS: In order for the Asset Protection and Permits Team to support the proposed crossover it will need to be reduced (the northern side of the proposed crossover to be reduced to the south) to be a maximum width of 3.5m. This will maintain the required 5.5m of kerb separation between the new crossover and the existing crossover servicing 13 Scott Street for one on-street parking space (current proposal only maintains 5m of separation)			
Remove the existing crossover and reinstate all street assets			

Officer Comment

In response to comments raised by Council’s Infrastructure Department. ‘Discussion plans’ were submitted to Council on 25 August 2020 showing a revised crossover.

The revised crossover has been reduced in width to 3 metres and includes 1.2 metre radial turnouts on each side to match the other crossovers in the street. Additionally, the revised crossover ensures that an on-street car space can be retained between the crossovers of 15 and 13 Scott Street. Furthermore, the revised crossover is now located 3.4 metres from the street tree (it originally was setback 2.35 metres).

To line up with the revised crossover, the width of the proposed driveway has been reduced which is considered to be an improvement.

It is recommended that the following Condition 1 requirement be placed on the permit:

- The following changes as depicted on the 'Discussion Plans' received by Council on 25 August 2020 (TP.03):
 - Crossover reduced in size to 3 metres in width (not including the radial turnouts).
 - Crossover with 1.2 metre radial turnouts at the street kerb
 - A minimum 5.5 metres spacing between the proposed northern crossover radial turnout and 13 Scott Street's crossover radial turnout.
 - A revised driveway to align with the crossing.

Parks & Infrastructure

I have inspected Tree 12 (the street tree) and reviewed the plans on behalf of Darren and Chris at Parks and Infrastructure. Based on the plans there appears to be no encroachment into the TPZ of this tree. Therefore, the proposal can be supported. As there is no encroachment TPZ fencing conditions should provide adequate protection.

Please see TPZ fencing conditions below.

TREE PROTECTION ZONE FENCING CONDITIONS

Prior to the commencement of any building and or demolition works on the land, a Tree Protection Zone (TPZ) must be established and maintained during and until completion of all buildings and works including landscaping, around the following trees in accordance with the distances and measures specified below, to the satisfaction of the Responsible Authority:

- a) Tree protection zone distances:
 - i. Tree 12 – 2.6 metre radius from the centre of the tree base.
- b) Tree protection zone measures are to be established in accordance to Australian Standard 4970-2009 and including the following:
 - i. Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres held in place with concrete feet.
 - ii. Signage placed around the outer edge of perimeter fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.

- iii. Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.
- iv. No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.
- v. All supports, and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.
- vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.
- vii. TPZ fencing must not block off a footpath or roadway. The TPZ fencing location can be modified to ensure the tree(s) is protected, however must not obstruct, roads, footpaths or access ways.

Officer Comment

Council's Parks and Infrastructure Department is supportive of the proposed crossover location and does not require any changes to the proposal.

The Arborist's assessment was based on the originally proposed crossover shown on Appendix A. 'Discussion plans' were submitted to Council showing a revised crossover to meet the requirements of Council's Infrastructure Department.

The revised crossover has a greater distance from the Street Tree (from 2.35 to 3.4 metres) and is an improvement. The revised crossover was not re-referred.

The above conditions are recommended to be placed on the permit.

EXTERNAL REFERRALS

The application was not required to be referred externally.

GOVERNANCE ISSUES

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

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

CONSIDERATIONS

In assessing this application, consideration has been given to the following:

- The objectives of planning in Victoria as detailed in Section 4 of the *Planning & Environment Act 1987*;
- Section 60 of the *Planning & Environment Act 1987*;
- The relevant provisions and decision guidelines of the Boroondara Planning Scheme including the decision guidelines of Clause 65;
- Any objections received.

This proposal does not raise any significant adverse social or economic impacts. General social and economic impacts are addressed by the planning policy assessment below.

BOROONDARA PLANNING SCHEME

ZONING & OVERLAYS

Appendix C - Zoning Map

Neighbourhood Residential Zone (NRZ3)

Whether or not a planning permit is required for the construction or extension of a dwelling on a lot, a lot must provide the minimum garden area at ground level as set out in the following table:

Clause 32.09-4 Minimum Garden Area Requirement

Minimum Garden Area Requirement			
Lot size	Requirement	Proposed	Assessment
501 - 650m ²	30% (167m ²)	40% (224m ²)	✓ Complies

Clause 32.09-9 Maximum Building Height

A building must not be constructed for use as a dwelling or a residential building which:

- Exceeds the maximum building height specified in a schedule to this zone; or
- Contains more than the maximum number of storeys specified in a schedule to this zone.

Mandatory Maximum Building Height

	Requirement	Proposed	Assessment
Building height requirement	9m	7.2m	✓ Complies
Maximum number of storeys	2	2	✓ Complies

Heritage Overlay

The purpose of the Heritage Overlay is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

Planner's Comments:

The decision guidelines contained within the Heritage Overlay are considered to be generally aligned with the objectives and policy requirements contained within Clause 22.03 (Heritage Policy). Clause 22.03 is discussed in detail on pages 28-38 of this report. The proposal is considered to satisfy the relevant provisions of the Heritage Policy and satisfies the relevant decision guidelines of the Heritage Overlay.

PARTICULAR PROVISIONS

Clause 52.06 - Car Parking

The purpose of the Car Parking provisions is:

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06-2 (Provision of Car Parking Spaces)

Before:

- *A new use commences; or*
- *The floor area or site area of an existing use is increased; or*
- *An existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,*

The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- *On the land; or*
- *In accordance with a permit issued under Clause 52.06-3; or*
- *In accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.*

Table 1: Car Parking Requirement					
Use	Rate (Column B)	Car Parking Measure	Required Car Spaces	Proposed Car Spaces	Assessment
Dwelling	2	3 or more bedroom dwellings	2	2	✓

Clause 52.06-9 (Design Standards)
--

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design Standard 2 - Car Parking Spaces	
Standard	Assessment
<i>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</i>	N/A
<i>A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1 of Design Standard 2 of Clause 52.06-9, other than:</i> <ul style="list-style-type: none"> • <i>A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.</i> 	N/A

<ul style="list-style-type: none"> A structure, which may project into the space if it is at least 2.1 metres above the space. 	
Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.	✓
Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space	✓
Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover	✓
Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.	N/A

Design Standard 4 - Mechanical Parking	
Standard	Assessment
Mechanical parking may be used to meet the car parking requirement provided:	N/A
At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.	N/A
Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.	N/A
The design and operation is to the satisfaction of the responsible authority.	N/A

Design Standard 5 - Urban Design	
Standard	Assessment
Ground level car parking, garage doors and accessways must not visually dominate public space.	N/A
Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.	N/A
Design of car parks must take into account their use as entry points to the site.	✓
Design of new internal streets in developments must maximise on street parking opportunities.	N/A

Planner's Comments:

The proposed dwelling has four bedrooms. Two garage spaces have been provided which meets the car parking requirement.

The tables above shows the proposal meets the Design Standards outlined in Clause 52.06-9.

OFFICER ASSESSMENT

PLANNING POLICY FRAMEWORK

The following State policies are relevant to the assessment of the current application:

- Clause 11 - Settlement
- Clause 15 - Built Environment & Heritage
- Clause 16 – Housing
- Clause 18 - Transport
- Clause 19 - Infrastructure

Of relevance to this application, Clause 15.03 Heritage Conservation seeks to 'ensure the conservation of places of heritage significance'. The strategies to implement this objective include the following:

- *Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*
- *Provide for the protection of natural heritage sites and man-made resources.*
- *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.*
- *Encourage appropriate development that respects places with identified heritage values.*
- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements of a heritage place.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*
- *Support adaptive reuse of heritage buildings where their use has become redundant.*

The proposal is considered to be generally consistent with the objectives outlined in the relevant Clauses of the Planning Policy Framework. This is discussed further in the report.

LOCAL PLANNING POLICY FRAMEWORK

The following provisions of the Municipal Strategic Statement (MSS) and Local Planning Policy Framework are relevant to the assessment of this application:

- Clause 21.04 - Built Environment and Heritage;
- Clause 22.03 - Heritage Policy

Clause 21.04 - Built Environment and Heritage

Clause 21.04-5 (Heritage Conservation) identifies the following key issues which may impact on the significant contribution the individual heritage places and heritage precincts provide to Boroondara:

- *Ensuring new works to heritage places are respectful to the heritage significance of the place.*
- *Loss of heritage built fabric and cultural sites from development.*

The objective of Clause 21.04-5 is to identify and protect all individual places, objects and precincts of cultural, aboriginal, urban and landscape significance. This will be achieved through:

- *Conserve and enhance individual heritage places and precincts, and aboriginal and cultural features.*
- *Require development to respect and enhance heritage buildings and precincts.*

Planner's Comments:

The application proposes to demolish the existing dwelling which has been graded non-contributory. Council's Strategic Planning Department has reviewed this grading and has concluded the 'non-contributory' grading is appropriate. Therefore, it is considered acceptable to demolish the dwelling.

The new dwelling is considered to be respectful of the heritage place. The revised dwelling design incorporates a pitched roof with a visible roof plane. The first floor is hidden within the roof form which give the appearance of a single storey dwelling from the street. Heritage impacts of the new dwelling are discussed further below.

Clause 22.03 - Heritage Policy

The key general objectives of the Heritage Policy which are relevant to the assessment of this application are as follows:

22.03-2 Objectives

- *To ensure buildings and works to 'non-contributory' properties are sympathetic to the heritage values of the precinct and complement the precinct's heritage built fabric by being respectful of the scale, massing, rhythm and detailing.*

22.03-3 Policy

The following policies apply when considering planning permit applications under the Heritage Overlay or any application for the amendment of plans.

22.03-3.1 Statements of Significance

The **Maling Road Shopping Centre and Residential Environs Heritage Precinct** is of heritage significance for the following reasons, as relevant to the proposal:

- The precinct contains a large number of intact dwellings dating back to the Edwardian and Victorian era.
- Scott Street includes housing dating back to the 1920s.
- Along Scott Street, north of Cross Street, there are a number of examples of Edwardian and Victorian era homes, with some Bungalow dwellings.

Planner's Comments:

Council's Strategic Planning Department has reaffirmed the 'non-contributory' grading of the existing dwelling.

The new dwelling uses similar design techniques to Edwardian era dwellings without completely mimicking their design. The new dwelling features an L-shaped layout with a prominent gable end. The materials of the dwelling reflect the intact heritage dwellings in the street. Overall, the new dwelling is considered to be a modern interpretation of the Edwardian home. The roof form also references the adjoin bungalow style dwelling,

Council's Heritage Advisor is supportive of the proposed dwelling.

The application is considered to be respectful of the Statement of Significance.

22.03-3.4 'Non-contributory' places

Demolition

The demolition of 'non-contributory' places is normally permitted, however an application to demolish a 'non-contributory' place will not generally be approved until a replacement building is approved.

Planner's Comments:

As required by policy at Clause 22.04-3.4, the application to demolish the 'non-contributory' place also includes the construction of a replacement building/new development.

Council's Strategic Planning Department has reviewed and reaffirmed the 'non-contributory' grading of the dwelling. The Strategic Planning Department has raised no objection to its demolition. Therefore, it is considered acceptable to demolish the entire dwelling including the carport and front fence.

Replacement buildings, development, alterations and additions

For new buildings and alterations and additions to 'non-contributory' places, it is policy to:

- *Encourage high quality sympathetic design.*
- *Be sympathetic with heritage fabric of the place, rather than any 'non-contributory' elements of the place.*

The following guidelines and performance criteria are contained within Table 1 of Clause 22.04-3.4:

Guideline	Performance Criteria
Siting	<ul style="list-style-type: none"> • <i>New buildings and additions/alterations to non-contributory places should be oriented in a similar manner to the siting of adjacent 'significant' or 'contributory' heritage places and to the heritage precinct as a whole.</i>

Planner's Comments:

For comparison, the setbacks of the existing dwelling, proposed dwelling and adjoining dwellings are provided below:

15 Scott Street (existing dwelling):

- Front setback: 5.4 metres.
- Northern side setback: 1.9 metres.
- Southern side setback: 1.4 metres.

The new dwelling has a front setback of 5.4 metres. This setback matches the front setback of the existing dwelling.

The new dwelling is setback from both side boundaries at the front of the property. Towards the rear of the property the dwelling is built up to the northern boundary.

However, this portion of the dwelling is setback more than 20 metres from the front boundary and is therefore considered to be a recessive element.

For comparison, the front and side setbacks of the adjoining properties have been provided below.

13 Scott Street:

- Front setback: 5.5 metres.
- Northern side setback: approximately 1.8 metres.
- Southern side setback: 1.5 metres.

17 Scott Street:

- Front setback: 8.2 metres.
- Northern side setback: 0 metres (built up to boundary)
- Southern side setback: approximately 1.5 metres.

The proposed dwelling has side setbacks of 1 metre (northern) and 1.2 metres (southern). The front and side setbacks of the new dwelling are considered to resemble the setbacks of the adjoining dwelling at 13 Scott Street (an Edwardian era dwelling). The proposed dwelling is considered to be sited in a similar manner to the adjoining property at 13 Scott Street and the heritage precinct as a whole.

The proposed dwelling has a similar L-shape layout to the existing dwelling, however, the new dwelling has been flipped so the prominent front gable is located on the southern end of the dwelling.

The adjoining property at No.17 Scott Street is a Bungalow style dwelling with a garage built up to the northern side boundary. The adjoining property at No.13 Scott Street is an Edwardian style dwelling with setbacks from both side boundaries. The proposed dwelling strikes a blend between the two architectural styles. The new dwelling is considered to respond well to these properties as follows:

- Front projecting gable and L-shape layout (Edwardian and Bungalow eras)
- Transverse gable roof (Bungalow era)
- Double hung windows (Edwardian and Bungalow eras)
- Dormer window (Edwardian and Bungalow eras)
- Use of brick and timber materials (Edwardian and Bungalow eras)

Guideline	Performance Criteria
Façade height and setbacks	<ul style="list-style-type: none"> • <i>The position of a new building and its façade height or an addition/alteration to the façade of a non-contributory place should not dominate</i>

	<p><i>adjoining 'significant' or 'contributory' heritage places. The façade should neither exceed in height, nor be positioned forward of, the adjoining heritage place(s).</i></p> <ul style="list-style-type: none"> • <i>The height of the façade should not be significantly lower than prevailing heights of 'significant' or 'contributory' heritage places in the precinct, especially where the precinct has a consistent façade height.</i> • <i>The façade should not be substantially set back behind prevailing setbacks of 'significant' or 'contributory' heritage places in the heritage precinct, especially where the heritage precinct has a consistent front setback.</i> • <i>The proposals should have side setbacks that reflect those of adjacent places, particularly those of adjacent 'significant' or 'contributory' heritage places.</i>
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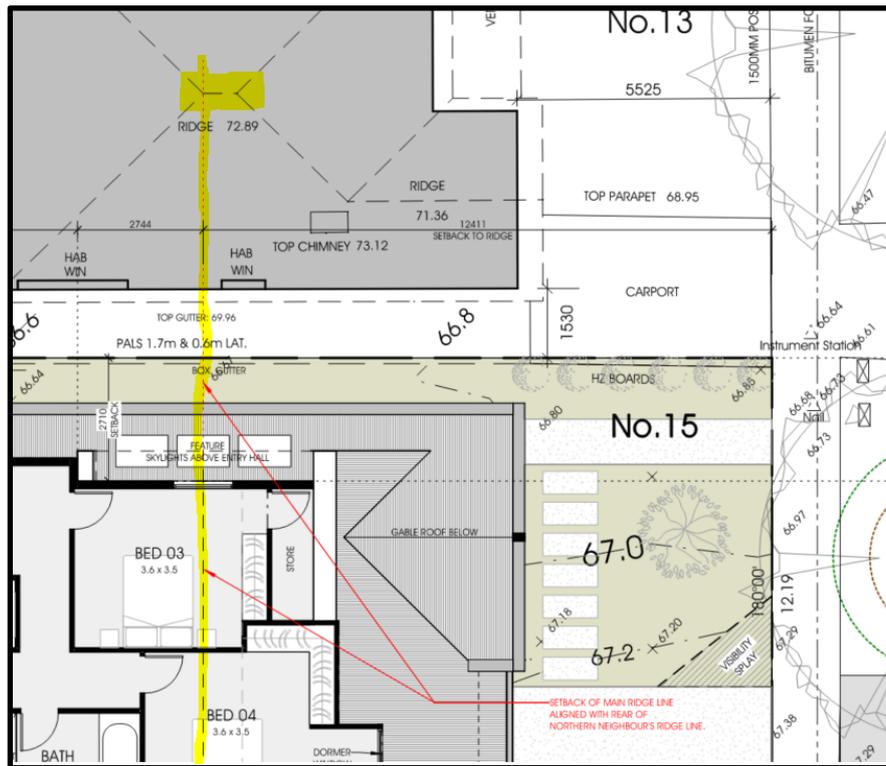
Planner's Comments:

The subject site is located on a slope which has a moderate fall from the south to the north of approximately 1 metre.

The new dwelling will be two-storey and reach a maximum height of 7.2 metres above natural ground level. The land falls away slightly from the street level (from the eastern front boundary towards the west). The proposed dwelling has a maximum effective height of 7 metres when viewed from the street.

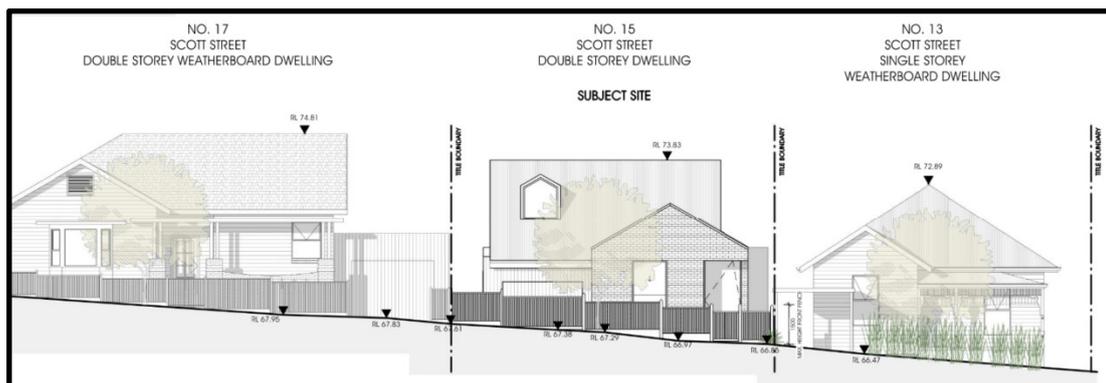
No. 17 Scott Street has an overall height of approximately 7 metres whilst 13 Scott Street has an overall height of approximately 6.5 metres.

Despite the proposed dwelling being higher than 13 Scott Street, it is important to note that the upper ridge of the proposed dwelling sits behind the ridge of 13 Scott Street (this can be seen in the highlighted screenshot below). Siting the roof further back reduces the prominence of the dwelling.



A screenshot of the streetscape elevation is shown below. The streetscape elevation demonstrates the new dwelling will allow a transition in heights between 17 Scott Street and 13 Scott Street which runs with the fall of the land.

The height of the façade is considered to be in keeping with the prevailing heights of the adjoining 'contributory' graded heritage places.



The front façade of the proposed dwelling is designed to appear as a single-storey dwelling.

The ground floor is setback 5.4 metres from the street which matches the setback of the existing dwelling. The neighbouring dwelling at 13 Scott Street has a front setback of 5.5 metres. No. 17 Scott Street has a setback of 8.2 metres. The proposed dwelling is not considered to be substantially setback behind prevailing setbacks of adjoining properties, complying with the guideline.

The first floor is sited forward of the ridge lines of the adjoining properties at 17 and 13 Scott Street. However, the first floor is mostly hidden underneath the transverse gable with the exception of the dormer window. The main ridge line of the roof (running parallel with the street) is setback behind the ridge of 13 Scott Street's roof. Given the first floor is hidden underneath the roof form, it is considered acceptable for the first floor to be sited forward of the neighbouring roof ridges.

As discussed earlier in this report (see pages 29-30), the side setbacks of the façade closely match the side setbacks of the dwelling at 13 Scott Street.

The façade and height of the proposed dwelling are considered to meet the performance criteria.

Guideline	Performance Criteria
Building height and form	<ul style="list-style-type: none"> • <i>The height and form of a new building or an addition/ alteration to a non-contributory place should respect the height and form of adjacent and surrounding 'significant' or 'contributory' heritage places, as these places are viewed from the street.</i> • <i>If located in a heritage precinct or part of a heritage precinct with a diverse building height and form, and adjacent to a 'significant' or 'contributory' heritage place, the new building or addition/alteration to a non-contributory place should be of a height and form that respects both the adjacent 'significant' or 'contributory' heritage places and the prevailing height and form of 'significant' or 'contributory' places in the precinct, but may include a higher unobtrusive component to the rear.</i>

Planner's Comments:

With the exception of some non-contributory dwellings, the heritage precinct is considered to have a consistent building height of single-storey dwellings. In terms of

building form, Scott Street has a diverse examples of Edwardian, Victorian, and Bungalow era houses.

The shape of the proposed dwelling derives elements from both 13 and 17 Scott Street. The proposed dwelling has an L-shape which is similar to the existing dwelling on the site as well as 11 and 13 Scott Street. The ground floor has a forward projecting component combined with a recessed garage wall.

As discussed in the *façade height and setbacks* section above, the new dwelling is lower in height to 17 Scott Street, but higher than 13 Scott Street. The ridge of the new dwelling is 0.94 metres higher than the peak of 13 Scott Street. This outcome is considered to be in keeping with the fall of the land and respects the height of the adjoining contributory heritage places.

The adjoining properties (17 and 13 Scott Street) date back to the Bungalow and Edwardian eras of construction. The building form of the new dwelling is designed to respect the architectural features of an Edwardian home without replicating the design. The front facing gable is similar in form to the Edwardian dwelling at 13 Scott Street. The transverse gable hides the majority of the first floor which gives the appearance of a single-storey dwelling. This technique is similar to the transverse gable roof of 17 Scott Street. Therefore, the building form is considered to respect the form of the adjoining properties.

Overall, the building height and form of the proposed dwelling are considered to meet the performance criteria.

Guideline	Performance Criteria
Roof form	<ul style="list-style-type: none"> <i>The roof form and the window and door proportions of new buildings and additions/alterations to non-contributory places should be similar too or sit well with the prevailing forms in the heritage precinct.</i>

Planner's Comments:

The roof form consists of a transverse gable with a projecting front gable. This design is considered to be similar to the roof forms of the adjoining contributory roof forms at 13 and 17 Scott Street.

The façade consists of a one doorway and window at the ground level, with a small dormer window at the first floor. The ground floor window is double-hung and sits below the projecting front gable. The streetscape plan demonstrates the window proportions are not excessively large in comparison to adjoining properties and sit well within the streetscape.

The roof form and window/door proportions are considered to meet the performance criteria.

Guideline	Performance Criteria
Materials, surface finishes and details	<ul style="list-style-type: none"> • <i>New buildings and additions/alterations to non-contributory places should display the following design characteristics:</i> <ul style="list-style-type: none"> ▪ <i>Wall elevations are to be articulated in a manner that is complementary to the heritage precinct through their massing and form and the use of materials and finishes.</i> ▪ <i>Materials, textures and finishes are to complement materials evident in the heritage precinct.</i>

Planner's Comments:

As discussed earlier in this report, the façade is considered to be a modern interpretation of the Edwardian home. The ground floor façade uses face-brick and a vertical cladding material. The face-brick occupies a large portion of the ground floor façade and is in keeping with a number of heritage dwellings in the street which have been constructed with brick.

The roof form uses a grey Colorbond finish which is considered to be a modern interpretation of the corrugated iron roof. The proposed roof material is considered to respect the neighbouring roof material at 13 Scott Street.

The vertical cladding utilises a seamless door to hide the garage behind. The plans do not state the material of the vertical cladding. The Applicant has indicated that the material will be timber. There are a number of timber examples in the street including 13 and 11 Scott Street.

It is recommended the following condition be placed on the permit to clarify the material:

- An amended material schedule stating the garage door material will be timber.

Subject to the above condition being placed on the permit, the proposed dwelling is considered to meet the performance criteria.

22.03-3.5 Fences

The following specific policy requirements are applicable to the assessment of this application:

- *Retain original or early fences of 'significant' or 'contributory' heritage places.*

- *Encourage the reconstruction of original fences where historical evidence exists of their form, or encourage the construction of new front fences in sympathy to the period and design of the 'significant' or 'contributory' heritage places. Design should be consistent with The National Trust of Australia (Victoria) Technical Bulletin 8.1 Fences & Gates (1988).*
- *Discourage the construction of high solid fences that block the view of the principal façade (or secondary façade for corner lots) of 'significant' or 'contributory' places from the street.*
- *Fence design for 'non-contributory' places should seek to complement the following characteristics of fences in the precinct that contribute to the heritage significance of the precinct:*
 - *Height.*
 - *Visual permeability.*
 - *Spacing of elements.*
 - *Materials and finishes.*

Planner's Comments:

The proposal includes a new picket front fence. The fence will have a maximum height of 1.5 metres and will be painted in a mid-tone grey. These aspects of the fence are considered to be respectful of the heritage place.

The plans do not clearly state the material and transparency of the proposed front fence. The Applicant has indicated that the fence will be timber with 25% transparency. The street contains a number of examples of timber picket fences including 11, 17, and 19 Scott Street. Given the low height of the fence, 25% transparency is considered to provide acceptable visibility of the new dwelling behind. Therefore, it is recommended the following condition be placed on the permit:

- An annotation stating the proposed front fence will be timber picket with at least 25% transparency.

22.03-3.7 Vehicle accommodation, outbuildings and services

The following specific policy requirements are applicable to the assessment of this application:

Vehicle accommodation and other outbuildings and services should not dominate heritage places, in particular:

- *Ensure that vehicle accommodation and other services do not dominate heritage places, by encouraging adoption of the following design guidelines:*

- *Minimising new vehicle cross-overs for heritage places with narrow street frontage or where few or no crossovers exist or where rear laneway access is available.*
- *Discourage the widening of vehicle crossovers, except in the interests of traffic safety, or the construction of large areas of paving or other hard surfaces in the front setback where this is not responsive to the heritage place.*
- *Encouraging the location of new carports, garages and outbuildings to the rear of the main building (excluding verandahs, porches, bay windows or similar projecting features) except in circumstances where the character of the heritage place supports the location of carports, garages and outbuildings to the side of the heritage building behind the main front building line.*
- *Encouraging any new carports, garages and outbuildings that are visible from the street to use wall openings, roof forms and materials which complement the main building or the characteristics of the heritage precinct.*
- *Discourage the location of swimming pools in the front setback.*
- *Allowing the location of rain water tanks, hot water systems, airconditioning units and other equipment in areas visible from the street only if it can be shown that they will not detract from the heritage significance of the place.*
- *Visible roof fixtures, such as solar panels, should not be fixed to the principal visible roof form.*
- *Visible roof fixtures should be aligned with the profile of the roof and not be mounted on protruding frames.*

Planner's Comments:

The application includes a garage, revised crossover, and hard pavement.

The dwelling's garage is incorporated into the ground level façade and is setback 1 metre behind the front wall of master bedroom.

The garage is single-width and setback off the side boundary which reduces its prominence when viewed from the street. Furthermore, the garage features a seamless door which hides the garage within the façade. Therefore, the garage is not considered to dominate the façade and is acceptable.

The property has an existing crossover connecting the south-east corner of the site to the street. The revised crossover will replace the previous crossover and is not considered to adversely impact the heritage place.

The application includes a new driveway and hard pavement (for pedestrian pathways) in the front setback of the property. Despite the new hard pavement/driveway, the front setback provides enough room for soft landscaping. The existing front setback is covered mostly in red brick with small pockets of soft landscaping. The revised setback will provide larger areas for soft landscaping and is considered to be acceptable.

The plans do not show the material and colour of the proposed hard pavement. Additionally, the concrete finish of the driveway is not considered to be respectful of the heritage place. Following discussions with the Applicant, the driveway and pavement are proposed to be constructed of exposed aggregate in a light grey colour. Exposed aggregate is considered to be a modern interpretation of the gravel driveways used in the Victorian and Edwardian eras. Light grey colours are considered to respect the original gravel driveways.

Therefore, it is recommended the following conditions be placed on the permit:

- An annotation stating the driveway and hard pavement located within the front setback will be light grey and exposed aggregate.
- An amended material schedule to show the light grey colour and exposed aggregate material of the proposed driveway and hard pavement.

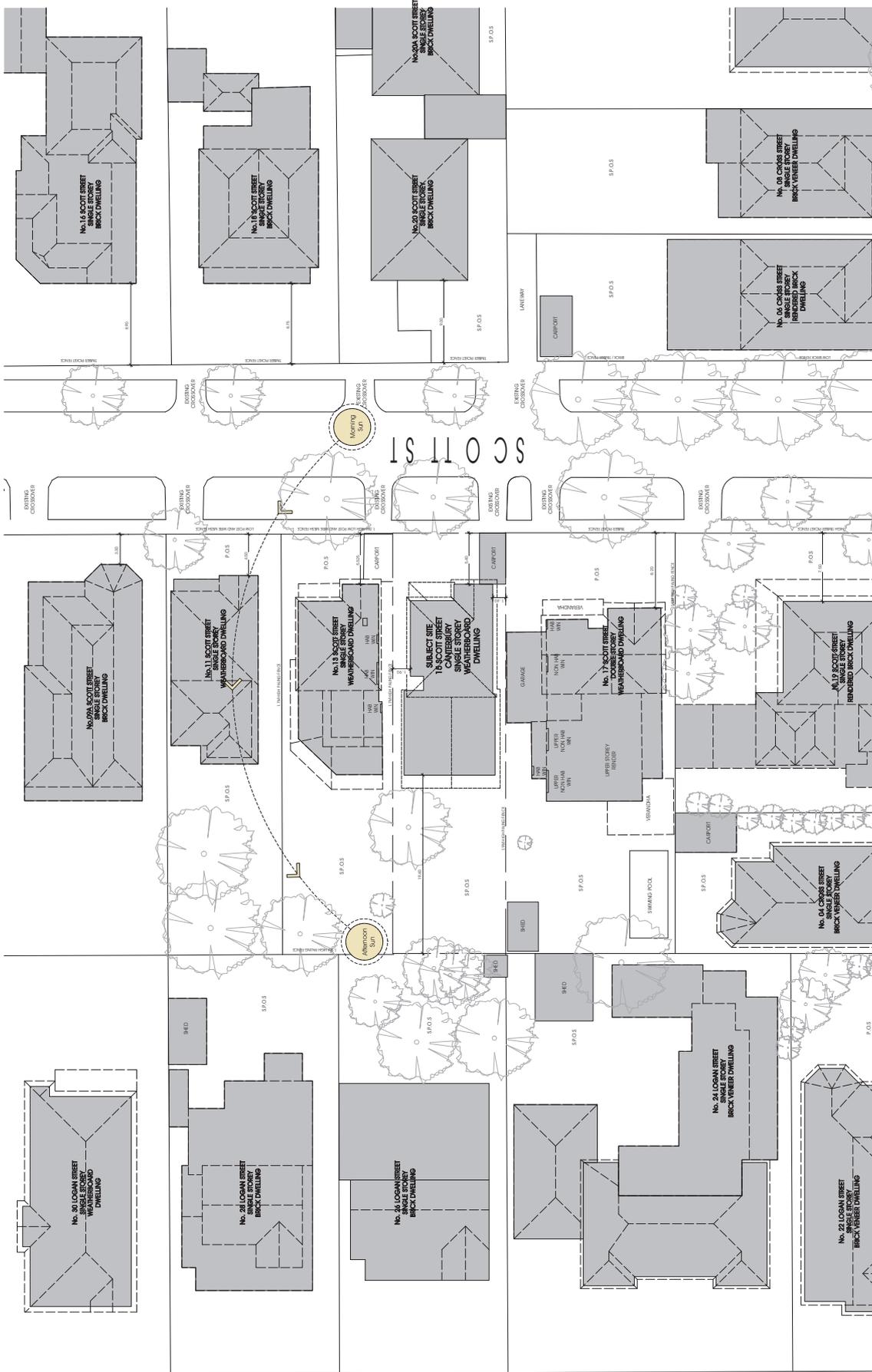
OBJECTION RESPONSE

Those matters not already addressed in the foregoing report are discussed below:

Total Number of Objections Received:	14 (1 objection was withdrawn)
Summary of Objection	Officer Comment
Demolition of the existing dwelling.	<p>Concerns were raised regarding the loss of the existing dwelling. Objectors consider the dwelling to be a part of a trio of dwellings at 11, 13, and 15 Scott Street.</p> <p>As a result, the grading of the existing dwelling was reviewed by Council's Strategic Planning Department. The review was conducted by a Heritage Advisor who has visited the subject site.</p> <p>Council's Strategic Planning Department has reaffirmed the 'non-contributory' grading of the dwelling. A non-contributory dwelling is not considered to contribute to the heritage place and may be demolished subject to a suitable replacement dwelling.</p>
The proposed dwelling is not sympathetic to the heritage place and will adversely impact the neighbourhood character of the street.	The revised design of the proposed dwelling is considered to be sympathetic to the heritage place. The suitability of the new dwelling is discussed throughout this report.

<p>The façade of the existing dwelling should be maintained and the proposed dwelling built behind.</p>	<p>This approach is common for 'contributory' graded dwellings. In this case, the dwelling has been graded 'non-contributory'. Therefore, it is considered acceptable to demolish the existing dwelling.</p>
<p>A decision on the application should be withheld until a few weeks after the COVID-19 lockdown is lifted.</p>	<p>Notice has been given to adjoining neighbours and all previous objectors to provide an opportunity to review the revised plans. A sign has been placed on the site for a period of 28 days. Sufficient notice of the application has been given.</p> <p><i>The Planning & Environment Act 1987</i> dictates statutory timeframes for Council to make a decision. Council is not able to wait indefinitely to make a decision on an application.</p>
<p>The proposed dwelling is unacceptable due to the following reasons:</p> <ul style="list-style-type: none"> • Excessive height • Unsympathetic materials • Dominant garage and driveway • Dwelling is built up to northern side boundary • Lack of front garden • Unsympathetic façade articulation 	<p>These concerns were raised following the notification process in December 2019. Revised plans were submitted to Council and advertised in July 2020.</p> <p>An assessment of the revised dwelling against the Heritage Policy has been discussed on pages 28-38 of the report.</p>
<p>Amenity impacts including overshadowing and light impacts.</p>	<p>This application assesses the heritage impacts of demolishing the existing dwelling and constructing a new dwelling.</p> <p>Amenity impacts are tested by ResCode. The subject site is greater than 500 square metres and therefore does not require a Clause 54 (ResCode assessment).</p> <p>Amenity impacts will be assessed at the Building Permit stage.</p>

NOTICE INFORMATION
Date of Notice: 02/25/2020



1. SITE CONTEXT
SCALE 1:1,200



PROJECT: IP-C01

NO. 15
15.14
1:200



PROJECT NAME: 15 SCOTT STREET
PROJECT TYPE: REDEVELOPMENT
SCALE: 1:200

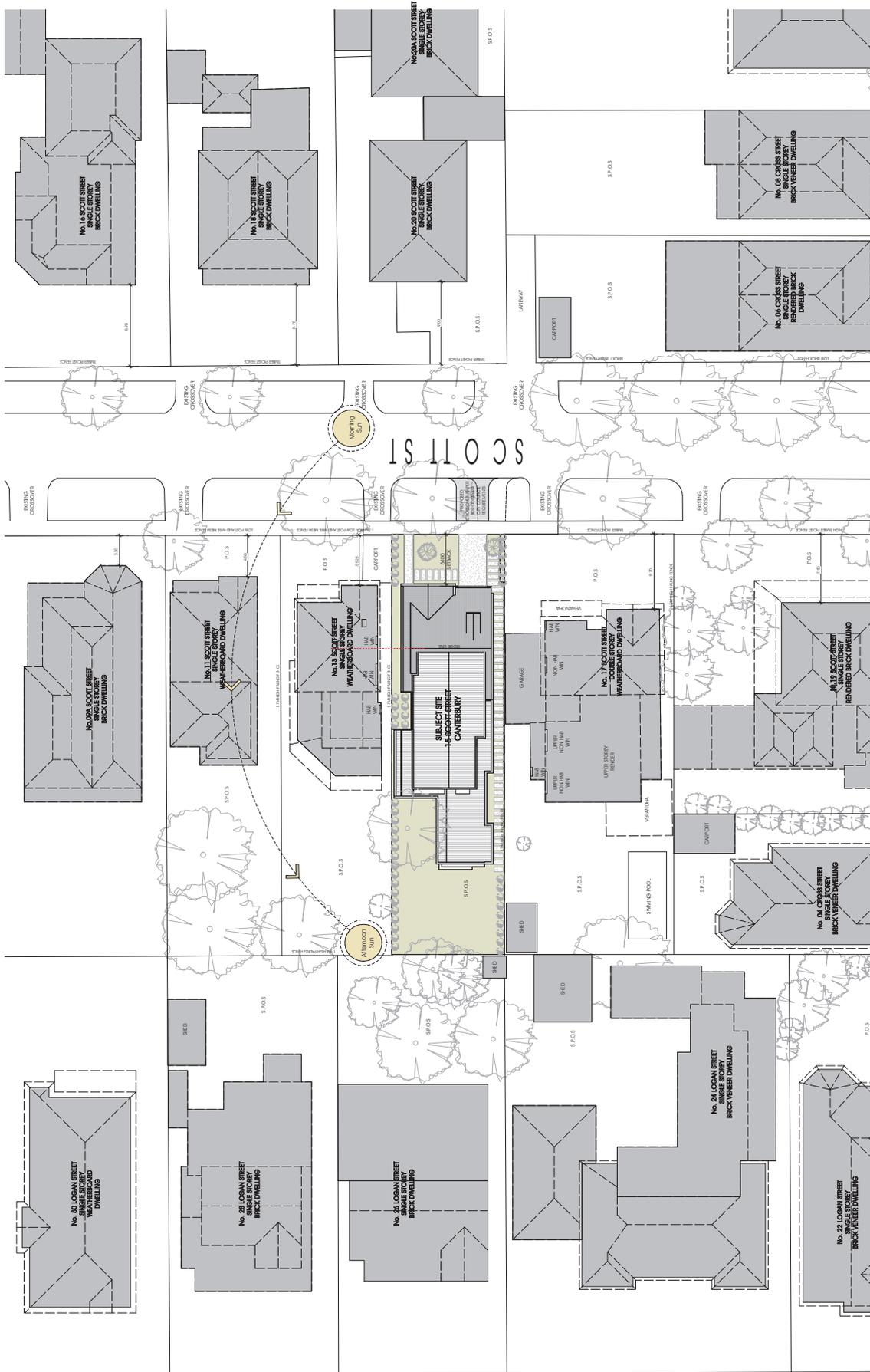
NO. 15 SCOTT STREET
1.5 STOREY CANTERBURY
SCALE: 1:200

REV	DATE	DESCRIPTION
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03	02/25/2020	REVISED PER COMMENTS
04	02/25/2020	REVISED PER COMMENTS
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NOTICE INFORMATION
Date of Notice: 02/05/2020



1 DESIGN RESPONSE
SCALE 1:250



PROJECT IP-02

NO. 15
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DESIGN RESPONSE

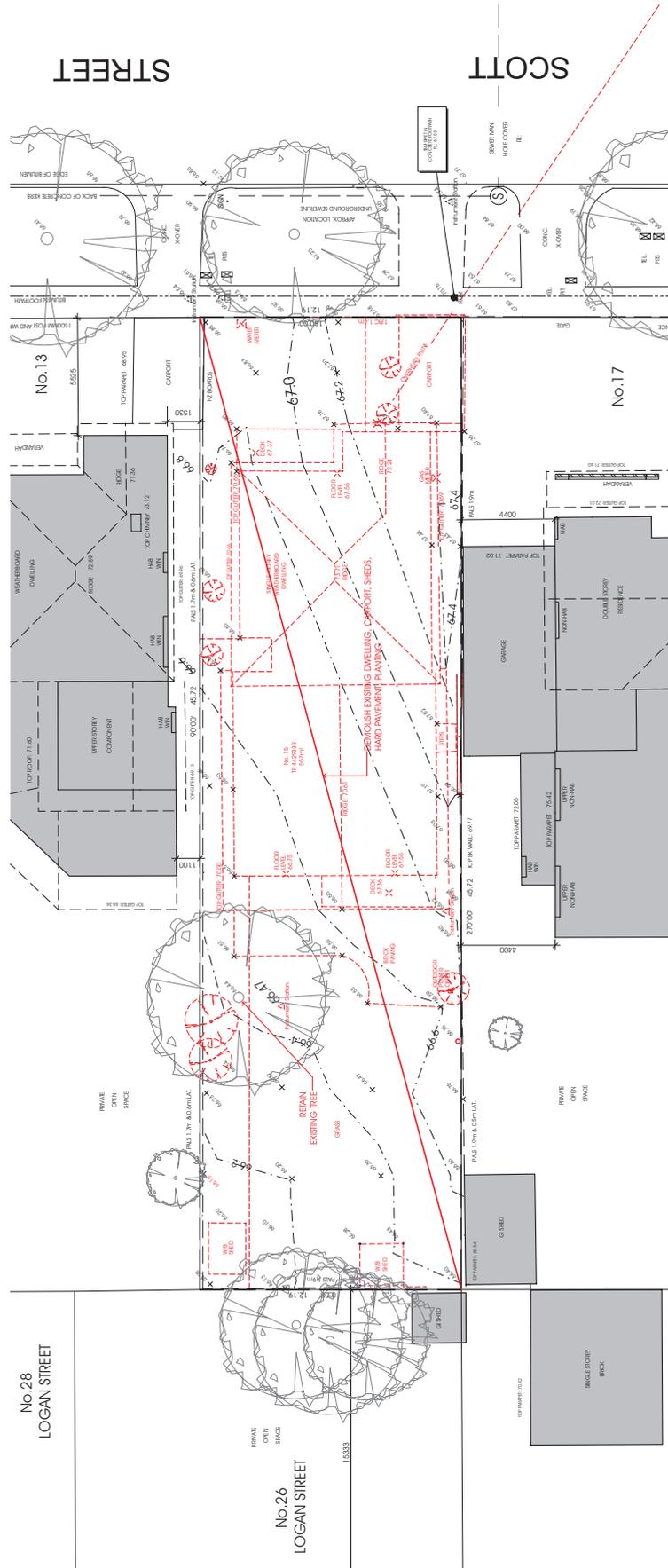
PROPOSED 2 STOREY DWELLING
15 SCOTT STREET, CANTERBURY

REV	DATE	DESCRIPTION
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SYNGCONSULTANTS.COM

NOTICE INFORMATION
Date of Notice: 02/12/2020



1 DEMOLITION/EXISTING FLOOR PLAN
SCALE 1:100



PROJECT: IP-02A



PROPOSAL: URBAN PLANNING
DRAWING: DEMOLITION/EXISTING PLAN

PROPOSED 2 STOREY DWELLING
15 SCOTT STREET, CANBERRA

REV	DATE	BY	CHKD
1	02/12/2020
2	02/12/2020
3	02/12/2020
4	02/12/2020

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NOTICE INFORMATION

MATERIAL SCHEDULE OF FINISHES: 02/20/20

FB	SELECTED FACE BRICKWORK MORTAR: 1:1:6
AX	SELECTED FINISH ALUMINIUM CLAD WINDOW SYSTEM
PC	SELECTED POLYURETHANE INSULATED CONCRETE PANELS
CS 1	SELECTED COLOURED STEEL CLAD WINDOW SYSTEM
CS 2	SELECTED COLOURED STEEL CLAD WINDOW SYSTEM
DW	SELECTED COLOURED STEEL CLAD WINDOW SYSTEM WITH LOW EMISSION GLASS AND ARGON GAS FILLING WITH 20% LOW EMISSION FILM COATING ON THE INTERIOR SURFACE

FIXED
OBSOLETE

1. PROPOSED EAST ELEVATION
SCALE 1:100

2. PROPOSED NORTH ELEVATION
SCALE 1:100

3. PROPOSED SOUTH ELEVATION
SCALE 1:100

4. PROPOSED WEST ELEVATION
SCALE 1:100

PROJECT: PROPOSED 2 STOREY DWELLING
15 SCOTT STREET, CANTERBURY

DATE: 19/09/2020

SCALE: 1:100

BY: [Signature]

CHECKED: [Signature]

DATE: 19/09/2020

SCALE: 1:100

PROJECT: PROPOSED 2 STOREY DWELLING
15 SCOTT STREET, CANTERBURY

DATE: 19/09/2020

SCALE: 1:100

BY: [Signature]

CHECKED: [Signature]

DATE: 19/09/2020

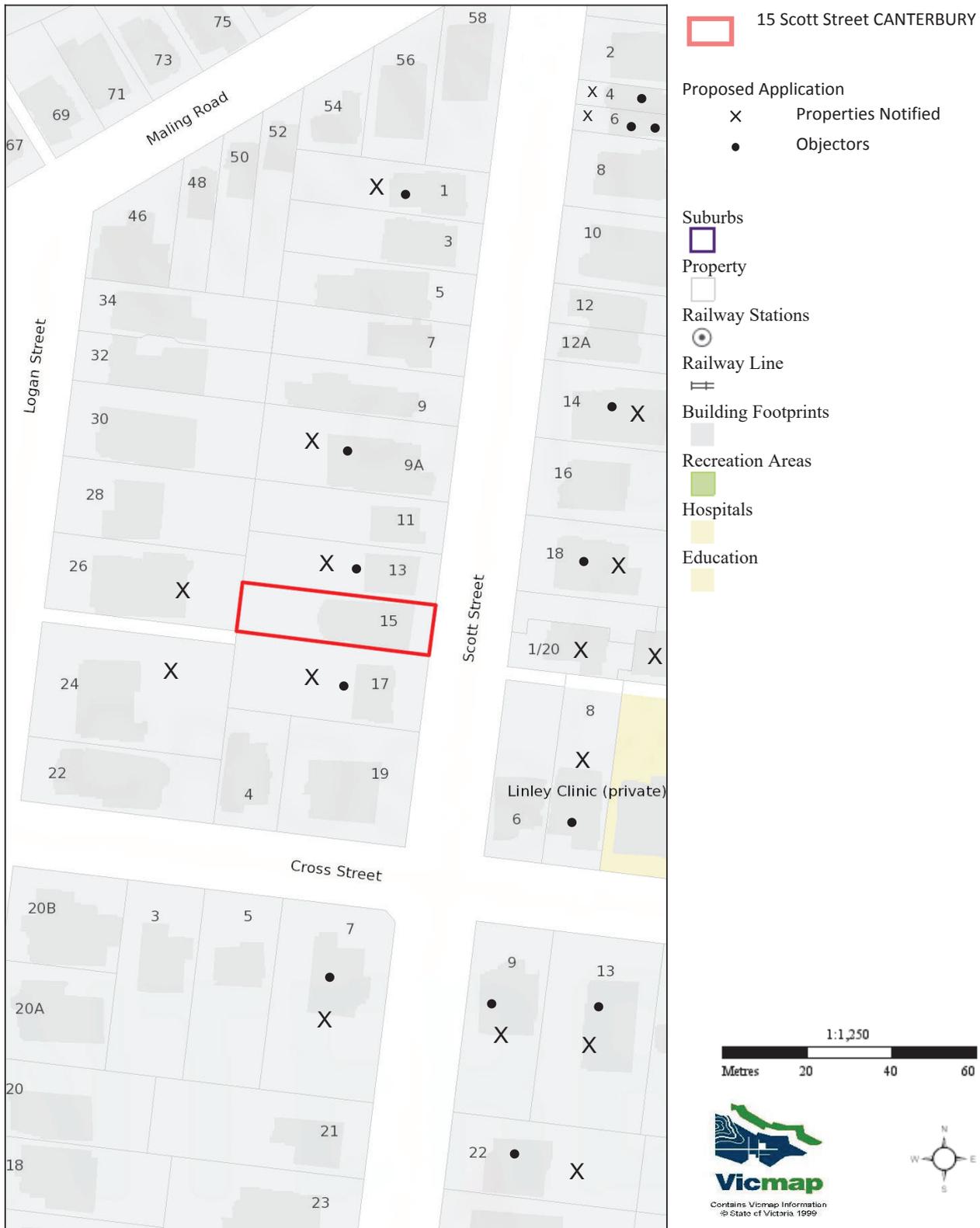
SCALE: 1:100

PROJECT: PROPOSED 2 STOREY DWELLING
15 SCOTT STREET, CANTERBURY

DATE: 19/09/2020

SCALE: 1:100

Location of Subject Site, Notified Properties & Objectors



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 Map produced: 21 January 2020, 15:45:24

Zoning Map



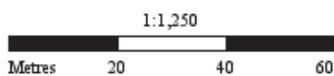
 15 Scott Street, CANTERBURY

Planning Scheme Zones

- CA Commonwealth Land
- CDZ Comprehensive Development
- C1Z Commercial 1
- C2Z Commercial 2
- GRZ General Residential
- MUZ Mixed Use
- NRZ Neighbourhood Residential
- PCRZ Public Conservation & Resource
- PDZ Priority Development
- PPRZ Public Park & Recreation

Public Use Zones

- PUZ1 Service & Utility
- PUZ2 Education
- PUZ3 Health & Community
- PUZ4 Transport
- PUZ5 Cemetery / Crematorium
- PUZ6 Local Government
- PUZ7 Other Public Use
- RDZ1 Road - Category 1
- RGZ Residential Growth
- SUZ Special Use
- UFZ Urban Floodway



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