

## **BOROONDARA PLANNING SCHEME**

### **AMENDMENT C245**

#### **EXPLANATORY REPORT**

#### **Who is the planning authority?**

This amendment has been prepared by the City of Boroondara, which is the planning authority for this amendment.

The amendment has been made at the request of the City of Boroondara.

#### **Land affected by the Amendment**

The amendment applies to residentially zoned properties in Neighbourhood Character Precinct 74. Specially residentially zoned properties in Bevan Street, Boston Road, Carronshore Close (excluding no. 1 Carronshore Close), Cherry Road, Georgian Court, Grant Avenue, Jersey Street (excluding 188 Whitehorse Road), Knutsford Street, Marock Place, Millah Road (excluding 1A Millah Road), Pembroke Road (excluding no. 1 and 2A Pembroke Road), Prowse Avenue, Reid Street, Reumah Court and Salford Avenue, Balwyn. As shown in the attached map.

#### **What the amendment does**

The amendment proposes to apply a new Schedule 7 to the General Residential Zone (GRZ) to Neighbourhood Character Precinct 74 (Precinct 74). The new Schedule 7 proposes variations to the following requirements of Clause 54 and 55:

- Standard B13 - Landscaping - to require at least one canopy tree to be planted in each ground level private open space.
- Standard A11 and B18 - Walls-on-boundary - to provide additional guidance on when it is appropriate to construct a wall on or within 200mm of a property boundary.
- Standard A17 and B28 - Private open space - to increase the minimum dimensions for secluded private open space to 4 metres, and increase the minimum area for secluded private open space for ground floor apartments.

Specifically, the Amendment seeks to:

- Introduce Schedule 7 to Clause 32.08.
- Amend Planning Scheme Map 9ZO to apply Schedule 7 to the GRZ to Precinct 74.

#### **Strategic assessment of the Amendment**

#### **Why is the Amendment required?**

A new zone schedule for Precinct 74 is required to ensure the preferred character objectives, as contained in Council's adopted Neighbourhood Character Precinct Statement for Precinct 74, are achieved. The preferred character statement for Precinct 74 is:

- *'To enhance the consistency and character of streetscapes and the areas sense of greenery'*
- *'To maintain the 1 to 2 storey detached, suburban feel of the area and the garden setting of dwellings'.*

To achieve the character outcomes for Precinct 74 a new zone schedule proposes to retain the 9-metre maximum building height limit that current applies to the precinct, but introduces new variations to Clause 54 and 55.

The variations to Clause 54 and 55 sought by this amendment will:

- Enhance the Precinct's 'leafy feel', by facilitating the planting of new canopy trees through variations to Standards B13, A17 and B28.
- Retain the Precinct's detached character by varying Standards A11 and B18.

### **How does the Amendment implement the objectives of planning in Victoria?**

Applying a new zone schedule to Precinct 74 implements the following objectives of planning in Victoria:

- Section 4(c) *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria*, by varying the requirements of Clause 54 and 55 to ensure the Precinct's preferred character is achieved.
- Section 4(g) *to balance the present and future interests of all Victorians*, by varying the requirements of Clause 54 and 55 to achieve the Precinct's neighbourhood character aspirations.

### **How does the Amendment address any environmental, social and economic effects?**

Applying Schedule 7 to the GRZ to Precinct 74 will have positive environmental, social and economic effects.

Environmentally, the variations proposed to Clause 54 and 55 will encourage built form outcomes consistent with the Precinct's preferred character by enhancing the Precinct's 1 to 2 storey detached, leafy character.

Socially, applying Schedule 7 to the GRZ reflects the aspirations of residents in Precinct 74, by encouraging built form that respects and enhances the Precinct's preferred character.

Economically, applying Schedule 7 to Precinct 74 is unlikely to have any noticeable localised or broader economic impacts. The proposed variations to Clause 54 and 55 are minor changes which largely reflect the prevailing character of existing developments in the Precinct.

### **Does the Amendment address relevant bushfire risk?**

The properties affected by this amendment are not in a bushfire risk area.

### **Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

#### ***Ministerial Direction No. 7***

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

#### ***Ministerial Direction No. 9***

The amendment is affected by *Ministerial Direction No. 9 - Metropolitan Strategy*, which requires all amendments to have regard to the Metropolitan Strategy; *Plan Melbourne*.

*Plan Melbourne* highlights the challenges Melbourne will face over the next 40 years. *Plan Melbourne* seeks to ensure suitable accommodation is provided for all age groups. It also seeks to balance the need for new housing with the protection of Melbourne's suburbs from inappropriate development.

The objectives of *Plan Melbourne* most relevant to this amendment include:

- *To provide a diversity of housing that caters for different households and are located close to jobs and services (Objective 2)*
- *To create healthy and active neighbourhoods and maintain Melbourne's identity as one of the most liveable cities (Objective 4)*

These objectives are supported by the directions and initiatives of *Plan Melbourne*. The directions and initiatives of most relevance to this amendment are:

- *Direction 2.2 Reduce the cost of living by increasing housing supply near services and public transport* by providing housing close to jobs and public transport and supporting the supply of housing in the right locations. (Initiative 2.2.3)
- *Direction 4.2 Protect Melbourne and its suburbs from inappropriate development* by protecting our neighbourhoods from residential densification and supporting housing in the right locations to protect neighbourhoods that reflect Melbourne's suburban character.

Consistent with the objectives and directions of *Planning Melbourne* this amendment proposes to retain opportunities for housing diversity while also seeking to enhance the low rise, leafy, suburban character of Precinct 74 by varying the landscaping, walls-on-boundary and private open space requirements in the Boroondara Planning Scheme. The variations are necessary to ensure future development makes a positive contribution to the Precinct's preferred character.

### ***Ministerial Direction No. 11***

The requirements of *Ministerial Direction No. 11 - Strategic Assessment of Amendments* have been considered as part of the preparation of Amendment C245.

### ***Ministerial Direction No. 16***

*Ministerial Direction No. 16 Residential Zones (MD16)* requires a planning authority to use a housing strategy to inform the balanced application of the three residential zones. The requirement to use a housing strategy as the basis for the application of the three residential zone, in particular the Residential Growth Zone and Neighbourhood Residential Zone, is a requirement that was introduced by the Victorian Government following the approval of the new residential zones in the City of Boroondara.

Consistent with MD16, the City of Boroondara adopted the *Boroondara Housing Strategy (BHS)* on 14 December 2015 to guide decisions relating to housing in the City over the next 15 years. The BHS sets out Council's policy direction for housing over the next 15 years. It builds upon the neighbourhood character principles used by Council to apply the new residential zones and existing policy to direct housing growth to commercial areas such as Camberwell Junction, Kew Junction, and Glenferrie as well as some of the neighbourhood shopping centres and commercial corridors.

The BHS places particular importance on:

- The protection of neighbourhood character and retaining and enhancing a precinct's preferred neighbourhood character.
- The need to provide housing diversity in locations close to public transport and services to meet the needs of all residents.

Consistent with the objectives and strategies of the BHS, this amendment proposes to retain Precinct 74 in the GRZ to ensure the Precinct continues to provide opportunities for a diversity of housing in a location close to public transport and services. The variations to the requirements of Clause 54 and 55 are proposed to ensure the neighbourhood character objectives of the BHS are also achieved by introducing increased amenity standards to achieve the preferred character outcomes for Precinct 74.

## **How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The State Planning Policy Framework (SPPF) seeks to ensure that planning authorities consider all relevant issues and achieve a balanced outcome that has a net community benefit for current and future generations.

The SPPF advocates the protection and enhancement of neighbourhood character and the consideration of community aspirations, while also considering the broader housing needs of the community.

The clauses of the SPPF of most relevance to this amendment include:

- Clause 11.04-2 Housing choice and affordability, which seeks to provide housing diversity in defined locations.
- Clause 15.01-5 Cultural identity and neighbourhood character, which seeks to recognise and protect neighbourhood character and sense of place.
- Clause 16.04 Housing Diversity, which seeks to ensure that housing stock meets the community's housing needs.

Consistent with the objectives of the SPPF, this amendment seeks to balance community aspirations to protect existing neighbourhood character with the need to ensure the City of Boroondara can provide opportunities for new houses close to the Balwyn Neighbourhood Shopping Centre and public transport.

## **How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

Council's current Local Planning Policy Framework (LPPF) advocates the provision of a mixture of housing types and forms in the City of Boroondara while also maintaining and enhancing the City's current level of residential amenity and a high standard of residential design.

A review of the current LPPF was undertaken in 2015, and adopted by Council on 1 June 2015. Following this, Council commenced Amendment C229 to the Boroondara Planning Scheme to implement the revised LPPF. Like the current LPPF, the revised LPPF also seeks to provide a diversity of house types in accordance with the Boroondara Housing Framework, while protecting preferred character and residential amenity.

Applying a new zone schedule to Precinct 74 implements the objectives of the current and proposed LPPF. The new zone schedule seeks to support the preferred character for Precinct 74 by introducing new standards for landscaping, walls-on-boundary and private open space while retaining the maximum height limit (9 metres) that currently applies to the precinct.

## **Does the Amendment make proper use of the Victoria Planning Provisions?**

The amendment makes proper use of the Victorian Planning Provisions by utilising the schedule to the GRZ to introduce area specific variations to Clause 54 and 55 of the Boroondara Planning Scheme.

The schedule to the GRZ is the appropriate planning tool to vary the standard provisions of the zone and Clause 54 and 55.

## **How does the Amendment address the views of any relevant agency?**

The views of relevant agencies will be sought during exhibition of the amendment.

## **Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

The cumulative impact of this amendment is unlikely to have any significant impacts on the transport system or current service levels.

### **Resource and administrative costs**

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The proposed amendment will not have any significant impacts on the resources and administrative costs of the responsible authority.

### **Where you may inspect this Amendment**

The amendment is available for public inspection, free of charge, during office hours at the following places:

City of Boroondara  
Planning Counter  
Level 1  
8 Inglesby Road,  
Camberwell VIC 3124

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection) and Council's website at [www.boroondara.vic.gov.au/C245](http://www.boroondara.vic.gov.au/C245).

### **Submissions**

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 1 August 2016.

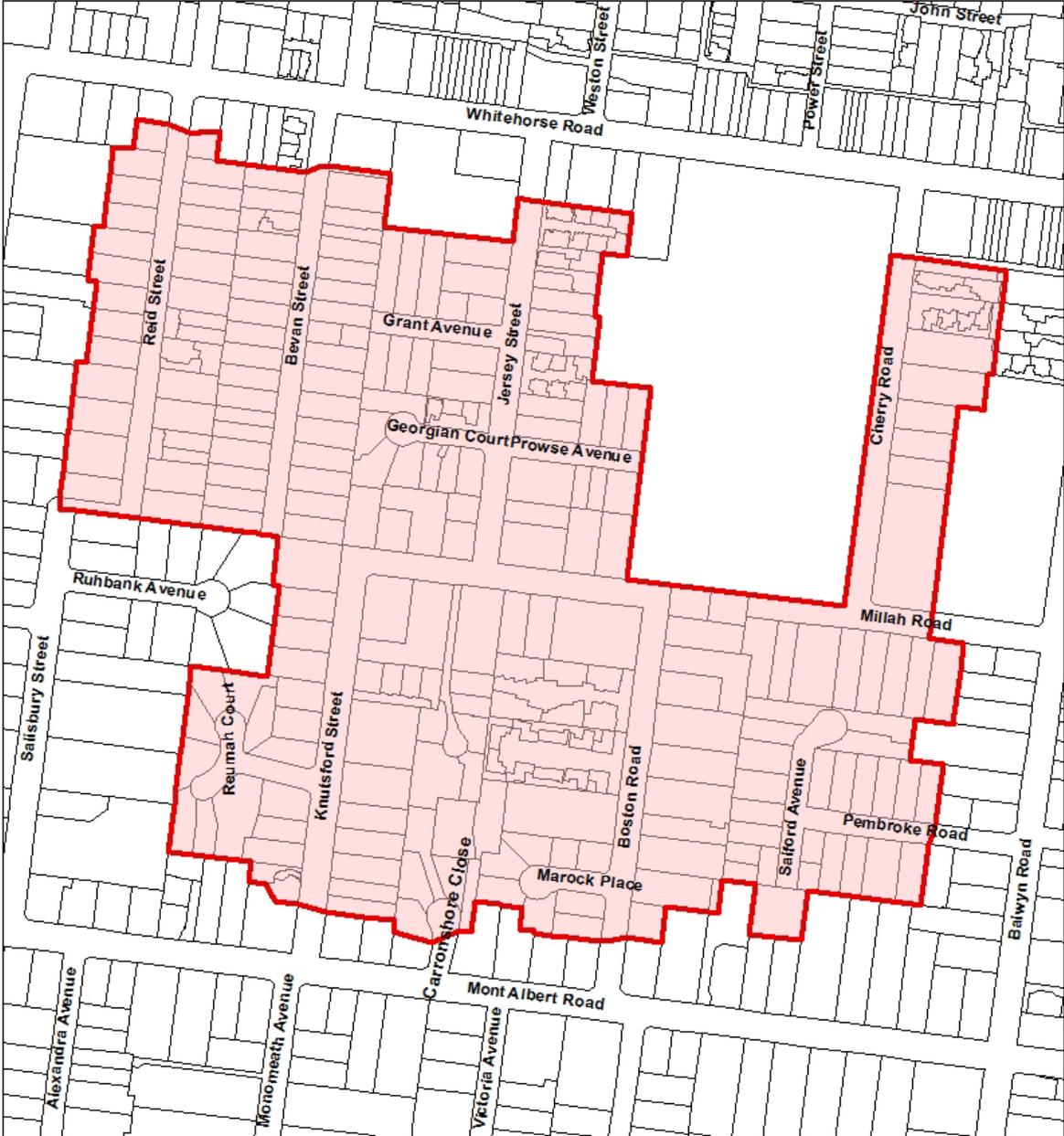
A submission should be lodged online at <http://www.boroondara.vic.gov.au/C245>, alternatively submissions can be emailed to [strategic.planning@boroondara.vic.gov.au](mailto:strategic.planning@boroondara.vic.gov.au) or sent to the Amendment C245, Strategic Planning Department, Boroondara City Council, Private Bag 1, Camberwell VIC 3124.

### **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: Week commencing 24 October 2016
- panel hearing: Week commencing 21 November 2016

Land affected by Amendment C245 to the Boroondara Planning Scheme



Legend

 Land affected by Amendment C245