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This document has been prepared by:



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1.0 Introduction

Name and address

1. My name is Lisa Riddle and I am a Planning Director at Ethos Urban, a planning consultancy located at Level 8, 30 Collins Street, Melbourne. Ethos Urban (previously Planisphere) is a practice of urban planners, designers, landscape architects and economists. The practice has developed an expertise in residential neighbourhood character and over the last 15 years the consultancy has undertaken more than 25 neighbourhood character studies for local governments throughout Victoria, for metropolitan Melbourne Councils and regional townships.

Qualifications and experience

2. I am a qualified town planner (Dip. App. Sci. Town Planning, RMIT 1983) and have approximately 40 years experience as a town planner, working both for the public and private sectors. I am a Fellow of the Planning Institute of Australia and member of VPELA.

Area of expertise

3. My areas of expertise include statutory and strategic planning. Projects that I have contributed to in the fields of strategic planning, neighbourhood character, housing and urban design, have received numerous professional awards.

Expertise to make this report

4. I have been instructed by Marcus Lane Group, acting for Council in their role as the Responsible Authority, to prepare an expert witness statement and to be available to give evidence at the hearing for Amendment C285. My instructions were to prepare a report outlining the rationale and strategic justification for the implementation of the Neighbourhood Character Overlay in four precincts of the City.

Facts, Matters and Assumptions

5. My evidence relies on:
 - Stonnington Neighbourhood Character Review (Planisphere, 2013);
 - Stonnington Neighbourhood Character Review Addendum – Edwardian & Interwar and Californian Bungalow NCO Areas (Planisphere, 2015);
 - Stonnington Neighbourhood Character Review Addendum 2019 – Four Precincts (Ethos Urban);
 - Relevant sections of the Stonnington Planning Scheme;
 - A site inspection carried out by me on 13 February 2020;
 - Photographs taken by Ethos Urban staff and myself;
 - Material from the Council's file, including Council's response to the Submissions;
 - Planning Panel Reports for previous neighbourhood character Amendments to the Stonnington Planning Scheme;
 - VPP Practice Note Understanding the Neighbourhood Character Provisions in Planning Schemes (June 2004);
 - General Practice Note Understand Neighbourhood Character (December 2001);

- Practice Note 1 Apply the Heritage Overlay (revised August 2018);
- Planning Practice Note 90 Planning for Housing (December 2019); and
- Planning Practice Note 91 Using Residential Zones (December 2019).

Other Persons relied upon

6. Henry Wallis, Senior Urbanist at Ethos Urban assisted with the preparation of the evidence. All opinions expressed are my own.

Summary of my opinion

7. It is my opinion that Amendment C285 is an appropriate change to the planning scheme as:
 - The proposed Amendment meets the objectives for Planning in Victoria including the State Planning Policy Framework.
 - The proposed Amendment is consistent with Local Planning Policies and other zoning, overlay controls in the Stonnington Planning Scheme.
 - The application of the proposed NCOs is consistent with relevant VPP and General Practice Notes.
 - The application of the proposed NCOs will ensure that the future preferred character of the Early Modern, Inter-war and Post War areas will be respected in any future development.
 - The 2013 Review, 2015 Addendum and 2019 Addendum provide a sound strategic basis for the implementation of the proposed controls. There are no material changes within the precincts over that time warranting changes to the NCOs.

2.0 Amendment Background

Stonnington Neighbourhood character Review 2013

8. The Stonnington Neighbourhood Character Review 2013 ('The 2013 Review') was undertaken by Planisphere in 2012/13. The aim of the Study was to review and update the findings of the Stonnington Neighbourhood Character Study 2006 ('The 2006 Study'). I was the Director responsible for the preparation of The 2013 Review.
9. The primary purpose of The 2013 Review was to rationalise the number of neighbourhood character precincts, identify areas of change since The 2006 Study, investigate areas that may warrant inclusion in the Neighbourhood Character Overlay (NCO) and to propose implementation recommendations. The 2013 Review examined all land within the (former) Residential 1 Zone and Mixed Use Zone.

Amendment C168

10. Amendment C168 introduced two new NCO and DDO schedules into the Stonnington Planning Scheme applying to two residential areas in Baldwin Street, Armadale and Clarence Street, Malvern East. The Amendment also involved associated changes to the MSS including the insertion of The 2013 Review as a reference document at Clause 21.09.
11. During the public exhibition period, four submissions were received. Modifications to the proposed NCO3 boundary were made as a result of community feedback and the Amendment was subsequently re-exhibited. Two additional submissions (including one late submission) were received as a result of the re-exhibition period.
12. Submissions raised a number of issues relating to the justification of the proposed controls, boundary delineation, fence height controls and potential development constraints from the proposed controls.
13. The Panel for Amendment C168 recommended the 'regulation of development proposed by the Amendment has been justified'. Furthermore, it was satisfied that front and side fences were a significant character feature of the streetscape and the proposed application of a DDO was an appropriate mechanism to ensure the preferred future character of the street was reflected. The Amendment was approved and gazetted in April 2014.

Amendment C187

14. Amendment C187 was gazetted in June 2014, prior to the mandatory translation of residential zones across Victoria. C187 replaced the former Residential 1 Zone and applied the new residential zones throughout the municipality including the Neighbourhood Residential Zone (NRZ), General Residential Zone (GRZ) and Residential Growth Zone (RGZ).
15. The Amendment was implemented having regard to The 2013 Review and to achieve a balanced approach toward housing provision, providing increased housing capacity, housing diversity and retention of neighbourhood character values.

Amendment C175

16. Amendment C175 implemented the findings of The 2013 Review by introducing a new Neighbourhood Character Policy at Clause 22.23 and updating the MSS to reflect recent strategic work. The Amendment was gazetted in September 2015. Ten submissions were made as a result of the public

exhibition process. Submitters raised issues about the NCO boundaries, use of mandatory controls, generality of the policy and relationship of the policies to the new residential zones and other planning control issues.

17. The Panel Report for C175 recognised that the implementation of The 2013 Review was a result of “considerable work by Planisphere and Council and was founded on extensive research and consultation”. Furthermore the Panel outlined that the 2013 Review “makes a valuable strategic and detailed contribution to the development of Council policy. Further it provides a sound basis for producing plain English and easily-interpreted documentation in its implementation in the Planning Scheme.”
18. The Stonnington Neighbourhood Character Review Addendum 2014 was commissioned by the Council to review the NCO boundaries in response to the changed strategic conditions, including the introduction of the new residential zones, and submissions received as part of Amendment C175. It has no bearing on the detailed components of the present Amendment.

Amendment C185

19. Amendment C185 to the Stonnington Planning Scheme was exhibited in March-April 2015, to introduce two NCO schedules to nine precincts categorised as having identifiable Victorian and Edwardian significance. It also proposed a DDO schedule to five precincts to control front fence heights and style.
20. As a result of exhibition of the Amendment, the Council received 12 submissions (including two late submissions); 6 generally in support and 6 objecting. The Amendment was subsequently split into two parts.
21. Part 1 of the Amendment was adopted by Council and was submitted to the Minister for Planning for approval on the 28 April 2015. Part 1 implemented the NCO, DDO and associated local planning policy changes to the 6 Special Character Area (SCA) precincts with no objecting submissions.
22. Part 2 of the Amendment related to the three precincts about which six objecting submissions were received, that could not be resolved.
23. In assessing the submissions received to Amendment C185 the Council requested Planisphere to review the issues raised in the three precincts which received objecting submissions and to make recommendations. As a result a short report ‘Stonnington Neighbourhood Character Review Addendum – Response to Submissions for Amendment C185 (Planisphere, 2015)’ was provided to the Council outlining our response to the issues raised in Amendment C185.
24. A Panel was appointed to hear submissions to the Amendment in August 2015. The Panel report, recommended adoption of the Amendment with minor changes. The Amendment was approved by the Minister and gazetted into the Stonnington Planning scheme on 14 April 2016.

Stonnington Neighbourhood character Review Addendum 2015

25. In May 2015, a further Addendum to the 2013 Review was undertaken by Planisphere (now Ethos Urban) in response to queries raised by Council officers relating to the proposed boundaries of the Macgregor Street and Manning Road areas. A further short report was prepared ‘Stonnington

Neighbourhood Character Review Addendum 2015 – Edwardian & Interwar and Californian Bungalow NCO Areas (Planisphere, 2015) ('The 2015 Addendum').

26. It was recognised by the Council that there had been changes in the strategic context of these areas, largely as a result of the new residential zones, the proximity to activity centres and recent development trends that warranted a review of the original recommendations. The 2015 Addendum made recommendations for the removal of some properties from the proposed NCO for the Macgregor Street and Manning Road areas. This Addendum was used to inform the preparation of Amendment C217.

Amendment C217

27. Amendment C217 to the Stonnington Planning Scheme sought to introduce two NCO schedules to six precincts categorised as having identifiable neighbourhood character significance as Edwardian & Interwar or Californian Bungalow era areas. It also applied Schedule 4 of the Neighbourhood Residential Zone to all areas, aside from land at 1A Washington Avenue, Malvern East, which was included in a new General Residential Zone Schedule 14 (GRZ14).
28. As a result of exhibition of the Amendment, the Council received 45 submissions (including 13 late submissions); 26 generally in support and 19 objecting.
29. A Panel was appointed to hear submissions to the Amendment in December 2015. The Panel report, recommended adoption of the Amendment with minor changes. The Amendment was approved by the Minister and gazetted into the Scheme on 30 June 2016.

Stonnington Neighbourhood Character Review Addendum 2019

30. In August 2019, a further Addendum to the 2013 Review was undertaken by Ethos Urban in response to a brief that required examination of the proposed boundaries and any changes in character of the remaining precincts from the recommendations of the 2013 Review in the Early Modern, Inter-war and Post precincts. A further short report was prepared 'Stonnington Neighbourhood Character Review Addendum 2019 – Four Precincts (Ethos Urban, 2015)' ('The 2019 Addendum'). This Addendum related to the four precincts: Lalbert Crescent, Cairnes Crescent, Bruce Street and Camino Terrace and was used to inform the preparation of Amendment C285.
31. The 2019 Addendum made recommendations for the removal of some properties from the proposed NCO for the Cairnes Crescent, Bruce Street and Camino Terrace areas. The addendum recommended that areas in the Bruce Street precinct could be removed from the NCO area without diluting the integrity of the neighbourhood character of the remaining NCO area.
32. The 2019 Addendum also recommended the application of the NRZ in place of the existing GRZ to areas within the proposed NCO where a 2-storey height is included in the preferred character statements to avoid a conflict between the 3 storey height limit of the GRZ.
33. The Addendum also noted the removal of the sites within the GRZ from the proposed NCO areas would not impact on the integrity of the remainder of the NCO areas.

3.0 Neighbourhood Character Review 2013

34. In April 2012, Planisphere (now Ethos Urban) was engaged by Stonnington City Council to review the existing *2006 Neighbourhood Character Study*. The *2013 Review* applied to all residential areas in the municipality.
35. The purpose of the review was to rationalise the number of neighbourhood character precincts, identify areas of change since the *2006 Study*, update any recommendations as a result of change since 2006, investigate areas that may warrant inclusion in the Neighbourhood Character Overlay (NCO) and to propose implementation recommendations. It also sought to review the remaining areas of special character identified in the 2006 Study as warranting further investigation.

Methodology

36. The methodology of the review was based on previous methods for undertaking large-scale neighbourhood character assessments, used in previously endorsed studies in other municipalities. The methodology for the *2013 Review* was adapted to reflect the Stonnington residential context and previous work; it is explained in the Review Report at pp.3 - 4.
37. The *2006 Study* also identified areas for further investigation that had special heritage or neighbourhood character significance that were considered may have warranted additional planning controls. These areas were reviewed by Council’s heritage advisor who subsequently made recommendations for particular sites to be included within the Heritage Overlay. As part of the *2013 Review*, those investigation areas not recommended for heritage controls were assessed for inclusion in the NCO. Additional areas were also suggested by Council for investigation at that time.
38. The *2013 Review* was divided into three stages and included the following tasks as follows:

STAGE 1: REVIEW OF NEIGHBOURHOOD CHARACTER IMPLEMENTATION

1. Review background information and prepare base maps
2. Define and confirm potential NCO areas for review and mapping
3. Confirm detailed survey brief
4. Undertake survey
5. Map survey results
6. Prepare written preliminary conclusions
7. Meet with Council to review survey findings
8. Prepare report on final conclusions

STAGE 2: NEIGHBOURHOOD CHARACTER OVERLAY REVIEW

9. As per 1 – 8 above

STAGE 3: DRAFTING OF NEIGHBOURHOOD CHARACTER OVERLAY SCHEDULES

10. Prepare draft NCO provisions for 3 example areas
 11. Meet with Council to discuss
 12. Prepare final NCO schedules and maps
 13. Prepare written explanation of NCO schedule rationale
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39. A further detailed research methodology was applied to the special investigation areas as follows:
 - Detailed street-by-street survey to identify potential neighbourhood character significance which looked at the following elements:

Consistency	Architectural Styles
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Building Materials, Form and Layout	Roof Style
Setbacks	Heights
Orientation	Car Parks/Garage
Garden Styles	Front Fences
Public Realm	Subdivision Pattern/Layout

- Mapping and collation of photographs of each area to document key character elements, and establish level of contributory buildings in each street
- Recommend level of planning protection for each area
- For those recommended to be included within the NCO, detailed descriptions and preferred character statements were prepared
- Additional confirmation survey to confirm all recommended NCO areas and finalisation of boundaries
- Grouping of areas with 'like' characteristics and preferred future character elements
- Translation of each area or group of areas into new NCO schedules
- Analysis of housing capacity within proposed NCO areas to determine potential reduction in housing capacity for the municipality.

Recommendations

40. *The 2013 Review* made a number of key recommendations and revisions as follows:

- Identified four revised neighbourhood character types: inner urban, garden river, garden estate and garden suburban
- Established eight neighbourhood character precincts
- Revised neighbourhood character descriptions and preferred future character statements for each precinct
- Identified 23 areas as having significant neighbourhood character, recommended for inclusion in the NCO. (Of these 23 areas, two areas had already commenced implementation through the planning scheme amendment C168 at the time of *the 2013 Review*.)
- Established seven categories of significant character areas based on era of development and architectural style
- Recommended the application of the DDO for some of these areas to achieve additional controls for front fences
- Established that housing capacity would not be affected by the implementation of the NCO and would result in only a marginal reduction in dwelling yield
- Statutory implementation options.

4.0 Determining Significance

41. Neighbourhood Character is essentially the interplay of the public and private realm. Although its definition has evolved since the 2001 General Practice Note titled '*Understanding Neighbourhood Character*' (published by the then Department of Infrastructure), it has always related to the qualitative interplay of built form, vegetation and topographic characteristics that make one place different from another.


Planning tools to protect neighbourhood character

42. There are a number of mechanisms to protect neighbourhood character. On a State policy level, the recognition of neighbourhood character is found embedded throughout Clauses 11, 15 and 16. The Victorian Planning Provisions provide consideration and protection of neighbourhood character throughout various zones, overlays and decision guidelines. Local planning policies can also further strengthen the strategic objectives for neighbourhood character such as those proposed through Amendment C175.
43. The reformed residential zones also provide greater flexibility for the modification of certain design and siting requirements. This flexibility gives Councils greater control in guiding appropriate built form outcomes that respond to the context of specific areas within municipalities. Although the ability to modify schedule requirements within the residential zones schedules is a useful planning tool to guide development and built form outcomes, it does not necessarily allow for a nuanced approach to protect areas which display special character features.
44. Practice Note 91 'Using the Residential Zones' (December 2019) provides guidance on the role of overlays and the circumstances when they can be appropriately applied. It states the NCO can be applied with the following criteria are met:
- *The proposed area exhibits existing characteristics that need to be protected, or need to be changed to achieve a preferred character.*
 - *The area, relative to the rest of the municipality, can be demonstrated to require a specific approach to neighbourhood character.*
 - *The application of local planning policy, the objectives and standards of clause 54 and clause 55 or variations to clause 54 and clause 55 in the schedule to the residential zone will not meet the neighbourhood character objectives for that area.*
45. In reference to rewriting the standard of Clause 54 and Clause 55 PN91 confirms the following:
- *The NCO can be used to rewrite most clause 54 and clause 55 standards, except for several standards specified in the overlay at clause 43.05-3.*
 - *The NCO cannot be used to rewrite the objectives or decision guidelines in clause 54 and clause 55.*
 - *Additional local neighbourhood character objectives and decision guidelines may be specified in the schedule to the NCO to achieve a preferred neighbourhood character.*
46. Practice Note 91 provides the following guidance on the application of the DDO:
- *The DDO should not be used as a substitute for an NCO.*
 - *While the DDO has similar features to the NCO, it is more appropriately applied to promote specific urban design outcomes for an area that cannot be achieved by varying the standards to clause 54 and clause 55.*

47. The guidance provided in Practice Note 91 assisted the Project Team in considering the potential tools available for additional provisions to protect the significant character areas. Prior to being revoked, Planning Practice Note 28 provided guidance on these matters.

How Do We Determine the Required Approach?

48. This section of my evidence explains the methodology used by Planisphere to identify SCAs, and consideration of current statutory provisions. The following ‘formula’ summarises the factors considered in deciding whether an area warrants additional planning controls to protect significant characteristics.







Level of significance +
Threats or pressure for change +
Gaps in planning controls +
Community values  Action recommended

49. The level of significance assigned to each area of significant neighbourhood character is a key factor in determining the type of planning control applicable. This takes into account the following considerations.

Identification of Key Characteristics

50. Each of the existing and potential areas of significant neighbourhood character was surveyed in the study as they displayed significant qualities in the context of the surrounding residential areas, combined with a degree of visual consistency. The ‘distinctiveness’ these areas display may be derived from one or a combination of physical characteristics of the area’s built form, layout, landscape or topography. In Stonnington, it is usually derived from an area having a high presence of buildings from a particular era of the City’s development, whereby the consistency of key characteristics of building form, roof form and pitch, building scale and front and side setbacks will present a strong sense of visual cohesion in the streetscape.
51. The concept of ‘contributory’ and ‘non-contributory’ is one that has been used in some instances in relation to neighbourhood character, however it originates from heritage assessments. In a precinct heritage assessment it is often considered important to define the contribution of each building to the cultural heritage of that area, and therefore its statement of significance.
52. In the case of neighbourhood character however, this concept is less relevant, as it is not the individual building significance, but rather the overall streetscape appearance that is of greater relevance. Therefore, individual building information is not generally gathered during the survey. It is the general patterns in siting, form, materials, landscaping, etc, and consistency of these that is noted and it is on this basis that the terms are used.
53. In many instances, buildings that date from the same era of development will display similar characteristics. Other buildings from different eras may also display similarity in several or all of the key characteristics of the area. The consistency of the patterns within areas forms the basis of an assessment as to the ‘intactness’ or significance as an area worthy of neighbourhood character based controls.

54. Photographs below show indicative examples of buildings reflecting characteristics common to an area:





 <p>Original and intact early modern multi dwelling building</p>	 <p>Original Edwardian era dwelling; upper level additions at rear are largely not visible from the street and reflect original roof form, pitch and materials</p>
 <p>Contemporary building displays consistent roof pitch, and consistent front and side setbacks</p>	 <p>Original Edwardian era dwelling with upper level extensions that are consistent in pitch and detailing, despite inadequate setback</p>
 <p>Contemporary unit development that presents consistent front and side setbacks, similar roof pitch – while clearly not of the original era of development the buildings sit low and respectfully in the streetscape</p>	 <p>Contemporary development that presents consistent front and side setbacks, similar roof pitch, and a low single storey profile in the streetscape</p>

55. Buildings considered to be ‘non-contributory’ are those that stand out in the streetscape due to their form, scale or siting, appearing inconsistent with the dominant visual characteristics of the street or disrupting the sense of spatial rhythm.

56. While many streetscapes may contain occasional ‘non-contributory’ buildings (often as a result of the lack of control over single dwellings) these are not necessarily considered to detract from the overall streetscape. The broader view and vista along the street is of relevance in neighbourhood character assessment. This cannot readily be quantified by a tally of non-contributory vs. remaining dwellings. It is a visual assessment based on a comparative analysis. Exclusion of individual ‘non-contributory’ buildings from an area/streetscape based control is not considered to be warranted nor to be the intended use of the NCO. Alteration or replacement of buildings can occur at any time and the control is primarily intended to manage these changes to the benefit of the area as a whole, regardless of the type of building that exists on the land now.

57. In many streetscapes there will be buildings that are ‘neutral’ in the streetscape – they are neither entirely consistent nor inconsistent with the predominant characteristics but their impact on the intactness or consistency of the streetscape is inconsequential.

58. Photographs below show indicative examples of non-contributory buildings:

 <p>Contemporary neo-Georgian style dwelling with double-storey block form, low pitched roof and dominant garaging</p>	 <p>Contemporary style dwelling with double-storey block form, flat roof and dominant garaging</p>
 <p>Community use building with non-residential characteristics and substantial setbacks on a large site</p>	 <p>Contemporary townhouses with multiple, stepped facades, sheer double storey scale, bright white finish, flat roof</p>
 <p>Contemporary dwellings with modern interpretation of heritage detailing, which present bulky double storey scale and lack of side spacing</p>	 <p>Contemporary dwelling with modern interpretation of heritage detailing, which presents bulky double storey scale</p>

Comparative Analysis

59. The relative significance of each proposed NCO area is based upon comparison with other residential areas and Heritage Overlay (HO) areas within Stonnington, as well as residential areas across metropolitan Melbourne. This comparison indicates which areas have character attributes that are rare, exemplary of a particular type of suburban development or atypical within the municipality or region.

60. Ethos Urban (Planisphere) has extensive experience in preparing neighbourhood character studies across metropolitan Melbourne and regional Victoria, and we draw upon this experience in making comparative assessments for all neighbourhood character studies. Our study team is also

experienced in heritage planning and this assists in conducting comparative analysis against heritage precincts.

61. Ethos Urban (Planisphere) has completed neighbourhood character studies for middle-ring metropolitan municipalities with similar eras of development as the City of Stonnington, including studies for Glen Eira, Banyule, Bayside, Darebin, Hobsons Bay and Whitehorse. We have undertaken detailed studies to support the introduction of NCOs within Bayside, Glen Eira and Whitehorse. This has allowed us to make direct comparison between areas with similar residential development scenarios as those within the City of Stonnington. The assessment of NCO precincts within these municipalities is documented in studies and reviewed in Panel reports, as follows:
 - Glen Eira Planning Scheme Amendment C87 Panel Report (2012)
 - Glen Eira Neighbourhood Character Review (Planisphere 2006 & 2011 update)
 - Bayside Planning Scheme Amendment C80 Panel Report (2011)
 - Bayside Neighbourhood Character Review - Stage 2 Final Report (Planisphere 2008)
 - Whitehorse Planning Scheme Amendment C57 Panel Report (2006)
 - Whitehorse Review of Neighbourhood Character Recommendations Part 2 – Review Areas (Planisphere 2004)
62. Comparative analysis conducted for *The 2013 Review* is based upon the work completed for *The 2006 Study*, whereby every residential street within the City of Stonnington was surveyed. This provided the study team with a comprehensive overview of the character of all of Stonnington's residential areas against which the level of significance of the proposed NCO areas could be assessed. Further site surveys conducted for *The 2013 Review* and subsequent *Addendums* have allowed for an ongoing process of comparative analysis to support refinements and updates to the proposed NCO areas as required.
63. *The 2006 Study* included an initial analysis of broad neighbourhood character types across the City of Stonnington. This was based upon the broad character types identified across metropolitan Melbourne, as documented in "*Sense of Place: Urban Design Principles for the Metropolitan Strategy*", a technical report on urban design prepared by Planisphere and published in October 2002 as part of the Metropolitan Strategy, 'Melbourne 2030'.
64. The areas of significant neighbourhood character identified in *The 2006 Study* and *The 2013 Review*, are considered, based on this analysis and the detailed survey of the City, to reflect the most consistent areas of Stonnington displaying these particular characteristics. While there are other buildings within the City that are of similar type, era and style it is the cumulative effect of the *collection* of buildings displaying the same characteristics and the overall sense of visual consistency within the streetscape that constitute a significant character, rather than the significance of individual buildings.

Heritage or Character?

65. A heritage study has already been undertaken by Council which reviewed the SCAs recommended in the *2006 Study*. Some further recommendations for the inclusion of some sites within the HO were made. As part of *The 2013 Review*, those areas not recommended for inclusion within the HO were investigated for inclusion in the NCO due to their presentation compared with surrounding streets, their degree of consistency and strong neighbourhood character elements such as building form, scale, siting and detailed design.

66. While the Precincts have been grouped based on era of development for convenience, the differentiation between different types of Precincts is not simply a question of architectural style or era of development; rather it is about the common elements shared by these eras of development. Neighbourhood character is not about the imposition of design styles. It is the key elements of the preferred massing, layout and positioning of buildings within the landscape that should form the basis of guidelines about the way buildings should be designed, not the detailing or architectural style of the building. Neighbourhood character should be about recognising the distinctive and valued characteristics of different urban forms, and discriminatingly applying controls and guidelines to achieve development that reflects the desired future.
67. Pursuant to Clause 43.05, the purpose of the NCO is to ensure new development respects existing or preferred neighbourhood character and where necessary, to prevent the removal of buildings or vegetation that contribute to the neighbourhood character features of the site, before new proposals have been evaluated. Nominating an area for neighbourhood character controls does not preclude consideration of heritage significance at a future time, unless its significance has been reduced due to demolition of contributory buildings.
68. The HO is only applied to places that are contained on the Victorian Heritage Register or identified in local heritage studies. Primarily, the HO seeks to *protect and preserve* buildings from demolition that contribute to the natural or cultural significance of the heritage place. In contrast the NCO seeks only to prevent the removal of buildings before the neighbourhood character features of the site can be evaluated. The demolition controls are therefore merely a 'holding' mechanism while new development is assessed for suitability within its context. This is an important distinction between the two types of overlay control.

Threats or pressure for change

69. Potential threats to the important characteristics of each area of significant neighbourhood character were examined. This included considering the types of development that would be allowed in the context of the current planning and building regulations. An understanding of the pressure for development in each area was also gained from discussion with Council's planning staff.

Gaps in Planning Controls

70. Whether the existing Planning Scheme controls are able to protect the distinctive qualities of each area of significant neighbourhood character from the identified threats/pressure for change was a key consideration in choice of implementation options. Where gaps in the planning controls to counter potential threats or pressure for change were identified for significant character areas, changes to statutory provisions were recommended accordingly.

Community Values

71. Community perceptions and values about each area are an important aspect of understanding their degree of significance, the potential threats to character and the development pressures. The likelihood of community acceptance of new controls over some forms of development relates to the extent of community concern about the loss of particular aspects of the character of the area.

Housing Policy context

72. The impact of the introduction of additional neighbourhood character controls was considered in the context of demographic/housing demand research undertaken by the Council, and policy imperatives to meet projected demand for additional housing. An analysis undertaken by Planisphere for the *2013 Review* which was based on the previous residential zones indicated that when all the proposed NCO areas are implemented throughout the City, it would represent an insignificant reduced housing capacity.

Likelihood of Approval

73. Once the preferred approach to implementation was established, the likelihood of approval of additional statutory controls by a Planning Panel or the Minister for Planning was considered. Current State policy and directives, and issues raised previously by Panels in making recommendations on other similar Planning Scheme Amendments, were important considerations in making the final recommendations to Council. The need for additional planning controls in some areas was clearly identified and supported by the criteria applied.

5.0 Implementation of Neighbourhood Character

Policy

74. Previous recommendations made by Ethos Urban (then Planisphere) in The 2013 Review included amendments to the MSS and Local Policy of the Stonnington Planning Scheme in order to appropriately implement the NCO.
75. These included amendments to:
- Clause 21.02-2 Urban Environment and Character (now 21.06);
 - Clause 21.03-2 Residential Areas (now 21.05-2);
 - Clause 21.09 Reference documents (then Clause 21.06);
 - Clause 22.02 Urban Design Policy (Deleted)
 - Clause 22.06 – Residential Character, Amenity and Interface Policy (Deleted); and
 - Clause 22.23 Neighbourhood Character Policy.
76. Where Clauses have been deleted or moved within the LPPF the intent and aims of the recommendations made in 2013 have been maintained. These include:
- To give recognition to the Review within the Planning Scheme, as an important background document.
 - To provide appropriate strategic direction and ‘triggers’ for consideration of neighbourhood character within the MSS, as the umbrella for policy and controls.
 - To ensure the Preferred Character Statements and design guidelines developed for each precinct and area of significant character are embedded within the Planning Scheme, to be used as an assessment tool for planning applications.
77. No further changes to the LPPF are recommended.

Zones

78. The Amendment proposes the insertion of a new Schedule to Clause 32.09 – Neighbourhood Residential Zone to the Stonnington Planning Scheme. Schedule 5 (NRZ5) – ‘Significant Character Area’ (NRZ5) is proposed to be applied to all of the four precincts included in this amendment. Each of the precincts are already zoned NRZ. The currently applied schedules are as follows:
- Cairnes Crescent, Camino Terrace and Bruce Street – NRZ2; and
 - Lalbert Crescent – NRZ3.
79. The Neighbourhood Character Objectives of the NRZ5 are:
- *To maintain consistency in architectural style, scale and neighbourhood character of the area.*
 - *To protect and enhance the established garden setting of dwellings in the area.*
80. Areas affected by the GRZ that were initially proposed to be included in the amendment were removed from the amendment in accordance with Condition 4 of DELWP authorisation to prepare the Amendment.
81. Practice Note 91 (PN91) sets out how the residential zones should be applied. Its sets out that:
- As a general principle, applying a residential zone should align with either existing building heights if they are sought to be maintained, or align with future building heights identified in strategic work.*

Neighbourhood Character Overlay

82. The NCO is found at Clause 43.05 of the *Stonnington Planning Scheme*. The purpose of the 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 identify areas of existing or preferred neighbourhood character.*
 - *To ensure that development respects the neighbourhood character.*
 - *To prevent where necessary, the removal of buildings and vegetation before the neighbourhood character features of the site and the new development have been evaluated.*
83. The schedule to the NCO allows for the variation of many ResCode (Cl. 54 and 55) standards. Where a variation in the zone schedule occurs, the NCO standards overrule.
84. Before deciding on an application, in addition to the decision guidelines outlined in the zone and overlay provisions, the Responsible Authority must consider how any buildings, works or demolition of buildings contribute to the preferred neighbourhood character of the area.
85. The NCO does not prohibit demolition of buildings and the redevelopment of land; nor is it intended as a density control. The Practice Note 91 states:
‘The demolition control in the NCO holds the existing pattern of development until the character features of the site and the new development have been evaluated. The demolition control should not be used to conserve existing buildings, but rather to ensure that demolition does not occur until the planning authority is satisfied that the new development meets the neighbourhood character objectives for the area.’
86. Rather, its purpose is to protect elements that contribute to the special streetscape character of an area. Additionally, the application of an NCO does not necessarily assume or require that buildings are old, in ‘original’ condition or of the same era.

Design and Development Overlay

87. The 2013 Review recommended the application of the Design and Development Overlay (DDO) for selected NCOs where it is considered that the introduction of a non-conforming fence would have a substantial impact upon streetscape character. As fencing alone is not a trigger under the NCO, an additional DDO is required. This control only has a permit trigger for fences that do not meet a specified description.

Practice Notes

88. In December 2019 DELWP published Planning Practice Note 90 ‘Planning for Housing’ and 91 ‘Using the Residential Zones’. Practice Notes 28 and 78 have been deleted.
89. Planning Practice Note 90 provides information and guidance about how to plan for housing growth and protect neighbourhood character. Key points relevant to this study include:
- Housing change is an inevitable and ongoing process. Tensions can arise between housing and neighbourhood character objectives;
 - Planning for housing change should be expressed in the form of a Housing Strategy which may also be accompanied by a neighbourhood character strategy;

- Respecting character does not mean preventing change. In simple terms, respect for the character of a neighbourhood means that development should be designed in response to its context;
 - A framework for managing change typically comprises the delineation of minimal, incremental and substantial change areas; and
 - The primary role of the MPS and local planning policy in implementing the residential development framework.
90. Planning Practice Note 91 provides information and guidance about the use the residential zones in addition to the local polices and overlays to implement strategic work and how best to make use of the key features of the residential zones. Key points relevant to this study include:
- Dwelling density is no longer the basis for restricting development outcomes in the Neighbourhood Residential Zone;
 - Applying the right residential zone must be derived from the municipal-wide strategic framework plan or residential development framework plan;
 - Applying a residential zone should align with either existing building heights if they are sought to be maintained, or align with future building heights identified in strategic work;
 - Overlays play an important role to give effect to preferred built form outcomes when a zone will not fully achieve the identified housing or neighbourhood character objectives for an area; and
 - Rather than specifying preferred neighbourhood character statements in local planning policy, objectives can be specified in a schedule to a residential zone to implement the preferred neighbourhood character.

6.0 Amendment C285

6.1 Proposed NCO Provisions

91. *The 2013 Review* identified 23 SCAs that warranted additional protection. Seven categories were formulated on the basis of era of development and architectural style as follows:
- **Victorian and Edwardian**- May Road area, Spring Street area (including Irene Place), Willis Street, Bidey Street and Packington Place
 - **Edwardian** – Closeburn Avenue, Bailey Avenue & Valentine Grove area, Stanhope Street, Dixon and Jordan Streets, Ardie Road
 - **Edwardian and Interwar** – John and Boardman Streets, Kenilworth Grove & Glentilt Road, Manning Road area
 - **Californian Bungalows** – Macgregor Street area, Boston and Washington Avenues area, Sycamore Street area
 - Early Modern and Post-war – Lalbert Crescent
 - **Interwar and Post-war** – Allenby Avenue area, Cairnes Crescent area, Bruce Street area
 - **Post-war** – Green Gables area, Camino Terrace area
 - **Priority Areas** – Baldwin and Clarence Streets
92. The proposed NCO schedules relate to the following SCAs and areas:
- Schedule 8 to the NCO (NCO8) relates to the Early Modern and Post War SCAs and is proposed for the Lalbert Crescent Area;
 - Schedule 9 (NCO9) relates to the Interwar and Post War SCAs including the Cairnes Crescent and Bruce Street areas; and
 - Schedule 10 (NCO10) relates to the Post War SCA including the Camino Terrace area.
93. The proposed NCOs seek to protect the streetscapes which exhibit characteristics and examples of original dwellings from the Early Modern, Interwar and Post War eras as identified in the statement of neighbourhood character contained in Clause 1 in each schedule.

94. The provisions of the proposed NCO schedules were prepared by the Council and have been drawn from the recommendations contained in the 2013 Review.

95. The second objective in each of the proposed NCO schedules is:

- *To encourage retention of the features of intact, original dwellings that contribute to the preferred neighbourhood character of the area.*

A number of submitters have raised concerns regarding the use of a demolition trigger within the proposed schedules. They have raised concerns with the above objective and made submissions that the controls should not seek to restrict development through preventing demolition of existing dwellings or require mock reproduction or imitation of particular character features.

96. This is not the intention of the NCO control or the objective above. Rather the objective seeks to prompt the consideration of the retention of characteristic portions of dwellings. Practice Note 91 states:

- *The demolition control in the NCO holds the existing pattern of development until the character features of the site and the new development have been evaluated.*
- *The demolition control should not be used to conserve existing buildings, but rather to ensure that demolition does not occur until the planning authority is satisfied that the new development meets the neighbourhood character objectives for the area.*

97. The NCO is therefore intended to influence the design of new dwellings prior to the demolition of the existing. It provides the opportunity to ensure that new dwellings retain the key characteristics of the area in terms of setbacks, massing, roof forms and materials that contribute to the identified character of the area.

98. To that end the objective could be reworded as below:

- *To encourage retention of the key characteristics of intact, original dwellings that contribute to the preferred neighbourhood character of the area.*

Proposed DDO22

99. All the above areas were also recommended in the 2013 Review as requiring additional controls for front fencing, due to the consistent low, masonry front fences that form part of the character of the streetscapes.

100. The application of the provisions of DDO22 will require a permit for a masonry front fence over 0.8 metres in height, which adequately accords with the recommendations of the Review.

Application of the NRZ5 and the NCO

101. The Neighbourhood Residential Zone Schedule 5 (NRZ5) 'Significant character precincts' applies to the areas to which the NCO8, NCO9, NCO10 are proposed. The schedule is effectively 'blank' in relation to modified requirements for Clauses 54 and 55 (it only has a requirement for site coverage of a basement to not exceed 75% of the site area). This allows for the NCO schedule to provide more area-specific requirements.

Modified ResCode standards

102. Council has prepared tables comparing currently applied and the proposed NRZ schedules as well as the regular Clause 54 and 55 Standards with the proposed BNCO8, NCO9 and NCO10 altered standards.

103. The altered Clause 54 and 55 Standards contained in the proposed NCO schedules are appropriate for the purpose of achieving the preferred character of each of the subject precincts.

7.0 Submissions

104. Exhibition of Amendment C285 resulted in a total of eleven submissions. Two submissions offered general support and nine submissions objected to the Amendment.

105. A summary of all submissions received in relation to the Amendment is provided below.

NO.	ADDRESS	AREA	SUMMARY OF KEY ISSUES RAISED
1	3 Ramona Avenue	Camino Terrace	Objects - NCO will restrict growth and increase in housing in area with good proximity to transport and infrastructure. Will contribute to additional burdens compared to property owners in other areas of the municipality.
2	19 and 21 Lalbert Crescent	Lalbert Crescent	Objects – restricts development potential, negative effect on property value and recent modern development has eroded character.
3	12 Ramona Avenue	Camino Terrace	Supports. Requests exemptions relating to rear additions and demolition and development of outbuildings.
4	33 Sutherland Street	Bruce Street	Objects – Notes a mixed character of precinct. Modern development occurring broadens appeal of area. NCO will restrict growth and increase in housing in an area with good proximity to transport and infrastructure. Removal of properties fronting Dandenong Road contradicts Council's objectives.
5	18 Lalbert Crescent	Lalbert Crescent	Objects – development in progress with building permit issued. A range of architectural styles existing within the precinct. Front setbacks are not consistent and car parking structures are evident in the street. The application of the NCO does not align with the strategic objectives relating to increase housing density, choice and affordability.
6	4 Bruce Street	Bruce Street	Objects – Notes a mixed character of precinct and objects to any additional controls that would prevent or complicate future repairs and improvements.
7	6 Ramona Avenue	Camino Terrace	Support
8	18 Ramona Avenue	Camino Terrace	Objects – would disadvantage current and future residents who wish to make changes to their properties.
9	5 Ramona Avenue	Camino Terrace	Objects – change in character of precinct since the 2013 Review. The precinct no longer meets the criteria for Neighbourhood Character. Will restrict future development and burden property owners.
10	25 Lalbert Crescent	Lalbert Crescent	Objects- adequate controls to protect neighbourhood character are already in place. The use of a demolition trigger to encourage the retention of dwellings inconsistent with PPN28.
11	18 Bruce Street	Bruce Street	Objects- adequate controls to protect neighbourhood character are already in place. NCO will restrict development and place additional burdens on property owners.

106. The issues raised and the response to the issues will be addressed by precinct.

Lalbert Crescent

Key characteristics

107. Post-war and Early Modern brick building styles, articulation, two-three storey scale, use of brick (often clinker) and tiles, front setback and side separation, garden settings, low front fencing.

Character Statement

108. The Lalbert Street area comprises Post-war and Early Modern dwellings of a grand scale, set within well-established gardens. The dwellings along Orrong Road and Kelvin Grove provide gateways to the Crescent, particularly the distinctive flat-roofed Early Modern building at the corner of Lalbert Crescent and Orrong Road. The area's significance is due to the consistency of its original dwellings which are mostly of two to three storeys and constructed of brick with terracotta tiled roofs. Architectural features of the original buildings include bullseye windows, curved facades, defined porch entrances, projected front rooms and decorative brickwork. Front fences are typically low brick and designed to match the dwellings.

The preferred neighbourhood character for the Lalbert Crescent area is defined by the continued presence of grand brick Post-war and Early Modern dwellings, and new dwellings that reflect the key characteristics of the streetscape which comprise:

- Grand, detached buildings of two to three storey scale.
- Pitched hipped or gabled roofs and projecting front room.
- Parallel orientation of buildings to the street with consistent front and side setbacks.
- Established planting, including canopy trees, in the front, side and rear setbacks.
- Use of red clinker or orange brick, or render, with contrasting detail.
- Red terracotta tiled roofs.
- Vehicle access and car parking structures non-existent or car parking and car parking structures located behind the dwelling with side driveway access or integrated within the dwelling form.
- Low brick front fences, often with brick columns.

Change since the 2013 Review

109. Little change has occurred in the Precinct since the 2013 NCR. The demolition of the dwelling at No 18 Lalbert Crescent is one notable change. There has also been minor demolition to the rear of the dwelling at 3 Lalbert Crescent with planning permit granted for a rear extension. The character or appearance of 3 Lalbert Crescent and 537 Orrong Road have not been materially altered. A planning permit has also been issued for the building at 537 Orrong Road which is affected by the Heritage Overlay.

110. The attributes identified in the 2013 NCR have been confirmed for the Lalbert Crescent area by the site survey undertaken in February 2020. No change is recommended to the previous recommendations for this Precinct.

Issues raised by Submitters and Response

111. The NCO will restrict development potential.
- The NRZ and the NCO do not intrinsically restrict the development potential of a site to which they apply. The amendment does not seek to discourage medium density development but rather provides further guidance to assist new development in contributing to the preferred neighbourhood character of the area. The PN90 and 91 make it clear that NRZ does not relate

to development density, only height. The NCO places greater setback controls than the zone, however this does not necessarily limit the number of dwellings that might be accommodated.

- The Amendment takes into account the broader strategic context. It is considered that the neighbourhood character objectives have been balanced with other State planning policy objectives. The Amendment aligns with Plan Melbourne objectives that require a spectrum on minimal, incremental and high-change residential areas to balance the need to protect valued areas with the need to accommodate for growth.
- The Lalbert Crescent precinct is currently identified as a minimal change area and zoned accordingly within a Neighbourhood Residential Zone (allowing 2 storeys). Amendment C285 proposes no changes to the proposed height and density requirements of this area which currently has a focus on predominantly single and double storey residential development.

112. Adequate controls are already in place to protect neighbourhood character.

- The current application of local policy and provisions of Clause 54 and Clause 55 will not satisfy the neighbourhood character objectives identified in the local planning policy framework (LPPF). The NCO is the appropriate VPP tool to use in localities where a defined character is to be protected.

113. Including a trigger for demolition in the NCO is an improper use of the control.

- Use of the demolition trigger in the NCO is a legitimate option available to Council. It can only be used within the parameters of Practice Note 91. It can ensure that the replacement building adequately addresses the objectives of the NCO prior to demolition.

114. The NCO will have a negative effect on property value.

- It is along established principle that has been consistently upheld by decisions of VCAT and Planning Panels that the value of individual properties is not a relevant planning consideration.

115. The precinct includes varied front setbacks and parking structures are located within front elevation of dwellings.

- There are a range of architectural eras within the street but a predominance of the grand two storey Early Modern clinker brick dwellings. Front setbacks vary due to the road alignment, but are generally within 6m. It is noted that due to the number of corner sites within the precinct a number of sideages contain car parking structures (garages) generally incorporated into the dwelling form, that are setback a typical side boundary distance from the boundary. This is a particular occurrence only due to the subdivision pattern, and not one that is preferred nor necessarily able to be replicated again in future development. There is only one property noted with a projecting garage in the front setback (all others are on a sideage), on a recently constructed dwelling. This is the type of projection that, while not overly intrusive in this isolated case, the proposed controls will enable consideration prior to approval.

It is noted that the proposed Schedule 8 to Cl.43.05 includes a list of key characteristics of the preferred character that relates to the location of parking structures behind the dwelling or integrated with the dwelling form. This continues to be the preferred character for new dwellings.

116. The variety of architectural styles and erosion of character do not warrant application of the NCO.

- It is acknowledged that there are a number of architectural styles within the precinct, with a distinct dominance of one style. The siting and form of the dwellings is of primary concern in this area, as the controls are not intended to prevent new development; rather they are intended to ensure that new development fits within the defined character. The setbacks/siting, brick materials, general height, roof form, front fence style and garden settings are the predominant features of the precinct that the controls should be seeking to ensure new development responds to.
- Architectural style is one of several key elements that contributes as a whole to create an area of distinct neighbourhood character. The Neighbourhood Character Review Addendum 2019 found that there was minimal change within this area since the 2013 Neighbourhood Character Review, and that the previously identified neighbourhood character of the precinct remained. Site inspections in February 2020 found the limited demolition that had occurred within the precinct did not detrimentally affect the identified neighbourhood character.

Bruce Street

Key characteristics

117. Strong garden setting with brick Interwar and Post-war dwellings with pitched roof forms. The urban forest between Bruce Street and Hyslop Parade further contributes to the garden character of this area.

Character Statement

118. These streetscapes are distinctive areas of Interwar and Post-war development set in established gardens. The significance of these areas is due to the consistency of original red, cream or orange brick dwellings, with pitched tiled roofs. Distinctive features of the buildings include entrance canopies sometimes with curved forms, decorative brickwork, flat-faced gables and chimneys, in both simple and elaborate forms. Low brick front fences are designed to match the dwelling style. The preferred neighbourhood character of the Bruce Street and Cairnes Crescent precincts are defined by the continued presence of original dwellings and new dwellings that reflect the key characteristics of the streetscapes including:

- Single storey detached built form with second storeys recessed behind the front façade. Parallel orientation of buildings to the street with consistent front and side setbacks.
- Established planting, including canopy trees, in the front, side and rear setbacks. Use of brick or brick and light-coloured render (cream, orange and red brick).
- Dark terracotta tiled pitched roofs.
- Car parking and car parking structures located behind the dwelling with side driveway access.
- Low brick front fencing.

Change since the 2013 Review

119. Scattered development has occurred in the Precinct since the 2013 NCR. Additionally, Council has consented to a number of S29A requests since the 2013 NCR that have not been acted upon at this stage (6 and 14 Bruce Street). Recent development noted in the 2019 Addendum and in site inspection undertaken in February 2020 include new dwellings at No.1, 13, 25 and 37. Minor rear demolition has been undertaken at 15 Bruce Street and approved at 29a Sutherland Street. The attributes identified in the 2013 NCR have been confirmed for the Bruce Street Precinct area by the site survey undertaken in February 2020.

Issues raised by Submitters and Response

120. Existing characteristics of the Bruce Street Precinct are far broader than the Interwar and Post-war character.

- Architectural style is one of several key elements that contributes as a whole to create an area of distinct neighbourhood character. The Neighbourhood Character Review Addendum 2019 found that there was minimal change within this area since the 2013 Neighbourhood Character Review, and that the identified neighbourhood character of the precinct remained.

121. Modern development broadens the appeal of the precinct.

- Although there has been new development within the Bruce Street precinct, it is considered that the overall precinct has retained a strong character and the features that the NCO would seek to protect are still observable features of the precinct. The perceived correlation between modern development and property prices is outside the scope of this Amendment.

Furthermore, the NCO does not seek to prevent modern/contemporary development and it is considered that the NCO ensures that modern development is in keeping with and strengthens the prevailing character of the area.

122. The controls will make it very difficult for new or existing owners to re-develop/improve other derelict properties in the street.
 - The NCO does not discourage repairs, additions, extensions, contemporary architecture or medium density development. The introduction of NCO does not prevent development, rather it aims to ensure that development considers the existing and preferred neighbourhood character of the streetscape through more detailed design parameters. These design parameters however do not require or encourage the mimicking of existing housing stock, rather they encourage similar massing, siting, materials etc.
123. The current controls effectively protect the neighbourhood character and the proposed controls place an onerous burden on property owners.
 - The current application of local policy and provisions of Clause 54 and Clause 55 will not satisfy the neighbourhood character objectives identified in the local planning policy framework (LPPF). The NCO is the appropriate VPP tool to use in localities where a defined character is to be protected.
 - The introduction of NCO does not prevent development, rather it aims to ensure that development considers the existing and preferred neighbourhood character of the streetscape through more detailed design parameters.
124. The controls will restrict growth and sustainable development in an area will good proximity to transport and infrastructure.
 - The Amendment takes into account the broader strategic context. It is considered that the neighbourhood character objectives have been balanced with other State planning policy objectives. The Amendment aligns with Plan Melbourne requirements relating to providing a mix of low, medium and high-density housing option. This supports long-term housing growth, choice and diversity for a range of household types. Practice Note 91 makes it clear dwelling density is no longer the basis for restricting development outcomes in the Neighbourhood Residential Zone. The NCO does not intend to prevent medium density development.
125. The property at 18 Bruce Street should be removed from the NCO.
 - The dwelling at 18 Bruce Street is consistent with the single storey building scale, pitched rooms form use of material, architectural detailing, siting and garden setting that form the character of the Bruce Street Precinct. Accordingly, it should remain in the precinct.

Cairnes Crescent

Key characteristics

126. Consistency of Interwar/Post-war building styles, the use of brick and render, low brick fencing, regular front setbacks, and the public realm treatment comprising a concrete roadway and formal street tree planting in a cul-de-sac layout.

Character Statement

127. These streetscapes are distinctive areas of Interwar and Post-war development set in established gardens. The significance of these areas is due to the consistency of original red, cream or orange brick dwellings, with pitched tiled roofs. Distinctive features of the buildings include entrance canopies sometimes with curved forms, decorative brickwork, flat-faced gables and chimneys, in both simple and elaborate forms. Low brick front fences are designed to match the dwelling style. The preferred neighbourhood character of the Bruce Street and Cairnes Crescent precincts are defined by the continued presence of original dwellings and new dwellings that reflect the key characteristics of the streetscapes including:

- Single storey detached built form with second storeys recessed behind the front façade. Parallel orientation of buildings to the street with consistent front and side setbacks.
- Established planting, including canopy trees, in the front, side and rear setbacks. Use of brick or brick and light-coloured render (cream, orange and red brick).
- Dark terracotta tiled pitched roofs.
- Car parking and car parking structures located behind the dwelling with side driveway access.
- Low brick front fencing.

Change since the 2013 Review

128. Minimal development has occurred in the Precinct since the 2013 NCR. The attributes identified in the 2013 NCR have been confirmed for the Cairnes Crescent area by the site survey undertaken for this review. The site inspection undertaken in February 2020 confirmed properties at 5, 21 and 30 Cairnes Crescent have had permits issued for minor demolition. A rear extension has been contracted at Cairnes Crescent. These have not significantly affected the integrity of the area's identified character.

129. However, the new aged care development at 12 Cairnes Crescent and 1997-2005 Malvern Road is inconsistent within this character due to several key elements:

- The building scale and massing, with double storey building form presented to the Crescent;
- Use of cream render and limited brickwork; and
- Use of 1.2m black metal fencing.

130. As the aged care development is on one consolidated site, the removal of the site from the area would not diminish the significance of the rest of the NCO area. The removal of the site from the precinct was recommended prior to exhibition of the amendment. It did not form part of the proposed NCO area.

Photos below show examples of the new development in the precinct.



131. No submissions were received regarding the Cairnes Crescent precinct.

Camino Terrace

Key characteristics

132. Intact Post-war 1950s to 1960s cream brick dwellings, wrapped around an open space reserve. Low front fences and formally planted deciduous street trees emphasise the formally planted private gardens and contribute to the character of the area.

Character Statement

133. These streetscapes comprise 1950s to 1960s Post-war development set in established gardens. The significance of these areas is due to the consistency of original double and triple-fronted brick dwellings. Distinctive features of the area include transparent stairways, mullioned doors and windows, iron detailing and matching fences. Camino Terrace area also includes twin flat-roofed Modern dwellings. Dwellings in the Green Gables Avenue area have wide front lawns, and Camino Terrace includes a small reserve, which give the streets an open, landscaped feel.

134. The preferred neighbourhood character for these areas is defined by the continued presence of Post-war dwellings and new dwellings that reflect the key characteristics of the streetscape which comprise:

- Single or double storey detached built form.
- Double and triple fronted building form.
- Parallel orientation of buildings to the street with consistent front and side setbacks.
- Established planting, including canopy trees, in the front, side and rear setbacks.
- Use of cream, orange or red bricks.
- Dark terracotta tiled pitched hipped roofs.
- Car parking and car parking structures located behind the dwelling with side driveway access.
- Low brick front fencing or open frontages with no fencing.

Change since the 2013 Review

135. In general, the attributes identified in the 2013 NCR have been confirmed for the Camino Terrace area by the site survey undertaken for this review. Isolated new builds have occurred in the western sector of Camino Terrace and modifications to 503, 505 and 507 Waverley Road have occurred since the 2013 NCR. Minimal change has occurred to the remainder of the Precinct.

136. New development at 18, 20 and 22 Camino Terrace is inconsistent within this character due to several key elements:

- The building scale and massing, with double storey building forms presented to the street;
- Use of render or paint colour not consistent with the character type; and
- Use of fencing that is more than 0.5-0.8m high.

These properties were removed from the precinct prior to the exhibition of the Amendment and do not form part of the proposed NCO area.

Issues raised by Submitters and Response

137. Precinct location close to services and transport makes it natural focus for higher density housing.

- The area that encompasses the Camino Terrace precinct is currently identified as a minimal change area and zoned within a Neighbourhood Residential Zone. Amendment C285 proposes no changes to the proposed height limits and density requirements of this area which currently focus on predominantly single and double storey residential development.

- Amendment C285 does not propose to discourage medium density development in Camino Terrace and Ramona Avenue, but ensure that new development is able to fit comfortably within the existing area and contribute toward the preferred neighbourhood character identified for this precinct.
138. The burden of additional costs result from NCO controls is unfair compared the remainder of the municipality.
- The application of the NCO is but one of many components of regulating land use and development via the Planning Scheme, which is a long established and accepted practice in Victoria. There is no need for ongoing maintenance of buildings as part of the proposed controls.
 - The introduction of the NCOs will ensure that future development will be required to consider the existing and preferred neighbourhood character of the streetscape and respond to the key characteristics of the area which are encouraged to be retained.
139. The property at 3 Ramona Avenue, Malvern East should be removed from the Overlay.
- The single storey brick dwelling at 3 Ramona Avenue displays characteristics consistent with the preferred character of the area and should be retained within the proposed NCO and DDO. This was confirmed in the 2019 Addendum to Neighbourhood Character Review.
140. The NCO will cause disadvantage to present and future owners who wish to make changes to their properties.
- The NCO does not discourage additions, extensions or contemporary architecture. It is considered that the Camino Terrace Precinct as a whole displays characteristics relevant to the preferred character of the area and therefore it should remain included in the NCO.
141. Since the Neighbourhood Character Review in 2013 there has been significant changes to the Camino Terrace precinct.
- Changes from the 2013 review were considered in the Neighbourhood Character Review Addendum 2019 and confirmed by site inspection undertaken in February 2020. New developments at 18-22 Camino Terrace were considered in the Review, resulting in amendments to the extent of the proposed NCO. The remaining area is considered to warrant controls to protect the key elements of the character of the area.
 - The overall cohesiveness of the Camino Terrace precinct derives not from the specific architectural styles but the general siting and form of the dwellings. These elements are those that should be reflected in new development as proposed in the NCO requirements.
 - The redevelopment of 6 Camino Terrace was observed during the site survey for the 2019 review (incorrectly recorded as 4 Camino Terrace on the Map at page 14). This one anomaly development with minimal side setbacks is not considered to be so detrimental as to detract from the overall significance of the whole precinct.
 - A planning permit has been granted but not acted upon for construction of a second dwelling at 2 Camino Terrace.

8.0 Conclusion and recommendations

142. The Amendment implements the recommendations of the Neighbourhood Character Review 2013 and 2019 Addendum.

143. It is considered that the degree of redevelopment within the precincts has not significantly impacted the character of each area, and that the objectives and provisions proposed are required in order to maintain and improve the character of the areas.

144. A small change should be made to reword second objective of each NCO schedule to:

To encourage retention of the key characteristics of intact, original dwellings that contribute to the preferred neighbourhood character of the area.

Lisa Riddle
Planning Director
Ethos Urban

Appendix A. Curriculum vitae

Lisa Riddle

RESUME

EXPERIENCE	<p>2016 – present Director Planning, Ethos Urban</p> <p>2001 – 2016 Managing Director, Planisphere Pty Ltd</p> <p>1995-2001 Director, Lisa Riddle Planning Services</p> <p>1989-1995 Senior Local Government Management in town planning and building approvals, and corporate planning</p> <p>1987-1989 Senior planning consultant</p> <p>1975-1987 Local government statutory and strategic planning</p>
AFFILIATIONS	<p>Fellow, Certified Practicing Planner, Planning Institute of Australia</p> <p>Member, Victorian Planning and Environmental Law Association</p>
QUALIFICATIONS	<p>Dip App Sci (Town Planning), RMIT, 1983</p>
APPOINTMENTS	<p>Victorian Heritage Council (Alternate to Chair & and Chair, Heritage Strategy Committee) - 2000-05</p> <p>Sessional Lecturer, Urban and Regional Planning, La Trobe University Bendigo 2018</p> <p>Planning Institute of Australia, Victorian Division, Urban Design Convener, Committee Member – (2006-08)</p> <p>Planning Panels Victoria, Sessional Member (1999-2001)</p> <p>Royal Australian Planning Institute (Vic Division) – Committee Member (1993-6, 2001-05)</p>
AWARDS	<p>2018 Planner of the Year, PIA (Vic)</p> <p>2013, 2007 Bendigo CBD Strategy, PIA (National)</p> <p>2005 DSE Regional Housing Statement Process, PIA (State)</p> <p>2003 Darebin High Street Urban Design Framework (with DLA), PIA (National)</p> <p>2001 Melbourne Ecologically Sustainable Building Guidelines, PIA (National)</p> <p>1999 Banyule Neighbourhood Character Strategy (State Commendation)</p> <p>1997 Melbourne Neighbourhood Character Study (National)</p> <p>1997 Hobsons Bay Urban Character Study (State Commendation, joint LPA)</p> <p>1997 Brimbank Urban Design Strategy (State Honourable Mention, joint LPA)</p> <p>1996 Melbourne Neighbourhood Character Study (State)</p> <p>1992 Prahran Significant Tree and Garden Study (State)</p> <p>1992 Prahran Strategy Plan (State LPA)</p>

EXPERTISE	<p>Project management and design, advice and co-ordination</p> <p>Strategic planning, policy development and urban planning in capital city, regional, rural and coastal contexts</p> <p>Practical implementation of strategic and urban design plans</p> <p>Stakeholder engagement and communications design</p> <p>Corporate management and planning, business development</p> <p>Formulation and communication of high level policy</p> <p>Specialties: character, heritage, land use, town centres, housing, climate change adaptation, built form, sustainable transport</p>																										
PRESENTATIONS & PUBLICATIONS	<p>Design, development and leadership of Study Tours for planners (on behalf of VPELA and UDIA Vic):</p> <ul style="list-style-type: none"> 2016 New Zealand (Auckland, Christchurch) 2017 China (Beijing, Xian, Guangzhou, Shanghai, Hong Kong) 2019 USA (San Francisco, Washington DC, New York) <p>Conference Paper: Managing Residential Character in Regional Victoria, MAV 2015</p>																										
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