

Part 1

Introduction

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This information kit is intended to assist in the design, approval and application of building envelopes that are created through planning permits for residential subdivision.

The kit provides guidance for practitioners involved in the residential development industry including:

- Land subdividers
- Land surveyors
- Town planners
- Municipal councils
- Designers and architects
- Dwelling construction companies
- Builders
- Building surveyors

What are building envelopes?

Building envelopes set the design parameters for development on an allotment.

These design parameters can be described by diagrams, plans or written descriptions, or a combination of these.

Building envelopes can represent two or three-dimensional parameters for a building.

Where can building envelopes be used?

Building envelopes can be used in the full range of residential subdivisions, including:

- Broadacre/greenfield subdivisions
e.g. new subdivision of several hundred residential allotments
- Infill subdivisions
e.g. residential subdivision of a former school site in an established suburb
- Individual lot subdivisions
e.g. a 2-lot subdivision of single residential allotment

The purpose and effect of building envelopes will vary according to the context of the subdivision.

What are the benefits of building envelopes to guide developments?

- Consistent outcomes for new development are achieved
Building envelopes establish an agreed scope for development that provides for buildings on different allotments to be developed at different times. Irrespective of when one building is developed in relation to a building on an adjoining allotment, while both buildings must conform to the development parameters, the outcomes of the different developments will be certain.
- Shared responsibility for amenity protection is provided
Building envelopes can ensure individual dwellings provide for and receive amenity protection in relation to their neighbours. For example, building envelopes can manage the height and setbacks of buildings to moderate visual bulk and minimise overshadowing.
- Innovative approaches to achieving planning objectives are facilitated
Building envelopes provide for integrated approaches to development, which can assist in achieving planning objectives that may be compromised by ad hoc development. For example, environmental objectives such as promoting energy efficiency can be achieved through guaranteeing solar access to all lots by controlling building heights and setbacks across adjoining allotments.
- Neighbourhood and streetscape character design parameters established
Building envelopes can regulate design components that will contribute to establishing a distinctive character for an area. For example, building envelopes can direct a pattern in the height and setbacks of buildings, and the location and size of open spaces. These patterns will contribute to the character of a new residential area.
- Efficient use and development of land is facilitated
The integrated approach to development that is facilitated by building envelopes can provide for more efficient use of land, helping to reduce urban sprawl.

What is the purpose of building envelope information kit?

This information kit is intended to provide guidance on the design, approval and application of building envelopes to residential allotments created via a planning permit for subdivision. It does not address all matters related to the subdivision of land, and does not apply to land subdivision other than residential subdivision.

The information in this kit is intended to be read in conjunction with all relevant legislation and the relevant planning scheme, and is not intended to be a substitute for any relevant legislation or relevant planning scheme.

Part 2 covers the basic ‘statutory’ aspects of building envelopes, including the legal requirements of the planning and building systems. It focuses on envelopes created as a result of subdivision of land.

Part 3 and Part 4 consider how specific housing design standards apply to building envelopes. Part 3 is written for those designing envelopes for a subdivision. Part 4 is written from the point of view of a

Council assessing building envelopes in the course of approving a planning permit for subdivision or endorsing plans under a permit.

Part 5 and 6 include some sample 3-dimensional building envelopes. They can be used as starting point for developing new styles of envelopes to deal with amenity issues between neighbours.

Part 6 is a series of profiles for envelopes developed by a working group of surveyors, subdivision and housing designers from member organisations of the Housing Industry Association and the Urban Development Institute of Australia.

The HIA/UDIA working group has drawn on its collective experience of designing and marketing project houses in greenfields sites to develop envelopes to accommodate a range of standard design houses. The profiles have been designed to take into account various degrees of slope on site.

Part 6, containing the industry-developed envelopes, includes a sample restriction on a plan of subdivision which features the envelopes. A sample memorandum of common provisions covers some of the matters relating to the envelope, to show how this instrument can be used to describe common format envelopes within a restriction.

How are building envelopes created?

Building envelopes are not a new concept. They have been commonly used where planning provisions do not regulate the siting and design of development of the land, and the land developer (or, in some instances, the relevant council) seeks to provide some direction to such development.

Building envelopes can be created in a variety of ways, including

- Provisions in a planning scheme in an overlay
- Provisions in an incorporated document in a scheme, such as design guidelines
- Planning permits for subdivision
- Section 173 agreements (*Planning & Environment Act 1987*)
- Restrictions on plan of subdivision
- Private covenants on title
- Contract of sale of land

This variety in the way building envelopes are created has led to lack of clarity and certainty about their existence and status.

A consistent approach to the creation and application of building envelopes which regulate siting and design matters equivalent to those provisions in planning schemes and building regulations will streamline development approvals processes, and assist in achieving the intended outcomes of building envelopes.

This kit focuses on building envelopes created as part of a planning permit for subdivision and then registered on title, as these envelopes are the subject of recent changes to the building regulations so that they are recognised when a building permit for a single dwelling is being considered.

Several other forms of building envelope may also be recognised in the building permit process. These are envelopes that are in the planning scheme. Section 11 of the Building Act will need to be met, and legal advice should be sought as to whether particular envelopes in a scheme conform to Section 11.

The following tools in the Victoria Planning Provisions can be used to create building envelopes through the planning scheme and which therefore may be recognised in the building regulations.

Incorporated Plan Overlay (IP)

The IP can incorporate more than one plan, and so can cover various stages of a subdivision. Design parameters for new housing at stages of a subdivision could be included in a series of incorporated documents which accord with the plan.

A planning scheme amendment is needed to change the plan. This process provides a formal process where multiple landowners are consulted on changes to the plan. The planning practice note *Applying the Incorporated Plan and Development Management Overlay* contains more information.

Development Plan Overlay (DP)

A development plan in a DP overlay may be amended to the satisfaction of the responsible authority. A development plan does not need to be an incorporated document. The planning practice note *Applying the Incorporated Plan and Development Management Overlay* contains more information.

Design and Development Overlay (DDO)

The DDO can allow as of right development of single dwellings provided certain standards for the built form are met. These standards can be scheduled into the overlay for a particular area. An incorporated document could include the design parameters for a particular area covered by the overlay. The practice note *Incorporated and Reference Documents* gives guidance on including such documents in the planning scheme.