

Part 4

Assessing and approving building envelopes

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Assessing and approving building envelopes

This section provides guidance on assessing building envelopes against the residential development provisions of planning schemes.

A building envelope is not required to deal with all of the siting and design matters covered by clause 54. The range of clause 54 provisions that building envelopes deal with is a matter for negotiation with the responsible authority.

Siting and design matters that apply to single dwellings under the Building Regulations, but which are not explicitly included in a building envelope, will be assessed at the building permit application stage.

Council's planning department could refer a planning permit application for subdivision that proposes building envelopes to the Municipal Building Surveyor's office for an opinion on whether the proposed envelopes are clear and detailed enough to guide the approval under the Building Regulations of a proposed single dwelling.

Reference should be made to the Victoria Planning Provisions (VPPs) or the relevant planning scheme for the specific wording of the planning scheme provisions applying to planning permits for subdivision

1 Assessing compliance with clause 54 standards

The provisions of standard C21 of clause 56.06-4 require that, in the first instance, building envelopes should meet the relevant standards of clause 54 (although provision is also made for building envelopes to be designed to comply with the objectives of clause 56.06-4).

Building envelopes can be designed to comply with the objectives of clause 54, rather than the standards. Such building envelopes may be designed to comply with the objectives in whole or in part (that is, building envelopes may incorporate compliance with a combination of standards and objectives).

Assessing compliance with clause 54 objectives

Designing to achieve the objectives could result in a less restrictive outcome than would result from complying with the standard. When assessing building envelopes that are designed to comply with objectives, the focus should be on whether the outcome achieves the objective, rather than whether the outcome is more or less restrictive than the corresponding standards.

The following notes are provided to assist in assessing building envelopes against the objectives of the siting and design provisions of clause 54 of planning schemes.

Decision guidelines

The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives. The decision guidelines should be used to assist in assessing achievement of the objectives.

General considerations

The following sets out general considerations for envelopes designed to comply with the objectives of clause 54.

- Building envelopes should respond to any applicable policy statement in the Local Planning Policy Framework.
- Building envelopes should take account of any change to the corresponding standard in a schedule to the Neighbourhood Character Overlay, if applicable.
- Within new subdivisions, references to the term ‘existing dwelling’ include dwellings that will be built in the future in accordance with a building envelope. ‘Existing dwellings’ in this context should be considered in the context of the building envelopes that set the parameters within which they will be built.
- If an adjoining lot is not part of the same subdivision or agreement, the building envelope should be designed so that a dwelling constructed to the extent of the building envelope will be able to comply with the relevant planning scheme provisions or Building Regulations that will apply in relation to a dwelling on that adjoining lot.
- The status of development on that adjoining lot (such as whether it has a dwelling) at the time of the design of building envelopes for the new subdivision may not be the same at the time of the construction of a dwelling on a lot resulting from the subdivision.
- Specification of particular functions or purposes as part of building envelopes (e.g. specifying areas for garages or private open space) should be avoided unless necessary for the effectiveness of the building envelopes.

54.03-1 Street setback

Objectives

Setbacks of buildings from a street should:

- Respect existing or preferred neighbourhood character.
- Make efficient use of the site.

Considerations

- Building envelopes should take account of any change to the corresponding standard in the schedule to the residential zone, if applicable.
- The pattern of the front setbacks of buildings can have a significant influence on streetscape and neighbourhood character. Consider how the front setbacks achieve the desired character outcome for the new subdivision.
- Consistent setbacks can strongly reinforce a streetscape or neighbourhood character, while staggered setbacks create variety and interest.
e.g. The building envelopes could define the front setback within a range (e.g. between 5.0m – 7.0m) from the street frontage in order to encourage variety.
- If staggered setbacks are being applied, consider the potential overshadowing impacts on front windows by buildings next door which will be set further forward.
- Where the proposed subdivision adjoins areas with existing development which has different setbacks to those proposed for the new subdivision, building envelope setbacks can achieve a graduated transition between the existing setbacks to the prevailing front setback proposed for the new subdivision.
- Garages set forward of dwellings can dominate the streetscape and negatively impact on neighbourhood character. If setbacks of garages are likely to be of issue, ensure that garage placement is specified as part of the building envelope.
- If garage placement is specified as part of the building envelope, consider restricting the garage to be no further forward than the front setback of the associated dwelling.
- If vehicle crossovers are to be constructed or designated as part of the subdivision construction, ensure that the building envelope response to the placement of the vehicle crossover location.
e.g. Ensure that garage zones are aligned with vehicle crossovers
- Specifying a five metre minimum setback for garages will provide for parking of vehicles in front of the garage.
- Where it is not intended to provide for parking of vehicles in front of garages, consider how the building envelope will ensure that the setback of the garage would not encourage vehicles to be parked in front of the garage and overhanging the public footpath / road reserve.
- Clarity in the application of the street setback requirement of a building envelope can be provided by specifying whether or not encroachments are permitted within the setback, and if so, by specifying the allowable encroachments.

Note: If specifying allowable encroachments, the allowable encroachments should be consistent with those contained within the corresponding standards within the Building Regulations.

54.03-2 Building height

Objectives

Height of buildings should:

- Respect the existing or preferred neighbourhood character.

Considerations

- Building envelopes should take account of any change to the corresponding standard in the schedule to the residential zone, if applicable.
- The pattern of the height of buildings can have an influence on streetscape and neighbourhood character. Consider how the building heights achieve the desired character outcome for the new subdivision.
- Where the proposed subdivision adjoins areas with existing development which has different building heights to those proposed for the new subdivision, building envelope heights can achieve a graduated transition between the existing building height to the prevailing building height proposed for the new subdivision.
 - e.g. Where new lots will adjoin an existing residential area, the building height for the new subdivision could be graduated between the new lot adjoining the existing residential area and the subsequent new lots to create a transition between the predominant building heights of the existing residential area to the preferred building height for the new subdivision.*
- Varying building heights can create interest and direct a preferred character outcome.
 - e.g. Minimising building heights (e.g. single storey segments) for the front portion of building envelopes will minimise the visual bulk of buildings when viewed within the streetscape, or alternatively when viewed from the private open spaces at the side and rear of lots if the building height is minimised for the rear portion of the building envelope.*
- Minimised building heights (e.g. single storey segments) for parts of building envelopes adjacent to lots not part of the same subdivision or agreement will help the future building comply with amenity regulations in relation to the adjoining lots.
- Ensure that building envelopes allow for sloping sites.
- Where a new subdivision includes areas of sloping land, applying an appropriate building height to building envelopes across the segment/s of the subdivision within which sloping sites will occur, may be more practical than identifying individual lots that will feature sloping land.
- Building height should be considered in conjunction with other relevant siting and design provisions including:
 - side and rear setbacks;
 - solar access to north facing windows;
 - overshadowing;
 - daylight to new windows.
- Consider the impact of building height on overshadowing of the potential private open space/s (i.e. the areas to the side and rear of building envelopes) of the lot and adjoining lots.

- Building envelopes should take account of expectations of and opportunities for protection or facilitation of views. Building heights of particular lots within the subdivision may need to be designed to maintain or create view corridors.

54.03-3 Site coverage

Objectives

Ensure that site coverage:

- Respects existing or preferred neighbourhood character.
- Responds to the features of the site.

Considerations

- Building envelopes should take account of any change to the corresponding standard in the schedule to the residential zone, if applicable.
- Building envelopes are often generous in size to provide adequate flexibility to accommodate a range of design solutions. Building envelopes are not normally designed to be fully built to. Specification of a site coverage restriction as part of the building envelope will clarify the extent to which development can occur within the constraints of the building envelope.
- Allow for difficult sites
- Consider how providing for permeability of the site will be addressed, taking into account non permeable surfaces (such as driveways and paths) that will not be contained within the building envelope.
- Consider how providing for private open space requirements will be addressed, taking into account that in most instances the areas of secluded private open space will normally be provided to the side or rear of the building envelope (rather than within the front setback area).
- A maximum site coverage of 60 per cent will generally allow for permeability and private open space requirements to be met.
- A site coverage provision should not be used as part of a building envelope to achieve an outcome to another matter such as vegetation protection. Any provision of a building envelope relating to site coverage should be expressly provided to achieve the relevant clause 54 objective.

54.03-4 Permeability

Objectives

- Reduce the impact of increased stormwater runoff on the drainage system.
- Facilitate on-site stormwater infiltration.

Considerations

- In many instances, a building envelope which defines setbacks from lot boundaries in conjunction with a site coverage restriction (either specified within the building envelope or as regulated by the

Building Regulations) will adequately provide for permeable surfaces on a lot. It may not be necessary to specify a requirement for permeable surfaces as part of the building envelope, as the application of the relevant planning scheme provision or Building Regulation would normally be sufficient, and able to be met.

- If provision of permeable surfaces is to be dealt with in a building envelope, the building envelope restriction should aim for minimum infiltration of at least 20 per cent of the lot area.
- Alternative approaches to minimising the impact of stormwater run-off include on-site stormwater retention mechanisms. Application of such alternatives to stormwater management could reduce the permeable area required.
- A permeable surface provision should not be used as part of a building envelope to achieve an outcome to another matter such as site coverage or vegetation protection. Any provision of a building envelope relating to permeability should be expressly provided to achieve the relevant clause 54 objective.

54.03-5 Energy efficiency protection

Objectives

- Achieve and protect energy efficient dwellings
- Ensure the orientation and layout of development reduces fossil fuel energy use and makes appropriate use of daylight and solar energy.

Considerations

- Where possible, building envelopes should be oriented along north-south / east-west axes to maximise solar control.
- Building envelopes should be designed to maximise opportunities for habitable room windows to be oriented to the north.
- Building envelopes can restrict the location of windows (particularly habitable room windows) to maximise energy efficiency.

e.g. Minimise west-facing windows.

- Building envelopes should provide a setback of at least three metres from northern boundaries where north is to the side or rear.
- Building envelopes should be designed to provide solar access corridors to north faces of other building envelopes.
- Building envelopes should provide opportunities for external walls of dwellings on adjoining lots to abut each other.

54.03-6 Significant trees

Objectives

To encourage:

- Development that respects the landscape character of neighbourhood.
- Encourage retention of significant trees on the site.

Considerations

- Building envelopes should be designed to provide open space areas consistent with the landscape character to be retained or achieved.
- Building envelopes should be planned around significant trees or landscape features on the site. However, if the retention of the significant trees or landscape features is specifically intended, a separate restriction should be considered. The existence of a building envelope addressing siting and design matters will not restrict vegetation removal.
- Building envelopes should be planned to allow for planting of trees to provide shade, habitat, wind protection etc as needed.

54.03-7 Parking

Objectives

- Ensure parking is adequate for needs of residents

Considerations

- Car parking provision can be addressed in a building envelope by specifying a requirement for the number of car parking spaces to be provided on the site; and/or specifying the location for car parking spaces on the site.
- It may not be necessary to specify a requirement for car parking as part of the building envelope – the application of the relevant planning scheme provision or Building Regulation would normally be sufficient, and able to be met.
- Consider how the layout of the lot and the associated building envelope will allow for at least two accessible spaces to accompany a standard dwelling design.
- Consider how the car parking spaces will be easily accessed from a street or lane.
- If vehicle crossovers are to be constructed or designated as part of the subdivision construction, ensure that the building envelope responds to the placement of the vehicle crossover location.
e.g. Car parking spaces or zones should be aligned with vehicle crossovers
- If provision of car parking is to be dealt with in a building envelope, tandem parking should be avoided if possible. Most lots to which building envelopes will be applied should be of sufficient area to not rely on tandem car parking to provide the required car parking for residents.

- If garage placement is to be specified as part of the building envelope, the building envelope could require that the garage be no further forward than the front setback of the associated dwelling.
- Consider providing a five metre minimum setback for the designated car parking spaces or garages to provide for parking of additional vehicles in front of the car spaces or garage.
- The building envelope should be designed to ensure that the setback of the garage would not encourage vehicles to be parked in front of the car spaces or garage so as to intrude into the public footpath / road reserve.
 - e.g. The building envelopes could provide a minimal setback for the car space or garage from the front boundary (note: consider the impact of minimal setbacks on the streetscape and neighbourhood character. Minimal garage setbacks should only be applied where the setback of the dwelling is also minimal, such as in a terrace type development pattern).*
- Building envelopes can be used to limit the dominance of car parking within the streetscape.
 - e.g. Where allotments are narrow, the building envelope could limit the width of a car parking space, garage or carport to a single car space width.*
- The location of crossovers and driveways can be used to enhance solar access to the northern facades of dwellings.
 - e.g. The building envelope can provide for a dwelling to be setback the width of the driveway (approximately three metres) from the northern boundary.*

54.04-1 Side and rear setbacks

Objectives

Ensure that height and setback of a building from a boundary:

- Respects the existing or preferred neighbourhood character; and
- Limits impact on the amenity of existing dwelling.

Considerations:

- Building envelopes should take account of any change to the corresponding standard in the schedule to the residential zone, if applicable.
- The pattern of separation between buildings can have an influence on streetscape and neighbourhood character. Consider how the side and rear setbacks achieve the desired character outcome for the new subdivision.
- Side and rear setbacks should be considered in conjunction with other relevant siting and design provisions including:
 - building height;
 - solar access to north facing windows;
 - overshadowing;
 - overlooking;
 - daylight to new windows.
- Generous setbacks for building envelopes from northern boundaries maximise solar orientation opportunities.
 - e.g. Provide a setback of at least 3 metres from north boundaries.*
- Setbacks between building envelopes on adjoining lots should be coordinated to maximise solar orientation opportunities.

e.g. Provide greater setbacks from northern faces of building envelopes on adjoining lots where those building envelopes do not provide for their own solar access via a generous setback from their northern boundary.

- Consider the impact of side and rear setbacks on overshadowing of the potential private open space/s (i.e. the areas to the side and rear of building envelopes) of the lot and adjoining lots.
- Setbacks between building envelopes on adjoining lots should be coordinated to achieve compliance with the overlooking objective or standard.
- The combination of sloping land and side and rear setbacks can affect the appearance of visual bulk of buildings. Consider the impact of any slope on the lot and adjoining lots, and how the design the side and rear setbacks of building envelopes minimises the appearance of visual bulk.
- If an adjoining lot is not part of the same subdivision or agreement, the building envelope must meet the prescribed side and rear setback standard under clause 54 in relation to that adjoining lot.

54.04-2 Walls on boundaries

Objective

Ensure that the location, length and height of wall on a boundary:

- Respects the existing or preferred neighbourhood character.
- Limits the impact on amenity of existing dwellings.

Considerations:

- The pattern of separation between buildings can have an influence on streetscape and neighbourhood character. Consider how the location of walls on boundaries impacts on achieving the desired character outcome for the new subdivision.
- Walls on boundaries should be considered in conjunction with other relevant siting and design provisions including:
 - building height;
 - solar access to north facing windows;
 - overshadowing;
 - daylight to new windows
 - solar access to open space.
- Building setbacks and walls on boundaries should be coordinated between building envelopes on adjoining lots to maximise solar orientation opportunities.

e.g. Walls on boundaries should not be placed adjacent to northern faces of building envelopes on adjoining lots where those building envelopes do not provide for their own solar access via a generous setback from their northern boundary.
- Consider the impact of walls on boundaries on overshadowing of the potential private open space/s (i.e. the areas to the side and rear of building envelopes) of the lot and adjoining lots.
- Provision for walls on boundaries adjacent to the rear portions of adjoining lots should be minimised to reduce to potential for overshadowing impacts.

- Opportunities should be provided for external walls of dwellings on adjoining lots to abut each other.
- Building envelopes should be designed to avoid small, unserviceable gaps between boundary walls.
- The combination of sloping land and walls on boundaries can affect the appearance of visual bulk of buildings. Consider the impact of any slope on the lot and adjoining lots, and how the design of the walls on boundaries of building envelopes minimises the appearance of visual bulk.
- Boundary wall heights should be related to the setbacks of building envelopes on adjoining lots, to minimise perceptions of visual bulk from the adjoining lots. The closer adjoining building envelopes are to the common boundary, the lower the boundary wall height should be.
- In most instances, the walls constructed on boundaries will be garage walls. Ensure that the lengths of boundary walls provided for by the building envelope are of sufficient length to accommodate at least a garage wall on the boundary. A boundary wall length of at least 6.5 metres would allow a 6 metre internal length for parking.
- Consider the need for some flexibility in locating walls on boundaries. Some designs may incorporate a combination of garage walls and dwelling walls constructed along the boundary. This is particularly so with site specific designs (i.e. not ‘project’ homes) or dwelling designs for narrow lots. Also, some dwelling designs incorporate garages further along the side of the dwelling.
- Opportunities for providing flexibility in the location of walls on boundaries include designating a zone/s on the building envelope within which walls can be constructed on boundaries, in conjunction with a restriction on the maximum length and height of the wall.
 - e.g. A building envelope could designate a ‘wall on boundary zone’ commencing at the setback from the front boundary line, within which any walls on boundaries must be constructed, and incorporating the specification that boundary walls within that zone are limited to a particular height and proportion of the length of the wall on boundary zone.*
- Building envelopes for lots to accommodate ‘terrace’ dwellings should provide for sufficient length and height of walls on boundaries.
 - e.g. Provide for the height of walls on boundaries for terrace dwellings to accommodate two storey heights (for party walls) along shared side boundaries.*
- If an adjoining lot is not part of the same subdivision or agreement, the building envelope must meet the prescribed walls on boundaries standard under clause 54 in relation to that adjoining lot.

54.04-3 Daylight to existing windows

Objectives

- Allow adequate daylight to existing habitable room windows.

Considerations:

- Setbacks between building envelopes on adjoining lots should be coordinated to provide for adequate daylight to windows of dwellings that will be built in conformity with the building envelopes.

- To ensure windows will have adequate access to daylight, building envelopes could designate a zone/s on the building envelopes within which habitable room windows must/must not be located.
- If an adjoining lot is not part of the same subdivision or agreement, the building envelope should be designed so that a dwelling constructed to the extent of the building envelope will be able to comply with the relevant planning scheme provision or Building Regulation that will apply in relation to daylight to habitable room windows of a dwelling on that adjoining lot. Note that a dwelling could be built or altered on the adjoining lot between the time of assessing the building envelope and construction of a dwelling on the 'enveloped' lot.

54.04-4 North facing windows objective

Objective

- Allow adequate solar access to existing north-facing habitable room windows.

Considerations

- Solar access to north-facing windows should be considered in conjunction with other relevant siting and design provisions including:
 - building height;
 - side and rear setbacks;
 - walls on boundaries.
- Generous setbacks for building envelopes from northern boundaries will provide for solar access to north-facing windows.
 - e.g. Provide a setback of at least 3 metres from north boundaries.*
- Setbacks and boundary heights between adjoining lots should be coordinated to provide for solar access to north-facing windows.
 - e.g. Provide greater setbacks from northern faces of building envelopes on adjoining lots where those building envelopes do not provide for their own solar access via a generous setback from their northern boundary.*
- If an adjoining lot is not part of the same subdivision or agreement, the building envelope should be designed so that a dwelling constructed to the extent of the building envelope will be able to comply with the relevant planning scheme provision or Building Regulation that will apply in relation to solar access to existing north-facing habitable room windows of a dwelling on that adjoining lot. Note that a dwelling could be built or altered on the adjoining lot between the time of assessing the building envelope and construction of a dwelling on the 'enveloped' lot.

54.04-5 Overshadowing open space

Objective

- Ensure buildings do not unreasonably overshadow existing secluded private open space.

Considerations

- Ensure that the building envelopes on each lot provide for a useable portion of open space outside of the building envelope which will not be overshadowed by buildings on adjoining lots (including buildings that will be built in conformity with the building envelopes).

- Overshadowing should be considered in conjunction with other relevant siting and design provisions including:
 - building height;
 - side and rear setbacks;
 - walls on boundaries;
 - private open space.
- Consider the impact of building height on overshadowing of the potential private open space/s to the side and rear of building envelopes of the lot and adjoining lots.
- Setbacks between building envelopes on adjoining lots should be coordinated to minimise overshadowing between adjoining lots.
- Provision for walls on boundaries adjacent to the rear portions of adjoining lots should be minimised.
- Consider the overshadowing impact of a building constructed to the extent of the building envelope on the open space areas on that same lot.
- Take account of shadows that will be cast by boundary fencing.
- Consider whether it is appropriate to designate an area of private open space on each lot that is protected from overshadowing by the building envelopes on adjoining lots.
- If an adjoining lot is not part of the same subdivision or agreement, the building envelope should be designed so that a dwelling constructed to the extent of the building envelope will be able to comply with the relevant planning scheme provision or Building Regulation that will apply in relation to overshadowing of private open space of a dwelling on that adjoining lot. Note that a dwelling could be built or altered on the adjoining lot between the time of assessing the building envelope and construction of a dwelling on the ‘enveloped’ lot.

e.g. Designate lower building heights for parts of building envelopes adjacent to lots not part of the same subdivision or agreement.

54.04-6 Overlooking

Objective

- Limit views into existing secluded private open space and habitable room windows

Considerations

- Ensure that the building envelopes on each lot provide for a useable portion of open space outside of the building envelope which will not be unreasonably overlooked by habitable room windows or raised open spaces of dwellings on adjoining lots (including buildings that will be built in conformity with the building envelopes).
- Overshadowing should be considered in conjunction with other relevant siting and design provisions including:
 - side and rear setbacks;
 - private open space.
- Setbacks between building envelopes on adjoining lots should be coordinated to minimise overlooking between adjoining lots.

e.g. Building envelopes on adjoining lots could provide for 4.5 metre setbacks of upper storeys containing raised open spaces such as balconies and habitable room window on each side of the fence so that the distance between habitable room windows and balconies in dwellings built on adjoining lots in conformity with the building envelopes will be at least 9 metres.

- The combination of sloping land and side and rear setbacks can have implications for overlooking between dwellings. The impact of any slope on the lot and adjoining lots should be considered when designing building envelopes to minimise overlooking.
- A ‘non-overlooking zone’ can be designated on a building envelope plan. This could indicate an area where habitable rooms windows and raised open spaces built above a specified height cannot be located except with appropriate screening or other treatment to obstruct a direct line of sight from the window or raised open space.
- Consider that if habitable room windows in dwellings on adjoining lots will directly face each other, only one of the habitable room windows in a ‘facing pair’ will need to eliminate a direct line of sight. Non-overlooking zones can thus be placed opposite areas where there are no restrictions on habitable room windows and raised open spaces in building envelopes on adjoining lots.

e.g. In a series of adjoining lots (with an east-west orientation), provide no restriction of habitable room windows and raised open spaces in the northern face of all building envelopes and ‘non-overlooking zones’ (which require appropriate screening or other treatment to obstruct a direct line of sight from any habitable room windows or raised open spaces) in the southern face of all building envelopes.

- Location of non-overlooking zones should consider the potential to overlook secluded private open space on adjoining lots as well as potential overlooking of windows.
- The impact of structures (i.e. buildings, fences etc) on obstructing a direct line of sight should be considered, and the placement of habitable room windows, building setbacks and such structures should be coordinated to minimise overlooking between adjoining lots.

e.g. Depending on the slope, a building setback of 5 metres from a rear boundary for storeys above the first storey, in conjunction with a boundary fence height of 1.8 metres, could eliminate a direct view from a second storey window down into the rear secluded private open space of the adjoining lots.

- Minimum fence heights for side and rear boundary fences can be specified to achieve an appropriate barrier to overlooking between dwellings on adjoining lots.
- When assessing overlooking provisions that will rely partly on the landowner building a fence in order to obscure views, a consideration is that building envelopes that are given effect by a restriction on title must be negative and cannot require the landowner to take a positive action. If the building envelope is to be a restriction on title, a requirement to build a fence of a certain height should be linked to the dwelling construction and the validity of the requirement should be checked by a legal adviser.
- An alternative to specifying a minimum fence height in a restriction on title in order to address overlooking may be a condition on the subdivision permit that certain boundary fences be built. The normal tests of the validity of a permit condition would apply.
- Opportunities for constructing shared walls on boundaries should be maximised, where appropriate. This can help reduce overlooking by limiting the number of habitable room windows in side walls facing adjoining lots.

- Where building envelopes provide for walls to be constructed along lot boundaries, the building envelope should include a specification that no windows may be constructed in walls abutting the boundary of adjoining lots.
- Consider whether it is appropriate to designate an area of private open space on each lot that is protected from overlooking by the building envelopes on adjoining lots.
- If an adjoining lot is not part of the same subdivision or agreement, the building envelope should be designed so that a dwelling constructed to the extent of the building envelope will be able to comply with the relevant planning scheme provision or Building Regulation that will apply in relation to overlooking of secluded private open space of a dwelling on that adjoining lot.

54.05-1 Daylight to new windows

Objective

- Allow adequate daylight to new habitable room windows.

Considerations

- Daylight to new windows should be considered in conjunction with other relevant siting and design provisions including:
 - building height;
 - side and rear setbacks
 - walls on boundaries.
- Setbacks between building envelopes on adjoining lots should be coordinated to provide for adequate daylight to windows of dwellings that will be built in conformity with the building envelopes.
- Ensure that where the building envelope provides a setback from a boundary with an adjoining lot, the setback from that boundary is an adequate distance to provide for daylight access to habitable room windows.
 - e.g. Provide a minimum setback of 1 metre from side and rear boundaries for a length of 3 metres.*
- Where the building envelope provides for eaves to encroach beyond the limits of the building envelope, provide a setback of 1 metre plus a distance equivalent to the maximum depth of the allowable encroachment.
- Where building envelopes provide for walls to be constructed along lot boundaries, consider specifying as part of the building envelope that no habitable room windows may be constructed in walls abutting the boundary of adjoining lots.
- One option for ensuring that habitable room windows will have adequate access to daylight is to designate zone within the building envelopes within which habitable room windows must/must not be located.
- If 'habitable room window' zone/s are being applied, ensure the setbacks of these zone/s from building envelopes and boundaries will provide sufficient access to daylight for windows placed within the zone/s.

54.05-2 Private open space

Objective

- Provide adequate private open space for reasonable recreation and service needs of residents.

Considerations

- Building envelopes should take account of any change to the corresponding standard in the schedule to the residential zone, if applicable
- Ensure that the extent of a building envelope allows for the provision of an adequate area/s of open space on each lot outside of the building envelope.
- Consider greater than minimum setbacks from rear lot boundaries so that a dwelling built to the extent of the building envelope will include reasonable areas outside of the building envelope to fulfil open space requirements.
 - e.g. For a standard lot of 16 metres wide and 32 metres deep, a building envelope setback of 5 metres from the front boundary and 3 metres from the rear boundary, for the full width of the lot, would provide two areas of private open space:*
 - front yard = 80 square metres (which becomes 50 square metres when the driveway area of approx. 6 metres wide and 5 metres deep, or 30 square metres, is subtracted)*
 - rear yard = 48 square metres*
 - total private open space = 98 square metres.*
- Private open space should be considered in conjunction with other relevant siting and design provisions including:
 - Overshadowing open space;
 - Overlooking;
 - Solar access to open space.
- Building envelopes should be designed to orient areas of potential private open space to achieve solar access, through manipulation of setbacks.
- Consider whether it is appropriate to identify an area of open space on each lot that is protected from overshadowing and overlooking by the building envelopes on adjoining lots. This could be used as a guide for land owners to plan their dwelling design to maximise the use of this area as their primary area of private open space, without specifying a required location for a private open space area/s on the lot.
- Specifying where private open space should be located on a lot should normally only be considered where there are particular site constraints or integrated design outcomes that necessitate such prescription.

54.05-3 Solar access to open space

Objective

- Allow solar access into the secluded private open space of a new dwelling.

Considerations

- Solar access to private open space should be considered in conjunction with other relevant siting and design provisions including:
 - Walls on boundaries;
 - Overshadowing open space;
 - Private Open Space.
- Building envelopes should be designed to orient areas of potential private open space to achieve solar access, through manipulation of setbacks,.
- Where practicable, greater building envelope setbacks should be provided along the north side of a lot to allow for the provision of private open space with good solar access.
- Where the layout of a building envelope is such that it is likely that primary areas of private open space will be provided adjacent to a wall to the north, the setbacks of the building envelope should provide for an adequate setback of the southern boundary of the open space area to achieve appropriate solar access to the private open space.
- Heights of walls and the location and dimensions of private open space should be coordinated to provide adequate solar access to the area of private open space
 - e.g. If the building envelopes limit the height of southern walls abutting a north-facing area designated as private open space to 3.0 metres high, the private open space area would require a width of 4.7 metres from the wall to meet the standard in Clause 54.*

54.06-1 Design detail

Objective

- Encourage design detail that respects the existing or preferred neighbourhood character.

Implementation suggestion

- This objective and corresponding prescriptive standard addresses the detailed design of individual dwellings. The range of design matters encompassed by this objective and standard include facade articulation and detailing; window and door proportions; roof form; and verandahs, eaves and parapets.
- As this level of design detail is not a matter addressed by the siting and design provisions of the Building Regulations, and is not a matter that will be assessed at the building permit stage, it is recommended that this matter not be included with the part of a restriction or agreement that deals with the building envelopes.

- If the land subdivider or council wishes to achieve a particular detailed design outcome for a new subdivision, **requirements and restrictions to achieve this outcome should be in a separate agreement or separate section of an agreement to that of the building envelope restrictions.**

54.06 -2 Front fences

Objective

- Encourage front fence design that respects the existing or preferred neighbourhood character.

Considerations

- Building envelopes should take account of any change to the corresponding standard in the schedule to the residential zone, if applicable.
- The height and pattern of front fences can have a significant influence on streetscape and neighbourhood character. Consider how the front fence heights achieve the desired character outcome for the new subdivision.
- Consider the benefits of promoting interaction between public (i.e. footpaths etc) and private realms (private properties) through restricting front fence heights.
- Front fence height should be considered in conjunction with the 'Private open space' objective. If it is likely that areas of secluded private open space will be provided within the front setback of a lot (e.g. on small terrace lots), ensure that the front fence height that would normally apply through either the relevant planning scheme provision or Building Regulation will provide for an adequate level of seclusion and privacy for the secluded private open space. If not, specifying an alternative front fence height as part of the building envelope should be considered.
- Consider if the envelope needs to regulate the front fence height. The front fence height regulation in the Building Regulations may be sufficient to achieve the outcomes sought. If the building envelope will be given effect to by a restriction on title, legal advice should be sought to ensure that restrictions requiring construction of a certain type of fence in conjunction with a dwelling are negative in their effect and therefore valid restrictions.
- When regulating front fence height as part of a building envelope for a lot on or within 9 metres of a street corner, regulation 4.27(1) 'Fences on street alignments' of the Building Regulations 1994 should be taken into account. This regulation controls fence heights adjacent to street intersections to provide for appropriate sight lines. The building envelope as it relates to front fence heights should be designed to ensure that any fence constructed in accordance with the building envelope will also comply with this associated regulation.

2 Assessing compliance with other planning scheme provisions

Local policies

Local policies within planning schemes can include matters relating to the siting and design of residential development and neighbourhood character. For example, a local policy could set out the preferred character for a new residential area. A local policy could also set out preferred ways for building envelopes to respond to the objectives of clause 54.

When assessing building envelopes, relevant local policies should be taken into account and building envelopes should be designed to reflect the intended policy outcomes.

Local policies should assist in providing guidance and direction in relation to the appropriate local response to the generic statewide objectives of clause 54.

Schedules to zones

Schedules to the residential zones provide a means of including local provisions in planning schemes which supplement the State standard residential provisions of clauses 54 and 55. The schedules allow variation of six of the prescriptive standards of clauses 54 and 55, and the corresponding standards within the Building Regulations.

The residential zones to which a schedule can be applied are:

- Residential 1 Zone
- Residential 2 Zone
- Mixed Use Zone
- Township Zone

Where a schedule to a residential zone is applied, it applies to all land within that zone.

The six standards that can be varied by the schedule are:

- Street setback
- Building height
- Site coverage
- Side and rear setbacks
- Private open space
- Front fence height.

When assessing building envelopes, relevant variations to the prescriptive standards should be taken into account and building envelopes should be designed to reflect the intended character outcomes of these varied standards.

Overlays

Overlays provide a level of planning control in addition to the zoning of the land. The requirements of any overlay apply in addition to the requirements of the zone. Neither is more important than the other. By their nature, however, overlays more specifically relate to particular local circumstances.

Only some of the overlays relate to landscape and built form matters. When assessing building envelopes, the requirements of relevant overlays should be taken into account and building envelopes should be designed to reflect the intended outcomes of the overlay.

Clause 65 Decision Guidelines

Clause 65 of all planning schemes sets out the decision guidelines for planning permit applications. For all planning permit applications, the responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause. When assessing building envelopes, the 'tests' set out in these decision guidelines should be given due regard.